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No. 7/11/2019-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
Jeevan Tara Building, 4th Floor, Parliament Street, New Delhi 110001

Dated the 17th July, 2019

**INITIATION NOTIFICATION
(MTR Case No. 06/2019)**

Subject: Initiation of Mid-Term Review limited to the product scope of definitive Anti-Dumping duty imposed on Dimethylacetamide' [N, N-Dimethylacetamide] (DMAC) originating in or exported from China PR and Turkey.

F. No.7/11/2019-DGTR – M/s Indorama Industries Limited (hereinafter also referred to as the 'Petitioner' 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 (hereinafter 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 referred to as the 'Rules') for initiation of limited mid-term review investigation concerning exclusion of Dimethylacetamide' [N, N-Dimethylacetamide] (DMAC)" of specific grade having minimum purity of 99.9%, having maximum alkalinity levels of 0.003%, having maximum acidity levels of 0.005%, having maximum iron ppm as 0.05" (hereinafter also referred to as subject goods) originating in or exported from China PR and Turkey (hereinafter also referred to as subject countries).

2. And whereas vide Notification No.14/41/2016-DGAD dated 21.2.2018 and recommended imposition of definitive anti-dumping duty on imports of "Dimethylacetamide' [N, N-Dimethylacetamide] (DMAC)" of specific grade having minimum purity of 99.9%, having maximum alkalinity levels of 0.003%, having maximum acidity levels of 0.005%, having maximum iron ppm as 0.05" (hereinafter also referred to as subject goods) originating in or exported from China PR and Turkey (hereinafter also referred to as subject countries) (hereinafter referred to as subject countries) and the definitive anti-dumping duty was imposed by the Central Government vide Notification No. 12/2018-Customs (ADD) dated 20.3.2018.

Product under Consideration

3. The product under consideration defined in the original investigation was 'Dimethylacetamide' [N, N-Dimethylacetamide]. Dimethylacetamide is compound

with the formula $\text{CH}_3\text{C}(\text{O})\text{N}(\text{CH}_3)_2$ and bears the chemical nomenclature 'N, N-Dimethylacetamide'. Abbreviations like DMAC is also used to denote the product under consideration in the market parlance. It is a clear, colourless-to-yellow liquid soluble in water and other organic substances with a pale amine like or ammoniacal odour. Subject goods are cleared under customs heading 292419000.

4. Petitioner has filed limited mid-term review requested for exclusion of specific grade of Dimethylacetamide' [N, N-Dimethylacetamide] (DMAC)" having the following technical specification:

- i. Minimum Purity (99.9% min.) and Maximum Alkalinity level (0.003% max)
- ii. Maximum Acidity level (0.005% max)
- iii. Maximum iron ppm as (0.05)
- iv. Maximum Water (0.2% max)

5. The present review is therefore only for the limited purpose of investigating the need for excluding above-referred product from the scope of the product under consideration in the original investigation.

Grounds for Review

6. The present application for mid-term review has been filed to request appropriate modification in the product covered in the anti dumping duty already levied. The applicant has furnished a detailed statement setting out reasons for seeking a review of anti dumping duties. The grounds pleaded are as follows:

- a. DMAC produced by the Domestic Industry is of lower purity. Test results of Rashtriya fertilizer and Balaji Amines shows that the purity offered by them is below than 99.9%.
- b. Water content specification and test results of Rashtriya fertilizer and Balaji Amines are much higher than 0.01% as per International Standards for Spandex
- c. Test results of DMAC produced by Rashtriya fertilizer and Balaji Amines shows acidity levels higher than 0.01%. As per International Standards for Spandex, these levels are very high for producing Elastomeric Yarns.
- d. Specific conductivity (20% vol aq soln) specification and test results is much higher of Rashtriya fertilizer and conductivity test results is not given in COA of Balaji Amines.

Procedure

7. Having regard to the information provided by the applicant indicating circumstances necessitating a review of the measure in force, the Authority now considers that a mid-term review of the Final Findings notified vide No.14/41/2016-

DGAD dated 21.2.2018 and the definitive anti-dumping duty imposed by Customs Notification No.12/2018-Customs dated 20.3.2018 limited to the scope and specification of the product under anti-dumping measures in force is appropriate, in terms of the provision of Section 9(A) of Customs Tariff (Amendment) Act 1995 read with Rule 23 supra. The Authority also notes that the applicant M/s Indorama Industries Limited have provided sufficient positive evidence to prima facie establish the need for mid-term review. Accordingly, the Authority initiates a mid-term review of definitive Anti-Dumping Duty imposed on Dimethylacetamide originating in or exported from the subject countries, limited to the product scope of the said anti-dumping duty. The review covers limited aspects of Notification No.14/41/2016-DGAD dated 21.2.2018 read with Customs Notification No.12/2018-Customs dated 20.3.2018.

Countries Involved

8. The countries involved in the present investigations are China PR and Turkey (hereinafter also referred to as subject countries).

Period of Investigation

9. Since the petition is for limited purpose of exclusion of a certain type of product under consideration, the Authority does not propose to evaluate either the quantum of dumping and injury, therefore stipulation of a POI is not required.

Submission of information

10. The known exporters in the subject countries and their governments through their embassies in India, 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.

11. 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. The information/submission may be submitted to:

The Designated Authority
Directorate General of Trade Remedies
Ministry of Commerce & Industry
Department of Commerce
Government of India
4th Floor, Jeevan Tara Building, 5, Parliament Street
New Delhi-110001.

12. 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.

Time Limit

13. Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (40 days) from the date of publication of this 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 on record in accordance with the AD Rules.

14. 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 and offer their comments to the domestic industry's application within forty days (40 days) from the date of publication of this Notification. The information must be submitted in hard copies as well as soft copies.

Submission of information on confidential basis

15. The parties making any submission (including Appendices/Annexure attached thereto), before the authority including questionnaire response, are required to file the same in two separate sets, in case "confidentiality" is claimed on any part thereof.

16. 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. Soft copies of both the versions will also be required to be submitted, along with the hard copies, in two (2) sets of each.

17. 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. The 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.

18. 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, 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.

19. 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.

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

21. 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

22. In terms of Rule 6(7) of the AD Rules, any interested party may inspect the public file containing non-confidential version of the information or evidence submitted by other interested parties.

Non-cooperation

23. 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.

(Sunil Kumar)
Additional Secretary & Designated Authority