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F. No. 14/23/2013-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
(Directorate General of Anti Dumping & Allied Duties)
4th Floor, Jeevan Tara Building, 5, Parliament Street,
New Delhi 110001

Dated the 26th February, 2015

NOTIFICATION

(Final Findings)

Subject: Final Findings in the anti-dumping investigation concerning imports of Sodium Citrate originating in or exported from China PR.

F. No.14/23/2013-DGAD: Having regard to the Customs Tariff Act, 1975 as amended from time to time and (hereinafter referred to as the Act), the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (hereinafter referred to as the AD Rules or the Rules), thereof;

2. Whereas the Designated Authority (hereinafter referred to as the Authority), under the Rules, received a written application or petition from M/s Posy Pharmachem Pvt. Limited (hereinafter also referred to as the petitioner or the applicant) alleging dumping of Sodium Citrate (hereinafter referred to as the product under consideration (PUC) or the subject goods) from China PR (hereinafter referred to as the subject country), causing injury to the domestic industry of the subject goods in India.
3. Whereas the Authority on the basis of sufficient prima facie evidence submitted by the applicant on behalf of the domestic industry, issued a public notice no 14/23/2013-DGAD dated 28th February, 2014, published in the Gazette of India, Extraordinary, initiating the anti-dumping investigation concerning imports of the subject goods, originating in or exported from the subject country, in accordance with the Rules, to determine the existence, degree and effect of alleged dumping causing injury to the domestic industry and to consider recommendation of the anti-

dumping duty.

A. PROCEDURE

4. The procedure described below has been followed in this investigation:

- i) The Authority notified the embassy of the subject country in India about the receipt of application alleging dumping of the subject goods originating in or exported from the subject country before proceeding to initiate the investigation in accordance with the Rules.
- ii) The Authority issued a public notice no 14/23/2013-DGAD dated 28th February, 2014, published in the Gazette of India, Extraordinary, initiating the anti dumping investigation concerning imports of the subject goods, originating in or exported from the subject country.
- iii) The Authority forwarded a letter along with copy of the public notice to all the known exporters and other interested parties/industry associations (whose details were made available by the domestic industry) and gave them opportunity to make their views known in writing within the prescribed time limits in accordance with the Rules.
- iv) The Authority provided a copy of the non-confidential version of the application to the known exporters of the subject countries in accordance with the Rules. A copy of the application was also made available to other interested parties, upon request.
- v) Copies of the letter and the exporter's questionnaire sent to the exporters/producers in the subject country were also sent to the embassy of the subject country in India along with a list of known exporters / producers with a request to advise the known exporters / producers from the subject country as also other exporters / producers from the subject country to respond to the questionnaire within the prescribed time limits.
- vi) The Authority sent exporter's questionnaire to elicit relevant information to the following known exporters in the subject country in accordance with the Rules:
 - a. Qingdao Sonof Chemical Company Limited, Shandong, Qingdao, China.
 - b. Weifang Vot International Business Co. Ltd., Shandong, Weifang,

China.

- c. Hai Hui Group Cp., Ltd, Shandong, Rizhao, China.
 - d. Foodchem International Corporation, Shanghai, China.
 - e. Yixing Zhenfen Medical Chemical Co. Ltd, Yixing City, Jiangsu Province, China.
 - f. Hainan Huarong Chemical Co. Ltd., Hainan Haikou, China.
 - g. Lianyungang Dongtai Food Ingredients Co. Ltd. Xinpu District, Jiangsu, Lian Yungang, China.
 - h. Lianyugang Shuren kechuang Food Additive Co. Ltd, Jiangsu, China
 - i. RZBC Co. Ltd. Shandong Province, China.
 - j. Laiwu Taihe Biochemistry Co. Ltd., Shandong Province, China
 - k. RZBC (Juxian) Co. Ltd., , Shandong Province, China.
 - l. Weifang Ensing Indstry Co. Ltd., Shandong Province, China
 - m. Yixing Union Biochemical Co. Ltd., Jiangsu Province, China
 - n. DSM Citric Acid (Wuxi) Ltd., Jiangsu Province, China
 - o. Angui BBKA Biochemical Co. Ltd, Angui Province, China
- vii) None of the exporters from the subject country has submitted any response to the exporter's questionnaire or filed any legal submissions.
- viii) The Authority forwarded a copy of the public notice to the following known importers/users/user associations (whose names and addresses were made available to the Authority) of the subject goods in India and advised them to make their views known in writing within forty days from the date of issue of the letter in accordance with the Rule 6(4):
- a. Crystal Crop Protection Pvt. Ltd., Delhi
 - b. Desmo Exports, Maharashtra.
 - c. New Drug & Chemical Co., Maharashtra.
 - d. Colorcon Asia Private Limited, Maharashtra.
 - e. ACID-India, Mulratra , Mumbai
 - f. Pradip Kumar Pharma Pvt. Ltd., Mumbai
 - g. Amijal Chemicals, Mumbai
 - h. Adani Pharmachem Pvt. Ltd, Rajkot.
 - i. Sujata Chemicals, Vadodara
 - j. Prakash Chemicals Pvt. Ltd., Vadodara
 - k. RM Chemicals, Chennai
 - l. Pfizer Limited, Mumbai
 - m. FDC Limited, Aurangabad
 - n. Wallance Pharmaceutical Ltd, Panaji
 - o. Kaira District Co-op Milk Producers Union Ltd., Anand, Gujarat
 - p. Schreiber Dynamix Daries Ltd., Baramati, Dist. Pune

q. Vasa Pharmachem Pvt. Ltd, Ahmadabad

- ix) Only M/s New Drug & Chemical Company, Mumbai, responded to the Initiation notification and filed importer questionnaire response as well as legal submissions.
- x) The Period of Investigation (POI) for the purpose of the present investigation was from 01.10.2012 to 30.09.2013. For the purpose of analyzing injury, the data of previous three years, i.e., 2010-11, 2011-12, 2012-13 and the period of investigation has been considered.
- xi) Request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to arrange details of imports of subject goods into India for the past three years, including the period of investigation, and the said information was obtained from the DGCI&S and has been adopted in this investigation.
- xii) Exporters, producers and other interested parties who have neither responded to the Authority nor supplied information relevant to this investigation have been treated as non-cooperating interested parties.
- xiii) The Authority made available non-confidential version of the evidence presented by interested parties in the form of a public file kept open for inspection by the interested parties as per Rule 6 (7).
- xiv) The Authority has examined the information furnished by the domestic producer to the extent possible on the basis of guidelines laid down in Annexure III to work out the cost of production and the non-injurious price of the subject goods in India so as to ascertain if anti-dumping duty lower than the dumping margin would be sufficient to remove injury to the domestic industry.
- xv) In accordance with the Rules, the Authority also provided opportunity to all the interested parties to present their views orally in an Oral Hearing held on 6th January, 2015. Only the domestic industry attended the oral hearing. M/s New Drug & Chemical Co. did not attend the oral hearing. However, they filed written submission prior to the Oral hearing. Parties which participated in the Oral Hearing were requested to file written submissions of the views expressed orally.

