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**Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Anti-Dumping & Allied Duties)
4th Floor, Jeevan Tara Building, 5 Parliament Street, New Delhi - 110001**

Dated the 21st July, 2015

NOTIFICATION

**Initiation
(Mid Term Review Investigation)**

Subject: Initiation of Mid Term Review (MTR) of the anti-dumping duties imposed on the imports of Soda Ash, originating in or exported from China PR, EU, Kenya, Pakistan, Iran, Ukraine and USA.

F. No. 15/28/2014-DGAD – Whereas having regard to the Customs Tariff Act, 1975 as amended in 1995 and thereafter (hereinafter also referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter also referred to as the Rules), the Designated Authority (hereinafter also referred to as the Authority) had initiated an anti-dumping investigation on the imports of the Soda Ash (hereinafter also referred to as Disodium Carbonate or the subject goods), originating in or exported from China PR, EU, Kenya, Iran, Pakistan, Ukraine and USA (hereinafter also referred to as the subject countries/regions) vide Notification No.14/17/2010-DGAD dated 20th August 2010 and issued its final findings vide Notification No.14/17/2010-DGAD dated 17th February 2012 recommending imposition of definitive anti-dumping duties. The definitive duties were imposed on the imports of the subject goods, originating in or exported from the subject countries/regions, by the Central Government, vide Notification No. 34/2012 – Customs (ADD) dated 3rd July 2012.

A. Request for initiation of Mid Term Review

2. The All India Glass Manufacturers' Federation (AIGMF), a representative body of importers/users of the subject goods, has submitted an application requesting for initiation of a review of the anti-dumping duties imposed on the imports of the subject goods from the subject countries in accordance with section 9A of the Customs Tariff Act 1975 read with Rule 23 of the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995. They have claimed that the circumstances that were prevalent during the period of investigation of the original investigation have changed significantly leading to a situation where the existing anti-dumping duties are no longer warranted.

B. Grounds for review

3. The Applicant has submitted that the import prices of the subject goods have increased significantly; that domestic selling prices have also increased significantly; that the cost of major raw materials have also increased, but not in proportion to the increase in the prices of the imports of the subject goods from the subject countries. The applicant has further submitted that coupled with a significant increase in import prices leading to an increase in the landed value of imports, the injury margin has come down and as a consequence, a need for reviewing the current level of duties has arisen.

C. Product under consideration and Like Article

4. The product under consideration is Disodium Carbonate, popularly known as Soda Ash, having chemical formula Na_2CO_3 . Soda Ash is a white, crystalline, water soluble material. Soda Ash is produced in two forms - Light Soda Ash and Dense Soda Ash. The difference in the two types is bulk density. Further, soda ash can be either natural soda ash or synthetic soda ash. Both products are essentially the same. However, the present petition includes all types and form of Soda Ash. Soda Ash can be produced through synthetic route and natural route. In case of natural soda ash, dissolution process is employed where natural deposits of Sodium Carbonate occur in a large scale. In case of synthetic soda ash, various types of synthetic process are employed where the natural resources are not available, as is the case in India.

5. Soda Ash is an essential ingredient in the manufacture of detergents, soaps, cleaning compounds, sodium based chemicals, float glass, container and specialty glasses, silicates and other industrial chemicals. It is also widely used in textiles, paper, metallurgical industries and desalination plants.

6. Soda Ash is an inorganic chemical. It is classified under Chapter 28 of the Customs Tariff Act, 1975, falling under the customs sub-heading No. 2836.20. The customs classification is, however, indicative only and is not binding on the scope of the present investigation.

D. Countries/Regions involved

7. The countries/regions involved in the present investigation are China PR, EU, Kenya, Iran, Pakistan, Ukraine and USA.

E. Initiation

8. Sub Rule (1) and (1A) of Rule 23 of the Anti-dumping Rules, as amended vide Customs Notification No. 15/2011 dated 1st March 2011, reads as follows:

“(1) Any anti-dumping duty imposed under the provision of section 9A of the Act, shall remain in force, so long as and to the extent necessary, to counteract dumping, which is causing injury.

