
ANTI-DUMPING DUTY NOTIFICATIONS

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ANTI-DUMPING DUTY ON VITAMIN AD₃500/100 ORIGINATING IN, OR EXPORTED FROM PEOPLE'S REPUBLIC OF CHINA.**[Notfn. No.141/02-Cus dt. 26.12.2002]**

WHEREAS in the matter of import of Vitamin AD₃500/100, falling under chapter 23 or 29 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), originating in, or exported from, People's Republic of China, the designated authority *vide* its preliminary findings notification No.56/1/2001-DGAD dated the 2nd January, 2002, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 2nd January, 2002, had come to the conclusion that -

- (a) Vitamin AD₃ 500/100 originating in, or exported from, the People's Republic of China, has been exported to India below normal value, resulting in dumping;
- (b) the Indian industry has suffered material injury;
- (c) the injury has been caused by imports from the People's Republic of China;

AND WHEREAS on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on Vitamin AD₃500/100 *vide* notification of the Government of India in the erstwhile Ministry of Finance (Department of Revenue), No. 14/2002–Customs, dated the 7th February, 2002, [G.S.R. 90 (E), dated the 7th February, 2002], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 7th February, 2002;

AND WHEREAS the designated authority, *vide* its final findings notification No.56/1/2001-DGAD, dated the 16th October, 2002 published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 16th October, 2002 has come to the conclusion that -

- (a) Vitamin AD₃ 500/100 originating in, or exported from, the People's Republic of China, has been exported to India below normal value, resulting in dumping;
- (b) the Indian industry has suffered material injury;
- (c) material injury has been caused by imports from the People's Republic of China;

and has recommended the imposition of definitive anti-dumping duty on all imports of the said Vitamin AD₃500/100, originating in, or exported from, People's Republic of China;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), read with sub-section (5) of section 9A of the said Customs Tariff Act, and rules 18 and 20 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, on the basis of the aforesaid final findings of the designated authority, hereby imposes on all imports of Vitamin AD₃500/100, falling under chapter 23 or 29 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, People's Republic of China and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between US\$ 40.03 per kilogramme and the landed value of such imported Vitamin AD₃500/100 in US\$ per kilogramme.

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of imposition of the provisional anti-dumping duty, i.e. the 7th February, 2002, and shall be paid in Indian currency.

Explanation. - For the purposes of this notification, -

- (a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act; and
- (b) 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 and Company Affairs (Department of Revenue), issued from time to time, in exercise of the powers conferred by sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act, 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.

ANTI-DUMPING DUTY ON VITAMIN E ACETATE, AND VITAMIN E FEED GRADE ORIGINATING IN OR EXPORTED FROM PEOPLE'S REPUBLIC OF CHINA.

[Notfn. No. 145/03-Cus. dt. 6.10.2003 as amended by 43/08]

WHEREAS in the matter of import of Vitamine E Acetate, falling under tariff item 2936 28 00 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975), and Vitamin E feed grade falling under sub-heading 2309 90 of the First Schedule to the said Customs Tariff Act, originating in, or exported from, the People's Republic of China, the designated authority *vide* its preliminary findings notification No.14/32/2002-DGAD, dated the 2nd December, 2002, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 3rd December, 2002, had come to the conclusion that –

- (a) Vitamine E (Acetate as well as Feed Grade) had been exported to India from the People's Republic of China below its normal value;
- (b) the India industry had suffered material injury;
- (c) the injury had been caused by the dumped imports from the People's Republic of China;

AND WHEREAS on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on Vitamine E (Acetate as well as Feed Grade) *vide* notification of the Government of India in the erstwhile Ministry of Finance and Company Affairs (Department of Revenue), No.41/203-Customs, dated the 17th March, 2003 [G.S.R. 218(E), dated the 17th March, 2003], published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, dated the 17th March, 2003;

AND WHEREAS the designated authority, *vide* its final findings notification No.14/32/2002-DGAD, dated the 22nd August, 2002, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 22nd August, 2003, has come to the conclusion that -

- (a) Vitamine E (Acetate as well as Feed Grade) has been exported to India from the People's Republic of China below its normal value;
- (b) the India industry has suffered material injury;
- (c) the injury has been caused by the dumped imports from the People's Republic of China;

and has recommended the imposition of definitive anti-dumping duty on all imports of Vitamine-E, originating in, or exported from, the People's Republic of China;

NOW, THEREFORE, in exercise of the powers conferred by sub-section (1), read with sub-section (5) of section 9A of the said Customs Tariff Act, and rules 18 and 20 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, on the basis of the aforesaid findings of the designated authority, hereby imposes on the goods, the description of which is specified in column (3) of the Table below, falling under sub-heading or tariff item of the First Schedule to the said Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in the corresponding entry in column (4), originating in the countries as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (7), when exported from the countries as specified in the corresponding entry in column (6), by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at a rate which is equivalent to the difference between the amount as specified in the corresponding entry in column (9), in the currency as specified in the corresponding entry in column (11) and per unit of measurement as specified in the corresponding entry in column (10), of the said Table, and the landed value of such imported goods is like currency per like unit of measurement.

Table

S. No.	Sub-heading item or tariff	Description of goods	Specification	Country of Origin	Country of Export	Producer	Exporter Measurement	Amount	Unit of	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	2936 28 00	Vitamin E Acetate	96% Grade	People's Republic of China	Any country	Any producer	Any exporter	22.64	Kg.	US Dollar
2..	2936 28 00	Vitamin E Acetate	93% Grade	People's Republic of China	Any country	Any producer	Any exporter	21.94	Kg.	US Dollar
3.	2309 90	Vitamin E Feed Grade or Dry Powder	50% Grade	People's Republic of China	Any country	Any producer	Any exporter	11.32	Kg.	US Dollar
4.	2936 28 00	Vitamin E Acetate	96% Grade	Any country	People's Republic of China	Any producer	Any exporter	22.64	Kg.	US Dollar
5.	2936 28 00	Vitamin E Acetate	93% Grade	Any country	People's Republic of China	Any producer	Any exporter	21.94	Kg.	US Dollar
6.	2309 90	Vitamin E Feed Grade or Dry Powder	50% Grade	Any country	People's Republic of China	Any producer	Any exporter	11.32	Kg.	US Dollar

Note: The amount for the purposes of column (9) above, for concentrations other than those specified in column (4), shall be calculated on prorata basis.

2. The anti-dumping duty imposed under this notification shall be levied with effect from the date of imposition of the provisional anti-dumping duty, i.e. 17th March, 2003, and shall be paid in Indian currency.

3. This notification shall remain in force upto and inclusive of the 16th March, 2009, unless the notification is revoked earlier.

Explanation. - For the purposes of this notification, -

(a) "landed value" means the assessable value as determined under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the said Customs Tariff Act;

(b) rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification issued from time to time, in exercise of the powers conferred by sub-clause (i) of clause (a) of sub-section (3) of section 14 of the said Customs Act, 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.

For Anti-dumping duty on choline chloride falling under sub-heading 2309.90 originating in or exported from People's Republic of China and the European Union - see Notfn. No. 5/02-Cus. dt. 14.1.2002 under Chapter 29.

For Anti-dumping duty on vitamin AD3500/100 falling under Chapter 23 or 29 originating in or exported from the European Union and Singapore - see Notfn. No. 53/02-Cus. dt. 21.5.2002 under Chapter 29.

For Anti-dumping duty on Vit-E originating in or exported from specified countries: [Notfn. No. 33/09-Cus., dt. 27.3.2009] under Chapter 29.

