

ADHYATAN

TPM Newsletter

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Key Highlights

European Union requests consultations for bringing Colombia into compliance over the commitments under dispute regarding Colombian anti-dumping duties on Frozen Fries. (04 Jun)

The European Union has requested for consultation under Article 21.5 of the Dispute Settlement Understanding to address methodology used for calculating the dumping margin as per its commitments pursuant to the WTO panel ruling and arbitral award concerning dispute regarding Columbia's anti-dumping duty on Frozen Fries from Belgium, the Netherlands, and Germany. The EU has claimed that Colombia's compliance to its commitments is inconsistent with the WTO's Anti-Dumping Agreement. This request is the first request for consultation concerning compliance proceedings following an arbitration award under Article 25 of the WTO's Dispute Settlement Understanding.

The European Union extends safeguard measures on certain Steel products for additional 2 years. (25 Jun)

The European Commission has decided to extend the safeguard measures on imports of certain Steel Products, originally imposed in 2018 for a further period of two years, till June 2026. This marks the second extension of said measures which are in the form of Tariff Rate Quota (TRQ). India and European Union have not been able to reach a compensation agreement. India has notified to the WTO Council for Trade in Goods that it reserves its rights to suspend equivalent concessions or obligations under the Agreement on Safeguards.

WTO Members adopt Report on Sanitary and Phytosanitary (SPS) Declaration Work Programme (26 Jun)

The WTO members adopted its report on the Sanitary and Phytosanitary (SPS) Declaration Work Programme in the SPS Committee meeting held on 26th June 2024. The adoption of the said report fulfilled the mandate conferred by the ministers at the 12th WTO Ministerial Conference in June 2022. The report affirmed the importance of aligning SPS measures with international standards and scientific principles from bodies like the Codex Alimentarius Commission, the World Organisation for Animal Health (WOAH), and the International Plant Protection Convention (IPPC).

Proposed Amendment to Anti-Absorption Rules

- *Anti-absorption provisions were introduced by the Indian Government vide Finance Act, 2021.*
- *Absorption of duty has been defined as a situation wherein export price declines post imposition of duties without commensurate decline in cost of production, export price to other countries, or resale price of article in India.*
- *The DGTR has proposed amendments, including removal of the words “exporting country” or “countries” from Rule 29(1) which will clarify that an anti-absorption investigation can be filed against an individual or selective producers from a subject country.*
- *There is a need for further clarification in the Rules in order to consider a situation of absorption of duties even when the import price increases without commensurate increase in cost of production.*

The Government of India introduced anti-absorption provisions in the Customs Tariff Act vide the Finance Act, 2021. Section 9(1B) and Section 9A(1B) were introduced to incorporate provisions relating to anti-absorption reviews of anti-dumping duty and countervailing duty respectively¹. The Rules were amended thereafter vide Notification No. 84/2021-Customs (NT) dated 27th October 2021 and Notification No. 83/2021 – Customs (NT) dated 27th October 2021, incorporating Rule 29, Rule 30 and Rule 31 in the Anti-Dumping Rules and Anti-Subsidy Rules respectively².

Under the provisions, absorption of anti-dumping / anti-subsidy duty was defined as a situation wherein the export price of an article declines post imposition of duties without any commensurate change in the following:

- a. Cost of production of such article; or
- b. Export price of such article to countries other than India; or
- c. The resale price of such article in India

¹ See Article on “Anti-Absorption Provisions for ensuring desired effect of duties”, <https://tpm.in/wp-content/uploads/2021/04/Adhyatan-TPM-Newsletter-Issue-3-of-2021.pdf>

² See Article on “Introduction of anti-absorption provisions in India” <https://tpm.in/wp-content/uploads/2021/11/11-Adhyatan-TPM-Newsletter-Issue-11-of-2021.pdf>

The absorption provisions were much needed in India, since it provides the Designated Authority teeth to address a situation where the exporter has sought to negate the effect of the anti-dumping duty / countervailing duty imposed, without going through the detailed investigation process of a mid-term review. The first anti-absorption review in India was initiated into imports of Polyethylene Terephthalate Resins from China PR on 4th March 2024³.

Recently, on 18th June 2024, the DGTR issued a notification for stakeholder consultations and requested comments from all stakeholders on proposed amendments in the Act and the Rules for anti-absorption investigation. The amendments, inter-alia, proposes to delete the words “exporting country” or “countries” from Rule 29(1). Currently, Rule 29(1) of the Anti-Dumping Rules states as follows:

“(1) An anti-dumping duty imposed under Section 9A of the Act may be considered to be absorbed when export prices of an article from the exporting country or countries decrease post imposition of the anti-dumping duty without any commensurate change in cost of production of such article or export prices of such article to countries other than India or resale price of such article in India”

The language of the provision led to confusion and debate on whether an anti-absorption investigation can be initiated against a single producer or selective producers from the subject country, or whether such an investigation can only be conducted against the country as a whole.

