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**F. No. 6/30/2024-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**

Date: 27.09.2024

INITIATION NOTIFICATION

Case No. – AD (OI)-28/2024

Subject: Initiation of anti-dumping investigation concerning imports of “1,1,1,2-Tetrafluoroethane or R-134a” originating in or exported from China PR.

1. SRF Limited (hereinafter referred to as the ‘domestic industry’ or ‘applicant’) has filed an application before the Designated Authority (hereinafter referred to as the ‘Authority’) in accordance with the Customs Tariff Act, 1975 as amended from time to time (herein 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 the time to time (hereinafter referred to as the ‘Rules’) for initiation of an anti-dumping investigation on the imports of ‘1,1,1,2-Tetrafluoroethane or R134a’ (hereafter referred to as ‘subject goods’ or ‘product under consideration’), originating in or exported from China PR (hereinafter referred to as the ‘subject country’).
2. The applicant has alleged that material injury is being caused to the domestic industry due to dumped imports of the product under consideration originating in or exported from the subject country and has requested for imposition of anti-dumping duty on the imports of the product under consideration from the subject country.

A. Product under consideration (PUC)

3. The product under consideration in the present application is 1,1,1,2-Tetrafluoroethane or R-134a of all types, whether packed or unpacked. cGMP approved pharma grade is excluded from the scope of product under consideration.
4. R-134a is also known as Tetrafluroethane, Genetron 134a, Suva 134a or HFC-134a, HFA-134a and Norflurane. It is a haloalkane refrigerant with thermodynamic properties similar to R-12 (dichlorodifluoromethane), but without its ozone depletion potential. It has the formula CH₂FCF₃ and a boiling point of -26.3 °C (-15.34 °F).

5. The product is primarily used as high temperature refrigerant for automobile air-conditioners. It is also used in plastic foam blowing, as a cleaning solvent and as a propellant for the delivery of pharmaceuticals, gas dusters and in air driers, for removing the moisture from compressed air.
6. The unit of measurement considered in the present investigation for the product under consideration is Metric Tons (MT).
7. The product under consideration is classified under Chapter 29 of the Customs Tariff Act, 1975 under the sub-headings 29034500. Prior to 2021-22, the product under consideration was classifiable under 29033919. The product was also imported under 29033990. The customs classification for the product has undergone a change and is now classifiable and majorly imported under the HS code 29034500. The product has also been imported in small volumes in the HS code 29034300. The customs classification is only indicative and is not binding on the scope of the investigation.
8. The applicant has proposed packed and unpacked form as the relevant PCN parameter.

PUC	PCN	Code
1,1,1,2-Tetrafluoroethane or R-134a	Packed	P
	Unpacked	U

9. Interested parties may give their comments, if any, on the scope of the product under consideration, and PCN within 15 days of this notification. Any submissions in these regards should be duly supported with verifiable documentary evidence. Submissions made without justification will not be considered by the Authority.

B. Like article

10. The applicant has claimed that there is no known difference between the subject goods exported from the subject country and that produced by the applicant. Subject goods produced by the applicant and imported from the subject country are comparable in terms of essential product characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers use the two interchangeably. The applicant has further claimed that the two are technically and commercially substitutable and, hence, should be treated as like article under the Rules. Therefore, for the purpose of the present investigation, the product produced by the applicant is being treated as like article to the product under consideration imported from the subject country.

C. Subject country

11. The subject country in the present investigation is China PR.

D. Period of investigation (POI)

12. The period of investigation (POI) as 1st April 2023 to 31st March 2024. The injury period covers the financial year of 2020-21, 2021-22 and 2022-23 and the POI.

E. Domestic industry and standing.

13. The application has been filed by SRF Limited. The applicant has claimed that they are the sole producer of the subject goods in India. The applicant has further certified that they have not imported the subject goods nor related to the exporters from the subject country or importers in India.
14. Based on the information provided, it is seen that the applicant constitutes 'domestic industry' within the meaning of Rule 2(b) of the Rules and the application satisfies the criteria of standing in terms of Rule 5(3) of the Rules.

F. Normal value

15. The applicant has submitted that China PR should be treated as a non-market economy, and that producers from China PR should be directed to demonstrate that market economy conditions prevail in the industry with regard to the production and sales of the subject goods. Unless the producers from China PR show that such market economy conditions prevail, their normal value should be determined in accordance with Para 7 of Annexure-I to the Anti-Dumping Rules, 1995.
16. The applicant has submitted that data relating to cost and price in market economy third country is not available and therefore, the applicant claimed normal value based on best estimates of the cost of production in India duly adjusted with selling, general and administrative expenses, along with a reasonable profit margin. The normal value methodology claimed by the applicant has been considered for the purpose of initiation.

G. Export price

17. The export price of the subject goods has been determined by considering the CIF price of the subject goods from applicant's data. The price adjustments have been made on account of ocean freight, marine insurance, commission, inland freight, port expenses, and bank charges to arrive at ex-factory export price.

