

ADHYATAN

TPM NEWSLETTER

April 2023

In this Edition

- ◆ Foreign Trade Policy 2023 introduced
- ◆ India's first safeguard (quantitative restrictions) measures imposed
- ◆ USDOC preliminarily finds India Advance Authorization based on ad hoc norms non-countervailable
- ◆ Supreme Court refuses to intervene in interim orders of High Court directing provisional assessment
- ◆ Confidential information provided in anti-dumping investigations cannot be disclosed under RTI Act

Visit us at: www.tpm.in

Follow us on LinkedIn: [TPM Solicitors & Consultants](#)



Table of Contents

Key Highlights 3
Insight – Interim Orders Directing Provisional Assessment Not Open to Challenge 8
From the Courtroom 10
Foreign Trade Policy 13
Trade Agreements 14
Bureau of Indian Standards 16
Non-Tariff Measures 19
Trade Remedial Actions 21

Key Highlights

India

Ministry of Commerce announces new Foreign Trade Policy 2023 (31 Mar)

The Ministry of Commerce and Industry has announced the new Foreign Trade Policy 2023, which will be effective from 1st April 2023. As per the Ministry, the Policy will be dynamic, updated as and when required, with no end date. Further, the Central Government has set a sector-specific target of achieving \$1 trillion merchandise exports and 1\$ trillion service exports by the end of 2030. Some of the salient features of the Policy are as below¹.

- The Policy has reduced the processing time of issuance of licenses, revalidation of authorisations, extension of export obligation period from 3-31 days to 1 day.
- All applications for redemption of authorization shall become paperless. This would make the entire lifecycle of the authorization paperless.
- The e-Certificate of Origin will be revamped with self-certification of CoOs and automatic approval.
- The Policy has rationalised the export performance threshold to enable more exporters to achieve higher status and reduce transaction cost for exports.
- Merchanting trade involving shipment of goods from one foreign country to another foreign country involving an Indian intermediary is allowed, without touching the Indian ports, subject to regulations set by the RBI.
- The Policy focuses on internationalisation of Rupee by encouraging trade settlement in INR.
- All the benefits of the Policy will be extended to e-commerce with necessary enablement of IT systems in various government departments.
- Special Advance Authorization Scheme has been extended to exports of Apparel and Clothing sectors.
- Under the Policy, Self-Ratification Scheme for fixation of Input-Output Norms has been extended to 2 star and above status holders.
- The Policy has introduced an Amnesty Scheme for one-time settlement of default in export obligation in case of EPCG and Advance Authorization Schemes. The scheme will only be available till 30th September 2023.

¹ For a more detailed report on the Foreign Trade Policy 2023-28, kindly refer to the [link](#) herein.

Imposition of India's first safeguard (quantitative restriction) measures (31 Mar)

The Ministry of Commerce vide Notification No. 64/2015-2020 has notified safeguard (quantitative restriction) measures on imports of Isopropyl Alcohol into India. The recommendation for imposition of quantitative restriction measures was made by the DGTR vide Notification No. 22/6/2019-DGTR, dated 30th September 2021, pursuant to the first investigation for quantitative restrictions². The quantitative restrictions will be in force till 31st March 2024. The restrictions have been imposed country-wise, based on the volume of exports by each country during the past period. The restrictions shall be monitored quarterly, and any excess imports in a quarter shall be adjusted against the quota for the next quarter. Likewise, any unutilized quota shall be added to the quota for the next quarter.

Continuation of anti-dumping duty could be notified post expiry of duty, by virtue of 2020 Relaxation Act (22 Mar)

Pursuant to sunset review by DGTR of anti-dumping duty on Flexible Slabstock Polyol from Singapore, Customs Notification was issued by the Ministry of Finance on 9th June 2020 continuing the duty. The original duties were in force till 6th April 2020. Convestro (Hong Kong) Limited, an exporter, challenged the Customs Notification on the ground that it was issued after the expiry of the original duty. However, the CESTAT held that Section 6 of the 2020 Relaxation Act had extended the time limits specified under the Customs Tariff Act, between 20th March 2020 to 29th September 2020, on account of Covid-19. Accordingly, the Customs Notification was held to be valid.

