

F. No. 6/46/2024-DGTR
Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Trade Remedies)
IV Floor, Jeevan Tara Building 5, Parliament Street, New Delhi - 110 001

Dated: 30th December 2024

INITIATION NOTIFICATION
Case No. AD (OI) - 43/2024

Subject: Initiation of anti-dumping investigation concerning imports of “Monoisopropylamine” (MIPA) originating in or exported from China PR - reg.

1. **F. No. No. 6/46/2024-DGTR** - Having regards to the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred 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’), M/s Alkyl Amines Chemicals Limited (hereinafter referred to as the ‘applicant’) has filed an application before the Designated Authority (hereinafter referred to as the ‘Authority’) seeking initiation of an anti-dumping investigation on imports of ‘Monoisopropylamine’ (hereinafter referred to as the ‘subject goods’ or ‘product under consideration’) originating in or exported from China PR.
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

3. The product under consideration (PUC) in the present investigation is ‘Monoisopropylamine’, also known as ‘MIPA’.
4. MIPA is an organic compound, an amine. It is a hygroscopic colourless liquid with ammonia-like odour. Its melting point is -95.2°C and its boiling point is 32.4°C. It is miscible with water. It is extremely flammable, with flash point at -37°C. MIPA is produced in anhydrous (99.5%) form. Diluted form is obtained by adding water to anhydrous form which concentration level reduced to desired level as per buyer’s requirement. It is commercially sold both in anhydrous form and aquatic form depending on the application or end use.
5. The product is used in glyphosate herbicide formulations, a key component of atrazine (another herbicide), as a regulating agent for plastics, as intermediate in organic synthesis of coating materials, plastics, pesticides, rubber chemicals and pharmaceuticals and as an additive in the petroleum industry.
6. The PUC does not have a dedicated HS code. It is imported under Chapter 29, under the sub-heading 2921 11 90, 2921 19 90 and 2921 19 20 of Customs Tariff

Act, 1975. The customs classification is indicative only and is not binding on the scope of the PUC.

B. PCN METHODOLOGY

7. The applicant has proposed the following Product Control Numbers (PCNs):
 - i. MIPA Bulk
 - ii. MIPA Packed
8. The interested parties are advised to furnish their comments/ suggestions on the proposed PUC and PCN methodology within 15 days from the date of initiation of this investigation.

C. LIKE ARTICLE

9. The applicant has submitted that there are no significant differences in the product produced by the applicant and those exported from the subject country, and both are like articles. The product produced by the applicant and those imported from the subject country are comparable in terms of essential product characteristics such as physical and chemical characteristics, manufacturing process & technology, functions & usage, product specifications, pricing, distribution & marketing and tariff classification of the goods. Consumers can use and have been using the two interchangeably. The two are technically and commercially substitutable, and hence, should be treated as 'like article' under the Rules. Thus, for the purposes of initiation of the present investigation, the product produced by the applicant has been *prima facie* considered as like article to the product being imported from the subject country.

D. DOMESTIC INDUSTRY AND STANDING

10. Rule 2(b) defines domestic industry as follows:

"Domestic industry' means the domestic producers as a whole of the like article or domestic producers 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 which case such producers shall be deemed not to form part of domestic industry."

11. The application has been filed by M/s Alkyl Amines Chemicals Limited. The applicant has claimed that they are the sole producer of the subject goods in India. The applicant has certified that they are not related to an exporter or producer of the subject goods in the subject country or an importer in India either directly or indirectly. The applicant has not imported the PUC.
12. 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.

E. PERIOD OF INVESTIGATION

13. The period of investigation (POI) for the investigation is from 1st July 2023 to 30th June 2024 (12 months). The injury investigation period is April 2020 to March 2021, April 2021 to March 2022, April 2022 to June 2023 and the POI.

