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F. No. 6/58/2026-DGTR
Government of India
Department of Commerce
Ministry of Commerce and Industry
(Directorate General of Trade Remedies)
4th Floor, Jeevan Tara Building 5, Parliament Street, New Delhi - 110001

Dated: 25.09.2026

INITIATION NOTIFICATION

SETU CASE ID - AD/OI/059/2026

Subject: Initiation of anti-dumping investigation concerning imports of 6-Amino Penicillanic Acid (6-APA) from the People's Republic of China and the European Union.

1. F. No. 6/58/2026-DGTR: Having regards to the Customs Tariff Act, 1975, as amended from time to time (hereinafter referred to as the 'Act') and the Customs Tariff (Identification, Assessment, and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter referred to as the 'AD Rules, 1995'), Qule Pharma Private Limited (hereinafter referred to as the 'applicant') has filed an application before the Designated Authority (hereinafter referred to as the 'Authority'), for initiation of an anti-dumping investigation on imports of 6-Amino Penicillanic Acid (6-APA) (hereinafter referred to as the 'product under consideration' or the 'subject goods' or the 'PUC'), originating in or exported from the People's Republic of China and the European Union (hereinafter collectively referred to as the 'subject countries').

2. The applicant has alleged that dumped imports originating in or exported from the subject countries are causing material retardation to the establishment of the domestic industry and has requested for the imposition of anti-dumping duties on the imports of the subject goods from the subject countries.

A. Product under consideration

3. The product under consideration in the present investigation is **6-Amino Penicillanic Acid**" ("6-APA").

4. 6-APA is an organic chemical compound and a direct derivative of Penicillin-G. 6-APA is used in medicinal chemistry, enzyme engineering, industrial biotechnology and research directed at the development of new antibiotics and at addressing antimicrobial

resistance. It is a vital drug intermediate used in the synthesis of beta-lactam antibiotics and is principally consumed in the manufacture of life-saving pharmaceutical products including Amoxycillin, Ampicillin, Cloxacillin, Dicloxacillin, Flucloxacillin and Oxacillin.

5. The unit of measurement considered in the present investigation for the product under consideration is Metric Tonnes (MT).

6. The product under consideration is classifiable under Customs Tariff Heading 2941 10 50 of the First Schedule to the Customs Tariff Act, 1975. The customs classification is indicative only and is not binding on the scope of the present investigation.

7. All interested parties are advised to furnish their comments on the scope of the PUC and the proposed PCN methodology within 15 days from the date of transmission of the intimation letters, containing, *inter alia*, the non-confidential version of the application and the respective questionnaire(s), to the known interested parties and the diplomatic representative(s) of the subject country/countries.

B. Like article

8. The applicant has stated that there are no known differences between the subject goods produced by the applicant and those exported from the People's Republic of China and the European Union. The domestic product and the imported subject goods are comparable in terms of physical and chemical characteristics, functions and uses, pricing, distribution and marketing, and tariff classification; they are technically and commercially substitutable and are used interchangeably by consumers. Thus, for the purpose of initiation of the present investigation, the subject goods produced by the applicant are being treated as 'like article' to the product under consideration imported from the subject countries.

C. Subject country

9. The subject countries in the present investigation are the People's Republic of China ("China PR") and the European Union ("EU").

D. Period of investigation

10. The applicant has proposed the period of investigation as 1st April 2025 to 31st March 2026, which is a period of 12 months. The Authority has considered the period of investigation as 1st April 2025 to 31st March 2026. The injury investigation period covers the financial years 2022-23, 2023-24, 2024-25 and the period of investigation.

E. Domestic industry and standing

11. The application has been filed by Qule Pharma Private Limited. The applicant has stated that there are no other producers of the PUC in India. The applicant has claimed that it is the sole producer of the subject goods in India. The applicant has claimed that previously 6-APA was manufactured in India, however, due to continuous onslaught of dumped imports, the Indian 6-APA industry was completely shut down. The applicant has commenced production of the like article in FY 2024-25. Thus, as per the evidence available on record, the applicant constitutes 100% of Indian domestic production.

