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F. No. 7/09/2025-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
4th Floor, Jeevan Tara Building,
5, Parliament Street, New Delhi – 110001

Dated: 11.03.2026

FINAL FINDINGS
Notification

Case No. – AD(SSR) – 05/2025

Subject: Sunset Review of Anti-dumping duty investigation concerning imports of Faced Glass Wool originating in and exported from China PR

Having regard to the Customs Tariff Act, 1975 (hereinafter also referred to as “Act”) as amended from time to time and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 thereof, as amended from time to time (hereinafter also referred to as “AD Rules, 1995” or the “AD Rules” or the “Rules”).

A. BACKGROUND OF THE CASE

1. The original anti-dumping investigation concerning imports of subject goods from subject country was initiated on 24.9.2019 by the Designated Authority vide its initiation notification No. 6/23/2019 DGTR. Pursuant to detailed investigation, the Designated Authority recommended imposition of definitive anti-dumping duties on imports of subject goods from the subject country vide its final findings notification No.6/23/2019- DGTR dated 22.12.2020. The recommendations of the Designated Authority were implemented vide Notification No. 14/2021-Customs (ADD) dated 18.3.2021 for a period of five years. The current Anti-dumping duty is valid up to 17.3.2026.

2. Whereas M/s U.P. Twiga Fiberglass Limited (hereinafter also referred to as the “Applicant”) has filed an application before the Designated Authority (hereinafter also referred to as “Authority”) in accordance with the Act and Rules as amended from time to time for sunset review of Anti-dumping duty imposed on imports of "Faced Glass Wool in Rolls" (hereinafter also referred to as the "subject goods" or "Product under consideration" or "PUC") from China PR (hereinafter also referred to as “subject country”).

3. The applicant alleged the likelihood of continuation or recurrence of dumping of subject goods, originating in or exported from subject country and consequent injury to the Domestic Industry, and have requested for review and enhancement of the anti-dumping duty imposed on the subject goods, originating in or exported from subject country.

4. In terms of Section 9A (5) of the Act, the anti-dumping-duty imposed shall, unless revoked earlier, cease to have effect on expiry of five years from the date of such imposition

and the Authority is required to review whether the expiry of duty is likely to lead to continuation or recurrence of dumping and injury. In accordance with the above, the Authority is required to review, on the basis of a duly substantiated request made by or on behalf of the domestic industry, as to whether the expiry of duty is likely to lead to continuation or recurrence of dumping and injury.

5. The Authority on the basis of the prima facie evidence, initiated sunset review investigation through notification No. 7/09/2025-DGTR dated 16th June 2025 to examine whether the expiry of the said duties on the import of the subject goods originating in or exported from the China PR are likely to lead to continuation or recurrence of dumping and injury to the domestic industry.

6. The scope of the present review covers all aspects of the Final Findings F. No. 6/23/2019- DGTR dated 22.12.2020, concerning imports of the above goods, originating in or exported from the subject country.

B. PROCEDURE

7. The following procedure has been followed with regard to this investigation:

7.1 Initiation

- a) The Authority notified the embassy of China in India about the receipt of the anti-dumping application before proceeding to initiate the investigations in accordance with sub-rule (5) of Rule 5.
- b) The Authority issued a public notice dated 16.06.2025 published in the Gazette of India Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods from subject country.
- c) The Authority sent a copy of the initiation notification to the government of the subject country, through their embassy in India, known producers and exporters from the subject country, known importers/users, the domestic industry, the other Indian producers as well as other interested parties, as per the addresses made available by the applicant and requested them to make their views known in writing within the prescribed time limits.

7.2 Circulation of non-confidential version of the application

- a) The Authority provided a copy of the non-confidential version of the application to the known producers/exporters and to the governments of the subject country, through their embassy in India, in accordance with Rule 6(3) of the Rules. A copy of the non-confidential version of the application was provided to other interested parties, wherever requested.

7.3 Participation by Producer/Exporter

- a) The embassy of the subject country in India was requested to advise the exporters/producers from their country to respond to the questionnaire within the prescribed time limit.

- b) The Authority sent Exporter's questionnaires to the following known producers/exporters in the subject country in accordance with Rule 6(4) of the Rules:
- i. Owens Corning (China) Investment Co
 - ii. Owens Corning, China
 - iii. Beiyang Building Material Co., Ltd.,
 - iv. China Iking Industrial Group Co., Ltd.
 - v. Hebei United Energy Tech co., Ltd.
 - vi. Huamei Energy Saving Technology Co.,
 - vii. United Insulation Ltd
 - viii. Jiujiang Fengjirun Trading Co. Ltd.
 - ix. Langfang Dongxin Shezhou Trade Co., Ltd.
 - x. Ecofox Glass Wool Insulation Co. Ltd
- c) In response to the notification, following producers / exporters from China responded by filing Exporter's Questionnaire responses.
- i. M/s Owens Corning Guangzhou Fiberglass Co. Ltd., China PR
 - ii. M/s Owens Corning (China) Investment Co. Ltd., China PR

7.4 Participation by Importers/Users

- a) The Authority forwarded a copy of the public notice initiating anti-dumping investigation to the following known importers/user of subject goods in India and advised them to make their views known in writing within the time limit prescribed by the Authority in accordance with the Rule 6(4):
- i. M/s Tranquil
 - ii. M/s B.M. Insulations Pvt Ltd
 - iii. M/s Green Eco Engineers
 - iv. M/s Owens Corning India Pvt Ltd
 - v. M/s Sipla Solutions
 - vi. M/s Aarkay Industries
 - vii. M/s All Arch India Pvt Ltd
 - viii. M/s Avon Refractories Pvt Ltd
 - ix. M/s Rewo International
 - x. M/s Sun Enterprises
 - xi. M/s Oberoi Constructions Ltd
 - xii. M/s Incline Realty Private Limited
 - xiii. M/s Jayswal Agencies
- b) In response to the above, following importers/users/user association have filed their submissions/representations in the above matter.
- i. M/s Owens Corning India Pvt. Ltd.
 - ii. Knauf Ceiling Solutions (India) Pvt. Ltd.

7.5 Period of Investigation and Injury Period

- a) The period of investigation (POI) for the purpose of present investigation is from 1st January 2024 to 31st December 2024 (12 months). However, the injury investigation period covers the data of previous three years, i.e., 2021-22, 2022-23, 2023-24 and POI.

7.6 Others

- a) The Authority made available the non-confidential version of the submissions made by the various interested parties. A list of all the interested parties was uploaded on the DGTR website along with request to all of them to email non-confidential version of their submissions to all other interested parties.
- b) Request was made to DGCI&S data to provide the transaction-wise details of imports of subject goods for the injury period and also the period of investigation. The Authority has relied upon the DGCI&S data for computation of the volume of imports and required analysis after due examination of the transactions.
- c) In accordance with Rule 6(6) of the Rules, the Authority provided the opportunity to all interested parties to present their views orally in the oral hearings held on 29.10.2025. Another oral hearing was held on 25.11.2025 due to change of the Designated Authority. Both the oral hearings were attended by interested parties. All the parties who presented their views in the oral hearing were requested to file written submissions. Non-confidential versions of the written submissions were circulated to the interested parties, and an opportunity was given to them to submit rejoinder submissions, if any.
- d) Non-injurious price has been determined based on the cost of production and cost to make and sell the subject goods in India based on the information furnished by the domestic industry on the basis of Generally Accepted Accounting Principles (GAAP) so as to ascertain whether anti-dumping duty lower than the dumping margin would be sufficient to remove injury to the Domestic Industry.
- e) An email was sent to line ministry informing about the application filed for sunset review investigation and seeking their opinion in the matter.
- f) The submissions made by the interested parties during the course of this investigation, to the extent supported with evidence and considered relevant to the present investigation, have been appropriately considered by the Authority.
- g) The Authority circulated the disclosure statement containing all essential facts under consideration for making the final recommendations to the Central Government to all interested parties on 28.02.2026. The Authority has examined all the post-disclosure comments made by the interested parties in these final findings to the extent relevant. Any submission which was merely a reproduction of the previous submission, and which had been adequately examined by the Authority has not been repeated for the sake of brevity.

- h) The Authority, during the course of the investigation, satisfied itself as to the accuracy of the information supplied by the interested parties, which forms the basis of this Final Finding, to the extent possible and verified the documents submitted by the domestic industry and the interested parties to the extent considered relevant, practicable and necessary.
- i) Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims wherever warranted and such information has been considered as confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis were directed to provide sufficient non-confidential version of the information filed on confidential basis.
- j) Wherever an interested party has refused access to or has otherwise not provided necessary information during the course of the present investigation, or has significantly impeded the investigation, the Authority has considered such parties as non-cooperative and recorded the views/observations on the basis of the facts available.
- k) Request was made to the Central government that applicability of Anti-Dumping duty be extended for a period of three months beyond the date of cessation of duty. Central Government accorded permission for extension of duties till 17th June 2026.
- l) The exchange rate adopted by the Authority for the subject investigation is 1 US\$ = Rs. 84.58. (*Source: Petition of domestic Industry*).

C. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

8. The product under consideration as defined in the initiation notification for the purpose of present investigation is " "Faced Glass Wool in Rolls" also referred as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool. The product finds major uses in construction of metal and concrete building, heating, ventilation and air conditioning system to provide cooling services to buildings, acoustic application, shipbuilding, transport industry including railways and automobiles. The product has inherent strength of superior thermal and acoustic performance in addition to non-combustible and fire safe properties. Buildings achieve high energy efficiency by using this product and applications of this product have been increasing for different purposes.

C.1. Submissions made by the other interested parties

- 9. The other interested parties have made the following submissions with regard to the scope of the product under consideration and like article.
 - a) The participating exporter has requested for clear exclusion of the product under consideration which are not imported in rolls, as was notified in the original investigation as well as after PUC/PCN notice.

- b) Glasswool Base Boards – including Soundscapes Shapes Base Boards and Glass Wool Acoustical Ceiling Tiles or Faced Glasswool in Flat/Tabular Form should be excluded from the scope of the PUC. These exclusions be explicitly mentioned below the duty table in the Final Findings to prevent any potential misapplication of the duty and to ensure clarity in enforcement for all stakeholders concerned.
- c) The domestic industry has not provided the basis of identification of subject goods under the multiple HS Codes considered. This is also relevant in view of the amendment in the HS Code classification during the injury period.