- xvi) The submissions made by the domestic industry and other interested parties during the course of the investigation and considered relevant by the Authority have been examined and addressed in this investigation.
- xvii) Verification of the information and data submitted by the interested parties was carried out to the extent deemed necessary.
- xviii) Information provided by the interested parties on confidential basis was examined by the Authority with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed. Wherever possible, the interested parties were directed to provide sufficient non-confidential version of the information filed on confidential basis.
- xix) Wherever an interested party has refused access to, or has otherwise not provided necessary information during the course of the present investigation, or has significantly impeded the investigation, the Authority has recorded these essential facts on the basis of the 'facts available' and treated such parties as non-cooperative.
- xx) A Disclosure Statement containing the essential facts in this investigation which would have formed the basis of the Final Findings was issued to the interested parties on 12.02.2015. The post Disclosure Statement submissions were received from the domestic industry only and have been considered, to the extent found relevant, in this Final Findings Notification.
- xxi) The submissions made by the interested parties considered relevant by the Authority have been addressed in this Final Findings Notification.
- xxii) ***in this Final Findings Notification represents information furnished by the interested parties on confidential basis, and so considered by the Authority under the Rules.
- xxiii) The weighted exchange rate adopted for the POI is 1 US \$ =Rs 56.89

B. PRODUCT UNDER CONSIDERATION AND THE LIKE ARTICLE

Views of the Domestic Industry

5. Submissions made by the domestic industry on the product under consideration are as follows:
 - i. The product under consideration in the present petition is Sodium Citrate. Sodium Citrate is a chemical compound that comes in the form of monosodium citrate, disodium citrate and trisodium citrate. The product under consideration can also be transacted by following alternate names
 - a. Tri Sodium Citrate
 - b. Tri Sodium Citrate dihydrate
 - c. Sodium Citrate dihydrate
 - d. Tribasic Sodium Citrate
 - e. Sodium Citrate Tribasic Dihydrate
 - f. Sodium Citrate Dibasic Sesquihydrate
 - g. Sodium Citrate Monobasic Bioxtra
 - ii. Sodium Citrate is mainly used as an expectorant and a urine alkalizer. It is also used as a pharmaceutical aid and as a food additive in dairy industries which cater to cheese manufacturing and beverages. It is also a water treatment chemical and a laboratory reagent.
 - iii. The goods produced by the petitioner are like article to the goods imported in India. Both the products have comparable characteristics in terms of such parameters as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification, etc.
 - iv. Comparison of essential product properties in respect of domestically produced product and the imported product would show that the goods produced by the domestic industry are comparable to the imported goods in terms of essential product properties.
 - v. Goods produced by the petitioner are for all type of industries like pharma / food / pesticide / ceramic etc. The product is such that it cannot be processed further. The importers are claiming so merely to evade the regulation and prohibition. Because pharma or food grade cannot be imported, the imports are being made in the name

of not for medicinal use.

Views of the other interested parties

6. M/s New Drug & Chemical Company has claimed that the petitioner and supporter Sunil Chemicals produce only pharma grade catering only to pharma & food industries and not to other chemical industries like agrochemicals, electroplating & other Chemical Industries, etc.

Examination of the Authority

7. The product under consideration for the purpose of present investigation is "Sodium Citrate". It is a chemical compound that comes in the form of mono-sodium citrate, disodium citrate and tri-sodium citrate. It is sodium salt of citric acid and has a sour and salty taste. Sodium Citrate is mainly used in pharma industries as an expectorant and urine alkalinizer. It is also used as a pharmaceutical aid, food additive in dairy industries, laboratory reagent in water treatment, acidity regulator in drinks, an emulsifier for oils when making cheese and an antioxidant in food, etc. The product under consideration can also be transacted by the following alternate names:-
 - a. Sodium Citrate
 - b. Tri Sodium Citrate
 - c. Tri Sodium Citrate dihydrate
 - d. Sodium Citrate dihydrate
 - e. Tribasic Sodium Citrate
 - f. Sodium Citrate Tribasic Dihydrate
 - g. Sodium Citrate Dibasic Sesquihydrate
 - h. Sodium Citrate Monobasic Bioextra
8. Sodium Citrate is classified under Chapter 29 of the Customs Tariff Act under customs subheading 29181520. The customs classification is however indicative only and in no way binding on the scope of the present investigation.
9. With regard to like article, Rule 2(d) of the AD Rules provides as under:

"like article" means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation.
10. After considering the information on record, the Authority has

determined that there is no known difference in the subject goods produced by the domestic industry and that imported from the subject country. The subject goods produced by the domestic industry and the subject goods imported from subject country are comparable in terms of characteristics such as physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, distribution and market & tariff classification of the goods. The consumers are using the two interchangeably.

11. With regard to the argument of the interested parties that the domestic industry produces Sodium Citrate for Pharma grade only, the Authority notes that the argument has not been substantiated. It is further noted from the evidence on record that the domestic industry has produced and sold its product to different segments apart from pharma and food industries like photographic, agro and chemical industry. It is, therefore, concluded that the goods produced by the applicant domestic industry are used in all type of industries like Pharma / food / pesticide etc.