In case the interpretation of the provision is taken to be that the investigation can be conducted only against a country as a whole, the same will defeat the purpose of the legislation. This is due to the fact that in a situation where only a single producer is involved in absorption of duties, such absorption would be masked on average basis, especially in cases where other producers are not absorbing the duties in force. This will leave the domestic industry remediless under the anti-absorption provisions.

Further, an anti-absorption application can be filed by any interested party including the domestic producers, foreign producers, exporters, importers or users. In case, the interpretation of the provision is considered to be that an anti-

³ See Article on “India’s first anti-absorption review – An expedited remedy to the industry”.
<https://tpm.in/wp-content/uploads/2024/04/Adhyatan-TPM-Newsletter-April-2024.pdf>

absorption investigation can be conducted only against the subject country as a whole, no foreign producer or exporter will approach the Authority with alleged absorption by other producers / exporters from the subject country. This is due to the fact that such an application will lead to initiation of an investigation against the applicant producer / exporter itself, thus, rendering such provision redundant and ineffective.

The proposed amendment is only clarificatory in nature. This is a welcome clarification regarding the provisions of Anti-Dumping and Anti-Subsidy Rules for any interested party seeking remedy against absorption of duties by a single producer / exporter from a subject country.

While proposed amendments would clarify the Rules and scope of anti-absorption investigation, there is a need for further clarification in the Rules in addition to what has been proposed. The Rules state that absorption is considered when there is a decline in export price. However, there can occur a situation where the producers / exporters in the subject country absorb the duties in force even when the export price has not declined. This is relevant in cases where the export price has increased but the increase is not commensurate to increase in cost of production for such article. Though it can be argued that the present law already allows for such absorption to also be addressed, it would be appropriate to further clarify the provisions in this regard.

- Salil Arora, Senior Associate

Foreign Trade Policy

Amendment in item description of Glufosinate Technical (03 Jun)

The Directorate General of Foreign Trade has modified the item description of Glufosinate Technical under HS Code 38 08 9390 to Glufosinate and its salts.

Relaxation in the provision of submission of 'Bill of Export' as evidence of discharge of export obligation for supplies made to SEZ units in case of Advance Authorisation (03 Jun)

In light of various representations received, the Directorate General of Foreign Trade has relaxed the requirement for submitting 'Bill of Entry' as evidence of discharge of export obligation under Advance Authorisation for supplies made to SEZ units. In lieu of the Bill of Entry, an exporter may now support the following:

- a. ARE-1 (showing the Advance Authorisation No./DFIA File No.) duly attested by jurisdictional Central Excise/GST Authorities and the exporter.
- b. Evidence of receipt of supplies by the recipient in SEZ.
- c. Evidence of payment made by the SEZ unit to the exporter as per Para 4.21 of Foreign Trade Policy.

Provision for import of inputs subject to mandatory Quality Control Orders (06 Jun)

The Directorate General of Foreign Trade (DGFT) has enabled provisions for exempting inputs imported by Advance Authorisation holders and EOUs, from mandatory Quality Control Orders. The DGFT has added Department of Chemicals & Petro-chemicals in Appendix 2Y with the list of Ministries / Departments whose notifications on mandatory QCOs are exempted by the DGFT for goods to be utilised/consumed in the manufacture of export products with immediate effect.

Revision in Handbook of Procedure with regard to ANF-4F under Advance Authorisation (06 Jun)

The Directorate General of Foreign Trade has amended Guidelines for Applicants under ANF-4F of the Handbook of Procedures in order to simplify the procedure and reduce the compliance burden for applying EODC, in case of deemed exports under Advance Authorisation. The relevant modifications are available at the [link](#) herein.

Review of export obligation under Appendix-4J (18 Jun)

After receiving requests from various stakeholders, the Directorate General of Foreign Trade has proposed a review of the export obligation period under Appendix-4J under Advance Authorisation. In this regard, the DGFT has notified a revised Appendix-4J and invited comments from all stakeholders latest by 3rd July 2024. The revised Appendix is available at the [link](#) herein.

Extension of Interest Equalisation Scheme (IES) for Pre and Post Shipment Rupee Export Credit (28 Jun)

The Directorate General of Foreign Trade had earlier extended the Interest Equalisation Scheme (IES) for Pre and Post Shipment Rupee Export Credit till 30th June 2024. The scheme has been further extended for two months that is, till 31st August 2024. However, the extension is only available to MSME exporters, and the total outlay of the scheme is capped at ₹ 750 crores.

Trade Agreements

Indian Updates

India and Bangladesh agree to initiate trade negotiations

Bangladesh and India have agreed to initiate trade negotiations for a comprehensive economic partnership agreement. The two sides have planned to further their relations into areas of digital domain, maritime sphere and railway connectivity.

India and South Korea expected to revise existing free trade agreement

India and South Korea have begun discussions for revising the existing free trade agreement. India has started seeking inputs from different ministries, including steel, heavy industries, textiles, chemicals and petrochemicals. India has reportedly sought better market access for its steel products, amid reservations from Korean companies in buying Indian steel. The revision is expected to include areas such as implementation issues, rules of origin, verification process and release of consignments; customs procedures; liberalisation of trade in goods; and sharing and exchange of trade data.