Stakeholder consultations to discuss surge in imports of Chemicals and Petrochemicals (29 Mar)

The Ministry of Chemicals & Fertilizers have called for a meeting of various stakeholders to discuss strategies to reduce imports and increase domestic production of certain tariff lines. This step comes under the backdrop of a surge in imports in the period December 2022 – February 2023, as compared to December – February (average of 2017-18 to 2021-22) across various tariff lines. The Ministry has shared a list of products, wherein a surge in imports has been registered, which includes LDPE, CPVC, Polypropylene, Anhydrous Ammonia, Acrylic Acid etc. Similar steps have been taken by other administrative ministries as well. For instance, in January 2023, the Ministry of Heavy Industries sought inputs from various stakeholders pursuant to an increase in imports.

² For more details regarding the investigation, its process and conditions for imposition, kindly see article by our team at this [link](#).

Government of India to notify BIS Standards on 250 new products

The Department for Promotion of Industry and Internal Trade (DPIIT) is working on introducing quality standards for more than 250 goods in the upcoming few months. The objective behind these non-tariff measures is to bring down the imports of substandard and non-essential items, especially in areas where domestically manufactured alternatives are available. Further, the move is in line with the growing concerns over India's trade and current account deficit, caused due to the economic slowdown. However, no import duty hike is being currently planned to deal with such imports.

Global

USDOC preliminarily finds Advance Authorization Scheme to not be countervailable. (30 Mar)

The USDOC has consistently found the Advance Authorization Scheme ("AAS") countervailable on account of Government of India's lack of an adequate system ensuring exempted imports are consumed in exported products only. However, in its preliminary findings in the administrative review of anti-subsidy duty applicable on imports of Off-the-road Tires from India, the USDOC has found that no benefit accrued to an exporter claiming exemption of duty using ad hoc norms under AAS. The USDOC took note that the exporter, Balkrishna Industries Limited ("BKT"), relied on its own consumption, through ad hoc norms instead of the SION norms in applying for licenses and redemption of licenses. Further, there were no deemed exports by BKT, in the period of review. In the past, USDOC found that benefit under advance authorization being extended to such deemed exports meant that the benefit was not limited to input goods used for production of exported goods. Further, BKT did not sell waste generated in processing the exempted inputs into the domestic market. Based on these factors, the USDOC has preliminarily determined that BKT did not receive any benefit under AAS.

Saudi Arabia enacts procedural law concerning trade remedial measures

Saudi Arabia enacted the Law of Trade Remedies in International Trade in December 2022, to regulate the conduct of trade remedial measures on imports into Saudi Arabia. In March 2023, this Law has been complemented by the procedural law, 'Implementing Regulations for the Trade Remedies law'³. Under the new law, complaints filed by the Saudi domestic industry shall be investigated by the General Authority of Foreign Trade (GAFT).

³ For more details regarding the law introduced, kindly see article by our team at this [link](#).

The investigation may be conducted against WTO and non-WTO members, as well as the GCC countries, subject to certain conditions. The Trade Remedies Law shall run in parallel to the existing GCC Common Law on Anti-Dumping, Countervailing and Safeguard Measures, but measures shall not be imposed concurrently.

Office of the United States Trade Representative issues report on China's WTO Compliance

The Office of the United States Trade Representative (USTR) recently released its annual report on China's WTO Compliance for the year 2022, which was submitted to the U.S. Congress. The report provides an assessment of China's WTO membership and its compliance to its obligations, since its accession in 2001. The report states that despite undertaking to adopt market-oriented policies at the time of its accession, China has continued to operate as a state-led, non-market economy. Further, it is highlighted that China continues to use unfair, non-market and distortive trade policies and practices in pursuit of harmful and anti-competitive industrial policy objectives, which pose a threat to the multilateral trading system. As per the report, the policies of the Chinese government have distorted critical sectors of global economy such as steel, aluminium, solar and fisheries, which has adversely impacted markets in other countries, including the U.S. Interestingly, the report suggests that actions at the WTO alone will not be sufficient to persuade China to make fundamental changes to its economic and trade regime, and new strategies need to be adopted, independent of the WTO framework. One instance where the U.S. has resorted to strategies outside of WTO to keep China in check, is the imposition of additional tariffs under Section 301 of the Tariff Act, 1974.