C.2. Submissions made by the Domestic Industry

10. The submissions made by domestic industry are as follows:

- a) The product under consideration for the purpose of present investigation is “Faced Glass Wool in Rolls” also referred as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool. The Domestic Industry clarifies that the scope of the present investigation is confined to the faced glass wool imported in rolls and the glass wool imported in tiles/board form are not included in the product scope of the present investigation.
- b) Glass wool consists of fine glass fibers combined with binder to make blankets and slabs/boards. The process involves passing glass through a fiberizing machine and drawing fibers in a controlled manner from spinners by centrifugal action of rotating spinners, binder is sprayed simultaneously and then passed through curing oven to form rolls, blanket etc.
- c) Glass wool uses common glass-making raw materials, typically consisting of Silica sand, soda ash (sodium carbonate), Feldspar, dolomite, limestone and Borax Penta hydrate. Other materials used are recycled glass cullet and bought out sheet glass cullet. The raw materials are mixed in a batch mixing process, then fed together into an electrical furnace/gas furnace where it is heated to approximately 1500°C. The stream is tapped from furnace and is fed into a conditioner called forehearth where the glass is brought to a temperature where it can be fiberized.
- d) The product finds major uses in construction of metal and concrete building, heating, ventilation and air conditioning system to provide cooling services to buildings, acoustic application, shipbuilding, transport industry including railways and automobiles. The product has inherent strength of superior thermal and acoustic performance in addition to non-combustible and fire safe properties. Buildings achieve high energy efficiency by using this product. Applications of this product have been increasing for different purposes.
- e) The present application being for the purpose of sunset review investigation, the PUC remains the same as was notified in the original notification.
- f) The subject products are classified under Chapter Heading 70 “Glass and glassware”. The subject goods are being imported under various sub-headings like 7019 9010, 7019 9090, 7019 1900, 7019 3900, 7019 5900 etc. of the Customs Tariff Act, 1975. In any case, it is a consistent approach taken by the Authority that the customs classification is for

indicative purposes only and the description of goods shall prevail for the imposition and collection of duties.

- g) Domestic Industry has requested the Authority to follow the same methodology for the PCNs as was adopted in the original investigation. They have also proposed the PCNs based on methodology used in the original investigation.
- h) Domestic Industry has clarified that Glass Wool Acoustical Ceiling Tiles, is not part of product under consideration. With respect to the clarification sought regarding boards Domestic Industry has submitted that the definition of the Product Under Consideration (PUC) is unambiguous, explicitly covering only products in roll form. Any product that is imported in rolled form and conforms to the description of the PUC clearly falls within the scope of this investigation.
- i) Domestic Industry has further submitted that since this is a sunset review, the scope is meant to reflect the original investigation, and therefore, no further clarification or expansion is necessary. It is further submitted that the interested parties have not demonstrated any practical difficulty or prejudice arising from the current formulation of the PUC.
- j) Domestic Industry requested the Authority to notify and adopt the PCNs proposed by the Domestic Industry for the purpose of ensuring a structured and fair comparison in the ongoing investigation.

C.3. Examination by the Authority

11. The product under consideration in the present investigation as per the initiation notification is “Faced Glass Wool in Rolls” also referred to as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool. The subject products are classified under chapter 70 “Glass and glassware” under the multiple HS Codes like 7019 9010, 7019 9090, 7019 1900, 7019 3900, 7019 5900 etc. of the Customs Tariff Act, 1975.

12. In the initiation notification, the interested parties were granted an opportunity to present their comments on the scope of the product under consideration (PUC), and product control number (PCN) methodology, within a period of 15 days. The timelines were extended till 11th July, 2025, on request received from the interested parties. After going through the responses/comments filed by the interested parties and to bring more clarity to the PUC, it was notified by notification dated 25.07.2025 that the PUC stands revised as under for the purpose of present investigation:

“Faced Glass Wool in Rolls” also referred as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool and excludes “Faced Glasswool in flat / tabular form” such as tiles, sheets or boards and Glass Wool Acoustical Ceiling Tiles.

13. With regard to like article, Rule 2(d) of the Anti-Dumping Rules provides as under:

“like article” means an article which is identical or alike in all respects to the article under investigation for being dumped in India or in the absence of such article, another article which although not alike in all respects, has characteristics closely resembling those of the articles under investigation;

14. The present investigation being a sunset review investigation, the product under consideration (PUC) remains the same as defined in the original final finding notification.

15. Regarding PCN methodology, the Domestic Industry proposed that PCN methodology should be taken as per the original investigation. The interested parties, through paragraph 12 of the notice of initiation, were advised to furnish their comments/ suggestions on the proposed PCN methodology within 15 days of receiving intimation of the initiation of the investigation. It is noted that no contentions regarding PCN methodology were raised by interested parties and therefore Authority decided to consider the same PCN methodology as was adopted in original investigation. The PCN methodology adopted in the investigation is as follows:

Type of Facing	Corresponding number in PCN
ALG	01
BGC	02
BGT	03
DSFSK	04
FGT	05
FSK	06
MPF	07
R303 HD	08
WMP-50	09
WMP-VR	10
WMP-VR R Plus	11
Any other	12
None (only in case of second facing)	00

For instance, the PCN for Glass Wool of density as 12 Kg/m³, thickness of 100 mm and first facing of FSK with no second facing will be 12-100-06-00.

D. SCOPE OF DOMESTIC INDUSTRY & STANDING

D.1 Submissions made by the other interested parties

16. None of the interested parties has made submissions on the standing of the Domestic Industry.

D.2 Submissions made by the Domestic Industry

17. The submissions made by the domestic industry are as follows:
- a) The application has been filed by M/s U.P. Twiga Fiberglass Limited for continued imposition of anti-dumping duty on the subject goods from the subject country. The Applicant is the only producer of the subject goods in India and therefore has clear standing to constitute domestic industry within the ambit of the Rules.
 - b) Applicants have not imported the subject goods from the subject country during the POI. Applicants are also not related (either directly or indirectly) to any exporter or importer of product under consideration in the subject country. Thus, the applicants are eligible Domestic Industry under Rule 2(b) of the AD Rules.

D.3 Examination by the Authority

18. Rule 2 (b) of the AD rules defines domestic industry as under:

“(b) “domestic industry” means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those 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 such case the term ‘domestic industry’ may be construed as referring to the rest of the producers”

19. The application in the present case has been filed by M/s U.P. Twiga Fiberglass Limited, the only producer of the subject goods in the domestic market. The production of the applicant constitutes for 100% of the total Indian production.
20. The Applicant has also certified that they are neither related to exporters or importers nor they have imported the subject goods from subject country. Accordingly, the Authority concludes that the Applicant satisfies the requirement of standing under Rule 5(3) and constitutes domestic industry within the meaning of Rule 2(b).

E. CONFIDENTIALITY**E.1 Submissions made by the other interested parties**

21. The various submissions made by other interested parties during the course of the present investigation with regard to confidentiality and considered relevant by the Authority are as follows:
- i. The applicants have claimed excessive confidentiality with respect to information filed by them.
 - ii. The domestic industry has claimed supporting evidence for normal value, export price as confidential, which ought to be provided for comments from the interested parties.
 - iii. The domestic industry has made extremely belated submissions with regard to the confidentiality claimed by Owens Corning. Para 38 of the initiation notification, F.

No. 7/09/2025, dated 16th June 2025, provides that any interested party must offer their comments on confidentiality claimed by other parties within 7 days from the date of circulation of the non-confidential version of submissions. In the present case, Owens Corning had circulated its submissions on 26th August 2025. More than one month has passed since and no submissions were made by the domestic industry regarding excessive confidentiality claimed by Owens Corning. The claims made at this stage, therefore, are highly belated and cannot be accepted.

E.2 Submissions made by the Domestic Industry

22. The submissions made by domestic industry are as follows:

- i. The responding producer/exporter from China have failed to adhere to the provisions of Rule 7 read with the guidelines provided under various Trade Notices issued by the Authority.
- ii. The non-confidential version of the questionnaire response filed by the exporter does not contain all the information contained in the confidential version without assigning proper reasons. It was obligatory for the exporter to give proper statement of reasons as to why confidentiality was claimed and why summarization was not possible for certain information.

E.3 Examination by the Authority

23. The Authority made available non-confidential version of the information provided by various parties to all interested parties as per Rule 6(7) of the AD Rules. With regard to confidentiality of information, Rule 7 of AD Rules provides as follows:

“(1) Notwithstanding anything contained in sub-rules (2), (3) and (7) of rule 6, sub-rule (2) of rule 12, sub-rule (4) of rule 15 and sub-rule (4) of rule 17, the copies of applications received under sub -rule (1) of rule 5, or any other information provided to the designated authority on a confidential basis by any party in the course of investigation, shall, upon the designated authority being satisfied as to its confidentiality, be treated as such by it and no such information shall be disclosed to any other party without specific authorization of the party providing such information.

(2) The designated authority may require the parties providing information on confidential basis to furnish non-confidential summary thereof and if, in the opinion of a party providing such information, such information is not susceptible of summary, such party may submit to the designated authority a statement of reasons why summarisation is not possible. (3) Notwithstanding anything contained in sub-rule (2), if the designated authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information”

24. The information provided by all the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claims. On being satisfied, the

Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed to the other interested parties. Wherever possible, the parties providing information on confidential basis were directed to provide sufficient non-confidential version of the information filed on confidential basis. With regard to the submissions that the other interested parties have failed to disclose certain information in their responses, the Authority notes that the interested parties have justified the confidentiality claimed by them. Further, no prejudice has been caused to the interest of the domestic industry due to non-disclosure of such information.

F. MISCELLANEOUS SUBMISSIONS

F.1 Submissions made by the other interested parties

25. The following miscellaneous submissions have been made by the other interested parties.

- i. The information and evidence submitted for injury and likelihood analysis must be examined, for adequacy and accuracy of the same. Owens Corning believes that the applicant in the present case, U.P Twiga Fiber Glass Limited, has failed to provide reliable information to the Authority, in support of its contentions.
- ii. The HS Codes considered, have been amended with effect from 1st January 2022. The domestic industry has not clarified the basis on which imports of product under consideration has been identified.
- iii. The applicant has not disclosed the HS codes used for reporting exports from China to various countries that have been used for likelihood calculations. In the absence of HS codes and any submissions by the applicant with regard to its relevance, appropriateness and sufficiency, it should be considered that the domestic industry has not provided any material positive evidence establishing likelihood on the basis of third countries exports.

