

MINISTRY OF COMMERCE & INDUSTRY
DEPARTMENT OF COMMERCE
(Directorate General of Anti-Dumping & Allied Duties)

NOTIFICATION

New Delhi, the 15th June 2006

Initiation
(Sunset Review)

Subject: Initiation of Sunset Review of the definitive anti-dumping duty imposed on import of Hexamine originating in or exported from S. Arabia and Russia.

No. 8/1/2001(SSR)-DGAD - Having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Designated Authority (herein after referred to as Authority) recommended imposition of Anti Dumping Duty on imports of Hexamine (hereinafter referred to as subject goods) originating in or exported from S. Arabia and Russia (hereinafter referred to as subject countries). The preliminary findings and final findings of the Authority were published vide notifications dated 15.5.2001 and dated 15.2.2002 respectively. On the basis of findings, provisional duty and definitive anti dumping duties on the subject goods imported from subject countries were imposed by the Department of Revenue vide notifications No. 74/2001-Cus. dated 28.6.2001 and notification No. 31/2002-Cus. dated 27.3.2002 respectively.

2. Request for Review

WHEREAS in terms of the Customs Tariff (Amendment) Act 1995 the antidumping duty imposed shall unless revoked earlier, cease to have effect on expiry of five years from the date of such imposition.

AND WHEREAS the Rules supra require the Authority to review from time to time, the need for continued imposition of Anti Dumping Duty and if it is satisfied, on the basis of information received by it that there is no justification for continued imposition of such duty, the authority may recommend to the central government for its withdrawal. Notwithstanding the above provision the authority is required to review, on the basis of a duly substantial request made by or on behalf of the domestic industry, within a reasonable period of time prior to the date of the expiry of the

measure, whether the expiry of duty is likely to lead to continuation or recurrence of dumping and injury.

AND WHEREAS, in terms of the above provisions, the Domestic Industry has approached the authority with a duly substantiated petition requesting for such a review, the Designated Authority considers that initiation of sunset review proceedings for the Anti Dumping Duty in force would be appropriate to examine the need for continued imposition of such duty to offset dumping and whether the injury would be likely to continue or recur if the duty were removed or varied or both.

3. Grounds for review

The request is for continuation and enhancement of the antidumping duties in force. The request is based on the grounds that dumping has continued in spite of imposition of antidumping duty on import of the subject goods from S. Arabia and Russia and the domestic industry continues to suffer injury on account of dumping from the subject countries. The applicant has further argued that expiry of the measure against this country would be likely to result in continuation or recurrence of dumping and injury to the domestic industry.

The applicant also claims that anti-dumping duty in force is not sufficient to provide due relief to the domestic industry and revocation of anti-dumping measures would result in intensified injury to the domestic industry, therefore, the duty required to be continued for further period of five years with due enhancement.

4. Initiation

Having satisfied itself on the basis of the positive evidence submitted by the domestic industry substantiating the need for a review, 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.

5. Product under Consideration

The product involved in the present investigation is Hexa Methylene Tetramine also known as 'Hexamine' in the market. It is a white crystalline powder with a sweet metallic taste. In the pure form, it is colourless and odourless. It crystallizes in rhombic dodecahedrons. It is also known as Ammoform, Methenamine, Crystamine, Cystogen, Urotropine. It is classified under Custom Sub-heading 2921.29 of the

Customs Tariff Act, 1975. The product investigated in the original investigation was Hexamine, therefore, the same product will be covered within the scope of this investigation.

6. Procedure

I) The investigation will determine whether the expiry of the measure would be likely to lead to a continuation or recurrence of dumping and injury. The authority will examine whether the continued imposition of the duties is necessary to offset dumping and whether the injury would be likely to continue or recur if the duty were removed or varied, or both.

- i. The review will cover all aspects of Notification dated 15.2.2002
- ii. The countries involved in this review investigation are Saudi Arabia and Russia.
- iii. The period of investigation for the purpose of the present review is from 1st April 2005 to 31st March 2006.
- iv. The provisions of Rules 6,7,8,9,10,11,16,17,18,19 and 20 of the Rule supra shall be mutatis mutandis applicable in this review.

II) Submission of Information:

The exporters in subject countries, their governments through their embassies 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 Authority in the following address:

The Designated Authority

Directorate General of Anti-Dumping and Allied Duties
Ministry of Commerce and Industry

Department of Commerce
Udyog Bhavan
New Delhi-110011. Fax: 91-11-23063418

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. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other parties.

III) Time Limit:

Any information relating to the present sunset 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 Sunset 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.

IV) 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. 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.

(Dr. Christy Fernandez)
Designated Authority