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

Udyog Bhawan, New Delhi-110107

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Dated the 27<sup>th</sup> February, 2009

**Initiation Notification**

**(Sunset Review)**

Sub: Sunset Review of anti-dumping duty imposed against Polytetrafluoroethylene (PTFE) originating in or exported from Russia.

**No.15/30/2008--DGAD** Whereas having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Antidumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. (herein after referred to as AD Rules), the definitive anti-dumping duty was originally imposed vide notification No.141/1999-Customs, dated the 30th December, 1999 on import of Polytetrafluoroethylene (PTFE) (hereinafter referred to as subject goods) originating in or exported from Russia (hereinafter referred to as subject country).

The Authority conducted a Sunset review of the said definitive duty and recommended continued imposition of definitive antidumping duty on import of the subject goods from the subject country vide notification No. 15/6/2003-DGAD, dated the 7th October, 2004, such duty was imposed by the Govt. of India vide Customs Notification No. 110/2004 dated 18.11.2004 for a further period of five years.

**2. Product under consideration**

The product under consideration in the original investigation as well as Sunset Review is Polytetrafluoroethylene (PTFE). Polytetrafluoroethylene (PTFE), is an organic chemical and has been classified under subheading no 390461 under Customs Tariff Act. All forms of Polytetrafluoroethylene (PTFE) are within the scope of the product. This being a sunset review of the product against which duty is already in force the product under consideration remains the same as has been defined in the original investigation, as there has been no significant development or change in the product during the period thereafter.

**3. Request for Review and Initiation:**

M/s. Gujarat Fluorochemicals Ltd, Noida, U.P., having major proportion of the domestic production of the subject goods, has requested under section 9A(5) of the Customs Tariff Act, 1975 as amended in 1995 read with Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 for initiation of sunset review of anti dumping duties earlier imposed on imports of PTFE from Russia.

Having satisfied itself on the basis of request made by domestic industry in this regard and in view of the order of the Hon'ble Delhi High court in the matter of Indian Metal and Ferro Alloys Ltd V/s Designated Authority, Writ Petition (Civil) No. 16893 of 2006, the Authority hereby initiates a review in accordance with Section 9 A (5) of the Act, read with Rule 23 of Antidumping Rules, to review the need for continued imposition of duties in force and whether the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury.

**4. Country involved:**

The country involved in this investigation is Russia.

**5. Period of Investigation:**

The Period of Investigation (POI) for the purpose of the present mid-term review is 1st October 2007 to 30th September 2008 (12 months). However, injury analysis shall cover the years 2005-06, 2006-07, 2007-08 & POI.

**6. Procedure:**

Having decided to review the final findings issued vide Notification No. 15/6/2003-DGAD dated 07.10.2004 and final duty imposed vide Customs Notification No.110/2004 dated 18.11.2004, the Authority hereby initiates investigations to review whether cessation of Anti Dumping duty is likely to lead to recurrence of Dumping and injury on imports of subject goods originating in or exported from subject country in accordance with the Customs Tariff (Amendment) Act, 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. The review covers all aspects of Notification No. 15/6/2003-DGAD dated 07.10.2004 (final findings of the sunset review investigations). The Authority proposes to consider petitioner as mentioned in paragraph 3 above as domestic industry in accordance with the Rules supra as it constitutes the major proportion of the production of the subject goods in India.

**7. Submission of Information:**

The exporters in subject country, the governments of subject country through its embassy in India, the importers and users in India known to be concerned with the product 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 Authority at the following address:

**Government of India  
Ministry of Commerce and Industry  
The Directorate General of Anti-Dumping and Allied Duties  
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.

**8. 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 publication of this 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 Rules supra.

**9. Submission of information on Non-confidential basis:**

In terms of Rule 7 the interested parties are required to submit non-confidential summary of any confidential information provided to the Authority and if in the opinion of the party providing such information, such information is not susceptible to summary, a statement of reason thereof is required to be provided.

**10. Inspection of public file:**

Any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties in terms of Rule 6 (7). 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 Government as deemed fit.