F.2 Submissions made by the Domestic Industry

26. The submissions made by the domestic industry are as follows:

- i. The assertions made by the opposing interested parties regarding the reliability of the evidence furnished for injury and likelihood analysis are wholly unsubstantiated. The parties have merely made broad and vague allegations without providing any supporting evidence or concrete material to support their claims.
- ii. The responsibility of the applicant is limited to furnishing prima facie evidence to justify initiation of the investigation as per the applicable Rules. Thereafter, it is incumbent upon the participating exporters, producers, and other interested parties to furnish detailed information, including responses to Part II of the prescribed questionnaire, to enable a comprehensive verification and analysis.
- iii. No interested party has identified or demonstrated any specific material discrepancy or inconsistency in the data or information submitted by the Domestic Industry. Hence, the objections raised are devoid of merit and deserve to be disregarded in their entirety.
- iv. The submission of the Chinese exporters regarding the alleged inaccuracy of HS codes used for identifying imports is based on an incorrect assumption that the relevant HS codes were changed with effect from 1 January 2022. In this regard, it is submitted that the application filed by the domestic industry, as well as the initiation notification,

explicitly states that “the subject goods are being imported under various sub-headings like 70198000, 70199000, 70199010, 70199090, 70191900, 70193900, 70195900, etc. of the Customs Tariff Act, 1975.” It may be noted that out of the six HS codes identified in the application and the initiation notification, three, 70198000, 70199000, and 70199010, remained unchanged even after the revision of the Customs Tariff on 1 January 2022.

- v. With regard to the remaining three codes, it is clarified that HS code 70195900 was subsumed under HS code 70199000, which is one of the codes that continued without change. It is further pertinent to note that the injury investigation period in the present investigation commences from 2021-22, thereby including a period prior to 1 January 2022. Accordingly, the import data relied upon for the purpose of injury and likelihood analysis necessarily covers imports made under the HS codes as they existed prior to the said revision in the Customs Tariff.

F.3 Examination by the Authority

27. With regard to the information submitted by the domestic industry in its application for continuation of anti-dumping duties, the Authority notes that as per the Rules, applicant is required to provide *prima-facie* evidence to establish injury, if any, or otherwise the likelihood of injury. The final decision taken by the Authority is based upon the verified information provided by the applicant or the information provided by the other interested parties.

28. The Authority notes that participating exporter has also not provided capacity of producers in China.

29. Regarding contention of HS Code, Authority notes that the import related information contained in the present Final Findings are based on actual imports as reflected in the DGCI&S data. Further, in reference to export from China to third country, it is noted that as the export of PUC is not limited to any single HS code, the domestic industry has provided best possible data available in four-digit HS code i.e., 7019.

30. Regarding contention of domestic industry that participating exporter has not given complete information about its related parties, Authority notes that the participating exporter i.e., Owens Corning has claimed that it has given information of all entities forming part of the value chain for export of the subject goods to India. Authority notes that domestic industry has not substantiated the allegation by any corroborative evidence, hence authority finds no merit in the allegation.

G. NORMAL VALUE, EXPORT PRICE AND DUMPING MARGIN

G.1 Submissions made by the other interested parties

31. The following submissions have been made by the other interested parties, with reference to determination of normal value, export price and dumping margin.

- i. The claim of dumping margin for the domestic industry is based on an inflated cost of production. Therefore, any normal value determined on such basis is likely to show an inordinately high dumping margin. Reliance on such dumping margins would be highly inappropriate.
- ii. Owens Corning requests the Authority to determine the dumping margin after determining the appropriate normal value.
- iii. It is submitted that Owens Corning entities forming part of the value chain for exports of the subject goods to India, have fully participated and cooperated in the investigation and have furnished all information reasonably available to them.
- iv. It is further submitted by the participating exporter that domestic Industry had not pointed any specific deficiencies in the responses filed and therefore, the claim of non-cooperation or adverse inference is unwarranted.

G.2 Submissions made by the Domestic Industry

32. The domestic industry has submitted as follows with reference to determination of normal value, export price and dumping margin.

- i. In terms of Para 8 of Annexure I of the anti-dumping rules, China has to be presumed to be a Non-market Economy Country unless the concerned firms/ producers/ exporters are able to rebut the said presumption based on the criteria spelt out in Para 8(3). This is also in line with the position taken by the Authority in previous cases, and by investigating authorities in other countries. Chinese producers' cost and price cannot be relied upon for determination of normal value. The domestic industry respectfully submit that China PR should be treated as non-market economy country for the following reasons:
- ii. None of the Chinese producers/exporter have claimed the MET and have not filled the requisite questionnaire for MET. Market economy status cannot be given unless the responding Chinese exporters establish that the prices of major inputs substantially reflect market values.
- iii. Market economy treatment must be rejected in such situations where Chinese exporters are unable to establish that their books are consistent with International Accounting Standards (IAS). The requirement on insisting compliance with International Accounting Standards is to ensure accuracy and adequacy of revenues and expenses, assets and liabilities expressed in the annual report.
- iv. It is not for the Authority to establish that the responding companies are operating under market economy environment and are entitled for market economy treatment. But it is for the responding Chinese exporters to establish that they are operating under market economy conditions.
- v. Market economy status cannot be granted unless the responding company and its group as a whole make the claim. If one or more companies forming part of the group have not filed the response, market economy status must be rejected.

- vi. It has been submitted that the normal value for China in such a case can be determined only in accordance with the provisions of para 7 of the Annexure I to Anti-dumping Rules without invoking proviso to 8(2) in view of the aforementioned facts and circumstances.
- vii. The normal value in China can thus be determined on the basis of (a) import price from third country into India, (b) selling price in India, and (b) cost of production in India, duly adjusted, including selling, general and administrative expenses and profit. It is also submitted that since these options for determination of normal value are available, the Designated Authority may not kindly consider "any other basis" because this is required to be applied only when the basis listed under the law cannot be applied.
- viii. Para 8(2) of Annexure-I leaves no choice for the Designated Authority but to presume China to be a Non-Market Economy country. However, the same is open to rebuttal by the Chinese firms under the provision of Para 8(3).
- ix. It is a known fact that China's economy is controlled by the state forces and there is a significant interference and control of the state machinery in the country's economy. The grant of Market Economy status under China's accession to the WTO is not automated but contingent upon China's compliance with the preconditions mentioned in the Accession Protocol.
- x. The Domestic Industry has relied upon import data procured from secondary source for computing export price for the subject country. Further, the data pertaining to adjustments claimed in the export price i.e., ocean freight, marine insurance, commission, inland freight expenses, port expenses and bank charges to arrive at ex-factory export price are fully supported by backup documents and same have been appropriately disclosed to the other interested parties.
- xi. The questionnaire responses filed by producers/exporters are grossly deficient and not filed in terms of the latest trade notice.
- xii. It is submitted by the Domestic Industry that they have claimed cost as per their books of account which are fully in accordance to their books of account. Therefore, the apprehension of any claiming high cost is incorrect. In any case, the Authority has duly verified the cost and only verified cost will be considered for the purpose of final findings.
- xiii. Domestic Industry has also submitted that the Chinese exporter has not filed response for three of its related parties involved in production and sales of the subject goods in China. They have also stated that the Chinese exporter has not filed Section H of the exporters questionnaire which mandatorily seeks information relating to exports to third countries.
- xiv. The Domestic Industry has stated that no adjustment can be allowed to the Chinese producer/exporter unless the Domestic Industry is provided with the details of the adjustments claimed by such producer/exporter and the Domestic Industry is given an opportunity to contest the said adjustments through a hearing.
- xv. It is submitted by the Domestic Industry that the only participating exporter withheld critical information, including details on related producers and Part II sunset-review-specific disclosures. Such non-cooperation undermines their credibility and reinforces the need for DGTR to rely on best available information.

G.3 Examination by the Authority:

G.3.1 Determination of Normal value and Export Price

1. Normal value for China PR

33. Article 15 of China's Accession Protocol in WTO provides as follows:

"Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:

In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:

(i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;

(ii) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.

(b) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO member may then use methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.

(c) The importing WTO Member shall notify methodologies used in accordance with subparagraph (a) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with subparagraph (b) to the Committee on Subsidies and Countervailing Measures.

(d) Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (a) shall be terminated provided that the importing Member's national law contains market economy criteria as of the date of accession. In any event, the provision of subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO member, that market economy conditions prevail in a particular industry or sector, the nonmarket economy provisions of subparagraph (a) shall no longer apply to that industry or sector."

34. The domestic industry has cited and relied upon Article 15(a)(i) of China's Accession Protocol. The domestic industry has claimed that producers in China PR must be asked to

demonstrate that market economy conditions prevail in their industry producing the like product with regard to the manufacturing, the production and the sale of the product under consideration. It has been stated by the domestic industry 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 and 8 of Annexure- I to the Rules.

35. It is noted that while the provision contained in Section 15 (a)(ii) has expired on 11.12.2016, the provision under Article 2.2.1.1 of WTO Anti-dumping Agreement read with the obligation under Section 15(a)(i) of the Accession Protocol require criterion stipulated in paragraph 8 of Annexure I of the AD Rules to be satisfied through the information/data to be provided in the supplementary questionnaire on claiming market economy treatment. It is noted that since the responding producers/exporters from China PR have not submitted response to the supplementary questionnaire the normal value computation is required to be done as per the provisions of paragraph 7 of Annexure I of the AD Rules, 1995.

36. The Authority notes that the participating producer/exporter has not claimed market economy treatment in the present case. Accordingly, the normal value has been determined in accordance with Paragraph 7 of Annexure I to the Rules, which states as follows.

“7. In case of imports from non-market economy countries, normal value shall 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. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner keeping in view the level of development of the country concerned and the product in question and due account shall be taken of any reliable information made available at the time of the selection. Account shall also be taken within time limits; where appropriate, of the investigation if any made in a similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without unreasonable delay of the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments.

37. As noted above, Paragraph 7 lays down a hierarchy for determination of normal value with respect to non-market economy and provides that normal value shall 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.

38. The domestic industry has submitted that they were not able to gather the information on prices of the subject goods in market economy third country. Further, the product under consideration does not have dedicated classification, therefore, the option of export to third country is also not available. The interested parties have also not provided any information on appropriate market economy countries. Therefore, normal value for China PR could not be determined on the basis of price from such third country to any other country, including India. Accordingly, the Authority determined normal value based on the price payable in India, as stipulated in para 7 of Annexure – I to the AD Rules, 1995, having regard to the cost of

production of the applicant, duly adjusted for selling, general and administrative expenses and reasonable profits.

39. The normal value so determined is given below in the dumping margin table.

2. Export price for China PR

Export price for M/s Owens Corning Guangzhou Fiberglass Co Ltd.