United Kingdom proposes to amend its laws relating to trade remedies (09 Mar)

The Secretary of State for Department for Business and Trade of the United Kingdom has proposed amendments to the current trade remedies legislation and framework. The proposal is expected to strike a balance between the TRA's independent role, while also allowing the Government greater flexibility in decision making.

Accordingly, the proposed amendments would require the TRA to notify the Secretary of State before initiating any new investigations and would give power to TRA to provide alternate remedies in their recommendations to the Government. Further, the proposed amendment would give the Secretary power to request TRA to reassess a recommendation or decision, power to apply different remedy than that recommended by TRA and power to revoke trade remedy measure without recommendation from TRA.

Finally, the amendment proposes to make the recommendations of TRA for imposition or non-imposition of measures based on the Economic Interest Test non-binding , so that the Secretary may impose measures, even if the TRA finds that the measure is not in public interest. The main amendments made by these provisions are likely to be commenced in Autumn 2023.

WTO Trade Facilitation Agreement has helped boost trade for Developing and Least Developed Countries

Economists at the WTO have stated that the Trade Facilitation Agreement has led to an increase in international trade by \$230 billion USD over the period 2017-2019. The agricultural and manufacturing sectors have gained the most benefit with an average increase of 5% and 1.5% respectively. Such significant growth is attributable to the growth of trade in least developed countries, which have witnessed an increase of 17% in the agricultural sector and 3.1% increase in the manufacturing sector. The Trade Facilitation Agreement, that entered into force in 2017 provides for expedited movement, release and clearance of goods in order to facilitate trade and to avoid bureaucratic delays and red tape burden. The Agreement is the first WTO agreement in which the developing and least developed countries can determine their own implementation schedules and seek assistance and support under the Agreement in order to ultimately implement their obligations.

Japan agrees to join the Multi-Party Interim Appeal Arbitration Arrangement at WTO (10 Mar)

The Japanese Government has agreed to join the Multi-Party Interim Appeal Arbitration Arrangement (MPIA)⁴, which is an alternative mechanism for resolving disputes at the WTO. Japan becomes the 26th WTO member to join the Arrangement, following members like European Union, China, Canada and Brazil. The MPIA was launched as an interim response to an impasse created due to the non-functional WTO Appellate Body, which forced the WTO members to appeal the decision of a Panel in the void. In order to overcome this situation, the WTO members notified the creation of a new MPIA and their intention to resort to use of this mechanism to arbitrate any WTO disputes among themselves, by virtue of Article 25 of the Dispute Settlement Understanding. At present, 2 disputes have been resolved through the MPIA while 7 disputes are currently ongoing.

⁴ For more details on the arrangement, kindly see article by our team at this [link](#).

Interim orders directing provisional assessment not open to challenge

- The Central Government had challenged the decision of the CESTAT, which required the Government to reconsider the recommendations of DGTR rejected by it and issue a reasoned order.
- Pursuant to the challenge, the Hon'ble High Court of Delhi passed interim orders directing that imports of products under issue be subject to provisional assessment.
- Aforesaid interim order of the High Court was challenged by the Central Government before the Hon'ble Supreme Court.
- However, since the orders were only interim, the Supreme Court has refused to intervene at the present stage.

Introduction

In the last year, there has been an increased litigation in trade remedies, with a number of appeals filed by domestic manufacturers challenging the rejection of DGTR's recommendations by the Ministry of Finance (MoF). The CESTAT⁵ held that MoF is required to give reasoned order in case it decides to reject the recommendations of the DGTR, and directed MoF to reconsider the recommendations. Such decisions were challenged by the Union of India before the Hon'ble High Court of Delhi via different writ petitions.

