

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

Notification No. 30/2013-Customs (ADD)

New Delhi, the 13th November, 2013

G.S.R. (E). – Whereas, the designated authority, *vide* notification No. 15/7/2011-DGAD, dated the 23rd March, 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 Vitamin A Palmitate (hereinafter referred to as the subject goods) falling under sub-heading 2936 21 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 Switzerland and the People's Republic of China (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 112/2007 dated the 30th October, 2007 published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* G.S.R. No. 683 (E), dated the 30th October, 2007.

And whereas, the Central Government had extended the anti-dumping duty on the subject goods, originating in or exported from the subject countries upto and inclusive of the 27th March, 2013 *vide* notification of the Government of India, in the Ministry of Finance (Department of Revenue), No. 21/2012 –Customs (ADD) dated the 12th April, 2012, published in Part II, Section 3, Sub-section (i) of the Gazette of India, Extraordinary, *vide* G.S.R No. 290 (E), dated the 12th April, 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 countries, the designated authority *vide* its final findings, *vide* notification No. 15/7/2011-DGAD dated the 21st August, 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 countries are entering the Indian market at dumped prices and dumping margin is significant;
- (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 anti-dumping duties are allowed to expire;
- (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 countries be withdrawn, injury to the domestic industry is likely to recur, and has recommended to continue imposition of the anti-dumping duty against the subject goods, originating in or exported from the subject countries;

Now, therefore, in exercise of the powers conferred by sub-section (1) read with sub-section (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 sub-heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), the specification of which is specified in column (4) of the said Table, originating in the countries as specified in the corresponding entry in column (5), and exported from the countries as specified in the corresponding entry in column (6), and produced by the producers as specified in the corresponding entry in column (7), and 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.

Table

Sl.No .	Sub-headin g	Descriptio n of goods	Specifi -cation	Country of origin	Country of export	Producer	Exporter	Amoun t	Unit of measureme nt	Currenc y
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
1	2936 21	Vitamin-A Palmitate (excluding Vitamin A Palmitate 1.6 MIU/gm)	Any	Switzerlan d	Any	DSM Nutritional Products, AG Switzerlan d	DSM Nutritional Products Asia Pacific, a division of DSM Singapore Industrial Pt e Ltd.	7.34	Kg	US \$
2	2936 21	Vitamin-A Palmitate (excluding Vitamin A Palmitate 1.6 MIU/gm)	Any	Switzerlan d	Any other than People's Republic of China	Any other than above	Any	8.92	Kg	US \$
3	2936 21	Vitamin-A Palmitate (excluding Vitamin A Palmitate 1.6 MIU/gm)	Any	Any other than People's Republic of China	Switzerlan d	Any	Any	8.92	Kg	US \$
4	2936 21	Vitamin-A Palmitate (excluding Vitamin A Palmitate 1.6 MIU/gm)	Any	People's Republic of China	Any	Any	Any	15.37	Kg	US \$
5	2936 21	Vitamin-A Palmitate (excluding Vitamin A Palmitate 1.6 MIU/gm)	Any	Any	People's Republic of China	Any	Any	15.37	Kg	US \$

Note: Vitamin A Palmitate covers Vitamin A Palmitate 1.7 MIU/gm and Vitamin A Palmitate 1.0 MIU/gm in all its strengths and forms. It excludes Vitamin A Palmitate 1.6 MIU/gm.

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.354/31 /2007-TRU (Pt.I)]

(Akshay Joshi)

Under Secretary to the Government of India