40. M/s Owens Corning Guangzhou Fiberglass Co Ltd. is the producer and M/s Owens Corning China Investment Co. Ltd. is the related trader of the producer in China PR. During the period of investigation, M/s Owens Corning Guangzhou Fiberglass Co Ltd. has exported [***] MT of the product under consideration indirectly through related trader Owens Corning China Investment Co., Ltd. to the related importer Owens Corning India Pvt Ltd. in India.

Owens Corning Guangzhou Fiberglass Co., Ltd. → Owens Corning China Investment Co., Ltd → Owens Corning India Pvt Ltd.

41. The exports details furnished by exporter has been verified to the extent necessary and has been considered for determining ex-factory export price for the purpose of computing dumping margin. The exporter has claimed adjustment on account of ocean freight, ocean insurance, credit cost, packing cost and the same have been accepted after desk verification. Selling, general and administrative expenses and loss of importer are also adjusted in the net export price.

42. The Authority has calculated PCN-wise export price for exports of goods produced by Producer and a weighted average export price was determined after taking into account all exports of the concerned PCNs. The net export price so determined has been mentioned in the dumping margin table below.

Export price for other producers/exporters in China PR

43. The export price for all other non-cooperating producers and exporters of China PR has been determined based on facts available and the same is mentioned in the dumping margin table below.

F.3.2 Dumping Margin

44. Considering the normal value constructed as provided above, and export price as determined, the dumping margin determined for the subject country is as follows:

Dumping Margin Table

SN	Name of Producer	Normal Value	Export Price	Dumping Margin	Dumping Margin	Dumping Margin
		(USD/MT)	(USD/MT)	(USD/MT)	(%)	(Range)
China PR						
1.	M/s Owens Corning Guangzhou Fiberglass Co Ltd.	***	***	***	***	90-100
2.	Any other producer/exporter from China PR	***	***	***	***	95-105

H. ASSESSMENT OF INJURY AND CAUSAL LINK**H.1 Views of other interested parties**

45. The following are the injury related submissions made by the producers/exporters/importers/other interested parties during the course of the present investigation and considered relevant by the Authority.

- i. It is submitted that the several injury parameters relied upon by the Domestic Industry, such as loss of market share, decline in production, and capacity utilisation, were not recorded in the Initiation Notification.
- ii. There is no evidence in the application that the domestic industry has faced price pressure due to imports. There is sufficient evidence in the petition that the domestic industry has faced no price pressure because of imports. The same is established readily if the import volumes from China and import price are compared with the sales volumes and selling price of the domestic industry.
- iii. It is further submitted that there is no correlation between Chinese import prices and domestic prices, as domestic prices and sales volumes increased even during periods of higher imports and declining import prices, and remained stable when imports declined.
- iv. It is further alleged that the data on cost of production is unreliable, given that raw material costs declined while the cost of sales increased.
- v. It is further submitted that any alleged injury is attributable to other factors, particularly competition from rock wool, a low-priced substitute, having significantly higher installed capacity in India. It is further submitted that parent company of Domestic Industry had acquired Rockwool facilities.
- vi. The claims regarding price suppression and decline in profitability must be rejected, as such claims are based on inflated cost of production.
- vii. The cost of raw material accounts for 60-70% of the total cost of production. During 2023-24 and the period of investigation, while the price of major raw material has declined and wages and salary of the domestic industry has not increased substantially, the cost of sales of the domestic industry has increased. The data submitted is not reliable.
- viii. The domestic industry has claimed that the base year is distorted due to impact of COVID-19 and must be excluded. However, upon exclusion of base year, the total

- imports including imports from China have declined in absolute and relative terms and the landed price has increased. The same may be taken into consideration.
- ix. While the domestic industry has made detailed submissions regarding injury suffered due to loss of markets share and decline in production and capacity utilization, such parameters are not recorded in the Initiation Notification.
 - x. The performance of the domestic industry has been impacted due to competition from rock wool, which is a low priced, dolomite-based alternative to glass wool. Rock wool has similar characteristics to Glass wool as insulation material and conforms to the same Indian Standard (IS 8183:199).
 - xi. Further, the capacity of rock wool in India is ten time more than glass wool. There is an oversupply of rock wool in India, with further ongoing capacity additions. The parent company of the applicant has completed its acquisition of Rockwool India Private Limited in 2022-23. The demand for such product has increased due to its lower price and similar characteristics as glass wool.
 - xii. The alleged injury to the domestic industry is due to increase in demand of substitute product rock wool. The said product has overcapacity in India and is priced lower than glass wool. The competition from rock wool has caused injury to the domestic industry and the same cannot be attributed on imports.
 - xiii. Contrary to the submissions of the domestic industry, rock wool can be used for roofing solutions and leading manufacturers globally offering rock wool for the said purpose.
 - xiv. There is no injury due to imports from China as there is no competition between the domestic prices and Chinese prices. While import price from China declined in 2022-23 and the volume increased, the domestic selling prices as well as the volume of sales increased. While the import price declined thereafter, the selling price of the domestic industry increased. In the period of investigation, while the import price increased and volume of imports declined, the selling price of the domestic industry remained constant.
 - xv. The claim that imports price is manipulated as the exporters were aware about the period of investigation in sunset review and such prices have caused injury to the domestic industry is illogical. The submissions only prove that the alleged injury to the domestic industry is due to other factors.
 - xvi. The domestic industry has made contrary claims as it claimed continued injury in the first oral hearing but claimed only likelihood of recurrence of injury in the second hearing.
 - xvii. The Appellate Body Report in Oil Country Tubular Goods from Mexico found that there is no requirement to examine causal link, it implies there is no injury in the period of investigation. However, if continued injury has been claimed in a sunset review, the causal link between dumping and injury is required to be examined.
 - xviii. Examination of causal link would not be required if the Authority found likelihood of recurrence of injury. However, the domestic industry has not provided evidence of the same.

H.2 Views of the Domestic Industry

46. The following are the injury related submissions made by the domestic industry during the course of the present investigation and considered relevant by the Authority:

- i. Imports of the product under consideration from the subject country have shown increase over the years. Imports have also shown increase in relation to production and consumption in India.
- ii. Market share of the subject country in demand has been continuously increasing while there is a decline in the market share of the Domestic Industry.
- iii. Domestic industry prices reflect the effect of the prices that are being offered by the exporters in the domestic market. It is also evident from the data on record that the domestic industry has experienced a decline in sales realization and profitability.
- iv. That the interested parties have cherry-picked isolated parameters, ignoring the complete injury data provided by the Domestic Industry. It is further submitted that when all economic indicators mentioned in Annexure II, such as sales, production, capacity utilisation, profitability and ROCE are examined holistically and shows injury and likelihood position, the claims of the Domestic Industry stand fully supported by the data on record. Further overall imports have remained significant and exert price suppressing effects, preventing the Domestic Industry from recovering increased costs. It is further submitted that verified data clearly refutes the apprehensions of the interested parties.
- v. Domestic Industry further submits that their economic parameters reveal significantly declining profits, constrained ability to raise selling prices due to price undercutting, and growing inventories, all of which substantiate material injury caused by dumped imports.
- vi. As regards the submission of the exporter that the initiation notification does not mention volume effect and, therefore, the Authority has not initiated the investigation for volume injury, it is submitted by the Domestic Industry that the said contention is entirely without merit. The initiation notification, as a matter of practice, briefly reproduces the major injury parameters considered at the stage of initiation. The inclusion or omission of certain injury parameters in the notification cannot be construed as reflecting any exclusion or pre-determination by the Authority on such aspects. It is further submitted that the applicant has duly claimed volume injury arising from subject imports, as is clearly evident from the detailed information and analysis contained in the application and data placed on record.
- vii. In relation to the allegation regarding Domestic Industry costing, it is submitted that the costing information filed by the Domestic Industry is fully supported by audited books and also duly verified by DGTR and therefore, the same is liable to be rejected as baseless and incorrect. Domestic Industry has further submitted that participating exporter group have compared their own procurement prices without submitting the same for the test of verification to the costs of the Domestic Industry which is duly verified. Interestingly, while making such comparison, interested parties completely failed to factor in critical factors such as volume, grade, incoterms, credit terms, supplier base, logistics, inventory costs, and consumption norms. Since interested parties had made mere statements, their analysis is therefore unreliable and must be discarded.
- viii. In relation to submissions that injury is caused due to rock wool, it is submitted that the same is factually incorrect and legally irrelevant. Glass wool and stone wool/rock wool are distinct products with different raw materials, production processes,

densities, thermal performance, mechanical characteristics, machinery, end-use applications, and market segments. Substitutability is marginal and specification-driven. Injury caused by another product cannot negate injury from dumped imports of the PUC. It is further submitted that Domestic Industry is not in the business of Rockwool.

- ix. In relation to submission relating to causal link analysis, Domestic Industry has submitted that it is a settled position under Section 9A (5) and Rule 23 that a sunset review is a forward-looking exercise requiring only an assessment of likelihood of continuation or recurrence of dumping and injury. Causal-link analysis is not mandatory in sunset reviews. It is further submitted that the investigating authorities had to necessarily reached a positive conclusion of likelihood in the sunset review investigation in case of duties extension or enhancement. This further shows that likelihood analysis is mandatory requirement under the law. Further, the fact that the DGTR in the past without imports during the injury investigation period, reached the conclusion relating to likelihood clearly establishes that causal link is not required to be analysis in sunset review investigations.

H.3 Examination by the Authority

47. The Authority has taken note of the arguments and counter-arguments of the all the interested parties with regard to injury to the Domestic Industry. The injury analysis made by the Authority hereunder addresses the various submissions made by the interested parties.

48. As regards the submission that the Authority has not initiated the investigation with respect to volume injury, it is noted that the initiation notification briefly mentions the major injury parameters considered at the stage of initiation prima facie only. It is noted from the application filed by the domestic industry that the applicant has duly claimed volume injury arising from subject imports. Accordingly, such submissions are devoid of merit.

49. As regards the submission that rock wool is substituting the market of product under consideration, it is noted that Glass wool and stone wool /rock wool are different products and need different raw materials. It is further noted that baring few applications substitutability is limited. It is noted that interested parties have failed to substantiate that injury to domestic industry is attributed to rock wool/stone wool.