12. The applicant has disclosed that it has not imported the subject goods. However, its related entity, Apitoria Pharma Private Limited and its holding company, Aurobindo Pharma Limited, who manufacture downstream products of 6-APA have imported PUC from the subject countries during the injury period including the POI. The applicant has explained that prior to commencement of production by the applicant in FY 2024-25, there was no domestic production of 6-APA in India. Accordingly, the applicant's related entity had to import for production of downstream products. Moreover, due to dumping of 6-APA during the POI, the applicant's production of 6-APA was also affected on account of which imports were also made during the POI. The Authority notes that imports made by the applicant's related entities were not for resale but was consumed for manufacturing of downstream products. In view of the above, the Authority considers that imports made by the applicant's related entity does not change its nature from that of manufacturer.

13. Based on information available on record, the Authority is satisfied that the applicant constitutes domestic industry within the meaning of Rule 2(b) of AD Rules, 1995. The application satisfies the requirements of standing in terms of Rule 5(3) of AD Rules, 1995.

F. Basis of alleged dumping

i. Normal value for China PR

14. The applicant has cited and relied upon Article 15(a) of China's Accession Protocol and has claimed that China PR should be treated as a non-market economy and that producers from China PR should be directed to demonstrate that market economy conditions prevail in the industry with regard to the production and sales of the product under consideration. Unless the producers from China PR show that such market economy conditions prevail, their normal value should be determined in accordance with paragraphs 7 and 8 of Annexure-I to the AD Rules, 1995.

15. The applicant has submitted that information relating to the cost and price of the PUC in a market economy third country is not available in the public domain. Further, information pertaining to export prices from a third country to other countries is also not available. Moreover, export price from a third country (in the present case EU) to

India could also not be considered as EU has also been alleged to be dumping. The Authority notes that paragraph 7 of Annexure-I permits determination of normal value on any other reasonable basis. The applicant has proposed to compute normal value based on the raw material and utility prices in Germany, the norms of the domestic industry and other conversion and selling, general and administrative expenses of the domestic industry and reasonable profits. However, as detailed information pertaining to other cost elements was not available, for the purposes of present initiation, normal value for China PR has been determined on any other reasonable basis in terms of Para 7 of Annexure-I, i.e., on the basis of domestic industry's cost of production, duly adjusted, with a reasonable addition for selling, general and administrative expenses and profit.

ii. Normal value for European Union

16. The applicant has stated that it attempted to obtain the prevailing prices of the subject goods in the EU as well as the details of the price of exports of the subject goods from the EU to third country markets but was unable to find any credible source of information to establish such prices. Accordingly, it proposed to construct normal value on based on the raw material and utility prices in Germany, the norms of the domestic industry and other conversion and selling, general and administrative expenses of the domestic industry and reasonable profits. While the applicant has provided information pertaining to raw material and utilities prices in Germany, data related to conversion cost and selling, general and administrative expenses for manufacturers in European Union was not available. Accordingly, for the purpose of initiation, constructed normal value based on the cost of production of the domestic industry duly adjusted with a reasonable addition for selling, general and administrative expenses and profit have been considered.

iii. *Export price*

17. The export price of the product under consideration has been determined by considering the CIF price of the product under consideration as reported in DG Systems transaction-wise import data. Adjustments have been claimed on account of ocean freight, ocean insurance, port expenses, commission, bank charges, credit cost and inland freight to arrive at the ex-factory export price.

iv. *Dumping margin*

18. The normal value and export price have been compared at the ex-factory level, which *prima facie* establishes that the dumping margin in respect of the product under consideration imported from the subject countries is positive and above the *de minimis* level. There is sufficient *prima facie* evidence that the product under consideration is being dumped into the domestic market of India by exporters from the subject countries.