C. DOMESTIC INDUSTRY AND STANDING

Views of the Domestic Industry

12. The submissions made by the domestic industry regarding the domestic industry and its standing are as follows:-
 - a. Present application has been filed by M/s Posy Pharmachem Private Limited. The application was supported by Sunil Chemicals. There are four other producers who are known to have created capacity to produce the product concerned in India, namely, Amijal Chemicals, Sujata Chemicals, Vasa Pharmachem Pvt. Ltd. and Adani Pharmachem Private Ltd.
 - b. As per the market intelligence of the petitioner, Vasa Pharma, Adani Pharma and Sujata Chemicals were earlier producing the product concerned. However, due to continued dumping, they have shifted to imports and started trading the imported product. According to the petitioner's information, these companies have not been known to have produced the product under consideration at all over the injury period. Amijal Chemicals is known to produce as well as import the subject goods.
 - c. Further, Ishita Drugs And Industries Ltd, Navnidh Pharma Lab, G. Amphray Laboratories, Wang Pharmaceuticals & Chemicals and V M Chemicals are the companies who have been selling the product

under consideration in the market. Petitioner is, however, not aware whether these companies are selling the imported product or have some manufacturing operations. Petitioner has considered their known sales volumes and presumed the same as production. It is submitted that the petitioner constitutes a major proportion in the Indian production.

- d. M/s Ishita Drugs and Industries Ltd had participated in the safeguard investigation conducted and admitted that they were earlier producing the subject goods and have later on been importing and selling the subject goods.

Views of the other interested parties

13. No submissions have been made by the interested parties on the domestic industry and its standing.

Examination by the Authority

14. Rule 2(b) of the AD Rules defines the domestic industry as under: -

“domestic industry” means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term ‘domestic industry’ may be construed as referring to the rest of the producers”

15. The petition has been filed by M/s Posy Pharmachem Private Limited as the domestic industry of the product under consideration. M/s Sunil Chemicals has supported the application. The petitioner has submitted that there are various other companies who have built capacities for the product under consideration but have now started trading the product and are selling the product in the domestic market. However, since actual status of these companies is not known to the petitioner, their known sales have been considered as production. As per the evidence available on record, the production of the petitioner accounts for major proportion of the total domestic production of the subject goods in India. It is thus determined that the application has been made by or on behalf of the domestic industry and the application satisfies the requirements of standing under Rule 5 of the AD Rules. Therefore, the petitioner constitute Domestic Industry in terms of Rule 2(b) of the AD Rules.

Assessment of Dumping – Methodology and Parameters

D. NORMAL VALUE, EXPORT PRICE AND DUMPING MARGIN

Normal value in China PR

MET examination and normal value for all producers and exporters from China PR

16. The Authority notes that in the past three years China PR has been treated as non-market economy country in the anti-dumping investigations by other WTO Members. Therefore, in terms of Para 8 (2) of the annexure 1 of AD rules, China PR is to be treated as a non-market economy country subject to rebuttal of the presumption by the exporting country or individual exporters in terms of the Rules.

17. As per Paragraph 8 of the Annexure I to the Anti Dumping Rules, the presumption of a non-market economy can be rebutted if the exporter(s) from China PR provide information and sufficient evidence on the basis of the criteria specified in sub paragraph (3) in Paragraph 8 and establish to the contrary. The cooperating exporters/producers of the subject goods from China are required to furnish necessary information/sufficient evidence as mentioned in sub-paragraph (3) of paragraph 8 in response to the Market Economy Treatment questionnaire to enable the Designated Authority to consider the following criteria as to whether:-
 - a). The decisions of the concerned firms in China PR regarding prices, costs and inputs, including raw materials, cost of technology and labour, output, sales and investment are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect market values;

 - b). The production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts;

 - c). Such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms; and

 - d). The exchange rate conversions are carried out at the market rate.

18. It is noted that none of the producers/exporters of the subject goods from China PR has submitted their questionnaire responses and responses to the market economy questionnaire consequent upon the initiation notice issued by the Authority and none of the producers/exporters has sought to rebut the non-market economy presumption.

Views of Domestic Industry

19. It has been contended by the domestic industry that China PR should be treated as non-market economy country, inter alia, stating that:
- a. Market economy status cannot be given in a situation where one of the major shareholders is a State owned/controlled entity. The Designated Authority and the EC have consistently held that possibilities of State interference cannot be ruled out in such cases. It is being held that it is not only the question of past interferences alone, but also possibilities of potential State interference in the future after the imposition of anti dumping duties that is relevant to market economy treatment.
 - b. Market economy status cannot be given unless the responding Chinese exporters establish that the prices of major inputs substantially reflect market values and “substantially reflect market values” has been widely interpreted to mean that the price of these inputs must be comparable to the prices prevailing in the international market. The fact that such prices are comparable to the price prevailing in China is grossly insufficient.
 - c. Market economy status cannot be given unless the responding exporters establish that their books are audited in line with international accounting standards. The market economy treatment must be rejected in such situations where Chinese exporters are unable to establish that their books are consistent with International Accounting Standards (IAS). The requirement on insisting compliance with International Accounting Standards is to ensure accuracy and adequacy of revenues and expenses, assets and liabilities expressed in the annual report.
 - d. Market economy status cannot be granted even if one of the parameters is not satisfied. The market economy status cannot be granted unless the responding Chinese exporters pass the test in respect of each and every parameter laid down under the rules.

This situation is just the opposite of the test required for material injury. It is well acknowledged position that a positive finding of injury can be recorded even if one single parameter had established injury. Thus, while one parameter is sufficient to establish existence of injury, failure to pass one single parameter is sufficient to reject the claim of market economy status.

e. Onus/obligations ó It is not for the Authority to establish that the Chinese companies are indeed operating under the market economy environment and are entitled for market economy treatment. On the contrary, it is for the Chinese exporters to establish that they are operating under the market economy conditions.

f. Response from group as a whole ó Market economy status cannot be granted unless the responding company and its group as a whole make the claim. If one or more companies forming part of the group have not filed the response, the market economy status must be rejected.

g. Transformation ó In a situation where the current shareholders have not set up their production facilities themselves but have acquired the same from some other party, the market economy status cannot be granted unless process of transformation has been completely established through the documentary evidence.