H.3.1 Volume Effect of Dumped Imports

i. Assessment of Demand

50. For the purpose of the present investigation, demand or apparent consumption of the product in India has been defined as the sum of domestic sales of the Applicants and imports from all sources. The demand so assessed is given in the table below:

Particulars	UOM	2021-22	2022-23	2023-24	POI
Imports from China	MT	716	1879	1962	1532
Imports from other countries	MT	57	83	40	342
Total Imports	MT	773	1962	2002	1874
Sales of the domestic industry	MT	***	***	***	***
Trend	Indexed	100	108	90	90

Total Demand/ Consumption	MT	***	***	***	***
Trend	Indexed	100	124	108	107

* Imports as per DGCI&S data, other figures as per domestic industry data

51. It is noted from the above table that the demand of the subject goods has increased in year 2022-23 and remains higher in 2023-24 and in POI than the base year. It is further noted that the imports from the subject country have increased significantly in year 2022-23 & 2023-24, and shown a decline in POI. However subject imports remain double in POI than the base year. Sales of domestic industry has shown increase in year 2022-23 but declined in 2023-24 and then remained almost constant in the POI.

ii. Imports in absolute and relative terms

52. With regard to the volume of dumped imports, it is required to be considered whether there has been a significant increase in dumped imports either in absolute terms or relative to production or consumption in India. The volume of imports over the injury period was as follows:

Particulars	UOM	2021-22	2022-23	2023-24	POI
Subject imports	MT	716	1,879	1,962	1,532
Other imports	MT	57	83	40	342
Total imports	MT	773	1,962	2,002	1,874
Subject Imports in relation to					
Domestic production	%	***%	***%	***%	***%
Domestic production	Range	5-15%	25-35%	30-40%	20-30%
Consumption (Including captive)	%	***%	***%	***%	***%
Consumption (Including captive)	Range	5-15%	15-25%	20-30%	15-25%
Total Imports	%	***%	***%	***%	***%
Total Imports	Range	90-100%	90-100%	95-105%	75-85%

* Imports as per DGCI&S data, other figures as per domestic industry data

53. The Authority notes that:

- i. Imports from the subject country has increased from 716 MT in the base year to 1532 MT in the POI. However, the import from subject country has shown decline in the POI as compared to the previous year. Subject import in POI remains double the base year.
- ii. The imports from subject country relative to production of the domestic industry increased from 11% in the base year to 27% in the POI.
- iii. The imports from subject country relative to demand also increased from 10% in the base year to 21% in the POI.

H.3.2 Price Effect

54. With regard to the price effect of the imports from the subject countries, it is required to be analysed whether there has been a significant price undercutting by the alleged imports as

compared to price of the like article in India, or whether the effect of such imports is otherwise to depress prices or prevent price increases, which otherwise would have occurred in the normal course. The impact on the prices of the domestic industry on account of the imports from the subject countries has been examined with reference to price undercutting, price suppression and price depression, if any.

a. Price Undercutting

55. In order to determine whether the imports are undercutting the prices of the domestic industry in the market, the Authority has compared landed price of imports with net sales realization of the domestic industry as below:

Particulars	UoM	POI
Net Sales Realisation	₹/MT	***
Landed price	₹/MT	1,35,721
Price undercutting	₹/MT	***
Price undercutting	%	***%
Price undercutting	Range	20-30

* Landed price as per DGCI&S data, net sales realisation as per domestic industry data

56. The Authority notes that the subject imports are priced below the net sales realisation of the domestic industry. The price undercutting from the subject country is positive and significant.

b. Price Suppression and Depression

57. In order to determine whether the dumped imports are depressing the domestic prices to a significant degree or whether the effect of such imports is to suppress price to a significant degree or prevent price increase which otherwise would have occurred in normal course, the Authority has examined the changes in the costs of sales and net sales realisation of the domestic industry over the injury period.

Particulars	UoM	2021-22	2022-23	2023-24	POI
Landed Value	₹/MT	1,40,593	1,38,152	1,23,996	1,35,721
Trend	Indexed	100	98	88	97
Net Sales Realisation	₹/MT	***	***	***	***
Trend	Indexed	100	105	118	118
Cost of Sales	₹/MT	***	***	***	***
Trend	Indexed	100	91	104	121

* Landed price as per DGCI&S data, selling price and cost of sales as per domestic industry data

58. Authority notes that the landed value of imports from the subject country was above the cost of sales of the domestic industry till 2022-23. However, in last 2 years, the landed value of imports from subject country has fallen below the cost of sales of the domestic industry.

59. It is also noted that though the net selling price and cost of sales increased during the injury period, the net sales realization did not increase in the same proportion to rise in the cost of sales. Thus, the Domestic Industry was not able to increase their selling price despite increase

in cost of production. It is also noted that the landed value remains lower than selling prices of the domestic industry throughout the injury period.

H.3.3 Economic Parameters of the Domestic Industry

60. Annexure II to the Anti-Dumping Rules require that the determination of the injury shall involve an objective examination of the consequent impact of dumped imports on the domestic producers of the subject goods. With regards to the consequent impact of these imports on the domestic producers of subject goods, the Rules further provide that the examination of the impact of the dumped imports on the domestic industry would include an objective unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments. Accordingly, performance of the domestic industry has been examined over the injury period.

i. Production, capacity, capacity utilization and sales

61. The performance of the domestic industry with regard to capacity, production, sales and capacity utilization over the injury period was as below:

Particulars	Unit	2021-22	2022-23	2023-24	POI
Installed Capacity	MT	***	***	***	***
Trend	Indexed	100	100	100	100
Production (PUC)	MT	***	***	***	***
Trend	Indexed	100	108	92	91
Capacity utilization	%	***%	***%	***%	***%
Trend	Indexed	100	117	106	98
Domestic Sales	MT	***	***	***	***
Trend	Indexed	100	108	90	90
Export sales	MT	***	***	***	***
Trend	Indexed	100	154	168	175
Captive Consumption	MT	Nil	Nil	Nil	Nil
Trend	Indexed	Nil	Nil	Nil	Nil

* Figures as per domestic industry data

62. It is noted that both production and sales have declined over the injury period. It is also noted that there is a marginal reduction in the capacity utilisation over the injury period. The Authority also notes the submission of the domestic industry that they are simultaneously facing significant competitive pressure from imports originating in Egypt during the POI, for which a separate investigation is already underway.

ii. Market share in demand

63. The details of imports, domestic sales and the market share of the domestic industry is as below:

Particulars	UoM	2020-21	2021-22	2022-23	POI
Domestic Industry	%	***%	***%	***%	***%
Trend	Indexed	100	87	83	84
Subject Country	%	***%	***%	***%	***%
Trend	Indexed	100	212	253	200
Other Countries	%	***%	***%	***%	***%
Trend	Indexed	100	117	66	564

64. Authority notes that the market share of the subject country increased during the injury investigation period with decline in the POI. However, it remains almost double than the base year.

65. Market share of the Domestic Industry has decreased throughout the injury period with marginal increase in the POI. It remains significantly lower in comparison to the base year.

66. Market share of other countries has increased significantly in POI.

iii. Inventories

67. The data relating to inventory of the subject goods is shown in the following table.

Particulars	UoM	2021-22	2022-23	2023-24	POI
Average Inventory	MT	***	***	***	***
Trend	Indexed	100	109	259	340

* Inventory as per domestic industry data

68. From the above, the authority notes that the inventories of the Domestic Industry have increased significantly in POI compared to base year.

iv. Employment, productivity and wages

69. The Authority has examined the information relating to employment, wages and productivity, as given below:

Particulars	Unit	2021-22	2022-23	2023-24	POI
No. of employees	No.	***	***	***	***
Trend	Indexed	100	101	120	116
Productivity per day	MT/Day	***	***	***	***
Trend	Indexed	100	112	94	94
Productivity per employee	MT/No.	***	***	***	***
Trend	Indexed	100	114	86	84
Salaries & Wages	₹ lakhs	***	***	***	***

Trend	Indexed	100	100	75	99
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* Figures as per domestic industry data

70. It is noted that the number of the employees has increased over the injury period and declined slightly in POI. The wages paid to them declined in 2023-24 thereafter increased in POI. The domestic industry has not claimed injury on account of these parameters.

v. Profits, cash profits and return on capital employed

71. Analysis of the performance of the domestic industry with regard to actual profit/loss, is given in the table below:

Particulars	Unit	2020-21	2021-22	2022-23	POI
Cost of sales	₹/MT	***	***	***	***
Trend	Indexed	100	91	104	121
Net Sales Realisation	₹/MT	***	***	***	***
Trend	Indexed	100	105	118	118
Profit / (loss)	₹/MT	***	***	***	***
Trend	Indexed	100	644	613	19
Profit / (loss)	₹ Lacs	***	***	***	***
Trend	Indexed	100	694	550	17
Cash profits	₹ Lacs	***	***	***	***
Trend	Indexed	100	426	355	63
Return on capital employed	%	***%	***%	***%	***%
Trend	Indexed	100	576	872	48

* Figures as per domestic industry data

72. The authority notes that the profitability of the domestic industry improved significantly in 2022-23 and remained at these high levels in 2023-24. However, Profitability of the domestic industry declined significantly in the POI.

73. It is noted that cost of sales has increased over the injury period and was highest in POI.

74. The Authority notes that ROCE of the Domestic Industry was quite low in POI.

vi. Growth

75. The Authority notes that there was negative growth of the domestic industry in terms of profitability as well as ROCE.

Particulars	Units	2022-23	2023-24	POI
Installed Capacity	%	0%	0%	0%

Production	%	8%	-15%	-1%
Domestic sales	%	8%	-17%	0.5%
Profit / (loss) per unit	%	544%	-5%	-97%
Cash profits	%	326%	-17%	-82%
Return on capital employed	%	476%	51%	-95%

vii. Ability to raise Capital Investment:

76. The Authority notes that the domestic industry has earned profits after the measures were imposed in the original investigation. The Domestic Industry has claimed that presence of significantly low-priced imports in the market has impacted its ability to raise investments for any additional capacity expansions. It has been submitted that if the present scenario continues, its investment is likely to be highly unutilized and no new investment will come.

viii. Magnitude of dumping:

77. Magnitude of dumping is an indicator of the extent to which the dumped imports can cause injury to the domestic industry. The analysis shows that the dumping margin determined for cooperating producer/exporter is significantly high.

ix. Factors affecting domestic prices:

78. It is noted that the landed price of the subject imports is lower than the selling price of the subject goods during the injury period. The domestic industry is the only domestic producer of the product in the market. The dumped imports are adversely affecting prices of the domestic industry in the market. Further, the imports are below even the cost of sales and NIP of the domestic industry. This has forced the domestic industry to not to increase its prices despite increase in cost of sales.

