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Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Anti dumping & Allied Duties)

Dated the 22nd September, 2011

Initiation Notification
(Mid-term Review)

Subject: Initiation of Mid-term Review investigation concerning the anti-dumping duty imposed on imports of Sodium Tripoly Phosphate (STPP) originating in or exported from the China PR.

No. 15/18/2011-DGAD – Whereas having regard to the Customs Tariff Act, 1975, as amended in 1995 and thereafter (hereinafter referred to as Act), and the Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter referred to as Rules), vide Notification No. 14/25/2009-DGAD dated 3.05.2011, published in the Gazette of India, Extraordinary Part I, Section I dated the 03rd May, 2011, the Designated Authority (hereinafter referred to as Authority) notified its final findings, recommending definitive anti-dumping duty on the imports of Sodium Tripoly Phosphate (STPP), originating in or exported from China PR (hereinafter referred to as subject country).

2. And, Whereas definitive anti dumping duty was imposed on the subject goods vide Customs Notification No.58/2011-Customs dated 8th July, 2011.

Product Under Consideration

3. The product under consideration is "Sodium Tripoly Phosphate" (STPP), having chemical formula $\text{Na}_5\text{P}_3\text{O}_{10}$. It is a polyphosphate of sodium or sodium salt of triphosphoric acid. Broadly there are two grades of STPP viz., Technical Grade and Food Grade. There are various technical grades of STPP – Regular, Medium Temperature Rise, High Temperature Rise, Granular and Hydrated. STPP is a solid inorganic compound used in a large variety of household cleaning products, mainly as a builder, but also in human foodstuffs, animal feeds, industrial cleaning processes and ceramics manufacture. The product under consideration is classified under Chapter 28 of the Customs Tariff Act, 1975 under subheading 2835.3100. However, Customs classification is indicative only and not binding on the scope of the present investigation.

Initiation

4. The Act, and the Rules made there under, requires the Authority to review from time to time the need for continuance of the anti-dumping duties in force. M/s TATA Chemicals Ltd, the domestic industry in the

original investigation, vide their letter dated 21st July, 2011, informed the Authority that they have mothballed their STPP plant. They further informed that there is no domestic industry for STPP in India and requested for withdrawal of the anti-dumping duty applicable on STPP, considering the larger interest of the consumers of STPP and the end consumers where STPP is used. M/s Rohdia Speciality Chemicals India Ltd (formerly named as M/s Albright & Wilson Chemicals India Ltd and supporter of the original application) have also informed vide their letter dated 17th August, 2011 that they have stopped production of STPP and requested to withdraw the anti-dumping duty imposed on the imports of the subject goods originating in or exported from China PR. The Authority also requested the concerned Administrative Department to provide details about the producers and production of subject goods in India, but no information was made available. In view of the above changed circumstances, the Designated Authority considers that the mid-term review of the anti-dumping duty, recommended in the final findings vide Notification No. 14/25/2009-DGAD dated 3.05.2011 and imposed vide Customs Notification No.58/2011-Customs dated 8th July, 2011, would be appropriate at this stage under the provisions of Rule 23 of the Rules and Section 9A (5) of the Act.

Country involved

5. The country involved in the present investigation is China PR.

Grounds for Review

6. M/s TATA Chemicals Ltd, the domestic industry in the original investigation and M/s Rohdia Speciality Chemicals India Ltd (formerly named as M/s Albright & Wilson Chemicals India Ltd who had supported the original application) have informed that they have stopped production of STPP and requested to withdraw the anti-dumping duty imposed on the imports of the subject goods originating in or exported from China PR. The Authority also requested the concerned Administrative Department to provide details about the producers and production of subject goods in India, but no information was made available. In view of the above changed circumstances, the Authority considers that the mid-term review of the anti-dumping duty, recommended in the final findings vide Notification No. 14/25/2009-DGAD dated 3.05.2011 and imposed vide Customs Notification No.58/2011-Customs dated 8th July, 2011, would be appropriate at this stage under the provisions of Rule 23 of the Rules and Section 9A (5) of the Act.

Procedure

7. Having regard to the information provided by the domestic industry and the supporter indicating changed circumstances necessitating a review of the measure in force, the Designated authority now considers that a mid-term review of the final findings notified vide No. 14/25/2009-DGAD dated 3.05.2011 published in the Gazette of India, Extraordinary Part I, Section I, dated the 03rd May, 2011, and the Definitive anti dumping duty imposed vide Notification No..58/2011-Customs dated 8th July, 2011, is appropriate in view of the changed circumstances, in terms of the provisions of Rule 23 of the Rules and Section 9A (5) of the Act.

Period of Investigation

8. The Period of Investigation (POI) for the purpose of the present mid-term review is 1st April 2010 to 31st June, 2011 (15 months). However, injury analysis shall cover the years 2007-08, 2008-09, 2009-10 & the POI.

Submission of Information

9. The exporters in the subject country, their government through their Embassy/ representatives in India, 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,
Ministry of Commerce & Industry,
Department of Commerce
Room No.240,
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:

Time Limit

10. 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 address mentioned above not later than "Forty Days (40 days)" from the date of this review notification. If no information is received within the prescribed time limit or the information received is incomplete, the Designated Authority may record its findings on the basis of the facts available on record in accordance with the Act and the Rules.

Inspection of Public File

11. In terms of Rule 6(7) of the Rules any interested party may inspect the public file containing non-confidential version of the evidences submitted by other interested parties. In case where an interested party refuses access to, or 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.

(Mrs. Vijaylaxmi Joshi)
Designated Authority