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F. No. 7/14/2022-DGTR

Government of India, Department of Commerce

Ministry of Commerce & Industry

(Directorate General of Trade Remedies)

4th Floor, Jeevan Tara Building,

5, Parliament Street, New Delhi- 110001

Dated: 29th September,2022

INITIATION NOTIFICATION

(Case No. AD (SSR)-06/2022)

Subject: Initiation of sunset review investigation of anti-dumping duty on the imports of “Synthetic Grade zeolite 4A” (Zeolite 4A) from China PR.

1. **F. No. 7/14/2022-DGTR**-Having regards to the Customs Tariff Act, 1975, as amended from time to time (hereinafter also referred to 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 also referred to as the "Rules" or the "Anti-Dumping Rules"), M/s Gujarat Credo Mineral Industries Limited (hereinafter referred to as the ‘applicant’) has filed an application before the Designated Authority (hereinafter also referred to as the "Authority") for sunset review investigation of antidumping duty on imports of “Synthetic Grade Zeolite 4A” (Zeolite 4A) (hereinafter also referred to as the ‘subject goods’ or the ‘product under consideration’) originating in or exported from China PR (hereinafter also referred to as the ‘subject country’).
2. In terms of Section 9A, (5) of the Act, the anti-dumping duty 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 whether the expiry of 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 the expiry of duty is likely to lead to continuation or recurrence of dumping and injury.

A. Background of the Previous Investigation

3. The original anti-dumping investigation concerning imports of the subject goods from the subject country was initiated by the Authority vide notification No. 6/14/2017-DGAD on 2nd January 2018. In the same matter, the final finding was issued vide notification No. 06/14/2017-DGAD dated 29th October 2018 confirming imposition of definitive anti-dumping duties on imports of the subject goods from the subject country, which were implemented vide Customs Notification No. 57/2018-Customs (ADD) dated 13th December 2018. The said duties were levied for a period of 5 years and are set to expire on 12th December 2023.

B. Product under consideration

4. The product under consideration in the present investigation is Synthetic Zeolite 4A (Detergent Grade). The scope of the product under consideration is the same as defined in the previously conducted investigation, which was as follows:

“6. The PUC is Synthetic Zeolite 4A (Detergent Grade). Zeolites are micro porous crystalline solids with well-defined structures. Generally, they contain silicon, aluminum and oxygen in their framework and cat-ions, water and/or other molecules within their pores. They also occur naturally as minerals, and are extensively mined in many parts of the world. Others are synthetic, and are made commercially for specific uses in various industries. The general formula is given as $Nax[(AlO_2)_x(SiO_2)_y].zH_2O$.

“7. The PUC functions as a detergent builder primarily as a water softener resulting in softening of water, which requires less soap for the same cleaning effort, as soap is not wasted mopping up calcium ions”

5. The present petition is for sunset review investigation, as per the settled jurisprudence and the past practices of the Authority, the product under consideration remains the same as defined in the original final finding notification. The product under consideration currently does not have a dedicated code. It falls under Chapter 28 under customs sub-heading 28421000. However, the imports come under various different codes. The customs classifications is only indicative and not binding on the scope of the present investigation.

C. Like Article

6. The applicant has claimed that there is no significant difference in the product produced by the domestic industry and the one exported from the subject country. The product produced by the domestic industry and imported from the subject country are comparable in terms of characteristics such as physical & chemical characteristics, manufacturing process &

technology, functions & uses, product specifications, pricing, distribution & marketing, and tariff classification of the goods. The two are technically and commercially substitutable and are used by consumers interchangeably. Further, the present application is for sunset review investigation for the continued imposition of anti-dumping duty. The issue of like article has been examined by the Authority in the previous investigation as well. The product produced by the domestic industry is like article to the product under consideration produced and imported from the subject country.

D. Domestic Industry and Standing

7. The application has been filed by M/s Gujarat Credo Mineral Industries Limited (GCMIL). The applicant has claimed that there is only one other Indian producer of the subject goods namely M/s Chemical India. The applicant has further certified that it has not imported the subject goods nor is related to the exporters from the subject country or importers in India.
8. In view of the same, and based on information available on record, the Authority is satisfied that the application has been made 'by or on behalf of the domestic industry' and satisfies the requirements of standing in terms of Rule 5(3), even though the requirements of Rule 5(3) are not applicable in sunset review application, and the applicant i.e., M/s Gujarat Credo Mineral Industries Limited (GCMIL) constitutes domestic industry within the meaning of Rule 2(b).