Interim Relief by the Delhi HC

Pursuant to challenge by the MoF, in the matter of *Union of India v. Apcotex Industries Limited* (W.P.(C) 10641/2022 & CM No. 30872/2022), the Hon'ble High Court of Delhi had granted interim relief in the form that imports of the products be subjected to provisional assessment till such time the matter was decided by the Court. As per the order, provisional assessment of the product in issue be undertaken, putting the importers on notice of the possibility of anti-dumping duties being levied on the imports, if the Court decides the petition in favour of the respondent.

Subsequent to the aforesaid decision, provisional assessment was directed for a number of products by the High Court. At the same time, in more recent cases, the CESTAT has also started directing provisional assessment of imports, pending the reconsideration of

⁵ For more details on the decision of the CESTAT, kindly see article by our team at this [link](#).

recommendation by the MoF, in those appeals wherein rejection of recommendations was being challenged.

SLP before the Supreme Court and order therewith

The interim order of the High Court of Delhi was challenged by the MoF before the Hon'ble Supreme Court via a Special Leave Petition (SLP). Vide order dated 24th March 2023, the Supreme Court refused to intervene, citing the interim nature of the order. However, considering the facts and circumstances of the matter, the Court has directed the High Court to dispose of the matter on merits as expeditiously as possible.

Path ahead

With the Hon'ble Supreme Court refusing to stay the interim order of the High Court, the course of action that MoF may take is yet to be seen. In the meantime, it is understood that some Customs Houses have already started clearing goods forming subject of decision of CESTAT and High Court under provisional assessments. Additionally, in light of the directions of the Hon'ble Supreme Court, the High Court of Delhi can be expected to complete the hearing on the matter at an early date and dispose of the matter on its merits. Another aspect which could become interesting is the amendments introduced through the Budget of 2023. Since the amendments seek to modify the provisions pertaining to appellate remedy retrospectively with effect from 1995, they may become directly relevant to the case.

– Anand Nandakumar, Associate

From the Courtroom

**Union of India
Versus
Arvind M. Kapoor**

Order of High Court of Delhi
dated 23rd March 2023

- The confidentiality of information provided pursuant to anti-dumping investigations are protected against disclosure pursuant to Anti-Dumping Rules.
- Such information, considered confidential during an anti-dumping investigation cannot be disclosed under the RTI Act.
- Rules made by specific authorities concerning information provided by parties in judicial proceedings cannot per se be held to be inconsistent with the provisions of the RTI Act.
- The purpose of a provision allowing information to be provided on confidential basis under the Anti-Dumping Rules would be defeated, if interested parties are allowed to indirectly seek information under the RTI Act.
- The RTI Act itself provided for protection of information received from third parties.

The present petition arose out of an order of the Central Information Commission (CIC) giving directions to the Directorate General of Trade Remedies (DGTR) to provide information sought by the respondent under the Right to Information (RTI) Act, 2005.

Indian Synthetics Rubber Private Limited and Reliance Industries Limited filed an application before the DGTR for initiation of investigation into imports of Styrene Butadiene Rubber from European Union, South Korea and Thailand. The DGTR initiated the investigation vide Notification No. 14/10/2015-DGAD, dated 14th January 2016. Following the initiation of the investigation, the respondent, Mr. Arvind M. Kapoor filed an application under the RTI Act seeking information under seven heads. The information sought under the application included date on which application was filed, copy of non-confidential version of the application, date on which decision to initiate the investigation was taken, photocopy of the Note Sheet put up for approval by the DGTR, copy of intimation to foreign governments and exporters and the details of notification published by the Government of India.

The concerned CPIO provided the required information vide replies dated 11th February 2016 and 31st March 2016. However, the Note Sheet put up for approval of the DGTR was not provided in reply, citing that such information was confidential. Aggrieved by non-supply of information, the respondent approached the First Appellate Authority, who provided the same response. Thereafter, the respondent approached the CIC in appeal.