79. The Authority has further noted that there is a growing demand in India for the subject goods. The import prices from the subject countries are directly affecting the prices of the domestic industry in the domestic market. It is also noted that the landed value of subject goods from the subject country is below non-injurious price of the domestic industry. Further, landed value from subject country has suppressed / depressed effect on the prices of the Domestic Industry causing financial losses to them. Thus, the subject imports from China PR have affected the prices of the domestic industry.

J. CAUSAL LINK

J.1.1 Non - attribution analysis and casual link

80. Having examined the existence of injury, volume and price effects of dumped imports on the prices of the domestic industry, the Authority has examined whether injury to the domestic industry can be attributed to any factor, other than the dumped imports, as listed under the Rules:

a) Volume and prices of imports from third countries

81. Imports of the product under consideration from non-subject countries except Egypt are miniscule and could not have caused injury to the Domestic Industry. As regards imports from Egypt, a separate anti-dumping investigation is being conducted by the Authority.

b) Contraction of demand and changes in the pattern of consumption.

82. There has been no contraction of the demand of the product concerned. Therefore, decline in demand is not as a possible reason of injury to the Domestic Industry.

c) Pattern of consumption

83. Information on record does not indicate change in consumer preferences as the customers have continued to procure from the domestic industry as well as import the product under consideration.

d) Trade restrictive practices and competition between the foreign and domestic producers

84. There is no trade restrictive practice, which could have contributed to the injury to the Domestic Industry as the raw materials as well as the subject goods are freely importable in the country.

e) Developments in technology:

85. Technology for production of the product concerned has not undergone any significant change. Thus, development in technology is also not a factor causing injury to the Domestic Industry. The subject goods produced by the Domestic Industry is like article to the goods produced and exported by the producers in India.

f) Productivity of the Domestic Industry

86. It is noted that the productivity of the domestic industry has remained almost same in the POI as compared to the preceding year.

g) Export performance of the domestic industry

87. It is noted that the Authority has only considered the domestic performance of the Domestic Industry. Therefore, performance in the export market has not affected the present injury analysis in any manner whatsoever.

88. It is thus noted that listed known other factors do not show that the domestic industry could have suffered injury due to these other factors.

I. INJURY MARGIN

89. The Authority has determined the non-injurious price for the domestic industry on the basis of the principles laid down in the Rules read with Annexure III, as amended. The non-injurious price of the subject goods has been determined by adopting the verified information/data relating to the cost of production for the period of investigation. The non-injurious price has been considered for comparing the landed price from the subject countries for calculating the injury margin. For determining the non-injurious price, the best utilisation of the raw materials, the utilities and the production capacity by the domestic industry over the injury period have been considered. It is ensured that no extraordinary or non-recurring

expenses were charged to the cost of production. A reasonable return (pre-tax @ 22%) on the average capital employed (i.e., average net fixed assets plus average working capital) for the product under consideration was allowed as pre-tax profit to arrive at the non-injurious price as prescribed in Annexure III of the Rules and is being followed.

90. The landed price for the cooperative exporters has been determined on the basis of the data furnished by the exporters.

91. For all the non-cooperative producers/exporters from the subject country, the Authority has determined the landed price based on facts available.

92. Based on the landed price and non-injurious price determined as above, the injury margin for producers/exporters has been determined by the Authority and the same is provided in the table below:

Injury Margin Table

SN	Name of Producer	Non-Injurious Price	Landed Price	Injury Margin	Injury Margin	Injury Margin
		(USD/MT)	(USD/MT)	(USD/MT)	(%)	(Range)
China PR						
1.	M/s Owens Corning Guangzhou Fiberglass Co Ltd.	***	***	***	***	5-15
2.	Any other producer/exporter from China PR	***	***	***	***	15-25

K. ASSESSMENT OF LIKELIHOOD OF CONTINUATION OR RECURRENCE OF DUMPING AND INJURY

Submissions made by the Domestic Industry

93. The following are the likelihood of dumping or injury related submissions made by the domestic industry during the course of the present investigation and considered relevant by the Authority:

- i. There is a clear likelihood of the continued dumping being further intensified by Chinese exporters leading to a situation of further intensified injury to the domestic industry, if the existing duty is withdrawn.
- ii. In a sunset review investigation, the primary examination required is whether the revocation of duties shall lead to continuation / recurrence of injury and dumping. While the current injury is not the required factor for continuation of duties, the same demonstrates a strong likelihood of injury in the case of revocation.

- iii. It is submitted that in the facts of the present case, there is adverse price effects of imports from subject country, including sales below the cost of production of the domestic industry, underutilization of production capacity, declining profitability, reduced return on capital employed, and the likely negative impact on the overall performance and viability of the domestic industry if the current anti-dumping measures are discontinued.
- iv. Domestic industry has submitted that the producers in China have huge surplus capacities. Such surplus capacities have been created on account of installment of capacities by the producers in China much in excess of demand or market requirement.
- v. India continues to be a highly preferred export destination for Chinese producers, owing to its steadily increasing demand and strong capacity to absorb the subject goods.
- vi. The prevailing injury to the domestic industry, caused by dumped and non-remunerative imports from China, clearly establishes the likelihood of continued injury in the absence of duty extension.
- vii. Significant volumes of the exports made by China are below the non-injurious price of the Domestic Industry.
- viii. Domestic Industry has submitted an estimate of Chinese capacity at 9.05 lakh MT based on best available information in the public domain, sourced from recognized industry publications and trade data. It is further contended by the Domestic Industry that the opposing interested parties including participating Chinese exporters have not placed any evidence on record disputing these figures.
- ix. It is submitted that the Domestic Industry assessment of Chinese exports is derived using the well-established concentric HS code methodology, adopted by the Authority in cases where a specific HS code does not exist. Further, the argument that limited imports into India undermine this analysis ignores HS code limitations and global trade patterns.
- x. Domestic Industry has submitted that the sole participating exporter has failed to disclose information relating to its related parties involved in production and has inadequately addressed Part II of the questionnaire meant for sunset review investigations. Such omissions amount to withholding of material information crucial for likelihood assessment. This non-cooperation justifies reliance on best information available on record.
- xi. That the verified injury parameters clearly established price suppression, loss of market share, and declining profitability due to dumped imports. Further, the Authority has meticulously checked the costing and other data provided by the Domestic Industry which shows that authenticity of the data provided by the Domestic Industry. Therefore, the allegations relating to unreliability of cost data is untenable and unsupported by evidence.
- xii. It is further submitted that during the period of investigation sales, production, capacity utilization was lowest as compared to the previous years. It also needs to be appreciated that combined CIF prices are in the same range and therefore, the Domestic Industry

was not able to increase their selling price despite increase in cost of production. It also needs to be highlighted that the return on capital employed was very low and in case duties are not extended, losses to Domestic Industry is imminent.

- xiii. The claim of “full cooperation” by Owens Corning is unsustainable given its failure to provide critical data on Chinese capacity, exports, and related parameters. This failure necessitated reliance on best available information by the Authority. Accordingly, all five claims raised by Owens Corning deserve outright rejection.

Submissions made by the other interested parties

94. The following are the likelihood of dumping or injury related submissions made by the producers/exporters/importers/other interested parties during the course of the present investigation and considered relevant by the Authority.

- i. The domestic industry has taken inconsistent positions by stating that current injury is not required in the sunset review, while at the same time alleging that it has suffered injury due to dumping of the subject goods. In this context, interested parties have submitted that where no present injury is established, the domestic industry is required to place clear and convincing evidence to demonstrate a likelihood of recurrence of dumping and injury in the absence of duties. In the present case, domestic industry has failed to place any such credible evidence before the Authority.
- ii. That since the Domestic Industry has not rebutted the objections raised regarding the unreliability of its data and methodology, the evidence relied upon by the Domestic Industry to establish likelihood of dumping and injury in the event of cessation of duty remains unsubstantiated. It has therefore been contended that there is no likelihood of recurrence of dumping or injury and that continuation of anti-dumping duty is unwarranted.
- iii. Likelihood information provided by the domestic industry is incorrect and unreliable. While the domestic industry has claimed that the capacities in China are 9.05 Lakh MT, it has claimed that exports are to the tune of 21 Lakh MT. Further, it has been claimed that India is the second largest market for Chinese producers, however, the imports into India are only 1,524 MT.
- iv. The total exports of glass wool from China are less than 1 lakh MT.
- v. The HS Codes considered and the calculations for dumping and injury margin for third countries have not been disclosed. Since the subject goods do not have a dedicated code and there is a PCN involved, China customs data cannot be used for determining dumping and injury in third countries. The domestic industry has failed to provide any material positive evidence for likelihood.
- vi. The likelihood information provided by domestic industry is flawed as it has considered both rock wool and glass wool as part of exports from China since both the said products fall under the same HS Codes. As rock wool is priced 50% lower than price of glass wool, the average price reported by Chain Customs Data is lower than price of glass wool. Since exports of rock wool are much more than glass wool and the price are much lower, the likelihood information provided shows higher exports of product under

consideration at lower prices. This makes the dumping and injury margin calculation unreliable.

- vii. On one hand, the domestic industry has contended that current injury is not required while claiming that it has suffered injury due to dumping. In case there is no injury, irrefutable evidence of likelihood must be provided, for continuation of duties. However, no such evidence has been provided in the present case.
- viii. Concerns raised regarding country-wide information not provided, is an attempt by domestic industry to shift the onus of providing evidence for likelihood of dumping and injury. The domestic industry has not been able to show veracity of information provided.
- ix. Under the provisions of Rule 23(1B), the domestic industry has an obligation to provide duly substantiated information, showing need for continuation of duties. The domestic industry is attempting to shift such obligation to the domestic industry.
- x. The domestic industry has relied upon information for total insulation market and not glass wool for claiming likelihood of dumping. The report relied upon in the written submissions is not specific to glass wool. Contrary to the claimed capacities in China, the plants of Owens Corning which are engaged in production of non-subject goods have been wrongly included.
- xi. The report has listed many producers which do not even produce glass wool.

Examination by the Authority

95. All factors brought to the notice of the Authority have been examined to determine as to whether there is a likelihood of continuation or recurrence of dumping and injury in the event of cessation of the duty. The Authority has examined various submissions and evidences, as made available by the domestic industry and other interested parties in order to evaluate the likelihood of continuation or recurrence of dumping and injury.