(1A) The designated authority shall review the need for the continued imposition of any antidumping duty, where warranted, on its own initiative or upon request by any interested party who submits positive information substantiating the need for such review, and a reasonable period of time has elapsed since the imposition of the definitive anti-dumping duty and upon such review, the designated authority shall recommend to the Central Government for its withdrawal, where it comes to a conclusion that the injury to the domestic industry is not likely to continue or recur, if the said anti-dumping duty is removed or varied and is therefore no longer warranted.

9. In terms of the aforesaid rules, the Authority is required to review from time to time, the need for the continued imposition of any anti-dumping duty, where warranted, on its own initiative or upon request by any interested party who submits positive information substantiating the need for such review and if it is satisfied that there is no justification for continued imposition of such duty, the Authority may recommend to the Central Government for its withdrawal.

10. On the basis of information made available by the aforementioned applicant before the Authority, the Authority considers it prima facie appropriate to initiate a mid-term review of the anti-dumping duties imposed on the imports of the subject goods, originating in or exported from the subject countries.

F. Procedure

11. Having regard to the information provided by the Applicant indicating changed circumstances necessitating a review of the measure in force, the Authority now considers that it is appropriate to initiate a mid-term review of the final findings notified vide Notification No.14/17/2010-DGAD dated 17th February 2012 published in the Gazette of India, Extraordinary Part I, Section I and the definitive duties imposed by the Central Government vide Notification No. 34/2012 – Customs (ADD) dated 3rd July 2012 and the Authority hereby initiates an investigation in accordance with the provisions of Section 9(A) of Customs Tariff (Amendment) Act 1995 read with Rule 23 of the Rules supra to review the need for continued imposition of the anti-dumping duties. The review will cover all aspects of Notification No.14/17/2010-DGAD dated 17th February 2012.

G. Period of Investigation (POI)

12. The period of investigation for the purpose of the present review is 1st April, 2014 to 31st March, 2015. The injury investigation period will however cover the periods 2011-12, 2012-13, 2013-14 and the POI.

H. Submission of Information:

13. The exporters in subject countries/regions, their Governments through their Embassies/High Commissions in India, the importers and users in India known to be concerned and the domestic industry are being addressed separately to submit relevant information in the form and manner as prescribed and to make their views known to the Authority in the following address:

**The Designated Authority
Directorate General of Anti-Dumping and Allied Duties
Ministry of Commerce and Industry
Department of Commerce
4th Floor, Jeevan Tara Building, 5 Parliament Street
New Delhi-110001**

14. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

I. Time Limit

15. Any information relating to the present review should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days (40 Days) from the date of publication of this review notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available on record in accordance with the Rules supra.

J. Submission of information on confidential basis

16. In case confidentiality is claimed on any part of the questionnaire response/submissions, the same must be submitted in two separate sets (a) marked as Confidential (with title, index, number of pages, etc.) and (b) other set marked as Non-Confidential (with title, index, number of pages, etc.). All the information supplied must be clearly marked as either "confidential" or "non-confidential" at the top of each page.

17. Information supplied without any confidential marking shall be treated as non-confidential and the Authority shall be at liberty to allow the other interested parties to inspect any such non-confidential information. Two (2) copies of the confidential version and five (05) copies of the non-confidential version must be submitted by all the interested parties.

18. For information claimed as confidential; the supplier of the information is required to provide a good cause statement along with the supplied information as to why such information cannot be disclosed and/or why summarization of such information is not possible.

19. The non-confidential version is required to be a replica of the confidential, version with the confidential information preferably indexed or blanked out /summarized depending upon the information on which confidentiality is claimed. The non-confidential summary must be in sufficient detail to permit a reasonable understanding of the substance of the information furnished on confidential basis. However, in exceptional circumstances, parties submitting the confidential information may indicate that such information is not susceptible to summarization; a statement of reasons why summarization is not possible must be provided to the satisfaction of the Authority.

20. The Authority may accept or reject the request for confidentiality on examination of the nature of the information submitted. If the Authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in generalized or summary form, it may disregard such information.

21. Any submission made without a meaningful non-confidential version thereof or without a good cause statement on the confidentiality claim may not be taken on record by the Authority. The Authority on being satisfied and accepting the need for confidentiality of the information provided; shall not disclose it to any party without specific authorization of the party providing such information.

K. Inspection of Public File

22. In terms of Rules 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

L. NON-COOPERATION

23. In case any interested party refuses access to or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

(J.K.Dadoo)
The Designated Authority