The CIC held that non-disclosure of information sought by the respondent deprived them of their rights under the RTI Act. Upon examination, the CIC also held that the Note Sheet did not contain any information which cannot be disclosed under the RTI Act and thus, directed the DGTR to provide the Note Sheet to the respondent. Aggrieved by the order and direction of the CIC, the Union of India, along with Reliance Industries Limited and Indian Synthetic Rubber Private Limited, approached the Hon'ble High Court of Delhi for quashing the order of the CIC.

The main issue that arose for consideration before the Court was whether the DGTR is obliged to provide information under the RTI Act, particularly since the Anti-Dumping Rules provided for a framework governing the confidentiality of information submitted to the DGTR and sharing of such information between parties.

The petitioners, through the counsel for the government and [Adv. Rajesh Sharma](#), submitted that the information sought by the respondent was confidential in nature, containing business sensitive information of the applicant producers before the DGTR. The confidentiality of such information was protected under Rule 7 of the Anti-Dumping Rules. It was further submitted that the RTI mechanism could not be used to obtain sensitive and confidential commercial data of the applicant producers, who were direct competitors of the respondent. On the other hand, the respondent argued that the RTI Act would prevail over the Anti-Dumping Rules and the DGTR is under a legal obligation to provide the information sought under the RTI Act.

The Court referred to the decisions of the Hon'ble Supreme Court in the cases of Registrar of Supreme Court of India vs. R.S. Misra and Chief Information Commissions vs. High Court of Gujarat, wherein it was held that Rules made by specific authorities concerning information provided by parties in judicial proceedings cannot per se be held to be inconsistent with the provisions of the RTI Act.

The Court further held that the WTO Anti-Dumping Agreement and Rule 7 of the Anti-Dumping Rules provided for treatment of information as confidential, considering the

sensitivity and competitive advantage that can be gained by third parties, if such confidential data is disclosed. Further, the Designated Authority examined the impact of disclosure of confidential information such as sales, cost of raw materials, investments, etc. on the competitive advantage of the supplier of the information. Having considered the impact of disclosure, the Designated Authority exercised their expertise to determine whether there is a good cause preventing disclosure of such confidential information. In comparison, the authorities under the RTI Act did not have the requisite expertise to determine the impact of disclosure of confidential information submitted or obtained in anti-dumping proceedings.

Furthermore, the Court held that anti-dumping proceedings have national and international dimensions and also have an impact on the country's economy. Thus, the entire purpose of a comprehensive provision governing treatment and preventing disclosure of confidential information under the Anti-Dumping Rules would be defeated, if interested parties are allowed to indirectly seek information under the RTI Act. The Court also recognized that Section 11 of the RTI Act itself provided for protection of information received from third parties.

In view of the foregoing, the Court allowed the writ petitions and set aside the order of the CIC directing the DGTR to provide confidential information to the respondent.

Foreign Trade Policy

Amendment in import policy of Urea (22 Mar)

The Foreign Trade Policy 2015-20 has been amended to allow the import of Urea (for agricultural purposes) on Government account through Indian Potash Limited (IPL) till 31st March 2024. Under the previous policy, such import was allowed only till 31st March 2023.

Amendment in export policy of Biofuels (22 Mar)

The Foreign Trade Policy 2015-20 has been amended to allow export of following Biofuels from Special Economic Zones / Export Oriented Units for fuel and non-fuel purposes without any restrictions, when produced using only imported feedstock. Under the previous policy, export was permitted under license for only non-fuel purposes.

- a. Ethyl alcohol and other spirits, denatured, of any strength.
- b. Petroleum oils and oils obtained from bituminous minerals, (other than crude) and preparations not elsewhere specified or included, containing by weight 70% or more of petroleum oils or of oils obtained from bituminous minerals, these oils being the basic constituents of the preparations, containing biodiesel, other than waste oils.
- c. Biodiesel and mixtures thereof, not containing or containing less than 70 % by weight of petroleum oils and oils obtained from bituminous minerals.

