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**Government of India
Department of Commerce
Ministry of Commerce & Industry
Directorate General of Anti-Dumping & Allied Duties**

NOTIFICATION

New Delhi, the 19th March 2008

Initiation (Sunset Review)

Subject: Initiation of Sunset Review Anti-Dumping Investigations into imports of Sodium Hydrosulphite from Germany (EU) and Korea RP.

No.15/1/2008-DGAD. Whereas having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (herein after referred to as AD Rules), the Designated Authority (herein after referred to as the Authority) recommended provisional anti-dumping duty on import of Sodium Hydrosulphite (hereinafter referred to as subject goods) originating in or exported from Germany (EU) and Korea RP (hereinafter referred to as subject countries), vide Notification No. 14/34/2002-DGAD dated 25th February 2003, which were imposed on the subject goods vide Notification No. 61/2003 Customs dated 1st April, 2003. The Authority came out with the final findings on 20th October, 2003 and definitive anti-dumping duty was imposed vide Notification No. 173/2003 dated 3rd December 2003.

2. Request for Review and Initiation

WHEREAS in terms of the Customs Tariff (Amendment) Act 1995, the anti-dumping duty imposed shall, unless revoked earlier, cease to have effect on expiry of five years from the date of such imposition.

Provided that if the Central Government, in a review, is of the opinion that the cessation of such duty is likely to lead to continuation or recurrence of dumping and injury, it may, from time to time, extend the period of such imposition for a further period of five years and such further period shall commence from the date of order of such extension.

In terms of the above provisions, M/s Transpek-Silox Industry Ltd has approached the Authority with a duly substantiated petition requesting for such a review. In view of

the judgment of the Hon'ble Delhi High Court in the Writ Petition No 16893 of 2006 (Indian Metal & Ferro Alloys Ltd Vs Designated Authority) holding that sunset review is mandatory and such review is required to be carried out in terms of Rule 23 of the Rules, the Designated Authority hereby initiates the sunset review proceedings, in accordance with Section 9 A (5) of the Act, to examine whether cessation of the duty in force would lead to continuation or recurrence of dumping and injury to the domestic industry.

3. Product under consideration

The product under consideration is known as Sodium Hydrosulphite (Also referred to as subject goods hereinafter), also known as hydrosulphite concentrate or sodium dithionite, which can be produced using different manufacturing processes. Sodium Hydrosulphite is a chemical, with chemical formula $\text{Na}_2\text{S}_2\text{O}_4$, and it is a white / greyish-white crystalline powder with pungent odour, used in such applications as textiles, bleaching aid, reducing agent, pharmaceuticals and polymers. It is imported under Chapter 28 of Customs Tariff Act, under sub-headings 2831.10.10 and 2832.10.20. The classification is, however indicative only and is in no way binding on the scope of the present investigation.

4. Procedure

The investigation will determine whether the expiry of the measure would be likely to lead to a continuation or recurrence of dumping and injury. The Authority will examine whether the continued imposition of the duties is necessary to offset dumping and whether the injury would be likely to continue or recur if the duty were removed or varied, or both.

- i. The review will cover all aspects of Notification No 14/34/2002-DGAD dated 20th October 2003.
- ii. The countries involved are Germany (EU) and Korea RP.
- iii. The period of investigation for the purpose of the present review is from 1st April, 2006 to 30th September, 2007 (18 months).
- iv. The provisions of Rules 6,7,8,9,10,11,16,17,18,19 and 20 of the Rule supra shall be mutatis mutandis applicable in this review.

5. Submission of information

The exporters in the subject countries, their government through their Embassies/High Commissions in India/representatives, the importers and users in India known to be concerned and the domestic industry are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the:

The Designated Authority
(Directorate General of Anti-Dumping & Allied Duties)
Government of India
Ministry of Commerce & Industry
Udyog Bhavan, New Delhi-110011.

Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

6. Time limit

Any information relating to the present review and any request for hearing should be sent in writing so as to reach the Authority at the above address not later than forty (40) days from the date of publication of this review notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record in accordance with the Rules supra.

7. Submission of information on non-confidential basis

In terms of Rule 6(7), of the Rules the interested parties are required to submit non-confidential version of any confidential information provided to the Authority. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing such information, such information is not susceptible to summary, a statement of reason thereof is required to be provided.

8. Use of facts available

In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Governments as deemed fit.

9. Inspection of public file

In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

(R GOPALAN)
Designated Authority