G. Injury and causal link

19. The applicant has claimed that it is an unestablished producer and that dumped imports from the subject countries are materially retarding the establishment of the domestic industry. The applicant has claimed that it has not been able to achieve production and sales as per its expected performance. Further, the capacity utilisation is low in relation to the demand for the PUC in India during the POI. The applicant has claimed that their actual performance during the POI falls short of the expected projections. Further, subject imports from the subject countries are entering into India below the cost of sales of the domestic industry. The applicant has been forced to reduce its prices to match the landed price of dumped imports from the subject countries. Moreover, the applicant is in losses, earning cash losses and accumulated negative returns during the POI despite reduction in cost of sales.

20. The Authority notes that the volume of the subject imports is not prima facie negligible, the subject countries account for virtually the entire imports of the subject goods into India during the period of investigation. Having regard to Annexure-II to the AD Rules, 1995, the Authority considers, for the purpose of initiation, that there is sufficient *prima facie* evidence of material retardation to the establishment of the domestic industry, the adverse effect of the subject imports being manifested principally through their effect on the volume and price parameters of the domestic industry, and of a causal link between the alleged dumping and such injury.

H. Initiation of anti-dumping investigation

21. On the basis of the duly substantiated written application submitted by the applicant and having reached satisfaction based on the prima facie evidence submitted by the applicant concerning the dumping of the product under consideration originating in or exported from the subject country, the consequential material retardation to the domestic industry as a result of the alleged dumping of the product under consideration and the causal link between such injury and the dumped imports, and in accordance with Section 9A of the Act read with Rule 5 of the AD Rules 1995, the Authority, hereby, initiates an anti-dumping investigation to determine the existence, degree, and effect of the dumping with respect to the product under consideration originating in or exported from the subject countries and to recommend the appropriate amount of anti-dumping duty, which if levied, would be adequate to remove the injury to the domestic industry.

22. The applicant has requested the Authority to issue preliminary findings and to recommend imposition of provisional anti-dumping duty in terms of Rule 13 of the AD Rules, 1995 The same shall be considered, if and to the extent warranted, at the appropriate stage of the investigation, and the interested parties may furnish their comments thereon within the time limit prescribed in this notification.

I. Procedure

23. The provisions stipulated in Rule 6 of the AD Rules, 1995 shall be followed in this investigation.

J. Submission of information

24. All the interested parties are required to register themselves on **SETU Portal (http://setu.dgtr.gov.in)**. All communications and submissions from the interested parties shall be uploaded on the SETU portal under their registered name and corresponding case ID-AD/OI/059/2026. It should be ensured that the narrative part of the submission is in searchable PDF/MS-Word format and data files are in MS-Excel format.

25. The known producers/exporters in the subject countries, the government of the subject countries through their Embassy in India, and the importers and users in India who are known to be associated with the product under consideration are being informed separately to enable them to file all the relevant information within the time limits mentioned in this initiation notification. All such information must be filed in the form and manner as prescribed by this initiation notification, the AD Rules,1995 and the applicable trade notices issued by the Authority.

26. Any other interested party may also make a submission relevant to the present investigation in the form and manner as prescribed by this initiation notification, the AD Rules, 1995 and the applicable trade notices issued by the Authority within the time limits mentioned in this initiation notification.

27. Any party making any confidential submission before the Authority is required to make available a nonconfidential version of the same to the other interested parties.

28. The interested parties are further advised to keep a regular watch on the official website of Directorate General of Trade Remedies at www.dgtr.gov.in and SETU portal (http://setu.dgtr.gov.in) for any updated information with respect to this investigation. Interested parties are directed to regularly visit the website of the DGTR (http://dgtr.gov.in/) to stay apprised with the further developments in the subject investigation and remain informed regarding notices that may be issued from time to time regarding questionnaire formats, PCN methodology, PCN discussion/meeting schedule, notice of oral hearing, corrigendum, amendment notifications and other such information.