F. SUBJECT COUNTRY

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

G. DUMPING MARGIN COMPUTATION

i. Normal Value for China PR

15. The applicant has cited and relied upon Article 15(a) (i) of China's Accession Protocol and has claimed 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 PUC. Unless the producers from China PR show that such market economy conditions prevail, their normal value should be determined in accordance with Para 7 & 8 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. Further, with regard to the price at which the PUC have been sold from the market economy third country to any other country, including India, the applicant submitted that same cannot be adopted as the PUC is produced in India, China, European Union and USA, and while the PUC does have a dedicated code in China, it does not have a dedicated code in European Union or USA. Therefore, normal value cannot be determined based on export price from any other country. Further, the import volume from USA to India is low to be considered as a basis for normal value.
17. Therefore, the applicant claimed normal value based on the price actually paid or payable in India, duly adjusted with selling, general and administrative expenses along with a reasonable profit margin. The normal value methodology proposed by the applicant has been considered appropriate for the purpose of initiation.

ii. Export Price

18. The applicant has adopted the CIF price reported in the import transactions as per market intelligence. The Authority has considered import price based on DGCI&S data to check the veracity of the information. Adjustments on account of Ocean Freight, Marine Insurance, Inland Freight, Documentation charges, Handling and Clearing charges and Credit Cost were made to arrive at the ex-factory export price.

iii. Dumping Margin

19. The normal value and the export price have been compared at the ex-factory level, which *prima facie* establishes that the dumping margin with respect to the PUC imported from the subject country is not only above the *de minimis* level but is also significant. Thus, there is sufficient *prima facie* evidence that the PUC is being dumped in the domestic market of India by the exporters from the subject country.

H. INJURY AND CAUSAL LINK

20. Information furnished by the applicant has been considered for assessment of injury to the domestic industry. The applicant has furnished *prima facie* evidence with respect to the injury suffered because of the alleged dumped imports. The volume of the subject goods from the subject country has increased in absolute

as well as relative terms. There is positive price undercutting and price suppression effect on the prices of the applicant. The applicant is suffering financially with a significant decline in both cash profits and return on capital employed. Despite having enough capacity to meet the entire Indian demand, the domestic industry has seen a decline in production and sales. The market share and the domestic sales of the domestic industry have significantly declined. There is sufficient *prima facie* evidence of injury being caused to the domestic industry by dumped imports of subject goods from the subject country.

I. INITIATION OF ANTI-DUMPING INVESTIGATION

21. 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 the applicant concerning the dumping of the PUC originating in or exported from the subject country, the consequential injury to the domestic industry as a result of the alleged dumping of the PUC 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 PUC 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.

J. PROCEDURE

22. The provisions stipulated in Rule 6 of the Anti-Dumping Rules shall be followed in this investigation.

K. SUBMISSION OF INFORMATION

23. All communication should be sent to the Designated Authority *via* email at the email addresses <dir13-dgtr@gov.in> and <ad12-dgtr@gov.in> with a copy to <adv11-dgtr@gov.in> and <consultant-dgtr@nic.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.
24. The known producers/ exporters in the subject country, the government of the subject country through its Embassy in India, and the importers and users in India who are known to be associated with the subject goods 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 AD Rules, 1995 and the applicable trade notices issued by the Authority.
25. Any other interested party may also make a 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.
26. 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.
27. Interested parties are further directed to regularly visit the official website of the Directorate General of Trade Remedies (<https://www.dgtr.gov.in/>) to stay updated

and apprised with the information as well as further processes related to the investigation.

L. TIME LIMIT

28. Any information relating to the present investigation should be sent to the Designated Authority *via* email at the email addresses <dir13-dgtr@gov.in> and <ad12-dgtr@gov.in> with a copy to <adv11-dgtr@gov.in> and <consultant-dgtr@nic.in> within 30 days from the date on which the non-confidential version of the application filed by or on behalf of the domestic industry would be circulated by the Designated Authority or transmitted to the appropriate diplomatic representative of the exporting country as per Rule 6(4) of the AD Rules, 1995. If no information is received within the stipulated time limit or the information received is incomplete, the Authority may record its findings based on the facts available on record and in accordance with the Rules.
29. 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 as stipulated in this notification.
30. 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.

M. SUBMISSION OF INFORMATION ON CONFIDENTIAL BASIS

31. 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.
32. 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.
33. 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 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.
34. 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 summarised depending upon the information on which confidentiality is claimed.
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 AD Rules, 1995, and appropriate trade notices issued by the Authority, as to why such summarisation 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 any other interested parties within 7 days of the receipt 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 AD Rules, 1995, 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 authorise its disclosure in generalised or summary form, it may disregard such information.

N. INSPECTION OF PUBLIC FILE

39. 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 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.

O. NON-COOPERATION

40. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period or within the time stipulated by the Authority in this initiation notification, or significantly impedes the investigation, the Authority may declare such interested party as non-cooperative and record its findings based on the facts available and make such recommendations to the Central Government as it deems fit.



(Darpan Jain)
Designated Authority