

**F. No. 6/23/2025-DGTR**  
**Government of India**  
**Ministry of Commerce and Industry**  
**Directorate General of Trade Remedies**  
**4<sup>th</sup> Floor, Jeevan Tara Building,**  
**5 Parliament Street, New Delhi – 110001**

**Date: 30 June 2025**

**INITIATION NOTIFICATION**  
**(Case No. AD(OI) - 20/2025)**

**Subject: Initiation of anti-dumping investigation concerning imports of “4-(Bromomethyl)-2'-cyanobiphenyl” also known as “Bromo OTBN” originating in or exported from China PR.**

1. M/s Neogen Chemicals Ltd. (hereinafter referred to as the ‘applicant’) has filed an application before the Designated Authority (hereinafter referred to as the ‘Authority’), on behalf of the domestic industry, in accordance with 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 as the ‘Rules’), for initiation of an anti-dumping investigation concerning imports of “4-(Bromomethyl)-2'-cyanobiphenyl” which is also known as “Bromo OTBN” (hereinafter referred to as the ‘subject goods’ or the ‘product under consideration’) originating in or exported from China PR (hereinafter referred to as the 'subject country').
2. The applicant has alleged that the subject goods are being imported into India, originating in or exported from the subject country at dumped prices in significant quantities for a prolonged period and is causing material injury to the domestic industry in India and has requested for the imposition of anti-dumping duty on the import of the subject goods from the subject country.

**A. PRODUCT UNDER CONSIDERATION**

3. The product under consideration in the present case is “4-(Bromomethyl)-2'-cyanobiphenyl” (hereinafter also referred to as “Product under Consideration” or PUC. As per the information contained in the Application filed by the domestic industry, the PUC is also known as “Bromo OTBN”. Bromo OTBN is a cream / off white colored powder used in the manufacturing of certain pharmaceutical API’s, mainly Valsartan, Irbesartan & Telmisartan.
4. Subject goods act as intermediate in the synthesis of pharmaceutical drugs of sartan class such as Losartan, azilsartan ester and telmisartan. It is also used in the synthesis of other pyrazolines and related derivatives. In addition, recently reported

studies have indicated the role of subject goods in the determination of potential genotoxic impurities in telmisartan using ESI-MS/MS technique and other solvents using thermodynamic studies.

5. The chemical structure of the subject goods consists of a central biphenyl core with substituents on each benzene ring. The cyano group (-CN) is located on the 2' position of one benzene ring, while the bromomethyl group (-CH<sub>2</sub>Br) is situated on the 4 positions of the other benzene ring. This arrangement gives the molecule its unique properties and reactivity.
6. The alleged dumped goods are classified under Chapter 29 of the Customs Tariff Act, 1975. The petitioner has submitted that the subject goods are being imported under different codes from company to company and country to country, and majority of the imports are happening under the headings 29269000, 29339990, 29332990, 29420090, 29152990. However, it is noted that in Anti-dumping investigations the customs classification is indicative only and in no way, it is binding upon the product scope.
7. The interested parties, can provide their comments/suggestions on the proposed product scope and may suggest PCNs for the purpose of this investigation within 30 days from the date of this notification.

#### **B. LIKE ARTICLE**

8. The applicant has claimed that the subject goods, which have been alleged to be dumped in India, are identical to the goods produced by the domestic industry. There are no known differences in the subject goods produced by the Indian industry and the product under consideration produced and exported from the subject country. The two products are comparable in terms of essential product characteristics such as physical and chemical characteristics, manufacturing process and technology, functions and uses, product specifications, pricing, distribution and marketing and tariff classification of the goods. Consumers can use and are using the two interchangeably. The Authority notes the view points of the applicant. Hence, for the purpose of the present investigation, the subject goods produced by the applicant are being treated by the Authority as 'like article' to the subject goods being imported from the subject country.

#### **C. SUBJECT COUNTRY**

9. The application has been filed in respect of the dumped imports of the product under consideration from China PR.

#### **D. DOMESTIC INDUSTRY AND STANDING**

10. As per the application filed by the applicant, there are two more producers of the subject goods in the country. The applicant has claimed that it holds major share in total Indian production.

11. On the basis of information available and after due examination, the Authority notes that production by the applicant constitutes “a major proportion” of total Indian production. The applicant has certified that it has neither imported the PUC nor is related to any producer/exporter of the product under consideration in China PR or any importer of the subject goods in India.
12. In view of the above and after examination, the Authority notes that the applicant constitutes eligible domestic industry in terms of Rule 2 (b), and the application satisfies the criteria of standing in terms of Rule 5(3) of the Rules supra.

## **E. BASIS OF ALLEGED DUMPING**

### **i. Normal Value**

13. The applicant has cited and relied upon Article 15(a) (i) of China's Accession Protocol. The applicant has claimed that producers in China PR must be asked to demonstrate that market economy conditions prevail in the industry producing the subject goods with regard to the manufacture, production and sale of the product under consideration. It has been stated by the applicant that in case the responding Chinese producers are not able to demonstrate that their costs and price information are market driven, the normal value should be calculated in terms of provisions of Para 7 of Annexure I to the Rules.
14. In terms of Para 7 of Annexure-1, in case of imports from non-market economy countries, normal value is required to be determined on the basis of the price or constructed value in a market economy third country, or the price from such a third country to other countries, including India, or where it is not possible, on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin.
15. The domestic industry has submitted that they were not able to find any suitable surrogate country for China PR. In the absence of any other sufficient information, the Domestic Industry has proposed to determine the normal value under the clause “any other reasonable basis”. The domestic industry has proposed constructing the normal value taking into account the information/figures of their cost of production, duly adjusted.
16. The Authority has constructed the normal value based on the cost of production of the domestic industry, making due adjustments, in terms of the principles of Annexure-I to the Anti-dumping Rules.