E. Subject Country

9. The country involved in the present sunset review investigation is China PR.

F. Likelihood of continuation or recurrence of dumping and injury

10. The applicant has claimed no current dumping from China and has submitted that dumping is likely to recur from China in case of cessation of ADD. The applicant has claimed likelihood of dumping on the basis of the price at which goods have been exported from China to various countries globally, as reported in secondary sources information for the product under consideration.
11. There is a prima facie evidence of likelihood of dumping, and injury to the domestic industry on account of presence of significant and growing capacities of Chinese producers which would be sufficient to capture the Indian market, high export orientation of Chinese producers, dumping of the subject goods into third countries, likely suppressing impact of imports and likely injury to the domestic industry in the event of cessation of anti-dumping duties, price attractiveness of Indian market, and continued vulnerability of the Indian industry.

12. The information provided by the applicant, prima facie, shows likelihood of dumping and injury to domestic industry in case of cessation of the anti-dumping duty from the subject country.

G. Initiation of sunset review investigation

13. On the basis of the duly substantiated application of the applicant, and having satisfied itself, on the basis of the prima facie evidence submitted by the applicant, substantiating the likelihood of continuation/ recurrence of dumping and injury, and in accordance with Section 9A(5) of the Act read with Rule 23 (1B) of the Rules, the Authority hereby initiates a sunset review 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 country and to examine whether the expiry of such duty is likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

H. Period of Investigation (POI)

14. The period of investigation (POI) for the present investigation is 1st April 2021 to 31st March 2022. The injury investigation period will cover the periods 2018-19, 2019–20, 2020-21 and the period of investigation. The data beyond period of investigation may also be examined to determine the likelihood of dumping and injury.

I. Procedure

15. The present review covers all aspects of the final findings of the original investigation published vide Notification No. 06/14/2017-DGAD dated 29th October 2018. 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.

J. Submission of information

16. In view of the special circumstances arising out of COVID-19 pandemic, all communication should be sent to the Designated Authority via email at email address, jd12-dgtr@gov.in and ad12-dgtr@gov.in with a copy to adg13-dgtr@gov.in, and adv12-dgtr@gov.in. It should be

ensured that the narrative part of the submission is in searchable PDF/ MS Word format and data files are in MS Excel format.

17. The known exporters, their Government through their Embassy in India, the importers, and users in India known to be concerned with the subject goods and the domestic industry are being informed separately to enable them to file all the relevant information in the form and manner prescribed within the time-limit set out below.
18. Any other interested party may also make its submissions relevant to the investigation in the form and manner prescribed within the time-limit set out below on the email address mentioned above.
19. 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.
20. Interested parties are further advised to keep a regular watch on the official website of the Designated Authority <https://www.dgtr.gov.in/> for any updated information with respect to this investigation.

K. Time Limit

21. Any information relating to the present investigation should be sent to the Designated Authority via email at the email addresses adg13-dgtr@gov.in, adv12-dgtr@gov.in, dd13-dgtr@gov.in and ad12-dgtr@gov.in within thirty (30) days from the date of receipt of the notice as per Rule 6(4) of the Anti-Dumping Rules. It may however, be noted that in terms of explanation of the said Rule, the notice calling for information and other documents shall be deemed to have been received within one week from the date on which it was sent by the Designated Authority or transmitted to the appropriate diplomatic representative of the exporting countries. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record in accordance with the Rules.
22. 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.

L. Submission of information on confidential basis

23. Any party making any confidential submission or providing information on confidential basis before the Authority, is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the Rules and the Trade Notices issued in this regard. Failure to adhere to the above may lead to rejection of the response / submissions.
24. The parties making any submission (including Appendices/Annexures attached thereto), before the Authority including questionnaire response, are required to file Confidential and Non-Confidential versions separately.
25. The "confidential" or "non-confidential" submissions must be clearly marked as "confidential" or "non-confidential" at the top of each page. Any submission made without such marking shall be treated as non-confidential by the Authority, and the Authority shall be at liberty to allow the other interested parties to inspect such submissions.
26. The confidential version shall contain all the information which is by nature confidential and/or other information which the supplier of such information claims as confidential. For information which are 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.
27. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out (in case indexation is not feasible) and summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on 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 why summarization is not possible must be provided to the satisfaction of the Authority. The other interested parties can offer their comments on the confidentiality claimed within 7 days of receiving the non-confidential version of the document.
28. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied the request for confidentiality is not warranted or if the supplier of the information is either unwilling to make the information

public or to authorize its disclosure in generalized or summary form, it may disregard such information.

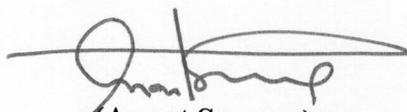
29. Any submission made without a meaningful non-confidential version thereof or without good cause statement on the confidentiality claim shall not be taken on record by the Authority.
30. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorization of the party providing such information.

M. Inspection of Public File

31. In terms of Rule 6(7) of the Rules, any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties. The modality of maintaining public file in electronic mode is being worked out.

N. Non-cooperation

32. 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.


(Anant Swarup)
Designated Authority