

F. No. 7/20/2023-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building 5, Parliament Street, New Delhi – 110001

Dated: 30th September 2023

Initiation Notification
Case No. AD(SSR)- 08/2023

Subject: Initiation of sunset review investigation concerning imports of anti-dumping duties concerning imports of “Digital Offset Printing Plates” (DOPP) originating in or exported from China PR, Japan, Korea RP, Vietnam, and Taiwan.

F. No. 7/20/2023-DGTR: M/s Technova Imaging Systems (P) Ltd (hereinafter referred to as the ‘applicant’), has filed an application before the Designated Authority (hereinafter referred to as the ‘Authority’), on behalf of the domestic industry, in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred 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’), seeking initiation of a sunset review investigation for continued imposition of anti-dumping duties levied on imports of “Digital Offset Printing Plates” (hereinafter referred to as the ‘subject goods’), originating in or exported from China PR, Japan, Korea RP, Vietnam and Taiwan (hereinafter referred to as the “subject countries”).

2. In terms of Section 9A (5) of the Act and Rule 23 (1B) of the AD Rules, the anti-dumping duties imposed shall, unless revoked earlier, cease to have effect on expiry of five years from the date of such imposition and the Authority is required to review the need for the continued imposition of the anti-dumping duties, and to assess whether the expiry of the duty is likely to lead to continuation or recurrence of dumping and injury. In accordance with the same, the Authority is required to review, on the basis of a duly substantiated request made by or on behalf of the domestic industry as to whether there is a need for the continued imposition of the anti-dumping duty, and whether the expiry of the duty is likely to lead to continuation or recurrence of dumping and injury.

A. Background

3. The original investigation concerning imports of the subject goods from the subject countries was initiated by the Authority vide Notification No. 6/7/2019-DGTR dated

16.05.2019. The Final Findings were issued by the Authority vide Notification No. 6/7/2019-DGTR dated 15.05.2020, recommending the imposition of definitive anti-dumping duties.

4. On the basis of the said recommendation, definitive anti-dumping duties were imposed by the Central Government vide Custom Notification No.21/2020-Customs (ADD) dated 29.07.2020 on the imports of the subject goods, originating in or exported from subject countries. The current anti-dumping duties are in force up to 28.07.2025.

B. Product under Consideration

5. The product under consideration in the present investigation is Digital Offset Printing Plates (“product under consideration” or “PUC” or “subject goods” or “Digital Plates” or “Digital Offset Printing Plates”).
6. In the original investigation, the product scope concluded by the Authority was as under:

“The product under consideration is “Digital Offset Printing Plates”. Digital offset printing plates are used in the printing industry for transferring data as an image onto paper or on non-absorbent substrates like tin sheets or poly films, etc. In the printing process using Digital Offset Printing Plates, the digital workflow enables direct transfer of the image from a ‘computer to the plate’ (CtP) using lasers, unlike the analog workflow that requires an intermediary film to transfer the image. Digital Plates are made from high purity litho-grade aluminium coils coated with a chemical coating. Digital Offset Printing Plates may be either positive (non-exposed area forms image) or negative (exposed area forms image) working plates. The range includes plates that require chemicals for processing the plates; and also, environmentally friendly that require no chemicals or water for processing. The coating formulations vary for different types of plates. There are three types of digital offset printing plates namely,

- i. Thermal Plates;*
- ii. Violet Plates;*
- iii. CtCP/UV CtP Plates.*

The Authority has taken note of post-disclosure comments and holds that all types of Digital Offset Printing Plates in all dimensions and thicknesses are covered within the scope of the product under consideration.

However, waterless CtP plates are excluded from the scope of the PUC for reasons elaborated above.

7. The present investigation being a sunset review investigation, the scope of the PUC remains the same as in the original investigation.
8. The parties to the present investigation may provide their comments on the PUC and propose PCNs, if any, within 15 days of circulation of the non-confidential version of the application filed before the Authority as indicated in paragraph 29 of this initiation notification.

C. Like Article

9. The applicant has submitted that the subject goods produced by them and the subject goods imported from the subject countries are like articles. There is no known difference between the subject goods exported from the subject countries and those produced by the Petitioner. Digital Plates produced by the Petitioner and imported from the subject countries are comparable in terms of essential product characteristics such as physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, pricing, distribution and marketing, and tariff classification. Consumers can use and have been using the two interchangeably. The two are technically and commercially substitutable and hence should be treated as 'like article' under the Rules. Therefore, for the purpose of the present investigation, the subject goods produced by the Petitioner are being treated as 'Like Article' to the subject goods being imported from the subject countries.