Examination and determination of normal value by the Authority for producers and exporters in China PR

20. The Authority notes that in the past three years China PR has been treated as a non-market economy country in the anti-dumping investigations by India and the other WTO Members subject to the rebuttal of the presumption by the exporting country or individual exporters/producers in terms of the AD Rules.
21. As per Paragraph 8 of Annexure I of the AD Rules, the presumption of a non-market economy may be rebutted, if the exporter(s)/producer(s) from China PR provide information and sufficient evidence on the basis of the criteria specified in sub paragraph (3) of Paragraph 8 and establish the facts to the contrary. The co-operating exporters/ producers of the subject goods from China are required to furnish necessary information/sufficient evidence as mentioned in sub-paragraph (3) of paragraph 8 in response to the Market Economy Treatment questionnaire to enable the Authority to consider the following criteria as to whether: -

- the decisions of concerned firms in China PR regarding prices, costs and inputs, including raw materials, cost of technology and labour, output, sales and investment are made in response to market signals reflecting supply and demand and without significant State interference in this regard, and whether costs of major inputs substantially reflect the market values;
 - the production costs and financial situation of such firms are subject to significant distortions carried over from the former non-market economy system, in particular in relation to depreciation of assets, other write-offs, barter trade and payment via compensation of debts;
 - such firms are subject to bankruptcy and property laws which guarantee legal certainty and stability for the operation of the firms; and
 - the exchange rate conversions are carried out at the market rate.
22. The Authority notes that consequent upon the initiation notice issued by the Authority; none of Chinese producers/exporters has submitted the questionnaire responses including the market economy questionnaire response and sought to rebut the non-market economy presumption. Since none of the Chinese companies has claimed the market economy treatment, the Authority has not determined whether any of the Chinese producers could be granted the market economy treatment.

Determination of Normal Value in respect of Exporters / Producers from China PR

23. As none of Chinese producers and exporters has submitted the questionnaire responses, the Authority has estimated the Normal Value in China PR on the basis of Para-7 to Annexure-I to the AD Rules.
24. Para 7 of Annexure I of the AD Rules provides that:

“In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in the market economy third country, or the price from such a third country to other countries, including India or where it is not possible, or on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner, keeping in view the level of development of the country concerned and the product in question, and due account shall

be taken of any reliable information made available at the time of selection. Accounts shall be taken within time limits, where appropriate, of the investigation made in any similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without any unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments”.

25. Considering that there has been no response from any exporter/producer of the subject goods from China PR and further noting that information/data regarding appropriate market economy third country for determination of normal value in China PR is not available on record, the Authority has determined the normal value in China PR on other reasonable basis, in terms of Para 7 of Annexure 1 to the AD Rules. Accordingly, the ex-works Normal Value of the product under consideration has been determined based on the constructed costs of production, duly adjusted.
26. The Authority has constructed the normal value for China PR on the basis of the cost of production in India, duly adjusted, including selling, general and administrative expenses and profit and considering the international prices of major raw materials. Accordingly, the constructed normal value so determined for Chinese exporters is shown in the Dumping Margin Table below.

EXPORT PRICE

27. As none of the exporter/producer has provided any information that can be used for determination of the export price, the Authority has determined the Export Price for all exporters from China PR on the basis of imports into India. For the purpose of determining the net export price, the Authority has taken into account the transaction wise import data received from DGCIS. In view of non cooperation from Chinese producers, price adjustments have been allowed on the basis of facts available. Accordingly, export price has been adjusted for ocean freight, marine insurance, commission, port expenses, bank charges, inland freight, VAT difference etc. The net export price worked out by the Authority is shown in the Dumping Margin table below.

DUMPING MARGIN

28. Considering the Normal Value and Export Price as determined above, the dumping margin has been determined as in the table below.

Dumping Margin Table

Particulars	US\$/MT	Rs/MT
Constructed Normal Value	***	***
Export Price	***	***
Dumping Margin	***	***
Dumping Margin %	***	***
Range %	50-70	50-70

E. INJURY DETERMINATION AND CAUSAL LINK

Views of the Domestic Industry

29. The submissions made by the domestic industry with regard to injury and causal link are as follows:
- i. ADD has been levied on the subject country by US, EC and Brazil. The reason for global dumping of the product by China is the reason of huge demand supply gap existing in China.
 - ii. Volume of imports from the subject country has increased significantly in the POI. Subject imports constitute almost 96% of the total imports into the domestic market in the POI. Market share of the subject imports has increased. The subject imports capture almost 60% of the Indian market.
 - iii. The imports in relation to production and demand are very significant and the same have increased despite such high share.
 - iv. The landed price of the subject imports has been substantially below the selling price of the Domestic Industry throughout the injury period, causing significant price undercutting.
 - v. Landed price of the imports has remained significantly below the levels of cost of sales and the selling price of the domestic industry throughout the injury period. Low priced dumped imports forced the domestic industry to maintain its selling price below the levels of cost of sales. Thus, the imports are suppressing the prices of the domestic industry throughout the injury period.
 - vi. The imports are suppressing the prices of the domestic industry in the market. It could be seen that the domestic industry has been forced to sell at prices where it is suffering significant financial losses and, thus, is suffering price injury.
 - vii. Domestic industry increased its capacity in 2012-13 in view of the

significant demand in India. Even though production has also increased, the same has, however, remained much below the level of demand in India. Sales of the domestic industry have increased over the injury period with some decline in the POI. The domestic industry has been able to show some improvement in volume parameters. The domestic industry has, however, suffered significant financial losses. Further, in a situation when the demand is more than the capacities, the domestic industry is expected to achieve reasonable profits.

- viii. The financial losses are crippling the Domestic Industry. The return on capital employed has remained negative throughout the injury period. The Domestic Industry's losses have only mounted over the course of the injury period. Financial losses throughout the injury period are due to dumping of the product under consideration.
- ix. Performance of the domestic industry deteriorated in respect of profits, cash profits and return on capital employed, whereas the performance remained adverse in respect of production, sales volumes, capacity utilization and market share.
- x. Despite enhancement of capacities, existence of sufficient demand in the country and such sub-optimal prices offered, the domestic industry is not able to utilize its capacities.
- xi. The inventories of the domestic industry have been piling up over the entire injury period despite efforts of the domestic industry to sell even at a loss.