96. It is noted that the present investigation is a sunset review of anti-dumping duties earlier imposed on the imports of subject goods from China. Under the Rules, the Authority is required to determine whether continued imposition of anti-dumping duty is warranted. This also requires a consideration of whether the duty imposed is serving the intended purpose of eliminating injurious dumping. Clause (vii) of Annexure II of the Rules provides, inter alia, factors which may be taken into consideration viz.,

- a. A significant rate of increase of dumped imports into India indicating the likelihood of substantially increased importation;
- b. Sufficient freely disposable, or an imminent, substantial increase in, capacity of the exporter indicating the likelihood of substantially increased dumped exports to Indian markets, taking into account the availability of other export markets to absorb any additional exports;

- c. Whether imports are entering at prices that will have a significant depressing or suppressing effect on domestic prices, and would likely increase demand for further imports; and
- d. Inventories of the article being investigated.

97. Further, the Authority has also examined other relevant factors having a bearing on the likelihood of continuation or recurrence of dumping and consequent injury to the domestic industry. The examination of the parameters of likelihood is as follows:

a. Continued dumping despite existence of anti-dumping duty

- i. The Authority notes that the dumping margin quantified in the present investigation is positive and significant. Hence, the dumping has continued in the Indian market, even after imposition of anti-dumping duty.

b. Increase in imports despite anti-dumping duty in force

- i. The applicant has claimed that the imports of subject goods from the subject country has increased even after imposition of anti-dumping duty.

Particulars	UOM	2021-22	2022-23	2023-24	POI
Imports from China	MT	716	1879	1962	1532
Total Demand/ Consumption	MT	***	***	***	***

- ii. The imports from subject country relative to demand has increased from 10% in the base year to 21% in the POI.

c. Surplus Capacity with the exporters

- i. The domestic industry has provided information of the surplus capacities existing with the producers of the subject goods in China from public sources. Further, during the investigation, Domestic Industry has provided the information based on their market sources. The Authority has examined the submissions of the domestic industry with the data filed by the exporters and other submissions on this issue. The domestic industry claimed following production capacities.

S.No.	Company Name	Plant Location	Glasswool Capacity MT
1.	Dalianhuali	Dalian Huali	10,000
2.	DingTailanxing	Dachang	30,000
3.	Fanzhou	Henan	12,000
4.	Fuda	Fuda	20,000
5.	Gerui	Dachang	80,000
6.	Guomei	Dachang	50,000
7.	Hanjiang	Hanjiang	34,000
8.	Huali	Huali	12,000
9.	Huamei	Dachang	80,000
10.	Jihyhe	Beijing	20,000
11.	Jinhaiyan	Jinhaiyan	1,62,000
12.	Kangbao	Kangbao	20,000
13.	Owens Corning	Anhui	30,000
		Anshan	15,000
		Guangdong	30,000
		Nanjing	21,000
		Shaanxi	15,000
		Shanghai	30,000
		Tianjin	30,000
14.	Pulandian	Pulandian	20,000
15.	ShanghaiGlass	Shanghai Glass Shanghai	12,000
16.	Shenzhou	Dachang	50,000
17.	Shuanghuan	Shuanghuan	12,000
18.	Wahlee	Shanghai	20,000
19.	Xuan	Sichuan	15,000
20.	Yihecheng	Yihecheng	70,000
21.	Grand Total		9,00,000

98. In addition to above, Domestic Industry has further submitted evidence of surplus capacity based on the global insulation report by Freedonia group. According to that report, the

production of subject goods in China is much higher than Indian production and demand. Even the surplus capacity available with China is 34% of the total capacity in China and approximately 41 times of the Indian demand and 55 times of the Indian production.

Particulars	UoM		Quantity
Demand of total insulation Material in China	MT	A	7046000
Demand of Subject goods in China	MT	B	561000
Subject goods as % of total insulation demand	%	C=B/A	7.96%
Insulation Production	USD	D	12167000000
Price USD/KG	USD/KG	E	1.65
Production of Insulation Material	KG	F=D/E	7,37,39,39,394
Production of Insulation Material	MT	G=F/1000	7373939
Production of Subject goods	MT	H=G*C	587110
Capacity of the subject goods	MT	I	900000
Idle Capacity	MT	J=I-H	312890
Idle Capacity	%	K=J/I	34.77%

99. Authority has examined the information provided by the domestic industry and notes that a general web search reveals that the Chinese producers are having huge capacities which are multifold to the Indian production and demand. One such producer i.e., Iking Group claims to have production glasswool capacities equivalent to 200000 MT. (Source https://www.iking-glasswool.com/news/en/glass-woolplant.html?utm_source=perplexity). Another producer namely Huamei claims to have glasswool capacities equivalent to 400000 MT (Source: https://www.huameiworld.com/factory-tour/?utm_source=perplexity). Other sources suggest that below mentioned top five glasswool producers in China are having capacities more than 25 lacs MT.

Producer	Lines/Setup	Annual Capacity (tons)	Faced Products Noted
IKING Group	13 lines	>200,000 ikingglasswool	Yes (foil, kraft, etc.) scribd
United Perfect	5-700 tons/day lines	Up to 1,500,000 unitedperfect.made-in-china+1	Yes (vinyl, FSK) unitedperfect.made-in-china
Huamei	Multiple facilities	>400,000 huameiworld	Insulation standard huameiworld
Hebei Shengwei	N/A	60,000 (5,000 tons/month) shengweiinsulation.made-in-china	Yes (black mats) shengweiinsulation.made-in-china
Hebei Liangpeng	Advanced lines	500,000 hbliangpengrockwool.made-in-china	Yes (FSK faced) hbliangpengrockwool.made-in-china

Source: (<https://www.perplexity.ai/search/what-is-faced-glasswool-product?La8rmrJSRuAKmLyFTO2DA>).

d. Attractiveness of Indian market

100. Indian market for the subject goods continues to have a healthy demand for the product which is in line with the general economic growth. It is noted that despite the anti-dumping duty in force, the import of the subject goods from China continues to be at dumped prices in the Indian market. Indian demand for the subject goods has increased and there is prospective growth in the demand. These factors make India a suitable and attractive market for the foreign producers.

101. As given in the below table, the authority has examined the export prices of the participating exporter from China to third country vis a vis China to India and noted that per unit prices for China to India are much below the prices from China to third country which suggests that export to India from subject country are at dumped prices.

Particulars	Volume (MT)	Average price US\$/KG
India	***	***
Range		0-5
Third countries	***	***
Range		5-10

Source: Exporter Questionnaire response

e. Likely exports from China and their prices.

102. The Domestic Industry has submitted information based on Trade Map data, according to which the total export quantity of the subject goods from China to other countries in year 2024 amounts to 20,95,504 MT. The same has been verified and noted that the unit price of such export from China to world is 1446 USD/MT which is significantly below to the non-injurious price of the domestic industry.

103. Authority notes that the data submitted by the domestic industry is relied upon four-digit HS 7019 which relates primarily to the Glass fibres, including glass wool and articles thereof (excluding mineral wools and articles thereof...). Authority notes that, in the absence of any granular HS-level data, the Domestic Industry has provided the best information available in the public domain, which is a well-accepted practice. Further, the claim that such data includes rock wool is not substantiated and supported by evidence, which can help the Authority in reaching any conclusions. Therefore, mere assertions, without any corroborative material, cannot render the likelihood data and analysis unreliable.

104. Based on the examination hereinabove, Authority concludes that there is a strong possibility of likelihood of continuation or recurrence of dumping of subject goods, originating in or exported from subject country and consequent injury to the Domestic Industry in case of cessation of Anti-dumping duty.

L. INDIAN INDUSTRY'S INTEREST AND OTHER ISSUES

Submissions made by the Domestic Industry

105. The domestic industry has made the following submissions with regard to Indian industry's interest and other issues:

- i. Dumped imports are causing significant injury. Extending and enhancing anti-dumping duties is essential to maintain a level playing field, ensure the viability of domestic production, and prevent import reliance.
- ii. The initial duties allowed the domestic industry to recover from losses, earn profits, and created a level playing field. Removing the duties would jeopardize the investments and expansions, thereby undermining the growth of the Indian industry.
- iii. None of the interested party has filed Economic Interest Questionnaire format showing that there would be any adverse impact on the downstream industry incase if duties are imposed. It is also noted that none of the user industries has participated in the investigation.
- iv. It is in the interest of consumers to have a market with fairly priced products powered by a domestic industry that can compete with imports.

Submissions made by the other interested parties

106. No submissions have been made regarding Indian industry's interest and other issues by the other interested parties.

Examination by the Authority

107. The Authority notes that the purpose of trade remedial measures, in general, is to eliminate injury caused to the domestic industry by unfair trade practices and re-establish open and fair competition in the Indian market, which is in the general interest of the country. The imposition/continuation of anti-dumping measures does not aim to restrict imports from the subject country in any way. The Authority recognizes that the imposition/continuation of the duties might affect the price levels of the product in India. However, fair competition in the Indian market will not be reduced by the imposition/continuation of the measures. On the contrary, imposition/continuation of the measures would ensure that no unfair advantages are gained, prevent a decline in the performance of the domestic industry and help maintain the availability of wider choice to the consumers of the subject goods

108. The Authority issued initiation notification inviting views from all the interested parties. The Authority also prescribed a questionnaire for the users/ consumers to provide relevant information about the present investigation including any possible effects of anti-dumping duty on their operations. Information was sought on, inter-alia, interchangeability of the product supplied by various suppliers from different countries, effect of anti-dumping duty on the consumers, etc.

109. The Authority had prescribed an economic interest questionnaire which was sent to all interested parties to this review investigation. However, none of the interested parties provided any evidence to prove otherwise.

110. The Authority notes that the purpose of anti-dumping duties is to remedy the injury inflicted upon the domestic industry by the unjust trade practices of dumping, so as to re-establish a situation of open and fair competition in the Indian market. The Authority acknowledges that the continuation of anti-dumping duties will not influence the price levels of the product in India. However, it is crucial to note that the essence of fair competition in the Indian market will remain unscathed by the continuation of these measures. On the contrary, the continuation of the anti-dumping measures would prevent the decline of the domestic industry that may ensue as a consequence of dumping practices and help maintain the wider availability of choices to the consumers.

