

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)**

NOTIFICATION No. 01/2019-Customs (ADD)

New Delhi, the 4th January, 2019

G.S.R.... (E). - Whereas, the designated authority *vide* notification No.7/15/2018 DGAD, dated the 3rd May 2018, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 3rd May 2018, had initiated the review in term of sub-section (5) of section 9 A of the Customs Tariff Act, 1975 (51 of 1975), hereinafter referred to as the Customs Tariff Act, and in pursuance of rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, in the matter of continuation of anti-dumping duty on imports of 'Methylene Chloride' (hereinafter referred to as the subject goods) falling under the tariff item of the First Schedule to the Customs Tariff Act, originating in or exported from European Union and United States of America (hereinafter referred to as the subject countries), imposed *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 24/2014- Customs (ADD), dated the 21st May, 2014, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R. 347 (E), dated the 21st May, 2014 ;

And whereas, in the matter of review of anti-dumping duty on imports of the subject goods, originating in or exported from the subject country, the designated authority in its final findings, published *vide* notification No. F. No.7/15/2018-DGAD, dated the 22nd November, 2018 in the Gazette of India, Extraordinary, Part I, Section 1, dated the 22nd November, 2018 has come to the conclusion that-

- (i) there is continued dumping of the product concerned from the subject countries, causing injury to the domestic industry;
- (ii) price undercutting without anti-dumping duty is positive and significant;
- (iii) despite the anti-dumping duty in force, the financial performance of the Domestic Industry has deteriorated; during the Period of Investigation, the domestic industry has shown negative growth in terms of the economic parameters such as

production, sales, profitability and Return on Capital Employed; the dumped imports from European Union and United States of America continue to cause injury to the domestic industry;

- (iv) dumping of the product under consideration from EU and USA is likely to continue/intensify should the current anti-dumping duty be revoked,

and has recommended the imposition of definitive anti-dumping duty on the imports of subject goods, originating in or exported from the subject country and imported into India, in order to remove injury to the domestic industry.

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, 20 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), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), 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 specified in the corresponding entry in column (10) and per unit of measurement as specified in the corresponding entry in column (9) of the said Table.

Table

Sl. No	Sub-heading	Description of goods	Country of origin	Country of export	Producer	Exporter	Amount	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1	2903 12	Dichloromethane (Methylene Chloride)	European Union	European Union	M/s. Akzo Nobel Industrial Chemicals B.V, Netherlands	M/s. Akzo Nobel Industrial Chemicals B.V, Netherlands	0.32	Kg	US Dollar

2	2903 12	Dichloromethane (Methylene Chloride)	European Union	European Union	Any producer or exporter other than combination at serial number 1	Any producer or exporter other than combination at serial number 1	0.36	kg	US Dollar
3	2903 12	Dichloromethane (Methylene Chloride)	Any country other than subject countries	European Union	Any	Any	0.36	Kg	US Dollar
4	2903 12	Dichloromethane (Methylene Chloride)	European Union	Any country	Any	Any	0.36	Kg	US Dollar
5	2903 12	Dichloromethane (Methylene Chloride)	United States of America	United States of America	Any	Any	0.33	Kg	US Dollar
6	2903 12	Dichloromethane (Methylene Chloride)	Any country other than subject countries	United States of America	Any	Any	0.33	Kg	US Dollar
7	2903 12	Dichloromethane (Methylene Chloride)	United States of America	Any country	Any	Any	0.33	Kg	US Dollar

2. The anti-dumping duty imposed 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 payable 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 Act.

[F.No.354/199/2013 –TRU(Pt-II)]

(Dr. Sreeparvathy S. L.)
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