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F. No. 7/15/2024-DGTR  
Government of India  
Ministry of Commerce & Industry  
Department of Commerce  
Directorate General of Trade Remedies  
Jeevan Tara Building, 5, Parliament Street, New Delhi -110001

Dated: 03 April 2025

AMENDMENT NOTIFICATION  
Case No.AD (NC)-02/2024

**Subject: Change in the name of producer/exporter Shandong Dongyue Chemical Co., Ltd. to Shandong Dongyue Refrigerants Co., Ltd. in the Final Finding Notification No. 06/34/2020-DGTR of the Anti-dumping investigation concerning imports of Hydrofluorocarbon (HFC) Blends originating in or exported from China PR.**

**A. BACKGROUND**

1. The Directorate General of Trade Remedies ("Authority") had conducted an Anti-dumping investigation concerning imports of Hydrofluorocarbon (HFC) Blends originating in or exported from China PR ("subject country") and recommended imposition of definitive anti-dumping duty vide its final findings notification no. [06/34/2020-DGTR] ("Final Findings"). The recommendation was accepted by the Ministry of Finance, and definitive duty was imposed vide Customs Notification No. 76/2021-Customs (ADD).
2. In the said anti-dumping investigation, one of the cooperating producers of the subject goods from China PR, namely Shandong Dongyue Chemical Co., Ltd., participated and was assigned an individual anti-dumping duty rate.
3. Post the issuance of the final findings, Shandong Dongyue Chemical Co., Ltd. has undergone a corporate restructuring, resulting in a spin-off of its production business segment, forming a new entity named Shandong Dongyue Refrigerants Co., Ltd. The applicant has claimed that there has been no change in ownership, management, production process, cost structure, or product scope, and therefore, the anti-dumping duty applicable to Shandong Dongyue Chemical Co., Ltd. should now be made applicable to the newly established entity.

**B. PROCEDURE**

4. On 30<sup>th</sup> September 2024, Shandong Dongyue Refrigerants Co., Ltd. ("the Applicant") filed an application requesting for change of name in the duty table of the final findings, in accordance with Trade Notice No. 12/2018 dated 17th September 2018.
5. Considering the nature of the request, the Authority examined the application and sought additional documents. The non-confidential version of the application was circulated to the interested parties including the domestic industry for their comments. No submission or evidence was filed against the claims of the applicant by the domestic

industry within the stipulated timelines. However, vide email dated 28<sup>th</sup> February, 2025, the domestic industry informed that they do not have any reservation to the request for changes of name demanded by the Chinese company.

6. No comments were received from interested parties and the domestic industry did not have any reservation on the request of name change. Based on the *prima facie* examination of the submitted documents, the Authority determined that this is a case of name change only, with no substantive modifications requiring a Mid-Term Review (MTR).
7. An oral hearing was conducted by the Authority on 5<sup>th</sup> March 2025. The applicant exporter attended the hearing and requested a name change based on its application

### **C. SUBMISSION OF THE APPLICANT**

8. Shandong Dongyue Chemical Co., Ltd. has undergone a corporate restructuring in the form of a spin-off, leading to the creation of a new entity, Shandong Dongyue Refrigerants Co., Ltd. As a result, the production business segment, including the manufacturing and operations related to Hydrofluorocarbon (HFC) Component R-32 and HFC Blends, has been fully transferred to the newly incorporated company. The original company, Shandong Dongyue Chemical Co., Ltd., has ceased its production activities and will now focus solely on strategic management and subsidiary stockholding.
9. The spin-off was legally approved in accordance with China's corporate laws, and all necessary regulatory and compliance approvals were obtained. The restructuring has been carried out with the intent to streamline operations and improve efficiency, without any disruption to the production or supply chain. The new entity has taken over all the tangible and intangible assets, ensuring business continuity.
10. The business licenses of both the former and newly formed companies have been updated to reflect this change. Before the spin-off, Shandong Dongyue Chemical Co., Ltd. was responsible for the production of HFC R-32 and HFC Blends and other hazardous chemicals. However, after the restructuring, its scope of business has changed, and it no longer holds the necessary qualifications for chemical production. The relevant safety production licenses have also been transferred to Shandong Dongyue Refrigerants Co., Ltd., allowing it to continue operations under the same regulatory framework.
11. There is no change in the shareholding pattern or management structure following the spin-off. The same owners, directors, and key management personnel who oversaw the operations of Shandong Dongyue Chemical Co., Ltd. before the restructuring continue to manage Shandong Dongyue Refrigerants Co., Ltd. Additionally, the company's workforce has been transferred without any layoffs or changes in roles, ensuring stability in business operations.
12. The manufacturing facilities, production technology, and export channels remain unchanged. The cost structure, sources of raw materials, and sales strategy also continue

to be the same as before the restructuring. The exporter has emphasized that this is purely a name change due to internal restructuring and does not impact its ability to produce or export the subject goods.