M. POST-DISCLOSURE SUBMISSIONS

111. The post disclosure submissions have been received from the interested parties, and it is noted that the most of the issues raised are reiterations and have already been raised earlier and also addressed appropriately. Additional submissions have been analyzed as under:

Submissions made by the Domestic Industry

112. The submissions made by the Domestic Industry are as under:

i. The Domestic Industry has requested the Authority to recommend continuation of anti-dumping duties for a further period of five years on the basis of the current dumping and injury margins determined in the present sunset review, in accordance with the Authority's consistent practice of recalculating margins based on updated and verified data. It has further submitted that since the injury margin has increased in the present review and the dumping margin remains significantly higher than the injury margin, the Domestic Industry has a legitimate expectation that the duties be continued at least to the extent of the enhanced injury margin, in line with the Authority's established practice.

ii. That the Domestic Industry has requested the Authority to confirm the conclusion regarding positive likelihood of continued dumping and injury to the Domestic Industry in the Final Findings. It has further submitted that, in the event the Authority is inclined to take any different view, it may kindly be provided an appropriate opportunity to present its submissions in that regard.

Submissions made by the other interested parties

113. The submissions made by the other interested parties are as under:

i. That the Authority should incorporate the scope of the product under consideration as recorded in the disclosure statement under the section titled "Product Under Consideration" and immediately below the duty table, in line with the Authority's approach in the original investigation, to ensure clarity, transparency, and avoid ambiguity at the stage of customs clearance.

ii. That the disclosure statement does not clearly indicate whether the Authority has concluded that the domestic industry is suffering continued injury or whether there exists a likelihood of recurrence of injury in the event of withdrawal of anti-dumping duty. It is further contended that, interested parties are unable to effectively defend its interests in the absence of

such clarity and therefore, they have requested the Authority to clearly specify the same in the final findings.

iii. That the performance data of the domestic industry does not demonstrate continued injury. They have further submitted that there is no correlation between import prices, profitability and continued injury claim of Domestic Industry.

iv. That since the Authority has examined dumping and injury in terms of Articles 2 and 3 of the WTO Anti-Dumping Agreement, a corresponding determination of causal link is necessarily required, and therefore the claim of the Domestic Industry that causal link analysis is not warranted in a sunset review is not justified.

v. The participating exporter group has also requested the Authority to clarify whether the losses of affiliated importers were adjusted while determining the landed value of imports.

vi. That the analysis regarding surplus capacity and exports from China are unsubstantiated and based on inappropriate analysis. It has submitted that the HS codes relied upon largely cover products beyond the scope of the present PUC, thereby rendering the capacity and export analysis unreliable.

Examination by the Authority

114. The Authority notes that most of the submissions made by interested parties are repetitive in nature and were already addressed earlier in the final findings. The findings above deals with these arguments of interested parties. Further, the Authority has examined submissions of interested parties herein below to the extent relevant and not addressed elsewhere.

115. As regards the contention that the disclosure statement does not clearly specify whether the Authority has found continuation of injury or likelihood of recurrence of injury in the event of withdrawal of anti-dumping duty, the Authority notes that the present investigation is a sunset review conducted in terms of Section 9A (5) read with the applicable Rules, which inherently requires an examination of whether cessation of duty would lead to continuation or recurrence of dumping and injury. It is further noted that when disclosure statement is read as a whole, it sets out in detail the analysis of injury parameters during the period of investigation as well as the likelihood assessment, including examination of import volumes, price effects, performance indicators of the domestic industry, surplus capacities, export orientation, and the attractiveness of the Indian market. Therefore, the Authority finds no merit in the contention, as the determination is based on a comprehensive and cumulative evaluation of continuation and likelihood factors in accordance with the statutory framework governing sunset reviews.

116. As regards the contention that the analysis of performance data does not demonstrate continued injury and that there is no correlation between import prices, profitability and other injury parameters, the Authority notes that injury determination is based on a comprehensive evaluation of all relevant economic parameters, including volume effects, price effects, and the overall performance of the domestic industry, and not on isolated trends.

117. As regards the contention that a separate causal link determination is mandatorily required in the present sunset review, the Authority notes that a sunset review under Section 9A (5) entails an integrated assessment of continuation or likelihood of dumping and injury, which

inherently includes examination of the nexus between subject imports and the injury. The Authority has undertaken such examination in accordance with the statutory framework, and therefore finds no merit in the contention that causal link has not been addressed or is legally unwarranted in a sunset review.

118. As regards the request for clarification regarding adjustment of losses in landed value, the Authority confirms that, in accordance with the established methodology, the landed value of imports has been determined after due consideration of the relevant adjustments, including the treatment of losses of affiliated importers, to the extent warranted and duly verified on record. The determination has been made based on verified information and consistent with the applicable Rules.

119. As regards the contention that the analysis of surplus capacity and exports from China is unsubstantiated and based on inappropriate HS codes, the Authority notes that the assessment has been undertaken on the basis of the best available information on record, including published data and credible secondary sources, after due consideration of the scope of the Product Under Consideration. The Authority further notes that the interested party has not placed any substantiated counter-evidence to demonstrate that the data relied upon is incorrect or that the conclusions drawn therefrom are flawed. The issue has been examined in detail in the relevant portion of the Final Findings, and the Authority finds no merit in the contention raised.

120. The Authority notes the submissions of the Domestic Industry. However, upon examination of the facts and circumstances of the present case, the Authority considers that continuation of the existing anti-dumping duties, as imposed pursuant to the original investigation, would be adequate to address the likelihood of continuation or recurrence of dumping and injury. Accordingly, the Authority recommends continuation of the duties at the existing level for a further period of five years, as the same is considered sufficient and appropriate in the facts of the case.

121. The Authority confirms its conclusion regarding positive likelihood of continued dumping and injury in the event of cessation of duties.

N. CONCLUSION

122. The Authority, upon examination of the issues raised in the course of the proceedings, arguments advanced by all interested parties and the facts and evidence on record, concludes as follows:

- i. The scope of the product under consideration determined is 'Faced Glass Wool in Rolls' also referred as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool and excludes "Faced Glasswool in flat / tabular form" such as tiles, sheets or boards and Glass Wool Acoustical Ceiling Tiles.
- ii. The application for the present sunset review has been filed by U.P. Twiga Fiberglass Limited. The applicant satisfies the requirement of standing and constitute 'domestic industry' within the meaning of Rules 5(3) and 2(b) of the ADD Rules, 1995.
- iii. The goods manufactured by the domestic industry are like article to the subject goods imported from China.

- iv. Owens Corning Guangzhou Fiberglass Co Ltd., a producer from the subject country, registered itself in the present investigation and filed response to the prescribed exporter's questionnaire. The exporter has not filed a supplementary questionnaire requesting Market Economy Treatment. The exporter had neither been granted nor had it sought market economy treatment in the previous investigations.
- v. The Authority has determined dumping margin and injury margin based on the net export price and landed value of imported reported by the exporter in its questionnaire response and constructed normal value based on para 7 of the Annexure 1 of the AD Rules.
- vi. Considering the normal value and export price determined, the dumping margin for the subject goods from the subject country is positive and more than de minimis. This shows that the subject imports continue to enter India at dumped prices.
- vii. The position of the domestic industry is vulnerable during the present period of investigation. Further, based on the evidence on record, there is clear indication of likelihood of continuation or recurrence of dumping and injury from China in the event of cessation of duties.
- viii. The demand has declined over the injury period but remains largely similar to the demand in the previous investigation.
- ix. The landed value of imports is lower than the net sales realization of the domestic industry. Thus, the subject imports are undercutting the domestic prices.
- x. Continued dumped imports have an adverse impact on the performance of the domestic industry.
- xi. Non-attribution analysis shows that no other factor has caused injury to the domestic industry. Imports from Egypt is being examined under parallel investigation.
- xii. Considering the non-injurious price determined by the Authority and landed price of imports, it is seen that the injury margin is significant.
- xiii. There is sufficient evidence showing likelihood of continued dumping and injury to the domestic industry in the event of cessation of duties.
- xiv. Producers in China PR hold significant capacities. While one producer has participated in the present investigation however, there are multiple other producers in the subject country. The capacities available with producers in the subject country are significantly higher than their domestic demand. The producers hold surplus and freely disposable capacities, which is likely to be diverted towards India if duties are allowed to expire.
- xv. Subject imports undercut the net sales realization of the domestic industry and have a suppressing and depressing effect on the domestic prices. Continued existence of positive price undercutting demonstrates the likelihood of worsening of injury in case of cessation of duties.

O. RECOMMENDATION

123. The Authority notes that the present proceedings were conducted in accordance with the applicable law. All interested parties were duly notified and were afforded adequate opportunity to provide information and present their views on the matters under investigation, including dumping, injury, causal link, likelihood of continuation or recurrence of dumping and injury and impact of the measures on the Indian industry. Pursuant to the sunset review, the Authority has arrived at the conclusion that continuation of the existing anti-dumping duties is required in the present case.

124. The Authority, after examining submissions made by all interested parties in the present investigation, considers it appropriate and necessary to recommend continuation of definitive duties equal to the figure indicated in Column 7 of the duty table below for a period of five years on all imports of the subject goods from the subject country. Therefore, considering the facts and circumstances of the case, as established hereinabove, anti-dumping duty equal to the amount indicated in Column 7 of the duty table below is recommended to be extended on all imports of the subject goods, originating in or exported from the subject country.

Duty Table

S. No.	Tariff Heading/ Subheading	Description of Goods	Country of Origin	Country of Export	Producer	Duty Amount	Currency	Unit
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	7019 9010 7019 9090 7019 1900 7019 3900 7019 5900	Faced Glass wool in Rolls*	China PR	Any country including China PR	Owens Corning Guangzhou Fiberglass Co Ltd	14.60	USD	MT
2	- do -	- do -	China PR	Any country including China PR	Any other than SI No. 1 above	400.23	USD	MT
3	- do -	- do -	Any country other than China PR	China PR	Any	400.23	USD	MT

* "Faced Glass Wool in Rolls" also referred as Fiberglass Wool (Insulation Material) or Resin Bonded Glass Wool and excludes "Faced Glasswool in flat / tabular form" such as tiles, sheets or boards and Glass Wool Acoustical Ceiling Tiles.

125. The application of the individual duty rates specified for the companies mentioned in the above duty table shall be conditional upon presentation to the customs authorities of a valid commercial invoice, on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows:

“I, the undersigned, certify that the (volume) of (name of PUC) sold for export to the India covered by this invoice was manufactured by (company name and address) in [country concerned]. I declare that the information provided in this invoice is complete and correct.”
If no such invoice is presented, the duty applicable to all other rates shall apply. This requirement is without prejudice to the verification procedures independently undertaken by the Customs authorities under the applicable customs law and regulations.

P. FURTHER PROCEDURE

126. An appeal against the order of the Central Government arising out of these findings shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the Customs Tariff Act, 1975.



Amitabh Kumar
(Designated Authority)