Global Updates

Israel and the United Arab Emirates sign a free trade agreement

Israel and the UAE have signed a trade agreement with the aim to provide a tax exemption on 96% of the trade pertaining to food, agriculture, cosmetics, medical equipment and medicines.

The European Free Trade Association (EFTA) signed revised Free Trade Agreement with Chile

The EFTA (Iceland, Liechtenstein, Norway and Switzerland) has signed a revised free trade agreement with Chile. The revised Agreement includes issues pertaining to sustainable development, financial arrangements, small and medium sized enterprises (SMEs) and e-commerce. The upcoming Agreement is also expected to focus on enhancing competitiveness of small and medium enterprises.

Non-Tariff Measures

Indian Updates

Amendment in Quantity Control Order for Telescopic Ball Bearing Drawer Slide (04 Jun)

The Department of Chemicals and Petrochemicals has amended the following Quality Control Orders, which will be effective from 6th September 2024.

- Textiles-High Density Polyethylene (HDPE) / Polypropylene (PP) Woven Sacks for Packaging Fertilizers (Quality Control) Order, 2023
- Textiles-High Density Polyethylene (HDPE) / Polypropylene (PP) Woven Sacks for Packaging of 50 kg Cement (Quality Control) Order, 2023
- Textiles-Polypropylene (PP) Woven, Laminated, Block Bottom Valve Sacks for Packaging of 50 kg Cement (Quality Control) Order, 2023
- Textiles-Polypropylene (PP) / High Density Polyethylene (HDPE) Laminated Woven Sacks for Mail Sorting, Storage, Transport and Distribution (Quality Control) Order, 2023.

Quantity Control Order for Bottled Water Dispensers (04 Jun)

The Department for Promotion of Industry and Internal Trade has issued the Bottled Water Dispensers (Quality Control) Order, 2024. The order shall come into force on 1st July 2024. However, for small enterprises, it shall come into force on 1st October 2024 and for micro-enterprises, it shall come into force on 1st January 2025.

Quality Control Order for Precision Roller and Bush Chains attachments, and Associated Chains Sprockets (05 Jun)

The Department for Promotion of Industry and Internal Trade has issued the Precision Roller and Bush Chains, attachments, and associated chains sprockets (Quality Control) Order, 2024. The order shall come into force on 1st October 2024. However, for small enterprises, it shall come into force on 1st January 2025 and for micro-enterprises, it shall come into force on 1st April 2025.

Draft Quality Control Order for Cross Recessed Screws (13 Jun)

India has notified the WTO of its draft on Quality Control Order concerning Cross Recessed Screws. The draft order has been issued by the Department for Promotion of Industry and Internal Trade for seeking comments from WTO members within 60 days, that is, by 12th August 2024. The Order is aimed at prevention of deceptive practices and consumer protection. It shall come into force on the date of its publication in the Official Gazette. However, for small enterprises, it shall come into force after 9 months and for micro-enterprises it shall come into force after 12 months from its publication in the Gazette.

Quality Control Order for Cast Iron Products (22 Jun)

The Department for Promotion of Industry and Internal Trade has issued a Cast Iron Products (Quality Control) Order. 2024. The order shall come into force on 1st September 2024. However, for small enterprises, it shall come into force on 1st December 2024 and for micro-enterprises, it shall come into force on 1st March 2025.

Global

China

National Standard for rubber and plastics machinery (19 Jun)

The State Administration for Market Regulation, China has notified the WTO of its intention to issue the National Standards for Rubber and Plastics Machinery. The Standard would provide the basic requirements for general safety essential for designing and production of rubber and plastics machinery and supplementary safety requirements for specific machines. The objective of this measure is protection of human health.

National Standard for Lithium-ion battery for electric bicycle (19 Jun)

The State Administration for Market Regulation, China has notified the WTO of its intention to issue the Compulsory Product Certification Implementation Rules for Lithium-ion Battery for Electric Bicycle. The Rules would provide for the scope, post-certification supervision and certification criteria, mode, unit division, application, implementation, certificate, mark, fees, responsibilities, and implementation rules for Lithium-ion battery for electric bicycle. The objective of this measure is protection of human health.

Bureau of Indian Standards

Substitution of Standards (05 Jun)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 21st May 2024. However, the previous unamended Standards will remain in force concurrently till 21st June 2024. For a full list of products, please refer to the attached [link](#).

