

Government of India
Ministry of Commerce & Industry
(Department of Commerce)

New-Delhi, the 1st October, 2001.

INITIATION (SUNSET REVIEW) NOTIFICATION

Subject: Initiation of Sunset Review regarding anti-dumping duty imposed on import of Acrylonitrile Butadiene Rubber (NBR) originating in or exported from Germany and Korea RP.

No.50/1/2001-DGAD - The Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff (Amendment) Act, 1995 and Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 recommended continuation of the definitive Anti-Dumping duty in force on imports of NBR originating in or exported from Germany and Korea RP classified under customs sub-heading 4002.59 of the Customs Tariff Act, 1975 in review investigations notified vide Gazette Notification No. 27/1/2000-DGAD dated 24th May , 2000.

Product Involved: The product under investigation is Acrylonitrile Butadiene Rubber (NBR) classified under customs heading no. 4002.59 of Schedule 1 of the Customs Tariff Act, 1975 and No 4002.59 under Indian Trade Classification (based on Harmonised Commodity Description and Coding System) originating in or exported from Germany and Korea RP.

The classification is however indicative only and in no way binding on the scope of the present investigations.

2. **Initiation:-** The Customs Tariff (Amendment) Act, 1995 and the Rules made thereunder require the Authority to review from time to time, the need for continuance of Anti-Dumping duty. The Authority vide notification No. 27/1/2000-DGAD dated 24th May, 2000, initiated mid-term review for the continuance of anti-dumping duty imposed on NBR originating in or exported from Germany and Korea RP and considered it appropriate to continue the anti-dumping duty vide notification No. 27/1/2000-DGAD dated 20th July,2001. The Designated Authority now considers that the sunset review of the anti-dumping duty recommended would be appropriate at this stage under the provisions of Section 9(A) of the Customs Tariff Act, 1995. The domestic industry has also filed a petition requesting for the continuance of the anti-

dumping duty on NBR originating in or exported from Germany and Korea RP for a further period of five years.

3. **Procedure:-** Having decided to review the final findings notified vide notification No. No. 27/1/2000-DGAD dated 20th July,2001, the Designated Authority hereby initiates sunset review investigations to review the need for continued imposition of the anti-dumping duty on imports of NBR originating in or exported from Germany and Korea RP 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.
4. The review covers all aspects of Final Findings notification no. 9/1/95-ADD dated 17th July 1997 and subsequent review notification no. No. 27/1/2000-DGAD dated 20th July,2001.
5. The period of investigation for the purpose of the present review is 1st April, 2000 to 31st March, 2001.
6. M/s Gujarat Apar Polymers Ltd., Maker Chambers III, 1st Floor, Jammalal Bajaj Road, Nariman Point, Mumbai 400 021 (currently known as Apar Industries Ltd. Apar House, Corporate Park, Sion-Trombay Road, Chembur, Mumbai- 400 071) was considered the Domestic Industry in the earlier notifications. The Authority proposes to consider this company as the domestic industry in accordance with the Rules supra.
7. **Submission of Information:** The exporters in the subject countries and the importers 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 Designated Authority,

Ministry of Commerce,

Directorate General of Anti- Dumping and Allied Duties, Udyog Bhavan,

New-Delhi –110011.

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 investigations should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication 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 Rules supra.

9. **Inspection of Public File:** In terms of Rule 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

L.V. SAPTHARISHI,
Designated Authority