View of the importers/consumers and other interested parties

- 30. The submissions made by the interested parties with regard to injury and casual link are as follows:
 - a) Our stand is that anti dumping duty on Sodium Citrate should not be imposed because all the importers are importing Sodium Citrate as "Not for Medicinal Use". So it is not affecting the business of Indian manufacturer.
 - b) Posy Pharma Chem and Sunil Chemicals are producing only Pharma Grade Sodium Citrate IP. So they are only catering to Pharma & Food Industries and not to other Chemical Industries whereas our all importers are importing Sodium Citrate as "Not for Medicinal Use". So these importers are catering to companies other than Pharma and Food Industries like Agrochemicals, Electroplating & other Chemical Industries.

- c) Further, apart from Posy Pharmachem Pvt. Ltd. and Sunil Chemicals, lots of other manufacturers are producing Sodium Citrate IP, namely, Amijal Chemicals, Vasa Pharma, Devendra Kirti Pharma Chem P. Ltd. and Adani Pharmachem P. Ltd. They all manufacture Sodium Citrate for industries other than Pharma & Food Industries. So if we put duty, the other than Pharma & Food Industries like Chemical Allied Industries may suffer.
- d) China is producing Sodium Citrate by Fermentation Process and in India we import Citric Acid & mix it with Caustic Soda for manufacturing of Sodium Citrate. So we depend on China for Citric Acid. If we put antidumping duty on Sodium Citrate, then Chinese manufacturers may increase citric acid rate in future.

Examination by the Authority

- 31. The opposing interested parties have essentially claimed that Posy Pharmachem and Sunil Chemicals are producing only Pharma Grade Sodium Citrate IP and, thus, they are only catering to Pharma & Food Industries and not to Chemical Industries like Agrochemicals, Electroplating & other Chemical Industries, whereas all importers are importing Sodium Citrate as "Not for Medicinal Use" to be used in industries other than Pharma and Food Industries like Agrochemicals, Electroplating & other Chemical Industries and other manufactures Sodium Citrate in India are also manufacturing Sodium Citrate for Indian companies who are using the subject goods for other than Pharma and Food Industries like Agrochemicals, Electroplating & other Chemical Industries. The Authority has examined this aspect and noted that the argument has not been substantiated by the opposing interesting parties by any documentary evidence at all. However, on the other hand, it is noted from the documentary evidence submitted by the domestic industry that they have sold the subject goods to different segments apart from pharma and food industries like photographic, agro and chemical industry. It is, therefore, concluded that the goods produced by the applicant domestic industry are used in all type of industries like Pharma / food / agro/ photographic and other chemical industries.
- 32. Rule 11 of the AD Rules read with its Annexure II provides that an injury determination shall involve examination of factors that may indicate injury to the domestic industry, "taking into account all relevant facts, including the volume of dumped imports, their effect on prices in the domestic market for like articles and the consequent effect of such imports on domestic producers of such articles". While considering the effect of the dumped imports on prices, it is considered necessary to examine

whether there has been a significant price undercutting by the dumped imports as compared with the price of the like article in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree.

33. Annexure-II of the AD Rules provides for an objective examination of both, (a) the volume of dumped imports and the effect of the dumped imports on prices, in the domestic market, for the like articles; and (b) the consequent impact of these imports on domestic producers of such articles. With regard to the volume effect of the dumped imports, the Authority is required to examine whether there has been a significant increase in dumped imports, either in absolute term or relative to production or consumption in India. With regard to the price effect of the dumped imports, the Authority is required to examine whether there has been significant price undercutting by the dumped imports as compared to the price of the like product in India, or whether the effect of such imports is otherwise to depress the prices to a significant degree, or prevent price increases, which would have otherwise occurred to a significant degree.
34. As regards the impact of the dumped imports on the domestic industry, para (iv) of Annexure-II of the AD Rules states as follows:

“The examination of the impact of the dumped imports on the domestic industry concerned shall include an evaluation of all relevant economic factors and indices having a bearing on the state of the Industry, including natural and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of margin of dumping, actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments.”

35. For the examination of the impact of imports on the domestic industry in India, the Authority has considered such indices having a bearing on the state of the industry as production, capacity utilization, sales quantum, stock, profitability, net sales realization, the magnitude and margin of dumping etc. in accordance with Annexure II(iv) of the Rules supra.

Demand and market share

36. For the purpose of assessment of the domestic consumption/demand of the subject goods, the sales volume of domestic industry and other Indian producers have been added to the total imports into India and the same has

been summarized below:

Particulars	Units	2010-11	2011-12	2012-13	POI
Sales of Domestic Industry	MT	607	1,319	1,229	1,191
Sales of supporting company	MT	1,221	1,462	1,452	1,375
Sales of Other Producers	MT	233	307	335	234
Subject country-Imports	MT	2,578	2,666	3,526	3,774
Other Countries-Imports	MT	39	174	193	170
Total demand/consumption	MT	4,678	5,928	6,736	6,744

37. It is noted that the demand has shown a positive trend throughout the injury period.

F. Volume Effects of Dumped Imports

Import Volume and Market Share

38. With regard to the volume of the dumped imports, the Authority is required to consider whether there has been a significant increase in dumped imports, either in absolute terms or relative to production or consumption in India. For the purpose of injury analysis, the Authority has relied on the transaction wise import data procured from DGCI&S. The volume of imports of the subject good from the subject country has been analyzed as under:

Particulars	Units	2010-11	2011-12	2012-13	POI
Imports (Total)	MT	2,617	2,840	3,719	3,945
Subject Country	MT	2,578	2,666	3,526	3,774
Other Countries	MT	39	174	193	170
Market share in Imports					
Subject Country	%	98.5%	93.9%	94.8%	95.7%
Other Countries	%	1.5%	6.1%	5.2%	4.3%
Market share in demand					
Subject Country's Import	%	56.3%	50.9%	53.9%	57.5%
Other Countries Imports	%	0.8%	3.3%	3.0%	2.6%
Sales of Domestic Industry	%	13%	22%	18%	18%
Sale of Supporter	%	26%	25%	22%	20%
Domestic industry & Supporter	%	39%	47%	40%	38%
Other Indian producers	%	5.1%	5.9%	5.1%	3.6%
Total	%	100.0%	100.0%	100.0%	100.0%
Imports from China PR in relation to					
Indian production	%	97.07%	89.43%	105.97%	117.29%
Consumption in India	%	56.3%	50.9%	53.9%	57.5%

39. It is noted from the table above that import of the subject goods from subject country has increased significantly in the POI from the base year.