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 1218 : 2024 Tar and Bituminous Materials — Methods for Test — Determination of Phenols (Second Revision)	IS 1218 - 1978 Methods for Testing Tar and Bituminous Materials: Determination of Phenols (First Revision)
IS 1219 : 2024 Tar and Bituminous Materials — Methods for Test — Determination of Naphthalene (Second Revision)	IS 1219 - 1978 Methods for Testing Tar and Bituminous Materials: Determination of Naphthalene (First Revision)
IS 1220 : 2024 Tar and Bituminous Materials — Methods for Test — Determination of Volatile Matter Content (Second Revision)	IS 1220 - 1978 Methods for Testing Tar and Bituminous Materials: Determination of Volatile Matter Content (First Revision)

Substitution of Standards (26 Jun)

The Bureau of Indian Standards has notified substitution of the Standard **IS 3623 : 2024** Guide and Rubbing Ropes — Specification (Second Revision) with effect from 06th June 2024. However, the previous unamended Standard, **IS 3623 - 1978** Specification for Guide and Rubbing Ropes (First Revision) will remain in force concurrently till 6th September 2024.

Establishment of Standards (27 Jun)

The Bureau of Indian Standards has notified establishment of certain Standard, including **IS 18731 : 2024** Fumed Silica — Specification from 27th May 2024. For a full list of products, please refer to the attached [link](#).

Amendment of Standards (27 Jun)

The Bureau of Indian Standards has notified amendment of **IS 4454 (Part 4) : 2001** Steel Wire for Mechanical Springs — Specification Part 4 Stainless Steel Wire (Second Revision) from 28th May 2024. However, the previous unamended Standard will remain in force concurrently till 27th November 2024.

Amendment of Standards (28 Jun)

The Bureau of Indian Standards has notified amendment of the following Standards with effect from 5th June 2024. However, the previous unamended Standards will remain in force concurrently till 04th November 2024.

- **IS 5522 : 2014** Stainless Steel Sheets and Strips for Utensils — Specification (Third Revision)
- **IS 12145 - 1987** Specification for Quenched and Tempered Alloy Steel Forgings for Pressure Vessels

Trade Remedial Actions

Indian Updates

Chapter 28 – Inorganic chemicals, organic or inorganic compounds of precious metals, of rare-earth metals

Imposition of anti-dumping duty on imports of Sodium Cyanide from China, European Union, Japan and Korea (27 Jun)

The Central Government has imposed anti-dumping duty on imports of Sodium Cyanide from China, European Union, Japan and Korea. The imposition of anti-dumping duty was recommended by the DGTR vide Final Findings notification F. No. 6/03/2023-DGTR, dated 28th March 2024. The anti-dumping duty imposed is in the range of 13 USD per MT to 554 USD per MT.

Chapter 29 – Organic Chemicals

Initiation of sunset review of anti-dumping duty on imports of Purified Terephthalic Acid from Korea and Thailand. (29 Jun)

The DGTR has initiated the sunset review investigation of anti-dumping duty on imports of Purified Terephthalic Acid from Korea and Thailand, pursuant to an application filed by MCPI Private Limited and Reliance Industries Limited. The DGTR noted that there is prima facie evidence of dumping and injury, and likelihood of injury to the domestic industry as imports have increased and the landed price of imports is undercutting the prices of the domestic industry. The profitability of the domestic industry has declined. Further, the DGTR has prima facie noted that the producers in the subject countries have surplus capacities, face trade remedial measures in third countries and are export oriented.

Chapter 38 – Miscellaneous chemical products

Final Findings issued in sunset review of anti-subsidy duty on imports of Atrazine Technical from China (14 Jun)

The DGTR has issued final findings recommending continuation of anti-subsidy duty on imports of Atrazine Technical from China. The investigation

was initiated pursuant to an application filed by Meghmani Industries Limited. The DGTR concluded that the producers in the subject country have benefitted from the subsidies provided in China and subsidized imports of the product under consideration into India have caused injury to the domestic industry. The DGTR also concluded that there is likelihood of continuation of subsidization and injury to the domestic industry as there are surplus capacities in China, Chinese producers are export oriented, India is one of the largest markets and India is a price attractive market.

Initiation of anti-dumping investigation into imports of Thiram in any form from European Union (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of Thiram in any form from the European Union, pursuant to an application filed by Swarup Chemicals Private Limited. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry as imports have increased even though there is no demand-supply gap in India, the domestic industry is operating at a low-capacity utilization and market share and has incurred losses, cash losses and negative return on investment.

Initiation of anti-dumping investigation into imports of Glufosinate and its salts from China (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of Glufosinate and its salts from China, pursuant to an application filed by UPL Limited and its related entities. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry as imports have increased at prices below the cost of sales and selling price of the domestic industry. The market share, domestic sales, production, capacity utilization, profits and return on investment of the domestic industry have declined.

Chapter 39 – Plastic and articles thereof

Imposition of provisional anti-dumping duty on imports of Poly Vinyl Chloride Paste Resin from China, Korea , Malaysia, Norway, Taiwan and Thailand (13 Jun)

The Central Government on 13th June 2024 imposed provisional anti-dumping duty on imports of Poly Vinyl Chloride Paste Resin from China, Korea, Malaysia, Norway, Taiwan and Thailand. The imposition of anti-dumping duty

was recommended by the DGTR vide Preliminary Findings No. 6/17/2023-DGTR, dated 26th April 2024. The anti-dumping duty imposed is upto 600 USD per MT.