Inclusion of additional products in Appendix 4R for RoDTEP (25 Mar)

Based on the recommendations of the RoDTEP Committee, certain additions have been made in Appendix 4R to include 18 HS Codes under Heading 5208 (woven fabrics of cotton, containing 85% or more by weight of cotton, weighing not more than 200 g/m²). The rates of such products will be applicable for exports made from 28th March 2023. The full list of additional products is available at the link [herein](#).

Extension of last date for mandatory electronic filing of Non-Preferential Certificate of Origin (28 Mar)

The last date for mandatory filing of applications for Non-Preferential Certificate of Origin through the e-CoO Platform has been further extended till 31st December 2023. Currently, the existing systems of processing non-preferential CoO applications is in manual/paper mode. Although the exporters will have the option to use online system, it will not be mandatory till 31st December 2023.

Trade Agreements

Indian Updates

India and European Union to conclude free trade agreement negotiations within a reasonably short time

The Minister of External Affairs, Shri. S. Jaishankar, recently announced that the free trade agreement negotiations between India and European Union are likely to conclude earlier than initially anticipated. The countries concluded the fourth round of negotiation in Brussels this month and plan on resuming the next round of negotiations in June.

India and United Kingdom cover eleven policy areas in the seventh round of negotiations

The seventh round of India-UK free trade agreement talks were concluded this month. According to sources, technical discussions across eleven policy areas were held over 43 separate discussion rounds. The next round of negotiations is likely to be held later this Spring.

Trade negotiations between India and Canada to be held in April 2023

The seventh round of negotiation for the proposed free trade agreement between India and Canada is expected to be held in April 2023. The two countries resumed negotiations for the proposed trade agreement in March last year. Apart from the traditional areas, this agreement may also cover SMEs, trade and gender, environment and labour.

India and Gulf Cooperation Council agree to conclude the proposed free trade agreement early

The first round of the India and Gulf Cooperation Council Senior Officers Meeting (SOM) was recently held in Riyadh, where both parties have agreed to work towards the early conclusion of the proposed free trade agreement. According to the Ministry of External Affairs, India is seeking collaboration between the two sides in areas of renewable energy, food security, health, IT sector and counter-terrorism.

Global Updates

Costa Rica and Ecuador sign a free trade agreement

Costa Rica and Ecuador recently signed a free trade agreement. After this agreement enters into force, 97% of Ecuadorian products and more than 90% of Costa Rican products will be exempt from tariffs.

Thailand signs Memorandum of Understanding with Shenzhen

The Ministry of Commerce of Thailand has recently concluded the signing of the Memorandum of Understanding to establish a mini-free trade deal with the Chinese metropolis, Shenzhen with the aim of expanding Thai exports. Thailand is expected to sign a similar agreement with Yunnan province in the southwest of China.

Cambodia and United Arab Emirates finalize CEPA negotiations

Cambodia and United Arab Emirates have announced the successful conclusion of the final round of talks for the Cambodia - UAE Comprehensive Economic Partnership Agreement. According to sources, the agreement will be signed by the end of the year.

United Arab Emirates and Turkey sign CEPA

United Arab Emirates and Turkey signed a Comprehensive Economic Partnership Agreement. The deal will be ratified in the second quarter of 2023 and is expected to be implemented soon after.

United Kingdom set to ratify agreement with Australia

United Kingdom and Australia signed a trade agreement in 2021 which the Australian government ratified last November. However, the agreement was criticized by UK officials and labelled 'one-sided'. Nevertheless, the British High Commissioner recently announced that UK intends to ratify the agreement this month and accordingly it should come into effect soon.

United Kingdom all set to join the Indo - Pacific trade bloc

United Kingdom will soon join the 11-member Comprehensive and Progressive Agreement for Trans-Pacific Partnership. The pact will be signed by end of the year after final approval from the Parliament. The 11 member states including Canada, Mexico, Japan, Australia, Vietnam, Singapore and Malaysia, among others. This is the country's largest trade deal post Brexit.