### **ii. Export price**

17. The export price for the subject goods from the subject country is calculated by the petitioner based on the data sourced from private source as well as their market intelligence. However, the Authority has considered DG-systems data for the purpose of present initiation. Price adjustments have been made for ocean freight, marine insurance, commission, inland freight expenses, port expenses and bank

charges.

**iii. Dumping margin**

18. The normal value and the export price have been compared at the ex-factory level, which *prima facie* shows that the dumping margin is above the *de-minimis* level and is significant in respect of the product under consideration 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 Indian market by the exporters from the subject country.

**F. INJURY AND CAUSAL LINK**

19. Information furnished by the applicant has been considered for assessment of injury to the domestic industry. The applicant has furnished evidence regarding the injury taken place as a result of the alleged dumping in the form of an increased volume of dumped imports in absolute terms, continued negative effect on cash flow and profitability, and price suppressing and depressing effect on the domestic industry. The applicant has claimed that its performance has been adversely impacted in respect of profitability and return on the investment as a result of in imports of the product under consideration at an injurious price for the domestic industry.
20. Based on the information on record, the Authority notes that there is sufficient *prima facie* evidence that the injury is being caused to the domestic industry by dumped imports from the subject country.

**G. INITIATION OF ANTI-DUMPING INVESTIGATION**

21. On the basis of duly substantiated written application by the domestic industry, and having satisfied itself, on the basis of the *prima facie* evidence submitted by the domestic industry pertaining to dumping of the product under consideration originating in or exported from the subject countries, injury to the domestic industry and causal link between such alleged dumping and injury, and in accordance with Section 9A of the Customs Tariff Act read with Rule 5 of the AD Rules, the Authority, hereby, initiates an investigation to determine the existence, degree and effect of any alleged dumping in respect of the product under consideration originating in or exported from the subject countries and to recommend the amount of anti-dumping duty, which if levied, would be adequate to remove the injury to the domestic industry.

**H. PERIOD OF INVESTIGATION**

22. The Authority has considered January 2024 –December 2024 (12 Months) as the period of investigation (“POI”) for the purpose of the present investigation. The period of injury covers the periods from April 2021 to March 2022, April 2022 to March 2023, April 2023 to March 2024 and the POI.

## **I. PROCEDURE**

23. The principles as stated under Rule 6 of the AD Rules, 1995 shall be followed in the present investigation.

## **J. SUBMISSION OF INFORMATION**

24. All communication should be sent to the Designated Authority via email at email addresses dd15-dgtr@gov.in and dd19-dgtr@gov.in, with a copy to adv11-dgtr@gov.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. Submissions requiring special software to access the files will not be accepted.
25. The known producers/exporters in the subject countries, the governments of the subject countries through their embassies in India, and the importers and users in India known to be concerned with the subject goods 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.
26. 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. Any party making any confidential submission before the Authority is required to make a nonconfidential version of the same available to the other parties.

## **K. TIME LIMIT**

27. Any information relating to the present investigation should be sent to the Designated Authority via email at email addresses dd15-dgtr@gov.in and dd19-dgtr@gov.in, with a copy to adv11-dgtr@gov.in within thirty (30) days from the date on which the nonconfidential version of the application filed by 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. If no information is received within the stipulated time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record and in accordance with the AD Rules, 1995.
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 as stipulated in this notification.
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.

## **L. SUBMISSION OF INFORMATION ON CONFIDENTIAL BASIS**

30. Any party making any confidential submission or providing information on a

confidential basis before the Authority is required to simultaneously submit a non-confidential version of the same in terms of Rule 7(2) of the AD Rules. Failure to adhere to the above may lead to the rejection of the response / submissions.

31. The parties making any submission (including Appendices/Annexures attached thereto), before the Authority including questionnaire response, are required to file Confidential and Non-Confidential versions separately. In case, the submission is made in multiple parts, it is instructed to provide an index table in each part outlining the contents of all parts/emails and documents enclosed. Please ensure page numbering on all submissions.
32. Where the original documents are in a language other than Hindi and English, the interested parties are requested to ensure that the true translated version is provided along with the original documents.
33. 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.
34. 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 a confidential basis. However, in exceptional circumstances, the party submitting the confidential information may indicate that such information is not susceptible to a summary, and a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority. The other interested parties may offer their comments on the confidentiality claimed within 7 days of receiving the non-confidential version of the documents.
35. 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.
36. Any submission made without a meaningful non-confidential version thereof or a good cause statement on the confidentiality claim shall not be taken on record by the Authority.
37. The interested parties can offer their comments on the issues of confidentiality claimed by the domestic industry within 7 days from the date of circulation of the non-confidential version of the documents in terms of relevant paragraphs of this initiation notification.

38. The Authority on being satisfied and accepting the need for confidentiality of the information provided, shall not disclose it to any party without specific authorisation of the party providing such information.

#### **M. INSPECTION OF PUBLIC FILE**

39. A list of registered interested parties will be uploaded on 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. The non-confidential version of the questionnaire response or other submissions should preferably be circulated to all other interested parties on the same day and, in no case, later than the day following the filing of submissions on a confidential basis. Failure to circulate a non-confidential version of submissions/responses/information might lead to the consideration of an interested party as non-cooperative.

#### **N. NON-COOPERATION**

40. In case where an interested party refuses access to and otherwise does not provide necessary information within a reasonable period or within the time stipulated by the Authority, or significantly impedes the investigation. the Authority may declare such interested party 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.



**Siddharth Mahajan**  
**(Designated Authority)**