Initiation of anti-dumping investigation into imports of Liquid Epoxy Resins from China, Korea, Saudi Arabia, Taiwan and Thailand (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of Liquid Epoxy Resins from China, Korea, Saudi Arabia, Taiwan and Thailand, pursuant to an application filed by Atul Limited and Hindusthan Specialty Chemicals Limited. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry as imports have increased in absolute and relative terms and are undercutting the prices of the domestic industry. The market share, profitability and return on investment of the domestic industry have declined.

Chapter 55 – Man-made Staple Fibres

Initiation of anti-dumping investigation into imports of Acrylic Fibre from China, Peru and Thailand (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of Acrylic Fibre from China, Peru and Thailand, pursuant to an application filed by Indian Acrylic Limited, Pasupati Acrylon Limited and Vardhaman Acrylics Limited. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry as imports have increased even though there is no demand-supply gap in India, the imports are undercutting and depressing the prices of the domestic industry. The production, capacity utilization, market share and return on investment of the domestic industry have declined.

Chapter 70 – Glass and glassware

Initiation of anti-dumping investigation into imports of Glass Fibre and articles thereof from Bahrain, China and Thailand (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of Glass Fibre and articles thereof from Bahrain, China and Thailand, pursuant to an application filed by Owens-Corning (India) Private Limited. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry due to the increase of volume of imports and positive price undercutting which had an adverse impact on the profitability of the domestic

industry. The landed price of imports have caused price suppression and depression which has prevented the domestic industry from achieving its reasonable rate of return.

Chapter 73 – Articles of iron or steel

Final Findings in sunset review of anti-subsidy duty on imports of Welded Stainless-Steel Pipes and Tubes from China and Vietnam (15 Jun)

The DGTR has issued final findings recommending continuation of anti-subsidy duties on the imports of Welded Stainless-Steel Pipes and Tubes from China and Vietnam. The investigation was initiated on request of the Stainless-Steel Pipes and Tubes Manufacture Association, New Delhi and Stainless-Steel Pipes & Tubes Manufacture Association, Gujarat. The DGTR concluded that while the demand for the subject goods declined, the imports from Vietnam have increased. The domestic industry was unable to operate at optimum level of capacity and the market share of imports from Vietnam has increased. There is likelihood of continuation of subsidization and consequent injury to the domestic industry as imports were prices below the selling price and cost of sales of the domestic industry, Chinese producers have surplus capacities which might be used for exports to India and the producers in the subject country face trade remedial measures in other jurisdictions.

Chapter 83 – Miscellaneous articles of base metal

Imposition of anti-dumping duty on imports of Easy Open Ends of Tin Plate, including electrolytic tin plate (ETP), measuring 401 Diameter (99MM) and 300 Diameter (73MM) from China (27 Jun)

The Central Government has imposed anti-dumping duty on imports of Easy Open Ends of Tin Plate, including electrolytic tin plate (ETP), measuring 401 Diameter (99MM) and 300 Diameter (73MM) from China. The imposition of anti-dumping duty was recommended by DGTR vide Final Findings notification F. No. 6/1/2023-DGTR, dated 28th March 2024. The anti-dumping duty imposed is USD 741 per lakh pieces.

Imposition of provisional anti-dumping duty on imports of Telescopic Channel Drawer Slider from China (27 Jun)

The Central Government has imposed provisional anti-dumping duty on imports of Telescopic Channel Drawer Slider from China. The imposition of the anti-dumping duty was recommended by the DGTR vide its Preliminary Findings F. No. 6/13/2023-DGTR, dated the 19th April 2024. The anti-dumping duty imposed is USD 614 per MT.

Chapter 84 - Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

Imposition of anti-dumping duty on imports of Alloy Steel Chisel/Tool and Hydraulic Rock Breaker from China and Korea (27 Jun)

The Central Government has imposed anti-dumping duty on imports of Alloy Steel Chisel/Tool and Hydraulic Rock Breaker from China and Korea. The imposition of anti-dumping duty was recommended by DGTR vide Final Findings notification No. 6/8/2022-DGTR, dated 28th March 2024. The anti-dumping duty imposed is upto 162.50%.

Initiation of anti-dumping investigation into imports of T-Shaped Elevator / Lift Guide Rails and Counterweight Guide Rails from China. (29 Jun)

The DGTR has initiated an anti-dumping investigation into imports of T-Shaped Elevator / Lift Guide Rails and Counterweight Guide Rails from China, pursuant to an application filed by Savera India Riding Systems Company Private Limited. The DGTR noted that there is prima facie evidence of dumping and injury to the domestic industry as imports have increased at prices below the selling price of the domestic industry. The capacity utilization, market share, domestic sales, cash profits, profits and return on investment of the domestic industry have declined.