Majority of imports are from the subject country. Subject country constitutes 95% of the total imports. Further, the imports from subject country have also increased in relation to production and consumption in India and are significant. Thus, there is a clear evidence of significant increase in imports from the subject country, in absolute terms and relative terms.

G. Price effect of imports

40. With regard to the effect of the dumped imports on prices, the Designated Authority is required to consider whether there has been a significant price undercutting by the dumped imports as compared with the price of the like products in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree. The impact of dumped imports on the prices of the domestic industry has been examined with reference to the price undercutting, price suppression and price depression, if any.

Price undercutting

41. In order to determine whether the imports are undercutting the prices of the domestic industry in the market, the Authority has compared landed price of imports with net sales realization of the domestic industry.

Particulars	Unit	2010-11	2011-12	2012-13	POI
Net Sales Realization	Rs./Mt	***	***	***	***
Landed price of imports	Rs./Mt	43,346	50,706	50,540	50,308
Price Undercutting	Rs./Mt	***	***	***	***
Price Undercutting (%)	%	***	***	***	***
Price Undercutting (%)	% Range	15-25	20-30	15-25	15-25

42. The Authority notes that the landed prices of the subject goods were below the selling price of the domestic industry showing significant price undercutting being caused by the dumped imports from subject country.

Price-underselling

43. The Authority has also examined price underselling suffered by the domestic industry on account of dumped imports from the subject country, as follows:

Particulars	Unit	China PR
Non Injurious Price	Rs./Mt	***
Landed Price	Rs./Mt	***
Price underselling	Rs./Mt	***
Price underselling %	%	***
Price underselling %	% Range	30-50

44. It is noted from the above table that the domestic industry has suffered significant price underselling during the investigation period on account of imports of the subject goods from the subject country.

Price Suppression and Depression

45. In order to determine whether the dumped imports are suppressing or depressing the domestic prices and whether the effect of such imports is to suppress prices to a significant degree or prevent price increases which otherwise would have occurred to a significant degree, the Authority considered the changes in the costs and prices over the injury period. Table below shows the factual position:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Landed Value of imports	Rs./Mt	43,346	50,706	50,540	50,308
Cost of Sales	Rs./Mt	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	100	127	120	113
Selling Price	Rs./Mt	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	100	124	114	117

46. It is noted that the landed price of imports has remained below the level of cost of sales and the selling price of the domestic industry. It is further noted that the cost of sales of the domestic industry has increased by 13% whereas the selling price of the subject good has increased by only 17% over the injury period. Thus, the imports of the subject goods during the injury period have caused price suppression and the domestic industry has been forced to sell goods below its cost of sales.

H. Economic parameters of the domestic industry

47. Annexure II to the Anti-dumping Rules requires that the determination of injury shall involve an objective examination of the consequent impact of these imports on domestic producers of such products. With regard to consequent impact of these imports on domestic producers of such products, the Anti-dumping Rules further provide that the examination of the impact of the dumped imports on the domestic industry should include

an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments.

48. The various injury parameters relating to the domestic industry are discussed herein below:

i. Production, capacity and capacity utilization of the Domestic Industry

49. The production, domestic sales, capacity & capacity utilization of the domestic industry has been stated as follows:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Capacity	MT	2,700	2,700	2,700	3,025
Production	MT	1,285	1,357	1,727	1,792
Capacity Utilization	%	47.58%	50.26%	63.97%	59.24%
Domestic Sales volume	MT	607	1,319	1,229	1,191

50. The Authority notes domestic industry has enhanced capacity within the present injury period in view of the increase in demand in the Country. Domestic industry has submitted that even though production has also increased, the same have remained much below the level of demand in India.

51. It is noted from the above table that production of the domestic industry has increased and sales of the domestic industry have also increased over the injury period with some decline in the POI from the previous year. Capacity utilization has increased with some decline in the POI.

ii. Market share

52. The effects of the dumped imports on the domestic sales and the market share of the domestic industry have been examined as below:

Market Share in Demand	Unit	2010-11	2011-12	2012-13	POI
Sales of Domestic Industry	%	13%	22%	18%	18%
Sales of Domestic Industry & Supporter	%	39%	47%	40%	38%
Sales of Other Producers	%	5%	5%	5%	3%
Subject Country ó Imports	%	55%	45%	52%	56%
Other Countries - Imports	%	1%	3%	3%	3%
Total	%	100%	100%	100%	100%

53. It is noted that the market share of the domestic industry has increased over the injury period but there is decline in the POI from the previous year. The market share of the subject country in demand has increased. The majority share of the domestic market is being held by the subject country.

iii. Profits, return on investment and cash flow

54. The cost of sales, selling price and profit/loss of the domestic industry has been analysed as follows:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Cost of sales	Rs./Mt	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>127</i>	<i>120</i>	<i>113</i>
Selling price	Rs./Mt	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>124</i>	<i>114</i>	<i>117</i>
Profit/Loss	Rs./Mt	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>-100</i>	<i>-138</i>	<i>-139</i>	<i>-98</i>
Profit/Loss	Rs. Lakh	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>-100</i>	<i>-300</i>	<i>-281</i>	<i>-191</i>
PBIT	Rs. Lakh	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>-100</i>	<i>-302</i>	<i>-281</i>	<i>-189</i>
Cash Profit	Rs. Lakh	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>-100</i>	<i>-305</i>	<i>-279</i>	<i>-188</i>
ROI	%	***	***	***	***
<i>Trend</i>	<i>Range</i>	<i>-100</i>	<i>-178</i>	<i>-209</i>	<i>-90</i>

55. It is noted from the above table that the selling price of the domestic industry has remained below the level of cost of sales of the domestic industry. The difference between selling price and cost of sales has widened over the injury period. Resultantly, the domestic industry has incurred losses throughout the injury period and the losses have further intensified in the POI. Similarly, the return on investment and cash profits have remained negative.