Bureau of Indian Standards

Substitution of Standards (02 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 17th February 2023 in substitution of the earlier Standards. However, the previous Standards will remain in force concurrently till 17th March 2023. For a full list of products, please refer to the attached [link](#).

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 3442 : 2023 Textiles — Method for Determination of Crimp and Linear Density of Yarn Removed from Fabric (Second Revision)	IS 3442 : 1980 Method for Determination of Crimp and Count of Yarn Removed from Fabrics (First Revision)

Amendment of Standards (02 March)

The Bureau of Indian Standards has notified amendment to the **IS 16354 : 2015** Metakaolin for Use in Cement, Cement Mortar and Concrete — Specification with effect from 16th February 2023. However, the previous unamended Standard will remain in force concurrently till 15th March 2023.

Amendment of Standards (04 March)

The Bureau of Indian Standards has notified amendment to the **IS 11657 : 2020** Phosphorus Oxychloride, Technical — Specification (First Revision) with effect from 27th February 2023. However, the previous unamended Standard will remain in force concurrently till 26th May 2023.

Amendment of Standards (07 March)

The Bureau of Indian Standards has notified amendment to the **IS 336 : 2021** Ether — Specification (Third Revision) with effect from 2nd March 2023. However, the previous unamended Standard will remain in force concurrently till 1st April 2023.

Substitution of Standards (07 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 2nd March 2023 in substitution of the earlier Standards. However, the previous Standards will remain in force concurrently till 2nd April 2023. For a full list of products, please refer to the attached [link](#).

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 4399 : 2023 Textiles — Nylon Fabric for Industrial and Special Purposes — Specification (First Revision)	IS 4399 : 1967 Specification for Nylon Fabrics for Industrial and Special Purposes
IS 4910 (Part 5) : 2023 Tyre Yarns, Cords and Tyre Cord Fabrics Made from Man-Made Fibres — Methods of Test Part 5 Heat Shrinkage and Heat Shrinkage Force (Second Revision)	IS 4910 (Part 5) : 1989 Tyre Yarns, Cords and Tyre Cord Warp sheets Made from Man-Made Fibres — Methods of Test Part 5 Heat Shrinkage and Heat Shrinkage Force (First Revision)

Substitution of Standards (13 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including **IS 1208 (Part 1) : 2023** Methods for Testing Tar and Bituminous Materials Part 1 Determination of Ductility (Second Revision) with effect from 3rd March 2023 in substitution of the earlier standards. For a full list of products, please refer to the attached [link](#).

Amendment of Standards (13 March)

The Bureau of Indian Standards has notified amendment to certain Standards, including **IS 16709 : 2017** Textiles — Polypropylene (PP) Woven, Laminated, Block Bottom Valve Sacks for Packaging of 50 kg Cement — Specification with effect from 3rd March 2023. However, the previous unamended Standards will remain in force concurrently till 2nd April 2023. For a full list of products, please refer to the attached [link](#).

Substitution of Standards (17 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including **IS 18174 : 2023** Polyether Polyols — Specification with effect from 14th March 2023 in substitution of the earlier Standards. For a full list of products, please refer to the attached [link](#).

Substitution of Standards (31 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 20th March 2023 in substitution of the earlier Standards.

However, the previous unamended Standard will remain in force concurrently till 20th April 2023.

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 5464 : 2023 Citric Acid, Monohydrate — Specification (Second Revision)	IS 5464 : 1995 Citric Acid, Monohydrate — Specification (First Revision)
IS 18187 : 2023 Rubber, Raw Natural and Raw Synthetic — General Guidance on Storage	NA

Substitution of Standards (31 March)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 27th March 2023 in substitution of the earlier Standards. However, the previous unamended Standards will remain in force concurrently till 27th April 2023. For a full list of products, please refer to the attached [link](#).