Global Updates

Chapter 12 – Oil seeds and oleaginous fruits, miscellaneous grains, seeds and fruit; industrial or medicinal plants; straw and fodder

Trade remedial actions against India

USA

Preliminary determination, partial termination, and partial rescission of duty issued by the USDOC in the administrative review of anti-dumping duty on imports of Organic Soybean Meal from India (05 Jun)

The USDOC preliminarily determined that Shanti Worldwide was dumping in the United States during the period of review. The USDOC determined a dumping margin of 18.8% for Shanti Worldwide. The USDOC rescinded the administrative review with regards to Shri Sumati Industries Private Limited due to the absence of reviewable transactions during the period of review.

Chapter 25 - Salt; sulfur; earths and stone; plastering materials, lime and cement

USA

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Quartz Surface Products from China (03 Jun)

Chapter 27 – Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes.

UK

- Initiation of anti-dumping investigation into imports of Certain Engine Oils and Hydraulic Fluids from Lithuania and UAE (17 Jun)

Chapter 28 – Inorganic Chemicals

Columbia

- Imposition of provisional anti-dumping duty on imports of Manganese Sulfate from China (06 Jun)

Canada

- Initiation of anti-dumping and anti-subsidy investigations into imports of Silicon Metals from China (25 Jun)

Chapter 29 – Organic Chemicals

Trade remedial actions against India

China

Continuation of anti-dumping duty on imports of Meta Phenoxy Benzaldehyde from India. (07 Jun)

The Ministry of Commerce issued final findings in the sunset review of anti-dumping duty on imports of Meta Phenoxy Benzaldehyde from India recommending continuation of anti-dumping duty. The original anti-dumping duty was levied on 8th June 2018. The anti-dumping duty levied on Indian producers and exporters was in the range of 36.4% to 56.9%.

Other trade remedial actions

China

- Initiation of sunset review of anti-dumping duty on imports of Toluene from the European Union. (27 Jun)

USA

- Affirmative preliminary determination issued by the USITC in the anti-dumping and anti-subsidy investigations into imports of Alkyl Phosphate Esters from China. (07 Jun)

Chapter 37 – Photographic or cinematographic goods

Taiwan

- Imposition of anti-dumping duty on imports of Offset Printing Plates from China. (27 Jun)

Chapter 38 – Miscellaneous chemical products

UK

- Initiation of anti-dumping investigation into imports of Biodiesel from China. (05 Jun)

USA

- Final affirmative determination issued by the USDOC in the anti-circumvention investigation concerning anti-dumping duty on imports of Hydrofluorocarbon Blends from China by imports of R-410A and R-407C from Malaysia. (12 Jun)

Chapter 39 – Plastic and articles thereof

China

- Initiation of sunset review of anti-dumping duty on imports of Styrene from South Korea, Taiwan and the United States. (21 Jun)

USA

- Final determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of certain Plastic Decorative Ribbons from China. (06 Jun)

Chapter 40 – Rubber and articles thereof

Mexico

- Preliminary determination in the sunset review of anti-dumping duty on imports of Polybutadiene Styrene Rubber in Emulsion Form from Japan, Poland, South Korea and USA. (14 Jun)

Chapter 47 - Pulp of wood or of other fibrous cellulosic material; recovered (waste and scrap) paper or paperboard

USA

- Initiation of mid-term review of anti-subsidy duty on imports of certain Softwood Lumber from Canada. (28 Jun)

Chapter 48– Paper and paperboard; articles of paper pulp, of paper or of paperboard

Mexico

- Continuation of anti-dumping duty on imports of Cut Bond Paper from Brazil. (19 Jun)

EU

- Initiation of anti-dumping investigation into imports of Decor Paper from China. (14 Jun)

Chapter 69 – Ceramic products

Trade remedial actions against India

USA

Preliminary affirmative determination by the USITC in the anti-dumping and anti-subsidy investigations into imports of Ceramic Tiles from India. (03 Jun)

The USITC has preliminarily determined that imports of Ceramic Tiles from India are sold in the United States at dumped prices and are subsidized by the Government of India.

Other trade remedial actions

Indonesia

- Initiation of sunset review of safeguard measures on imports of Ceramic Flags and Paving, Hearth or Wall Tiles. (24 Jun)

Chapter 70 – Glass and glassware

Australia

- Initiation of anti-dumping and anti-subsidy investigations into imports of Certain Clear Laminate Glass from China and Thailand (25 Jun).

Colombia

- Initiation of anti-dumping investigation into imports of Float Glass or Colourless Glass in Plates or Sheets from China. (18 Jun)

South Africa

- Final affirmative determination in the sunset review of anti-dumping duty on imports of Unframed Glass Mirror from China. (21 Jun)

USA

- Preliminary affirmative determination issued by the USDOC in anti-subsidy and critical circumstances investigations into imports of certain Glass Wine Bottles from China (03 Jun)

Chapter 72 – Iron and steel

Trade remedial actions against India

USA

Final affirmative determination by the USDOC in the administrative review of anti-subsidy duty on imports of Forged Steel Fluid End Blocks from India. (10 Jun)

The USDOC has determined that Bharat Forger Limited received countervailable subsidies during the period of review which is 1st January 2022 to 31st December 2022. The USDOC determined a net countervailable subsidy rate of 3.77% for Bharat Forge Limited.