D. Domestic Industry & Standing

10. The application for the sunset review investigation has been filed by M/s Technova Imaging System (P) Ltd. The applicant is not related to the exporters or importers of the alleged dumped article. However, the applicant has imported insignificant volumes of the subject goods from both subject and non-subject countries owing to the reason of maintenance regular shutdowns of two of its manufacturing units. The applicant has certified that the imports made by them during the POI were in small quantities as compared to their production of the subject goods. Apart from the applicant, there is one other major producer in India, viz. HL Printech Solutions Pvt Ltd. Out of the total domestic production in India, the applicant's production share amounts to 96%. Since the production of the applicant accounts for a major proportion of the total production of the subject goods in India, the applicant satisfies the standing and constitutes domestic industry within the meaning of the AD Rules.

E. Subject Countries

11. The subject countries for the present investigation are China PR, Japan, Korea RP, Vietnam, and Taiwan.

F. Period of Investigation

12. The period of investigation (POI) for the present sunset review investigation is from April 2022 to March 2023 (12 months). The injury examination period is from 1st April 2019 - 31st March 2020, 1st April 2020 - 31st March 2021, 1st April 2021 - 31st March 2022, and the POI.

G. Procedure

13. The sunset review investigation will cover all aspects of the final findings published vide Notification No. 6/7/2019-DGTR dated 15.05.2020, recommending the imposition of anti-dumping duty on the imports of subject goods originating in or exported from the subject countries.
14. The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19, and 20 of the Rules shall be *mutatis mutandis* applicable in this review.

H. Likelihood of Continuation or Recurrence of Dumping

Normal Value for China PR

15. The consistent practice of the Authority has been to treat China PR as a non-market economy, unless the producers from China PR demonstrate that market economy conditions prevail in the industry with regard to the production and sales of the subject goods in accordance with Para 7 of Annexure-I to the Anti-Dumping Rules, 1995.
16. Therefore, for the purpose of initiation of the present investigation, the normal value has been constructed based on the estimates of the cost of production of the applicant's duly adjusted with selling, general and administrative expenses, along with a reasonable profit margin.

Normal Value for Japan, Korea, Vietnam, and Taiwan

17. The applicant proposed to compute the normal value for the subject countries based on the cost of production of the applicant, duly adjusted for the materials, utilities, and labor to reflect the costs in the subject countries.

18. The Authority, for the purpose of initiation, has *prima facie* determined the normal values for Japan, Korea, Vietnam and Taiwan on the basis of cost of production of the applicant duly adjusted for selling, general and administrative expenses and reasonable profits.

Export Price

19. The Authority has considered the CIF price of the subject goods for the determination of Net Export Price (NEP). The Authority has thereafter made necessary adjustments to these prices to arrive at the ex-factory price.

Dumping Margin

20. The normal value and the export price have been compared at the ex-factory level, which *prima facie* establishes that the dumping margin is above the *de minimis* level and is significant with respect to the product under consideration from the subject countries. Thus, there is sufficient *prima facie* evidence that the product under consideration from the subject countries is being dumped in the domestic market of India by the exporters from the subject countries.

I. Likelihood *vis-a-vis* Injury and Causal Link

21. The quantity of imports of the subject goods from the subject countries has remained high despite the existence of anti-dumping duties on the imports of the subject goods from the subject countries. In view of the same, the Authority has examined the *prima facie* likelihood of dumping or recurrence of injury in the event of cessation of the existing anti-dumping duty. The Authority has also *prima facie* examined the continuation of existing duties based on the grounds alleged in the application.
22. Furthermore, the applicant has claimed the likelihood of injury based on factors such as the positive dumping and injury margins, the history of dumping, capacities available in the subject countries and capacity expansion, the lack of domestic demand in the subject countries, and the likely impact of recurrence of dumping on the domestic industry in the event of cessation of duties. There is *prima facie* evidence regarding the likelihood of dumping and injury to the domestic industry in the event of cessation of anti-dumping duty.

J. Initiation of Sunset Review Investigation

23. On the basis of the duly substantiated application by the domestic industry, and having satisfied itself, on the basis of *prima facie* evidence submitted by the applicant substantiating the likelihood of dumping and consequent injury to the domestic industry, and in accordance with Rule 23(1B) of the Rules, the Authority hereby initiates the present 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 anti-dumping duty is likely to lead continuation or recurrence of dumping and consequent injury to the domestic industry.