iv. Inventories

56. The data relating to inventory of the subject goods is shown in the table below:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Opening stock	MT	***	***	***	***
Closing Stock	MT	***	***	***	***
Average Stock	MT	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	<i>100</i>	<i>213</i>	<i>296</i>	<i>492</i>

57. It is noted from the above table that the average stock has increased throughout the injury period with significant increase in the POI from the previous year.

v. Employment and wages

58. The position with regard to employment and wages is as follows:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Number of employees	No.	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	100	181	198	196
Wages	Rs. Lakh	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	100	127	153	196

59. It is seen that both employment and wages show increase over the period.

vi. Productivity

60. Data relating to productivity shows as follows:

Particulars	Unit	2010-11	2011-12	2012-13	POI
Productivity per day	No.	***	***	***	***
<i>Trend</i>	<i>Indexed</i>	100	102	129	136

61. It is noted that productivity in terms of production per day has increased in the POI in consonance with the movement of production by the domestic industry.

vii. Magnitude of Dumping

62. Magnitude of dumping as an indicator of the extent to which the dumped imports can cause injury to the domestic industry shows that the dumping margin determined against the subject country is above de minimis and significant.

viii. Ability to raise capital investment

63. It is noted that given the state of affairs of the domestic industry where the product is consistently not performing well over last few years, substantial fresh investments would be difficult.

ix. Factors affecting domestic prices

64. Consideration the import prices from the subject country, change in the cost structure, competition in the domestic market, factors other than dumped imports that might be affecting the prices of the domestic industry in the domestic market show that the landed value of imported material from the subject country is significantly below the selling price, cost of sales and non injurious price of the domestic industry, causing significant price undercutting and underselling in the Indian market. It is noted that there are no significant imports of the product under consideration from other countries and there is no viable substitute to this product. It is also noted that demand for the product was showing increase and could not have been a factor responsible for price depression faced by the domestic industry. It is, thus, evident that the only factors responsible for the domestic industry's prices are the import prices of the product from the subject country and the cost of production of the domestic industry. As the information shows, whereas the cost of production increased, the import prices are much lower than the costs of the domestic industry, suppressing the prices of the subject goods produced by the domestic industry. Thus, the landed price of the subject goods from the subject country is a major factor affecting the domestic industry's prices.

x. Growth

65. There has been significant growth in the import volumes of the subject goods from the subject country. The growth of the domestic industry in terms of sales and production was negative. Similarly, growth of the domestic industry in respect of profits, cash profit and return on investment was also negative.

Particulars	Unit	2010-11	2011-12	2012-13	POI
Production	%	-	6%	27%	4%
Domestic Sales Volume	%	-	117%	-7%	-3%
Cost of Sales	%	-	27%	-6%	-6%
Selling Price	%	-	24%	-8%	3%

I. Conclusion on material injury

66. After examining the volume and price effects of imports of subject goods from subject country and its impact on the domestic industry, it is noted that the dumped imports of the subject goods from the subject country has increased significantly in absolute terms as also in relation to production and consumption of the subject goods in India. Other volume parameters like sales, production and capacity utilization, though have shown increase over the injury period, have been below the optimum level. Market share of the domestic industry has declined. It is thus noted that domestic industry has suffered significant volume injury on account of dumped imports of the subject goods from the subject country. Further, with regard to the price effect on account of imports of the subject goods from the subject country, it is noted that imports of the subject goods from the subject country are significantly undercutting the prices of the domestic industry. The domestic industry has suffered price suppression on account of imports of the product under consideration from the subject country as selling price of the subject goods could not increase in proportion to the increase in the cost of production of the subject goods during the injury period. With regard to consequent impact of the dumped imports on the domestic industry, it is concluded that the performance of the domestic industry has deteriorated in respect of production, capacity utilization, domestic sales, market share, profit, cash flow, return on investment, productivity and inventories. The decline in profits, return on investment and cash flows is quite significant and material. Thus, the Authority concludes that the domestic industry has suffered material injury

J. Other Known Factors & Causal Link

67. Having examined the existence of material injury, volume and price effects of the dumped imports on the prices of the domestic industry in terms of its price undercutting, underselling and price suppression, and depression effects, other indicative parameters listed under the Indian Rules and Agreement on Anti-Dumping have been examined by the Authority to see whether any other factor, other than the dumped imports, could have contributed to the injury to the domestic industry.

(a) Volume and prices of imports from third countries

68. It is noted that imports of the product under consideration from other

countries are at higher price or are negligible in terms of volume.

(b) Contraction of demand and changes in the pattern of consumption.

69. There has been a constant rise in demand of the product concerned throughout the injury period. Possible decline in demand is not as a possible reason of injury to the Domestic Industry.

(c) Developments in technology:

70. Technology for production of the product concerned has not undergone any change. Thus, development in technology is not a factor causing injury to the domestic injury.

(d) Trade restrictive practices of and competition between the foreign and domestic producers

71. There is no trade restrictive practice which could have contributed to the injury to the Domestic Industry.

(e) Export performance of the domestic industry

72. The injury information examined by the Authority is for domestic operations and, therefore, possible decline in exports volume has not caused injury to the Domestic Industry.

(f) Productivity of the Domestic Industry

73. It is noted that the productivity of the domestic industry in terms of production per day has increased over the period.
74. It is thus noted that listed known other factors do not show that the domestic industry could have suffered injury due to these other factors. The Authority examined whether the dumping of the product has caused injury to the domestic industry. The following parameters show that injury to the domestic industry has been caused by dumped imports:

- a. The imports of the subject goods from the subject country were significantly undercutting the prices of the domestic industry in the market. Resultantly, the domestic industry was forced to reduce its prices significantly. The price suppression suffered by the domestic industry is primarily because of dumping of the product in the country.
- b. The domestic industry was forced to reduce its prices even below

cost of production causing financial losses. The losses suffered by the domestic industry have further mounted over the injury period.

- c. Performance of the domestic industry with regard to profits, cash flow and return on investments deteriorated as a result of price suppression. Thus, dumping of the product has led to deterioration in performance of the domestic industry in terms of profits, cash flow and return on investments.