13. As part of the spin-off, the Asset Transfer Agreement was executed, legally transferring all production-related assets, obligations, and rights from Shandong Dongyue Chemical Co., Ltd. to Shandong Dongyue Refrigerants Co., Ltd. The exporter has also provided supporting documents, including board resolutions, financial records, business licenses, and organizational charts, to substantiate the legitimacy of the name change.
14. Given that the entity responsible for production and exports remains the same, the exporter has requested that the anti-dumping duty applicable to Shandong Dongyue Chemical Co., Ltd. should now be applied to Shandong Dongyue Refrigerants Co., Ltd. Since there has been no change in business operations, production capacity, or export structure, the exporter asserts that this amendment is in line with Trade Notice No. 12/2018, which allows name changes without requiring a Mid-Term Review.
15. The request seeks to ensure that the company's trade activities continue without disruption, and that all regulatory requirements regarding anti-dumping duties are updated accordingly. The exporter has affirmed that this is a procedural change with no impact on market dynamics, and that the anti-dumping duty should continue to apply seamlessly to the new entity.

#### **D. EXAMINATION BY THE AUTHORITY**

16. The submissions made by the Applicant have been examined hereunder.
17. The need for change in the name of the producer in the duty table has arisen since Shandong Dongyue Chemical Co., Ltd. has undergone a spin-off, and its production unit, including assets, employees, and certifications, has been transferred entirely to Shandong Dongyue Refrigerants Co., Ltd.
18. The examination of supporting documents, including business licenses, board resolutions, asset transfer agreements, and organizational charts, reveals that this is a case of a name change, with no structural changes affecting the anti-dumping determination.
19. The request for name change arises from a corporate restructuring wherein Shandong Dongyue Chemical Co., Ltd. has transferred its production operations, including assets, workforce, and certifications, to Shandong Dongyue Refrigerants Co., Ltd.
20. The restructuring does not alter the fundamental nature of the business. The same production facility, installed capacity, and export channels continue to exist under the new entity.
21. The shareholding structure of the newly formed entity remains unchanged. The same stakeholders who previously owned Shandong Dongyue Chemical Co., Ltd. continue to own Shandong Dongyue Refrigerants Co., Ltd.

22. Since there is no change in the source of raw materials, production technology, cost structure, the restructuring does not impact the anti-dumping calculations previously determined.
23. The exporter has declared that the spin-off has been carried out in compliance with the Companies Law of the People's Republic of China, and all relevant approvals, including safety production licenses, have been obtained by the new entity. The Authority has taken the declaration of the exporter and documents submitted on record and in view of no evidence to the contrary submitted by any other interested party accepts the same.
24. The Authority further notes that Shandong Dongyue Chemical Co., Ltd., China PR, has submitted a Letter of Commitment of application for Name Change. The letter states that the exporter at present is not involved in production or sale of "Hydrofluorocarbon (HFC) Component R-32 and Hydrofluorocarbon (HFC) Blends" & has no objection if its name is removed/struck off from the duty table relating to Anti-Dumping Duty imposed on the subject goods and replaced by the 'Shandong Dongyue Refrigerants Co., Ltd'.
25. The authority also notes the submission of the domestic industry that it has no reservation to the request for change of name demanded by the Chinese company.
26. The examination further reveals that the request falls within the guidelines given in Trade Notice No. 12/2018, which allows name change applications arising from corporate restructuring without requiring a full-fledged Mid-Term Review (MTR).

#### **E. RECOMMENDATION FOR AMENDMENT**

27. Having considered all aspects, the Authority recommends the following amendment in the duty table in the Final Findings notification no. 06/34/2020-DGTR dated 27<sup>th</sup> September 2021.  

"At Serial No. [3], in Column [6], the name of the producer/exporter 'Shandong Dongyue Chemical Co., Ltd.' be amended to read as 'Shandong Dongyue Refrigerants Co., Ltd.'"
28. Accordingly, the Customs Notification No. 76/2021-Customs (ADD) dated 22<sup>nd</sup> December 2021 should also be amended to reflect this change.
29. An appeal against the determination of the Designated Authority in these final findings shall lie before the Custom, Excise and Service Tax Appellate Tribunal in accordance with the relevant provisions of the Act/Rules.



**(Darpan Jain)**  
**Designated Authority**