

Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Anti Dumping & Allied Duties

Dated the 23rd May, 2011

**Initiation Notification**  
**(Mid Term Review)**

**Sub: Initiation of Mid-Term Review of Anti Dumping Duty in respect of imports of Tyres Curing Presses originating in or exported from China PR.**

**NO. 15/40/2010- DGAD** Whereas, having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as Act.) and the Customs Tariff (Identification, Assessment and Collection of Duty or Additional Duty on Dumped Articles and for Determination of Injury) Rules, 1995 as amended from time to time, (herein after referred to as the 'AD Rules'), vide Notification No. 14/22/2007-DGAD dated 15<sup>th</sup> October, 2009 the Designated Authority (herein after referred to as 'the Authority') notified its final findings for imposition of Anti Dumping Duty on import of Tyres Curing Presses (hereinafter referred to as 'subject goods') originating in or exported from China PR (hereinafter referred to as 'subject country').

2. And WHEREAS antidumping duty was imposed on the subject goods vide Customs Notification No: 01/2010-Customs dated 8<sup>th</sup> January, 2010.

3. And WHEREAS a application for Mid Term Review has been received by the Authority from M/s Ralson India Ltd substantiating the need for Mid Term Review restricted to examination of whether '6 Day Light Bicycle Tyres Curing Presses' are required to be excluded from the product scope of the anti dumping duty earlier imposed.

**Product under Consideration**

4. The Product under Consideration, as in the original investigation and also in the present review application is "**Tyre Curing Presses**". As per the original investigation carried out by the Designated Authority the product has been defined as under:

“(a)The product under consideration in the petition was “Tyre Curing Presses” also known as Tyre Vulcanisers or Rubber Processing Machineries for tyres. Tyre Curing Press is a machine used for curing tyre during manufacturing of a tyre. Tyre curing press is a machine where tyres get their final shape and tread pattern. Hot molds shape and vulcanize the tyres. The molds are engraved with the tread pattern, the sidewall markings of the manufacturer and those required by law. After curing, the

tyres are removed from their molds and taken to final finish and inspection.

(B) The size of the Tyre Curing Press is normally indicated in inches by the internal diameter of the Dome or the diameter of the platen. This in turn determines the maximum size of the mold that can be used in the press. The mold diameter is the critical parameter that determines the maximum size of a tyre that can be cured in that press. Generally as the press size increases it can accommodate a bigger diameter mold and hence it can cure bigger tyres. The broad classification of press sizes for various tyre segments are as shown below:

24"-36" – Scooter tyres  
40" -52" – Passenger car and LCV tyres  
55"- 65.5" – Truck tyres  
78" – Tractor and agricultural equipment tyres  
85"-185" – OTR tyres (Mining and special equipment)

(C) Optional Add on such as vertical chuck loader, segmented mould operator and post cure inflators which help the press in terms of automation better productivity and better product handling capacity etc. are added depending upon the requirement of the customers.

(D) Tyre Curing Presses is classified under Chapter 84 of the Customs Tariff Act, 1975 under subheading 8477.51 under subheading 8477.5100 under the Indian Trade Classification (Based on Harmonized Commodity Description and Coding system).

As stated above this mid-term review investigation is restricted to examination of whether '6 Day Light Bicycle Tyres Curing Presses' are required to be excluded from the product scope of the anti dumping duty earlier imposed.

### **Initiation**

5. The Act and the AD Rules, *inter-alia*, require the Authority to review from time to time the need for continuance of anti-dumping duty. M/s Ralson India Ltd. has filed an application substantiating the need for initiating a Mid - Term Review of the anti-dumping duty earlier imposed on the subject goods originating in or exported from China PR and has requested to exclude '6 Day Light Bicycle Tyres Curing Presses' from the ambit and scope of the anti-dumping duty earlier imposed. Considering the duly substantiated request, the Authority considers that a mid-term review of the anti dumping duty recommended earlier would be appropriate at this stage under the provisions of Section 9A (5) of the Act, read along with Rule 23 of the AD Rules. However, the scope of the mid-term review is restricted to examination of whether '6 Day Light Bicycle Tyres Curing Presses' is required to be excluded from the scope of the anti dumping duty earlier imposed.

### **Country Involved**

6. The country involved in the present investigation is **China PR**.

### **Grounds for Review**

7. The Applicant has claimed that there is no manufacturer within India who manufactures and can supply '6 Day Light Bicycle Tyres Curing Presses' required for their product, viz. Bicycle Tyres and hence there is a need to exclude from the Anti Dumping Duty imposed by the Authority.

### **Procedure**

8. Having decided to review the final findings notified vide Notification No. 14/22/2007-DGAD dated 15<sup>th</sup> October, 2009 earlier and consequent anti dumping duty imposed vide Customs Notification No: 01/2010-Customs dated 8<sup>th</sup> January, 2010, as stated above, the Authority hereby initiates a MTR investigation to examine whether '6 Day Light Bicycle Tyres Curing Presses' is required to be excluded from the scope of the anti-dumping duty earlier imposed in accordance with the Act, 1995 and the AD Rules.

### **Submission of Information**

9. The exporters in the subject country, their government through their Embassy in India/representatives, 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,  
Ministry of Commerce & Industry,  
Department of Commerce,  
Directorate General of Anti-Dumping & Allied Duties, (DGAD),  
Room No. 240, Udyog Bhavan,  
New Delhi-110011**

10. 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.

### **Time Limit**

11. 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

hereinabove 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 Authority may record its findings on the basis of the “facts available” in accordance with the AD Rules.

**Submission of information on confidential basis.**

12. In case confidentiality is claimed on any part of the questionnaire’s response/ submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc. ) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either “confidential” or “non-confidential” at the top of each page.

13. Information supplied without any mark shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies each of the confidential version and the non-confidential version must be submitted.

14. For information claimed as confidential; 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 and/or why summarization of such information is not possible.

15. The non-confidential version is required to be a replica of the confidential version with the confidential information preferably indexed or blanked out / 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, party submitting the confidential information may indicate that such information is not susceptible of summary, a statement of reasons why summarization is not possible, must be provided to the satisfaction of the Authority.

16. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or 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.

17. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. 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.

### **Inspection of Public File**

18. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

### **Use of 'facts available'**

19. 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.

Smt. Vijaylaxmi Joshi  
The Designated Authority