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**F. No. 7/18/2021-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Trade Remedies)
Jeevan Tara Building, 5, Parliament Street, New Delhi - 110001**

Dated 28th September, 2021

Amendment Notification

Subject: Amendment to the Final Finding Notification No. 6/8/2020-DGTR dated 8th June, 2021 in Anti-dumping duty imposed on the imports of “Natural Mica based Pearl Industrial Pigments excluding cosmetic grade” originating in or exported from China PR.

F. No. 6/8/2020-DGTR: - 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 Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules 1995, as amended from time to time (hereinafter referred to as “the Rules”) thereof;

A. BACKGROUND

1. The Directorate General of Trade Remedies (“Authority”) had conducted an antidumping investigation concerning imports of “Natural Mica based Pearl Industrial Pigments excluding cosmetic grade” originating in or exported from China PR and recommended imposition of definitive anti-dumping duties *vide* final finding Notification No. 6/08/2020-DGTR dated 8th June 2021 (“Final Findings”). The recommendations were accepted by the Ministry of Finance, and definitive duties were imposed *vide* Customs Notification No. 47/2021- Customs (ADD) dated 26th August, 2021 (“Customs Notification”).

B. PROCEDURE

2. A request was made by Henan Lingbao New Materials Technology Co., Ltd (hereinafter referred to as “Applicant”), previously known as Nanyang Lingbao Pearl Pigment Company Limited Materials, claiming that due to the change in scope of the business of the company, the Applicant has changed the name of the company from Nanyang Lingbao Pearl Pigment Company Limited Materials to Henan Lingbao New Materials Technology Co., Ltd. The objective of the change in the name of the company was only to make sure that it reflects the scope of business of the company more appropriately. The request has been made in terms of the Trade Notice No. 12/2018 dated 17th September, 2018 (hereinafter referred to as “Trade Notice”), for change of name of the producer/exporter in the duty table as notified by above-mentioned Customs Notification.
3. The Authority examined the request for name change, and sought comments from the concerned interested parties of the original anti-dumping investigation concerning import of Natural Mica based Pearl Industrial Pigments excluding cosmetic grade” originating in or exported from China. However, neither the domestic industry nor any other interested parties filed any comments on the application.
4. The Authority conducted an oral hearing on 31st August, 2021, wherein, domestic industry and other interested parties were also invited. However, none of the interested parties other than the applicant, made any submissions / objection to the application.

C. SUBMISSIONS BY THE APPLICANT & OTHER INTERESTED PARTIES

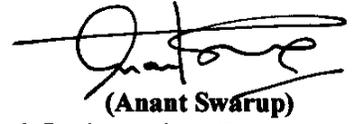
5. The applicant *vide* email dated 31.05.2021, informed the Authority that it has changed its name from Nanyang Lingbao Pearl Pigment Co Ltd Materials to Henan Lingbao New Materials Technology Co., Ltd) with effect from 15th December, 2020 due to the expansion of the scope of its operations. The applicant further requested the Authority to mention its new name i.e., Henan Lingbao New Materials Technology Co., Ltd in the duty table as well as other relevant places of the Final Findings since the applicant had fully cooperated with the Authority. The request for change in name was not considered by the Authority on the ground that it was received at a belated stage of the investigations. However, the Authority has encouraged the applicant to file an application for change in name as per Trade Notice No. 12/2018 dated 17.09.2018 as can be seen from para 121(vi) of the Final Findings.
6. Trade Notice No. 12/2018 dated 17th September, 2018 issued by the Authority deals with the provisions for change of name by the foreign producer/exporters, and the procedure to bring the name change into effect in the duty table as recommended by the Authority. The Trade Notice prescribes an expedited procedure for conducting an investigation for change in name, where the change of name is a matter of 'record' only.
7. Further, the Applicant submitted that the change of name due to change in the scope of operation of the company falls under the category whereby the change of name is a matter of 'record' only. The following facts substantiates were also mentioned in support of their claim -
 - a. There is no change in management/promoter group of the Applicant.
 - b. There is no change in the shareholding/ownership structure of the Applicant.
 - c. There is no change in the business practice of the Applicant.
 - d. There is no likely advantage to the entity due to the change in name or changed scenario of the Applicant.
8. The Applicant has, in accordance with the law, duly filed a complete application along with all the required evidences to establish the *bona-fide* claims of the Applicant. The following documents have been filed by the Applicant in the application under the Trade Notice No. 12/2018 dated 17th September, 2018
 - i. Original Business License;
 - ii. Revised Business License;
 - iii. Undertaking by the owner of the company;
 - iv. Audited Annual Reports for the year 2020.
9. No response or any objection was filed by the Domestic Industry or any other interested party.

D. EXAMINATION AND RECOMMENDATION BY THE AUTHORITY

10. The submissions made by the applicant have been examined. From the documents filed by the Applicant, it is noted that they have sought the change in name of their company due to expansion of the scope of the operations of the company.
11. The Authority notes that the request is covered within the scope of the conditions prescribed in Trade Notice No 12/ 2018 dated 17th September, 2018. This position has not been challenged by any interested party including the domestic industry.
12. The Authority, therefore, recommends the following change in the duty table in paragraph 130 of Final Findings No. 6/8/2020 - DGTR dated 8th June 2021:

At S. No. 1, in column 6, the name of the producer viz. "Nanyang Lingbao Pearl Pigment Company Limited Materials" to be substituted by "Henan Lingbao New Materials Technology Co., Ltd".

13. Accordingly, the Authority recommends that necessary amendment may also be carried out in Customs Notification no. 47/2021- Customs (ADD) dated 26th August 2021.
14. An appeal against the orders of the Central Government arising out of this recommendation shall lie before the Customs, Excise, and Service Tax Appellate Tribunal in accordance with the Act.



(Anant Swarup)

Joint Secretary & Designated Authority