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**F. No.7/18/2019-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
4th Floor, Jeevan Tara Building, Parliament Street, New Delhi – 110001**

Dated 30.09.2019

INITIATION NOTIFICATION

SSR No. 08/2019

Subject: - Initiation of Sunset Review anti-dumping investigation concerning imports of Acrylic Fibre from Thailand.

File No. 7/18/2019-DGTR: Whereas having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the AD Rules), the Designated Authority (hereinafter referred to as the Authority), initiated the original anti-dumping investigation in respect of the imports of Acrylic Fibre (hereinafter referred to as the subject goods) originating in or exported from USA, Thailand and Korea RP on 13.9.1996 and definitive anti-dumping duty was recommended vide Final Findings Notification No. 47/ADD/1W dated 14.10.1997. The Central Government had imposed the anti-dumping duty. The sunset review of the anti-dumping duty so imposed against USA, Thailand and Korea RP was initiated by the Authority vide Notification No. 26/1/2001-DGAD dated 07.08.2001 and the Final Findings were issued vide Notification No. 26/1/2001-DGAD dated 06.08.2002. Definitive antidumping duty was levied by the Central Government on the subject goods originating in or exported from USA, Thailand and Korea RP vide Customs Notification No. 106/2002-Customs dated 09.10.2002. Second Sunset review of the anti-dumping duty imposed on the imports of the subject goods originating in or exported from Thailand and Korea RP was initiated by the Authority vide Notification No. 10/7/2006-DGAD dated 08.10.2007 and the Final Findings were issued vide Notification No.10/7/2006-DGAD dated 03.10.2008, recommending continuation of the antidumping duty in force. Definitive antidumping duty was imposed by the Central Government on the subject goods from Thailand and Korea RP vide Customs Notification No. 123/2008-Customs dated 20.11.2008. Third Sunset review of the anti-dumping duty imposed on the imports of the subject goods originating in or exported from Thailand and Korea RP was initiated by the Authority vide Notification No 15/16/2013- DGAD dated 24.9.2013 and the Final Findings were issued vide Notification No. 15/16/2013-DGAD dated 23.3.2015, recommending continuation of the antidumping duty in force. Definitive antidumping duty was imposed by the Central Government on the subject goods from Thailand and Korea RP vide Customs Notification No. 27/2015-Cus (ADD), dated 1.6.2015.

2. Whereas, M/s Indian Acrylics Limited, M/s Vardhman Acrylics Limited and M/s Pasupati Acrylon Ltd (hereinafter referred to as ‘Petitioners’) have filed a review petition for continued imposition of Anti-dumping duty on imports of Acrylic Fibre from Thailand (hereinafter referred to as subject country).

3. Whereas, based on the facts and evidence, the Authority finds prima facie that there is a need to review for continued imposition of the duties in force in respect of the subject goods, originating in or exported from the Thailand.

A. Product under consideration and Like Articles

4. The product under consideration in the petition is the same as the original investigations, which was defined as follows in the final findings

The product involved in the original investigation and subsequent review investigations is Acrylic Fibre. Acrylic Fibre is a long chain of synthetic polymer composed of at least 90% by weight of Acrylonitrile, which is a major raw material for production of acrylic fibre. It is broadly described in terms of colour, length and denier of the fibre. It is used for the purpose of manufacturing apparels, household items and it has a great industrial use etc. It is classified under Chapter 55 of the Customs Tariff Act, 1975. Customs classification of Acrylic Fibre so far as it relates to the product is 5501.3000, 5503.3000 and 5506.3000. The classification is, however, indicative only and is in no way binding on the scope of the present investigation.

5. The current investigation being a sunset review investigation, the scope of product under consideration remains the same in the previous investigation.

B. Like Article

6. The applicants have claimed that there is no known difference between the subject goods exported from the subject country and that produced by the domestic industry. Subject goods produced by the domestic industry and imported from the subject country are comparable in terms of essential product characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers use the two interchangeably. The applicants have further claimed that the two are technically and commercially substitutable and, hence, should be treated as like article under the Rules.

C. Domestic Industry & Standing

7. The petition for initiation of sunset review is filed by Indian Acrylics Limited, M/s Vardhman Acrylics Limited and M/s Pasupati Acrylon Ltd. The production of petitioner companies is 100% of Indian production of the subject goods in the Country, as there are no other producers of the subject goods in India.

8. On the basis of information furnished, the Authority notes that the one of the petitioner companies have made imports of the subject goods from the subject country during the POI, under advance authorization scheme and that too not in significant quantity. The petitioners have stated that they are neither related to any exporter in the subject country nor to importer of the subject goods. Therefore, the Authority has considered the petitioner companies as Domestic Industry within the meaning of the Rule 2(b) and Rule 5 of the Anti-Dumping Rules.

D. Initiation of Sunset Review Investigation

9. Whereas, in view of the duly substantiated application filed and in accordance with Section 9A (5) of the Act, read with Rule 23 of the Anti-dumping Rules, the Authority hereby initiates a Sunset review investigation to review the need for continued imposition of the duties in force in respect of the subject goods, originating in or exported from the subject countries and to examine whether the expiry of existing duty is likely to lead to continuation or recurrence of dumping and injury to the Domestic Industry.

E. Country involved

10. The country involved in the present investigation is Thailand.

F. Period of Investigation (POI)

11. The period of investigation is April 2018- March 2019. The injury investigation period shall cover the periods 2015-16, 2016-17 and 2017-18 and the period of investigation.

G. Procedure

12. The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19 and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

H. Submission of Information

13. The known exporters in the subject country, the Government of the subject country through its embassy in India, the importers and users in India known to be concerned with the product are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority at the following address:

**The Designated Authority
Directorate General of Trade Remedies
Department of Commerce
Ministry of Commerce and Industry
4th Floor, Jeevan Tara Building
5, Parliament Street, New Delhi – 110001**

14. 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. Any party making any confidential submission before the Authority is required to submit a non-confidential version of the same to be made available to the other parties.

I. Time Limit

15. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire responses and offer their comments to the domestic industry's application regarding the need to continue or otherwise of the anti-dumping measures within 40 days from the date of issue of letter by the authority intimating initiation of the investigation. 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 Anti-Dumping Rules.

J. Submission of Information on Confidential Basis

16. In case confidentiality is claimed on any part of the questionnaire response/submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page and accompanied with soft copies.

17. Information supplied without any confidential marking shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (02) copies of the confidential version and two (02) copies of the non-confidential version must be submitted by all the interested parties.

18. For information claimed as confidential, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.

19. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out /summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.

20. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

21. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. The Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

K. Inspection of Public File

22. 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.

L. Non-Cooperation

23. 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 declare such interested party as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

(Sunil Kumar)
Additional Secretary & Designated Authority