K. Submission of Information

24. All communication should be sent to the Designated Authority via email at email addresses dd11-dgtr@gov.in and ddl6-dgtr@gov.in with a copy to adg14-dgtr@gov.in and adv13-dgtr@gov.in. It must be ensured that the narrative part of the submission is in searchable PDF/MS-Word format and data files are in MS-Excel format.
25. The known producers/exporters in the subject countries, the Government of the subject countries through its Embassy in India, and the importers and users in India who are known to be associated with the subject goods are being informed separately to enable them to file all the relevant information within the time limits mentioned in this initiation notification. All such information must be filed in the form and manner as prescribed by this initiation notification, the Rules, and the applicable trade notices issued by the Authority.
26. Any other interested party may also make a submission relevant to the present investigation in the form and manner as prescribed by this initiation notification, the Rules, and the applicable trade notices issued by the Authority within the time limits mentioned in this initiation notification.
27. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other interested parties.
28. Interested parties are further directed to regularly visit the official website of the Directorate General of Trade Remedies (<https://www.dgtr.gov.in/>) to stay updated and apprised with the information as well as further processes related to the investigation.

L. Time Limit

29. Any information relating to the present investigation should be sent to the Designated Authority via email at email address dd11-dgtr@gov.in and dd16-dgtr@gov.in with a copy to adg14-dgtr@gov.in and adv13-dgtr@gov.in within 30 days from the date on which the non-confidential version of the application filed by the domestic industry would be circulated by the Designated Authority or transmitted to the appropriate diplomatic representative of the exporting countries as per Rule 6(4) of the Rules. If no information is received within the stipulated time limit or the information received is incomplete, the Authority may record its findings based on the facts available on record and in accordance with the Rules.

30. 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 within the above time limit as stipulated in this notification.
31. Where an interested party seeks additional time for filing of submissions, it must demonstrate sufficient cause for such extension in terms of Rule 6(4) of the AD Rules, 1995 and such request must come within the time stipulated in this notification.

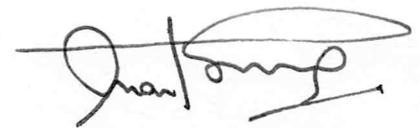
M. Submission of Information on Confidential Basis

32. Where any party to the present investigation makes confidential submissions or provides information on a confidential basis before the Authority, such party is required to simultaneously submit a non-confidential version of such information in terms of Rule 7(2) of the Rules and in accordance with the relevant trade notices issued by the Authority in this regard.
33. Such submissions must be clearly marked as “confidential” or “non-confidential” at the top of each page. Any submission that has been made to the Authority without such markings shall be treated as “non-confidential” information by the Authority, and the Authority shall be at liberty to allow other interested parties to inspect such submissions.
34. The confidential version shall contain all information which is, by nature, confidential, and/or other information, which the supplier of such information claims as confidential. For the information which is claimed to be confidential by nature, or the information on which confidentiality is claimed because of other reasons, 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.
35. The non-confidential version of the information filed by the interested parties should be a replica of the confidential version with the confidential information preferably indexed or blanked out (where indexation is not possible) and such information must be appropriately and adequately summarized depending upon the information on which confidentiality is claimed.
36. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on a confidential basis. However, in exceptional circumstances, the party submitting the confidential information may indicate that such information is not susceptible to summary, and a statement of reasons containing a sufficient and adequate explanation in terms of Rule 7 of the Rules, 1995, and appropriate trade notices issued by the Authority, as to why such summarization is not possible, must be provided to the satisfaction of the Authority.

37. The interested parties can offer their comments on the issues of confidentiality claimed by the domestic industry within 7 days from the date of circulation of the non-confidential version of the application as indicated in paragraph 29 of this initiation notification.
38. Any submission made without a meaningful non-confidential version thereof or a sufficient and adequate cause statement in terms of Rule 7 of the Rules, and appropriate trade notices issued by the Authority, on the confidentiality claim shall not be taken on record by the Authority.
39. 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 if the supplier of the information is either unwilling to make the information public or authorizes its disclosure in generalized or summary form, it may disregard such information.
40. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorisation of the party providing such information.
41. A list of registered interested parties will be uploaded on the DGTR's website along with the request therein to all of them to email the non-confidential version of their submissions and other information to all other interested parties.

N. Non-Cooperation

42. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period or within the time stipulated by the Authority in this initiation notification or subsequently time period provided through separate communication, or significantly impedes the investigation, the Authority may declare such interested party as non-cooperative and record its findings based on the facts available and make such recommendations to the Central Government as it deems fit.



(Anant Swarup)

Designated Authority