

Seeks to impose definitive anti dumping duty on imports of Rubber Chemicals originating in, or exported from China PR and Korea for a period of five years.

GOVERNMENT OF INDIA

MINISTRY OF FINANCE

(DEPARTMENT OF REVENUE)

Notification No. 35/2014-Customs (ADD)

New Delhi, Dated the 24th July 2014

G.S.R. (E). – Whereas, the designated authority, vide notification No. 15/1/2013-DGAD dated 30th April, 2013, published in Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of continuation of anti-dumping duty on imports of Rubber Chemicals, namely, MBT, CBS, TDQ, PVI, TMT and PX-13(6PPD) originating in or exported from the People's Republic of China and PX-13(6PPD) originating in or exported from Korea RP falling under Chapter 29 or 38 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 133/2008-Customs, dated the 12th December, 2008, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) vide number G.S.R. 853 (E), dated the 12th December, 2008 and vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 92/2011-Customs, dated the 20th September, 2011, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) vide number G.S.R. 700 (E), dated the 20th September, 2011;

And whereas, the Central Government had extended the anti-dumping duty on Rubber Chemicals, namely, MBT, CBS, TDQ, PVI, TMT and PX-13(6PPD) originating in or exported from the People's Republic of China and PX-13(6PPD) originating in or exported from Korea RP upto and inclusive of the 4th May, 2014, vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 16/2013-Customs (ADD), dated the 5th July, 2013, published in the Gazette of India, Extraordinary Part II, Section 3, Sub-section (i) vide number G.S.R 465 (E), dated the 5th July, 2013 and vide notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 17/2013-Customs (ADD), dated the 5th July, 2013, published in the Gazette of India, Extraordinary ,Part II, Section 3, Sub-section (i) vide number G.S.R 466 (E), dated the 5th July, 2013 respectively;

And whereas, in the matter of review of anti-dumping duty on import of the above mentioned rubber chemicals (hereinafter referred to as the subject goods), originating in or exported from the People's Republic of China and Korea RP (hereinafter referred to as the subject countries), the designated authority in its final findings, vide notification No. 15/1/2013-DGAD, dated 29th April, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) the dumped imports of subject goods from the subject countries are causing injury to the domestic industry;
- (ii) there is likelihood of dumping and injury to the domestic industry if the existing duties on the subject goods being imported from the subject countries are allowed to expire

and has recommended continuation of the imposition of anti-dumping duty on the subject goods, originating in or exported from subject countries.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act, read with rules 18 and 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table-1 below, specification of which is specified in column (4), falling under the heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (5), exported from the countries as specified in the corresponding entry in column (6), produced by the producers as specified in the corresponding entry in column (7), exported by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (9) in the currency as specified in the corresponding entry in column (11) and as per unit of measurement as specified in the corresponding entry in column (10), of the said Table-1, namely:-

Table-1

Sr. No. (1)	Tariff items (2)	Description of goods (3)	Specifications (4)	Country of origin (5)	Country of export (6)	Producer (7)	Exporter (8)	Amount (9)	Unit (10)	Currency (11)
1	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	People's Republic of China	People's Republic of China	Shandong Sinorgchem Technology Co. Ltd.	Jiangsu Sinorgchem Technology Co. Ltd.	1.55	Kilogram	US\$
2	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	People's Republic of China	People's Republic of China	Sinorgchem Co. Tai'an	Jiangsu Sinorgchem Technology Co. Ltd.	1.55	Kilogram	US\$
3	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	People's Republic of China	People's Republic of China	Any combination of Producer and Exporter other than at S. No.1 and 2.		1.84	Kilogram	US\$
4	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	People's Republic of China	Any Country	Any other than above	Any other than above	1.84	Kilogram	US\$
5	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Any Country other than Korea RP	People's Republic of China	Any other than above.	Any other than above.	1.84	Kilogram	US\$
6	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Korea RP	Korea RP	Kumho Petrochemicals Co Ltd.	Kumho Petrochemicals Co Ltd.	1.33	Kilogram	US\$
7	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Korea RP	Korea RP	Kumho Petrochemicals Co Ltd.	Daewoo International Corporation	1.33	Kilogram	US\$
8	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Korea RP	Korea RP	Any combination of Producer and Exporter other than at S. No.6 and 7.		1.63	Kilogram	US\$