Preliminary affirmative determination and intent to rescind issued by the USDOC in the administrative review of anti-dumping duty on the imports of Silicomanganese from India (10 Jun)

The USDOC has preliminarily determined that exporters were dumping the product under consideration in the United States during the period of review. The USDOC determined a dumping margin of 1.71% for Maithan Alloys Limited. The USDOC rescinded the administrative review with regards to Rajadhiraj Tirupani Vinayak Natraj Private Limited due to no exports during the period of review.

Other trade remedial actions

Canada

- Affirmative preliminary determination in the anti-dumping investigation on imports of certain Wire Rod from China, Egypt and Vietnam. (06 Jun)

UK

- Continuation of safeguard measures on imports of certain Steel Products. (27 Jun)

USA

- Preliminary affirmative determination issued by the USDOC in the anti-dumping and anti-subsidy investigations into imports of Ferrosilicon from Russia. (28 Jun)

Vietnam

- Initiation of anti-dumping investigation into imports of Coated Steel from China and South Korea. (14 Jun)

Chapter 73 – Articles of iron and steel

Trade remedial action against India

Canada

Affirmative determination in the sunset review of anti-dumping duty on imports of Corrosion-Resistant Steel Sheets from China, India, South Korea and Taiwan. (13 Jun)

The CBSA has determined that the expiry of duty is likely to result in the continuation or recurrence of dumping of goods originating from China, India, South Korea and Taiwan. The original investigation was initiated by the CBSA on 26th July 2018, pursuant to which a final determination was made on 22nd January 2019. The CITT had issued its affirmative determination vide final findings dated 21st February 2019.

USA

Final affirmative determination of no shipment issued by the USDOC in the administrative review of anti-dumping duty on imports of certain Welded Carbon Steel Standard Pipes and Tubes from India. (03 Jun)

The USDOC had determined that Surya Roshni Limited made no shipments during the period of review, that is, 1st May 2022 to 30th April 2023. Hence, no individual duties have been granted to Surya Roshni Limited.

Final determination issued by the USDOC in the sunset review of anti-dumping duty on the imports of Large Diameter Welded Pipe from China, India, Canada, Greece, South Korea, and Türkiye (07 Jun)

The USDOC has issued final determinations in the first sunset review concluding that Large Diameter Welded Pipes are being imported at dumped prices in the United States. The USDOC determined a weighted average dumping margin of 50.55% for India.

Final affirmative determination issued by the USDOC in the administrative review of anti-dumping duty on imports of Welded Stainless Pressure Pipes from India (10 Jun)

The USDOC has determined that exporters from India were dumping in the United States during the period of review which is 1st November 2021 to 31st October 2022. The USDOC determined a negative dumping margin for Prakash Steelage Limited / Seth Steelage Private Limited and a dumping margin of 2.55% for Ratnamani Metals & Tubes Limited and the non-examined companies.

Preliminary affirmative determination issued by the USITC in the anti-dumping and anti-subsidy investigations into imports of High Chrome Cast Iron Grinding Media from India. (10 Jun)

The USITC has preliminarily determined that imports of High Chrome Cast Iron Grinding Media from India are being dumped in the United States and are subsidized by the Government of India.

Initiation of administrative review issued of anti-dumping duty on imports of Carbon and Alloy Steel Threaded Rod from India (12 Jun)

The USDOC has initiated an administrative review of anti-dumping duty on imports from India with the period of review, that is, 1st April 2023 – 31st March 2024. In the previous review, the USDOC determined a weighted average dumping margin of 10.97% for Shree Luxmi Fasteners/The Emerging Impex and negative dumping margin for Mangal Steel Enterprises Limited.

Imposition of anti-dumping and anti-subsidy duties on imports of certain Non-Refillable Steel Cylinders from India (13 Jun)

The USDOC issued anti-dumping and anti-subsidy orders on imports of certain Non-Refillable Steel Cylinders from India. The USDOC determined a negative dumping margin for Inox India Limited and a dumping margin of 6.27% for others. The USDOC determined subsidy rates ranging from 2.26% - 2.48% for all exporters.

Other trade remedial actions

Australia

- Initiation of anti-dumping and anti-subsidy investigations into imports of Interchangeable Bolted Clipping System Brackets from China. (25 Jun)

USA

- Initiation of sunset review of anti-dumping duty on the imports of Non-Malleable Cast Iron Pipe Fittings from China. (03 Jun)
- Final determination issued by the USDOC in the sunset review of anti-subsidy duty on imports of Large Diameter Welded Pipe from China. (06 Jun)
- Final determination issued by the USDOC in the sunset review of anti-subsidy duty on imports of Large Diameter Welded Pipe from Türkiye (07 Jun)

Chapter 74 – Copper and articles thereof

Trade remedial actions against India

USA

Final affirmative determination by the USITC in the anti-dumping and anti-subsidy investigations into imports of Brass Rod from Brazil, India, Mexico, South Africa, and South Korea (05 Jun)

The USITC has issued final determinations that imports of Brass Rod from Brazil, India, Mexico, South Africa, and South Korea are sold in the United States at less than fair value and imports from South Korea are also subsidized by the government of South Korea.