75. It is, therefore, concluded that the domestic industry suffered material injury due to dumped imports.

K. Magnitude of Injury Margin

Injury Margin

76. The non-injurious price of the subject goods produced by the domestic industry so determined has been compared with the landed value of the imports from the subject country for determination of injury margin during the POI. The injury margin so determined is as under:-

Parameters	China PR	
	Rs./MT	US \$/MT
NIP	***	***
Landed Value	***	***
Injury Margin	***	***
Injury Margin %	***	***
Injury Margin % (Range)	35-55	35-55

77. It is noted that the level of injury margin, as above, is considered significant.

L. INDIAN INDUSTRY’S INTEREST & OTHER ISSUES:

78. The Authority notes that the purpose of anti-dumping duties, in general, is to eliminate injury caused to the domestic industry by the unfair trade practices of dumping so as to re-establish a situation of open and fair competition in the Indian market, which is in the general interest of the country. Imposition of anti-dumping measures would not restrict imports from the subject country/territory in any way, and, therefore, would not affect the availability of the product to the consumers.

79. It is recognized that the imposition of anti-dumping duties might affect the price levels of the product manufactured using the subject goods and consequently might have some influence on relative competitiveness of this product. However, fair competition in the Indian market will not be reduced by the anti-dumping measures, particularly if the levy of the anti-dumping duty is restricted to an amount necessary to redress the injury to the domestic industry. On the contrary, imposition of anti-dumping measures would remove the unfair advantages gained by dumping practices, would prevent the decline in the performance of the domestic industry and help maintain availability of wider choice to the consumers of the subject goods.

M. POST DISCLOSURE STATEMENT SUBMISSIONS BY THE INTERESTED PARTIES

M.1 Post Disclosure Statement submissions by the opposing Interested Parties

80. None of the opposite interested parties have filed the post Disclosure Statement submissions.

M.2 Post Disclosure Statement submissions by the Domestic Industry

81. Following are in brief the post Disclosure Statement submissions made by the domestic industry:

- (i) Goods produced by the petitioner are for all type of industries like pharma / food / pesticide / ceramic etc. The product is such that it cannot be processed further.
- (ii) The petition has been filed by M/s Posy Pharmachem Private Limited. M/s Sunil Chemicals has supported the application. The production of the petitioner accounts for major proportion of the total domestic production of the subject goods in India.
- (iii) Performance of the domestic industry has deteriorated in terms of production, capacity utilization, domestic sales, market share, profit, cash flow, return on investment, productivity and inventories.

- (iv) Determination of non injurious price is inappropriate and is leading to unduly low protection to the domestic industry. Net Fixed Assets cannot form the basis for determination of profits when the original phenol plant setup by the domestic industry is already fully depreciated. Given the high age of the plant, the Designated Authority should consider higher rate of return for the domestic industry.
- (v) Anti dumping duty should be imposed only as fixed quantum in US Dollars.

M.3 Examination by the Authority

82. The Authority notes that most of the post disclosure statement submissions made by the domestic industry are repetitive in nature and have already been dealt with in the Disclosure Statement and again have been addressed in this Final Findings Notification under the appropriate headings. Nonetheless, the Authority has addressed these issues to the extent considered relevant as under:

- a. As regards the contention that the duties should be imposed in the fixed quantum in US\$, the Authority has noted the argument and the same has been appropriately taken care in these findings.
- b. As regards the contention on the non injurious price determination, the Authority notes that the authority is required to determine NIP and injury margin having regard to principles laid down under Annexure III of the AD Rules and past precedents.

N. CONCLUSION

83. After examining the submissions made by the opposing interested parties and the domestic industry and issues raised therein; and considering the facts available on record, the Authority concludes that the product under consideration has been exported to India from the subject country below its associated normal value, thus, resulting in dumping of the product. The domestic industry has suffered material injury in respect of the subject goods. The material injury has been caused by the dumped imports from the subject country.

O. RECOMMENDATIONS

84. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the domestic

industry, exporters, importers and other interested parties to provide positive information on the aspects of dumping, injury and the causal link. Having initiated and conducted investigation into dumping, injury and the causal link thereof in terms of the AD Rules and having established positive dumping margins as well as material injury to the domestic industry caused by such dumped imports, the Authority is of the view that imposition of definitive anti dumping duty is required to offset dumping and consequent injury. Therefore, the Authority considers it necessary to recommend imposition of definitive anti-dumping duty on imports of the subject goods from the subject country in the form and manner described hereunder.

85. Having regard to the lesser duty rule followed by the Authority, the Authority recommends imposition of definitive anti-dumping duty equal to the lesser of the margin of dumping and the margin of injury, so as to remove the injury to the domestic industry. Accordingly, definitive antidumping duty as per amount specified in the table below, after reducing the amount of applicable safeguard duty as notified vide Notification No 04/2014-Customs (SG) dated 31.12.2014, is recommended to be imposed from the date of the Notification to be issued by the Central Government, on all imports of the subject goods originating in or exported from the subject country.

Duty Table

S No	Sub-heading	Description of Goods*	Country of origin	Country of exports	Producer	Exporter	Amount	Unit of measurement	Currency
1.	29181520	Sodium Citrate	China PR	China PR	Any	Any	367.59	MT	US\$
2.	29181520	Sodium Citrate	China PR	Any	Any	Any	367.59	MT	US\$
3.	29181520	Sodium Citrate	Any	China PR	Any	Any	367.59	MT	US\$

* Note:-The Description of the Goods in the Duty Table above includes the following alternate names as well: (a). Tri Sodium Citrate; (b). Tri Sodium Citrate dehydrate; (c). Sodium Citrate dehydrate; (d). Tribasic Sodium Citrate; (e). Sodium Citrate Tribasic Dihydrate; (f). Sodium Citrate Dibasic Sesquihydrate; (g). Sodium Citrate Monobasic Bioxtra.

86. Landed value of imports for the purpose of this Notification shall be the assessable value as determined by the Customs under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties under sections 3, 3A, 8B, 9 and 9A of the said Act.
87. An appeal against the order of the Central Government arising out of these findings shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the Customs Tariff Act.

(J K Dadoo)
Designated Authority