K. Time limit

29. Any information relating to the present investigation must be uploaded by the interested parties on the SETU portal (http://setu.dgtr.gov.in) under their registered name and

corresponding case ID - AD/OI/059/2026. Both version of each submission, the confidential version (CV) and the non-confidential version (NCV) must be uploaded in the respective designated columns **within 37 days** from the date of transmission of the intimation letters, containing, inter alia, the non-confidential version of the application and the respective questionnaire(s), to the known interested parties and the diplomatic representative(s) of the subject country/countries, as per Rule 6(4) of the AD Rules,1995. If no information is received within the stipulated time limit or the information received is incomplete, the Authority may record its findings based on the facts available on record and in accordance with the AD Rules, 1995.

30. All the interested parties are hereby advised to intimate their interest (including the nature of interest) in the instant matter and file their questionnaire responses within the above time limit as stipulated in this notification through SETU portal only.

31. The 15-day period to file comments on the scope of the PUC/PCN Methodology shall run concurrently with the time limit mentioned in this initiation notification.

32. Extension due to Modification of PUC/PCN: An extension of time by 15 days shall be granted if the Authority, through a subsequent notice, modifies the PUC and PCN that was not previously proposed or is different from the initiation notification. The extension of 15 days shall be granted from date of such notification of modified PUC and PCN. Extension of time by 15 days stated in this paragraph is not applicable in instances where there is no change in the PUC and PCN methodology, after initiation of investigation. Requests for a further extension of time, beyond the 15 days extension (if granted), will ordinarily not be considered except in case of exceptional circumstances, in line with the Rules 6(4) of the AD Rules, 1995.

33. Any request for an extension must be submitted by the concerned parties through the SETU portal at least one day before the original deadline. Requests submitted after this time will not be considered.

L. Submission of information on confidential basis

34. Where any party to the present investigation makes confidential submissions or provides information on a confidential basis before the Authority, such party is required to simultaneously submit a non-confidential version of such information in terms of Rule 7(2) of the AD Rules, 1995 and in accordance with the relevant trade notices issued by the Authority in this regard. Failure to adhere to the above may lead to rejection of the response/submissions.

35. The parties making any submission (including Appendices/Annexes attached thereto), before the Authority including questionnaire responses, are required to file confidential and non-confidential versions separately.

36. Such submissions must be clearly marked as 'confidential' or 'non-confidential' at the top of each page. Any submission that has been made to the Authority without such markings shall be treated as 'non-confidential' information by the Authority, and the Authority shall be at liberty to allow other interested parties to inspect such submissions.

37. The confidential version shall contain all information which is, by nature, confidential and/or other information, which the supplier of such information claims as confidential. For the information which is claimed to be confidential by nature, or the information on which confidentiality is claimed because of other reasons, the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed.

38. The non-confidential version of the information filed by the interested parties should be a replica of the confidential version with the confidential information preferably indexed or blanked out (where indexation is not possible) and such information must be appropriately and adequately summarized depending upon the information on which confidentiality is claimed.

39. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on a confidential basis. However, in exceptional circumstances, the party submitting the confidential information may indicate that such information is not susceptible to summary, and a statement of reasons containing a sufficient and adequate explanation in terms of Rule 7 of the AD Rules, 1995, and appropriate trade notices issued by the Authority, as to why such summarization is not possible, must be provided to the satisfaction of the Authority.

40. The interested parties can offer their comments on the issues of confidentiality within 7 days from the date of circulation of the non-confidential version of the documents.

41. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or if the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

42. Any submission made without a meaningful non-confidential version thereof or a sufficient and adequate cause statement in terms of Rule 7 of the AD Rules, 1995 and appropriate trade notices issued by the Authority, on the confidentiality claim shall not be taken on record by the Authority.

M. Inspection of public file

43. All non-confidential versions of submissions made by any interested party will be accessible to other interested parties through their respective login on the SETU Portal.

N. Non-cooperation

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

Digitally signed by Amitabh Kumar
Date: 25-09-2026 17:26:31

Amitabh Kumar
Designated Authority