Sr. No. (1)	Tariff items (2)	Description of goods (3)	Specifications (4)	Country of origin (5)	Country of export (6)	Producer (7)	Exporter (8)	Amount (9)	Unit (10)	Currency (11)
9	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Korea RP	Any Country	Any other than above.	Any other than above.	1.63	Kilogram	US\$
10	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PX - 13	S.No.1 of Table-2	Any Country other than People's Republic of China	Korea RP	Any other than above.	Any other than above.	1.63	Kilogram	US\$
11	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical MBT	S.No.2 of Table-2	People's Republic of China	People's Republic of China	Any	Any	0.70	Kilogram	US\$
12	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical MBT	S.No.2 of Table-2	Any Country	People's Republic of China	Any	Any	0.70	Kilogram	US\$
13	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical MBT	S.No.2 of Table-2	People's Republic of China	Any Country	Any	Any	0.70	Kilogram	US\$
14	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TDQ	S.No.3 of Table-2	People's Republic of China	People's Republic of China	Any	Any	0.55	Kilogram	US\$
15	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TDQ	S.No.3 of Table-2	Any Country	People's Republic of China	Any	Any	0.55	Kilogram	US\$
16	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TDQ	S.No.3 of Table-2	People's Republic of China	Any Country	Any	Any	0.55	Kilogram	US\$

Sr. No. (1)	Tariff items (2)	Description of goods (3)	Specifications (4)	Country of origin (5)	Country of export (6)	Producer (7)	Exporter (8)	Amount (9)	Unit (10)	Currency (11)
17	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TMT	S.No.4 of Table-2	People's Republic of China	People's Republic of China	Any	Any	0.62	Kilogram	US\$
18	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TMT	S.No.4 of Table-2	Any Country	People's Republic of China	Any	Any	0.62	Kilogram	US\$
19	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical TMT	S.No.4 of Table-2	People's Republic of China	Any Country	Any	Any	0.62	Kilogram	US\$
20	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical CBS	S.No.5 of Table-2	People's Republic of China	People's Republic of China	Any	Any	0.85	Kilogram	US\$
21	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical CBS	S.No.5 of Table-2	Any Country	People's Republic of China	Any	Any	0.85	Kilogram	US\$
22	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical CBS	S.No.5 of Table-2	People's Republic of China	Any Country	Any	Any	0.85	Kilogram	US\$
23	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PVI	S.No.6 of Table-2	People's Republic of China	People's Republic of China	Any	Any	1.24	Kilogram	US\$
24	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PVI	S.No.6 of Table-2	Any Country	People's Republic of China	Any	Any	1.24	Kilogram	US\$

Sr. No. (1)	Tariff items (2)	Description of goods (3)	Specifications (4)	Country of origin (5)	Country of export (6)	Producer (7)	Exporter (8)	Amount (9)	Unit (10)	Currency (11)
25	2902, 2907, 2909, 2917, 2921, 2925, 2930, 2933, 2934, 2935, 2942, 3811, 3812, 3815	Rubber chemical PVI	S.No.6 of Table-2	People's Republic of China	Any Country	Any	Any	1.24	Kilogram	US\$

Note: The specifications indicated in the Table-2 below shall be applicable for the specifications referred to in column (4) of Table-1.

Table-2

S. No.	Generic Name	Chemical Description/Other trade name/brand names
1	PX-13(6PPD)	N- (1, 3-dimethyl butyl)-N' Phenyl – p –phenylenediamine, or 6C , or Pilflex13, Antooxide 4020, Kumanox 13, Vulcanox 4020
2	MBT	2-Mercapto Benzothiazole, or Accelerator M, Accelerator MBT
3	TDQ/TMQ	Polymerized 2,2, 4-Trimethyl-1,2-dihydroquinoline, or TDQ or Antioxidant RD
4	TMT	Tetramethylthiuram Disulfide, or Accelerator TMTD, Thiuram C
5	CBS	N-cyclohexyl-2-benzothiazole sulphenamide, or Accelerator CZ. Accelerator HBS, CBS
6	PVI	N-(Cyclohexylthio)phthalimide, or Anti Scorch Agent CTP , PVI

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be paid in Indian currency.

Explanation.- For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

(Akshay Joshi)

[F.No.354/32/2008-TRU (Pt-II)]

Under secretary to the Government of India

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