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

New Delhi
Dated , the 19th June, 2009

**Initiation Notification
(Mid-term Review)**

Subject : Initiation of Mid-term Review regarding limited issue of anti dumping duty imposed on imports of Nylon Filament yarn (used for manufacture of fishing nets) originating in or exported from China PR, Chinese Taipei, Malaysia, Indonesia, Thailand and Korea R.P.

No. 15/3/2009-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 (hereinafter referred to as AD Rules), vide Notification Number 14/5/2005-DGAD dated 3rd July, 2006, the Designated Authority (herein after referred to as the Authority) notified its final findings recommending definitive anti dumping duty on import of Nylon filament yarn (hereinafter referred to as subject goods) originating in or exported from China PR, Chinese Taipei, Malaysia, Indonesia, Thailand and Korea R.P. (hereinafter referred to as subject countries). And Whereas definitive anti dumping duty was imposed on the subject goods vide Customs Notification No.85/2006-Customs dated 29th August, 2006.

2. Product Under Consideration

The product involved in the original investigation is all kinds of Synthetic filament yarns of Nylon or Polyamides, other than sewing thread, such as flat yarn – twisted and / or untwisted, Fully Drawn Yarn (FDY), Spin drawn Yarn (SDY), Fully Oriented Yarn (FOY), High Oriented Yarn (HOY) , Partially Oriented Yarn (POY), textured yarn – twisted and / or untwisted, and dyed yarn, single, double, multiple, folded or cabled, classifiable within Chapter 54 under customs subheading No. 5402, but excludes high tenacity yarn of nylon or other polyamides. This excludes high tenacity yarn of nylon classifiable under customs sub-heading 5402.10.

This Review is for limited purpose of Nylon Filament Yarn used for manufacture of Fishing Nets (here in after referred to as subject goods). The Customs classification is indicative only and is in no way binding on the scope of the present investigation.

3. Initiation

The Customs Tariff (Amendment) Act 1995 and the AD Rules made there under require the Authority to review from time to time the need for continuance of anti dumping duty. The Designated Authority considers that the mid-term review of the anti dumping duty recommended for the subject goods would be appropriate at this stage under the provision of Rule 23 of AD Rules and Section 9A (5) of the Customs Tariff (Amendment) Act, 1995 as amended. In terms of the above provision, Indian Fishnet Manufactures Association (IFMA), Chennai on behalf of DI filed an application substantiating the need for mid-term review of the anti dumping duty imposed on the subject goods originating in or exported from subject countries.

4. Countries involved

The country involved in the present investigations is China PR, Chinese Taipei, Malaysia, Indonesia, Thailand and Korea R.P.

5. Grounds for Review

The applicant has claimed that the circumstance have changed substantially requiring a review of anti dumping measures in force for Nylon Filament Yarn used for manufacture of Fishing Nets. The reasons given by the applicants are as under:

i). The principal applicants in the original investigation were largely in textile yarn business and the scope of investigation were relating to textile grade yarn only (<210D & tenacity <60 Centinewtons/Tex.). Fishnet yarn being 210D and above (210, 420, 630, 840, 1260, 1680, 1890) were not covered in the scope of the investigation & no analysis or data were presented & investigated.

ii). Since anti-dumping investigation was carried out for Textile yarn (<210D yarn & tenacity <50 GPD) and not on fishnet yarn, of both normal & higher tenacity yarn, petitioner request that both these categories of Fishnet yarn should be kept out side the scope of this Notification. This would enable the Fishnet industry in India to import Nylon Filament Yarn of 210D yarn and above denierage without Anti-dumping Duty.

iii) Fishnet Industry has moved away from developed countries to developing countries & India is expected to emerge as a hub for this industry. In order to meet with the requirements of modern fishing, it is necessary therefore that Indian manufacturers are allowed to import High Density & Low Density yarn of both high & normal tenacity yarn from the international market with no restriction.

6. Procedure

Having regard to the information provided by the applicant indicating 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.14/5/2005-DGAD dated 3rd July, 2006 and the definitive anti dumping duty imposed by Customs Notification No.85/2006-Customs dated 29th August, 2006 is appropriate in view of the circumstances explained in the application, in terms of the provision of Section 9(A) of Customs Tariff (Amendment) Act 1995 read with Rule 23 supra. The review covers limited aspects of Notification No.14/5/2005-DGAD dated 3rd July, 2006 as stated above.

7. Period of Investigation

The Period of Investigation (POI) for the purpose of the present mid-term review is 1st April, 2008 to 31st March, 2009(12 months).

8. Submission of Information

The exporters in subject countries, their government through their Embassy 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,
Ministry of Commerce & Industry,
Department of Commerce
Room No.240,
Udyog Bhavan,
New Delhi-110107.**

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:

9. 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 address mentioned above not later than forty days (40 days) from the date of letter 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 AD Rules.

10. Inspection of Public File

In terms of Rules 6(7), any interested party may inspect the public file containing non-confidential version of the evidence 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.

(R. Gopalan)
The Designated Authority