[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

New Delhi, the 24th August, 2015

Notification
No. 45/2015-Customs (ADD)

G.S.R. (E). – Whereas, the designated authority, vide notification No. No.15/7/2014-DGAD, dated the 20th June, 2014, published in the Gazette of India, Extraordinary, Part I, Section 1, had initiated a review in the matter of continuation of anti-dumping duty on imports of Phosphoric Acid of all grades and all concentration (excluding Agriculture or Fertilizer grade) (hereinafter referred to as the subject goods) falling under tariff item 2809 20 10 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from Korea RP (hereinafter referred to as the subject country), imposed vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No. 140/2009-Customs, dated the 15th December, 2009, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 897(E), dated the 15th December, 2009;

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in or exported from the subject country upto and inclusive of the 21st June, 2015, vide notification of the Government of India, in the Ministry of Finance (Department of Revenue) No.32/2014-Customs (ADD), dated the 23rd July, 2014, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R 527(E), dated the 23rd July, 2014;

And whereas, in the matter of review of anti-dumping duty on import of the subject goods, originating in or exported from the subject country, the designated authority in its final findings, published vide notification No.15/7/2014-DGAD, dated the 19th June, 2015, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

(i) the subject goods continue to be exported from the subject country to India below the normal value resulting in dumping and injury to the domestic industry;
(ii) both dumping margin and injury margin are significant and positive in respect of producers and exporters from the subject country, implying likelihood of intensified dumping and consequent injury to the domestic industry;
(iii) the anti-dumping duty on the subject goods originating in or exported from the subject country to India is required to be extended,

and has recommended imposition of anti-dumping duty on the subject goods, originating in or exported from the subject country;

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 below, specification of which is specified in column (4), falling under tariff item of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the country as specified in the corresponding entry in column (5), exported from the country 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, namely:-

Table

S. No	Tariff Item	Description of goods	Specification	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1.	2809 20 10	Phosphoric Acid	All grades and all concentrations (excluding Agriculture or Fertilizer Grade)	Korea RP	Korea RP	Any	Any	162.52	Metric Tonne	US Dollar
2.	2809 20 10	Phosphoric Acid	All grades and all concentrations (excluding Agriculture or Fertilizer Grade)	Korea RP	Any country other than Korea RP	Any	Any	162.52	Metric Tonne	US Dollar
3.	2809 20 10	Phosphoric Acid	All grades and all concentrations (excluding Agriculture or Fertilizer Grade)	Any country other than Korea RP	Korea RP	Any	Any	162.52	Metric Tonne	US Dollar

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.

[F.No.354/108/2009-TRU (Pt. I)]

(Anurag Sehgal)
Under Secretary to the Government of India