Imposition of anti-dumping duty by the USDOC on imports of Brass Rods from Brazil, India, Mexico, South Africa and South Korea and anti-subsidy duty on imports from South Korea, and amended final affirmative determination in the anti-dumping investigation into imports from South Korea (13 Jun)

The USDOC issued an anti-dumping order on the imports of Brass Rods from India. The USDOC determined a weighted average dumping margin 2.19% for Rajhans Metals Private Limited, 5.42% for Shree Extrusions Limited and 2.41% for all other companies.

Chapter 76 – Aluminium and articles thereof

Trade remedial actions against India

USA

Initiation of administrative review of anti-dumping and anti-subsidy duties on imports of Common Alloy Aluminium Sheet from India (12 Jun)

The USDOC has initiated an administrative review of anti-dumping duty on imports from India with the period of review as 1st April 2023 – 31st March 2024 and anti-subsidy duty with the period of review as 1st January 2023 - 31st December 2023. In the previous anti-subsidy and anti-dumping investigations, the USDOC determined a subsidy rate of 32.43% for Hindalco Industries Limited and negative dumping margin for Hindalco Industries Limited and Virgo Aluminium Limited.

Other trade remedial actions

EU

- Initiation of sunset review of anti-dumping duty on imports of certain Aluminium Foil in Rolls from China. (03 Jun)

USA

- Initiation of anti-dumping and anti-subsidy investigations into imports of Disposable Aluminium Containers, Pans, Trays, and Lids from China. (12 Jun)

Chapter 85 - Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles

USA

- Initiation of sunset review of anti-dumping duty on imports of Raw Flexible Magnets from China and Taiwan and anti-subsidy duty on imports from China. (03 Jun)
- Final determination issued by the USDOC in the second sunset review of anti-dumping and anti-subsidy duties on imports of Crystalline Silicon Photovoltaic Cells, whether or not assembled into modules from China. (06 Jun)

- Preliminary affirmative determination issued by the USITC in the anti-dumping investigation into imports of Crystalline Silicon Photovoltaic Cells, whether or not assembled into Modules, from Cambodia, Malaysia, Thailand, and Vietnam and anti-subsidy investigation into imports from Cambodia. (10 Jun)
- Initiation and preliminary affirmative determination issued by the USDOC in the mid-term review of anti-dumping and anti-subsidy duties on imports of Crystalline Silicon Photovoltaic Cells, whether or not assembled into modules from China. (26 Jun)

Chapter 94 – Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishing and other items

USA

- Affirmative determination issued by the USITC in anti-dumping investigation into the imports of Boltless Steel Shelving Units prepackaged for sale from Malaysia, Taiwan, Thailand and Vietnam. (03 Jun)
- Final affirmative determination issued by the USITC in the anti-dumping investigation into imports of Mattresses from Bosnia and Herzegovina, Bulgaria, Burma, Italy, Philippines, Poland, Slovenia, and Taiwan. (28 Jun)

About Us

TPM was founded in 1999 at a time when the practice of trade remedies in India was in its infancy and there were only a handful of firms in the field. TPM was the first firm to deal exclusively in the domain of trade remedies. Today, we have completed a journey of 25 years.

TPM began its journey with a staff of merely 2 professionals. Today, it has a team of more than 50 professionals including Cost Accountants, Chartered Accountants, Company Secretaries, Lawyers, Engineers and MBAs.

In its first two decades, TPM was primarily focused assisting domestic producers suffering due to cheap and unfair imports into India and in other countries to avail the necessary protection under the umbrella of the WTO Agreements. TPM also represents exporters and importers facing trade remedial investigations in India or other countries. TPM has assisted Indian exporters facing investigations in a number of jurisdictions such as China, Argentina, Brazil, Canada, Egypt, European Union, GCC, Indonesia, South Korea, Turkey and USA.

In the last few years, TPM's reputation has grown in other fields of non-tariff barriers, policy advocacy matters, foreign trade policy, business consulting and litigation. Its vast experience with industry leaders in various sectors puts it in a unique position to effectively and efficiently handle matters relating to policy advocacy before various government forums as well as business consulting. This has brought new avenues of growth for the TPM team and has helped industry find innovative solutions to complex problems.

For more details about the contents of this newsletter, kindly contact aastha@tpm.in.

TPM Consultants

Ish Kriti, J-209, Saket, New Delhi – 17



[011 – 4989 2200](tel:011-49892200)



info@tpm.in



www.tpm.in



[TPM Solicitors
& Consultants](#)