

Ministry of Commerce & Industry
(Department of Commerce)
(DIRECTORATE GENERAL OF ANTI-DUMPING AND
ALLIED DUTIES)

NOTIFICATION

New Delhi, the 8th October, 2003

Initiation (Sunset Review)

Subject: Initiation of Sunset Review regarding anti-dumping duty imposed on Polytetrafluoroethylene (PTFE) originating in or exported from Russia.

No. 15/6/2003-DGAD - The Designated Authority, 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, recommended imposition of provisional Anti Dumping duty on imports of Polytetrafluoroethylene (PTFE) (hereinafter referred to as subject goods) originating in or exported from Russia (hereinafter referred to as subject country) falling under Sub-heading 3904.61. The preliminary findings were published vide Notification no. 24/1/1998-ADD dated 9th June 1999 and provisional duty was imposed on the subject goods vide Customs notification No. 83/99-Customs dated 30th June 1999. The Designated Authority came out with final findings on 13th October 1999 and definitive anti dumping duty was imposed by Customs as per notification No141/99-Customs dated 30th December 1999.

1. Product Under Consideration

The product under consideration is, Polytetrafluoroethylene (PTFE). The product is classified under Customs Code 3904.61.

2. Initiation

The Customs Tariff (Amendment) Act 1995 and the Rules made there under require the Authority to review from time to time, the need for continuance of Anti Dumping Duty. M/s. Hindustan Fluorocarbons Ltd. have filed a petition substantiating the need for review of the antidumping duty imposed on the subject goods and have requested to enhance the anti-dumping duty imposed on subject goods under the above mentioned notifications.

Considering the fact that the Application has been filed after 4th year of notification of the imposition of Anti Dumping duty, the Authority considers that sunset review of the Anti Dumping Duty recommended would be appropriate at this stage under the provision of Section 9A (5) of Customs Tariff (Amendment) Act 1995.

3. Procedure

Having decided to review the final findings notified vide No 24/1/98-ADD dated 13th October 1999 and final duty imposed by Notification No 141/99-Cus. dated 30th December 1999, the Authority hereby initiates investigations to review whether cessation of antidumping duty is likely to lead to continuation or recurrence of dumping and injury on imports of Polytetrafluoroethylene (PTFE) originating in or exported from Russia, in accordance with the Customs Tariff (Amendment) Act, 1995 and the Customs Tariff (Identification, Assessment & Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995.

4. The review covers all aspects of Notification No. 24/1/98-ADD dated 13th October 1999.

PERIOD OF INVESTIGATION

5. The period of investigation for the purpose of the present review is 1st April 2002 to 30th June 2003.

6. Submission of Information:

The exporters in subject country, their government through their embassy in India, 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,
Department of Commerce, 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.

7. 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 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.

8. 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 Government as deemed fit.

L. V. Saptharishi
Designated Authority