

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

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 05/2014-Customs (ADD)

New Delhi, the 16th January, 2014

G.S.R. (E). – Whereas, the designated authority, *vide* notification No. 15/1007/2012-DGAD, dated the 9th August, 2012, published in Part I, Section I of the Gazette of India, Extraordinary had initiated a review in the matter of continuation of anti-dumping duty on imports of Nonyl Phenol (hereinafter referred to as the subject goods) falling under Tariff item 2907 13 00 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, Chinese Taipei (hereinafter referred to as the subject country), imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 94/2007 dated the 22nd August, 2007 published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* G.S.R. No. 562 (E), dated the 22nd August, 2007.

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 August, 2013 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 39/2012 – Customs (ADD) dated the 24th August, 2012, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* G.S.R No. 650 (E), dated the 24th August, 2012.

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 *vide* its final findings, No. 15/1007/2012-DGAD dated the 8th November, 2013, published in Part I, Section 1, of the Gazette of India, Extraordinary, has come to the conclusion that,-

- (i) The subject goods from subject country are entering the Indian market at dumped prices;
- (ii) The subject goods continue to be exported to India at dumped prices despite the existing anti dumping duties and there is a likelihood of its continuation should the existing antidumping duties are allowed to cease;
- (iii) The injury to the domestic industry is likely to continue in the event of withdrawal of anti dumping duty from the subject countries;
- (iv) The situation of domestic industry continues to be fragile and therefore should the present anti dumping duties from the subject country be withdrawn, injury to the domestic industry is likely to recur; and
- (v) The anti dumping duties are required to be extended and modified,

and has recommended continued imposition of the 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, 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 countries as specified in the corresponding entry in column (4), and exported from the countries as specified in the corresponding entry in column (5), and produced by the producers as specified in the corresponding entry in column (6), and exported by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (8) in the currency as specified in the corresponding entry in column (10) and as per the unit of measurement as specified in the corresponding entry in column (9) of the said Table.

Table

Sl.No.	Tariff Item	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit of measurement	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	2907 13 00	Nonyl Phenol	Chinese Taipei	Chinese Taipei	M/s China Man-made Fibre Corporation	M/s China Man-made Fibre Corporation	163.62	MT	US Dollar
2	2907 13 00	Nonyl Phenol	Chinese Taipei	Chinese Taipei	M/s Formosan Union Chemical Corporation	M/s Formosan Union Chemical Corporation	207.18	MT	US Dollar
3	2907 13 00	Nonyl Phenol	Chinese Taipei	Chinese Taipei	Any combination of producer / exporter (other than in Sl. No. 1 and 2 above)		364.48	MT	US Dollar
4	2907 13 00	Nonyl Phenol	Chinese Taipei	Any country other than Chinese Taipei	Any	Any	364.48	MT	US Dollar
5	2907 13 00	Nonyl Phenol	Any Any country other than Chinese Taipei	Chinese Taipei	Any	Any	364.48	MT	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.

3. The anti-dumping duty imposed under this notification 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.354/117 /2007-TRU]

(Akshay Joshi)

Under Secretary to the Government of India