H. Dumping margin

18. The normal value and the export price have been compared at the ex-factory level, which *prima facie* establishes that the dumping margin is above the *de minimis* level with respect to the product under consideration imported from the subject country. Thus, there

is sufficient *prima facie* evidence that the product under consideration from the subject country is being dumped in the domestic market of India by the exporters from the subject country.

I. Injury and causal link

19. The applicant has provided *prima facie* evidence with respect to the injury suffered by the applicant because of dumped imports. The volume of the subject imports from the subject country has increased in absolute terms as well as relative term. The price undercutting from the subject country is positive. The price depression caused by the dumped imports have prevented the applicant from increasing its prices to recover the full cost and achieve a reasonable rate of return. The applicant is suffering from financial losses. There is sufficient *prima facie* evidence of material injury being caused to the applicant due to dumped imports from the subject country to justify the initiation of the anti-dumping investigation.

J. Initiation of Anti-Dumping Investigation

20. On the basis of the duly substantiated written application submitted by the applicant and having reached satisfaction based on the *prima facie* evidence submitted by applicant concerning the dumping of the product under consideration originating in or exported from the subject country, the consequential injury to the domestic industry as a result of the alleged dumping of the product under consideration and the causal link between such injury and the dumped imports, and in accordance with Section 9A of the Act read with Rule 5 of the AD Rules, the Authority, hereby, initiates an anti-dumping investigation to determine the existence, degree, and effect of the dumping with respect to the product under consideration originating in or exported from the subject country and to recommend the appropriate amount of anti-dumping duty, which if levied, would be adequate to remove the injury to the domestic industry.

K. Procedure

21. Principles as given in Rule 6 of the Rules will be followed for the present investigation.

L. Submission of information

22. All communication should be sent to the Designated Authority via email at email addresses jd12-dgtr@gov.in and ad12-dgtr@gov.in with a copy to adv11-dgtr@gov.in and consultant-dgtr@govcontractor.in. It must be ensured that the narrative part of the submission is in searchable PDF/MS-Word format and data files are in MS-Excel format.
23. The known producers/exporters in the subject country, the Government of the subject country through their embassies in India, and the importers and users in India who are known to be associated with the product under consideration are being informed

separately to enable them to file all the relevant information within the time limits mentioned in this initiation notification. All such information must be filed in the form and manner as prescribed by this initiation notification, the Rules, and the applicable trade notices issued by the Authority.

24. Any other interested party may also make submission relevant to the present investigation in the form and manner as prescribed by this initiation notification, the AD Rules, 1995 and the applicable trade notices issued by the Authority within the time limits mentioned in this initiation notification.
25. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other interested parties.
26. Interested parties are further advised to keep a regular watch on the official website of the Designated Authority <http://www.dgtr.gov.in/> for any updated information with respect to this investigation.

M. Time limit

27. Any information relating to the present investigation should be sent to the Authority via email at the email addresses jd12-dgtr@gov.in and ad12-dgtr@gov.in with a copy to adv11-dgtr@gov.in and consultant-dgtr@govcontractor.in within 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 country. 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.
28. 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.
29. Where an interested party seeks additional time for filing of submissions, it must demonstrate sufficient cause for such extension in terms of Rule 6(4) of the AD Rules, 1995 and such request must come within the time stipulated in this notification.

N. Submission of information on confidential basis

30. Where any party to the present investigation makes confidential submissions or provides information on a confidential basis before the Authority, such party is required to simultaneously submit a non-confidential version of such information in terms of Rule

- 7(2) of the Rules and in accordance with the relevant trade notices issued by the Authority in this regard.
31. Such submissions must be clearly marked as 'confidential' or 'non-confidential' at the top of each page. Any submission that has been made to the Authority without such markings shall be treated as 'non-confidential' information by the Authority, and the Authority shall be at liberty to allow other interested parties to inspect such submissions.
 32. The confidential version shall contain all information which is by nature confidential and/or other information which the supplier of such information claims as confidential. For information which is 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.
 33. The non-confidential version of the information filed by the interested parties should be a replica of the confidential version with the confidential information preferably indexed or blanked out (where indexation is not possible) and such information must be appropriately and adequately summarized depending upon the information on which confidentiality is claimed.
 34. 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 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.
 35. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on a 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 containing a sufficient and adequate explanation in terms of Rule 7 of the Rules, 1995, and appropriate trade notices issued by the Authority, as to why such summarization is not possible, must be provided to the satisfaction of the Authority.
 36. The interested parties can offer their comments on the issues of confidentiality claimed by the other interested party within 7 days from the date of circulating of the non-confidential version of the documents
 37. Any submission made without a meaningful non-confidential version thereof or a sufficient and adequate cause statement in terms of Rule 7 of the Rules, and appropriate trade notices issued by the Authority, on the confidentiality claim shall not be taken on record by the Authority.

38. 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 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.
39. 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.

O. Inspection of public file.

40. A list of registered interested parties will be uploaded on the DGTR's website along with the request therein to all of them to email the non-confidential version of their submissions/response/information to all other interested parties. Failure to circulate non-confidential version of submissions/response/information might lead to consideration of an interested party as non-cooperative.

P. Non-cooperation

41. 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 declare such interested parties as non-cooperative and record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.



(Darpan Jain)
Designated Authority