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 3367 : 2023 Burnt Clay Tiles for Use in Lining Irrigation and Drainage Works — Specification (Third Revision)	IS 3367 : 1993 Burnt Clay Tiles for Use in Lining Irrigation and Drainage Works — Specification (Second Revision)
IS 4910 (Part 2) : 2023 Tyre Yarns, Cords and Tyre Cord Fabrics Made from Man-Made Fibres — Methods of Test Part 2 Linear Density (Second Revision)	IS 4910 (Part 2) : 1989 Tyre Yarns, Cords and Tyre Cord Warpsheets Made from Man-Made Fibres — Methods of Test Part 2 Linear Density (First Revision)
IS 7610 (Part 4) : 2023 Textiles — Machinery Fabrics, Wool — Specification Part 4 Plaiding Cloth (Second Revision)	IS 7610 (Part 4) : 1982 Specification for Machinery Fabrics, Wool Part 4 Plaiding Cloth (First Revision)
IS 9944 : 2023 Textiles — Natural and Man-Made Fibre Rope Slings — Recommendations for Safe Working Loads (Second Revision)	IS 9944 : 1992 Natural and Man-Made Fibre Rope Slings — Recommendations on Safe Working Loads (First Revision)

Note: Our newsletter only includes certain key updates concerning Bureau of Indian Standards. Other updates during the month can be found at this [link](#).

Non-Tariff Measures

India

Change in effective date for certain Quality Control Orders (10 Mar)

The Ministry of Chemicals and Fertilizers has notified amendment to effective date of certain Quality Control Orders. The Orders concerning Acrylonitrile - Butadiene Styrene (ABS) shall come into force on 12th June 2023. The Orders concerning the following products shall come into force on 12th March 2024.

- Polycarbonate
- Vinyl Chloride Monomer
- Ethylene Dichloride

Change in effective date for certain Quality Control Orders for Polyurethane and p-Xylene (16 Mar)

The Ministry of Chemicals and Fertilizers has notified that the Quality Control Orders applicable to Polyurethane and p-Xylene shall come into force on 19th March 2024.

Change in effective date for certain Quality Control Orders for Ethylene Glycol (23 Mar)

The Ministry of Chemicals and Fertilizers has notified that the Quality Control Order applicable to Ethylene Glycol shall come into force on 28th June 2023.

Change in effective date for certain Quality Control Orders (31 Mar)

The Ministry of Chemicals and Fertilizers has notified amendment to effective date of certain Quality Control Orders. The Orders concerning the following products shall come into force on 3rd October 2023.

- Ethylene Vinyl Acetate Copolymers
- Polyethylene Material for Moulding and Extrusion

The Orders concerning the following products shall come into force on 3rd July 2023.

- Polyester Continuous Filament Fully Drawn Yarn
- Polyester Partially Oriented Yarn
- Polyester Industrial Yarn
- 100 Percent Polyester Spun Grey and White Yarn

Global

Japan

Partial amendment to the Poisonous and Deleterious Substances Designation Order (02 Mar)

The Ministry of Health Labour and Welfare designates 3-Aminopropane-1-ol substance as deleterious in order to provide necessary control on Poisonous substances and Deleterious substances from the viewpoint of health and hygiene.

UK

Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023 (21 Mar)

The aforementioned regulations are designed to prohibit or restrict the supply of certain plastic items on the grounds that they cause harm to the environment, since their durability ensures that they can survive for centuries in landfill or as litter in the countryside or ocean.

USA

Revocation of finding stating that it is not necessary to regulate coal and oil-fired electric utility steam generating units (EGUs) (09 Mar)

The Environment Protection Agency (EPA) has revoked a finding dated 22nd May 2020, which stated that it is not appropriate and necessary to regulate coal and oil-fired electric utility steam generating units (EGUs) under Section 112 of the Clean Air Act. The EPA has clarified that it remains appropriate and necessary to regulate Hazardous Air Pollutant emissions from EGUs.

Energy Conservation Standards for Fluorescent Lamp Ballasts (28 Mar)

The U.S. Department of Energy is initiating an effort to determine whether to amend the current energy conservation standards for Fluorescent Lamp Ballasts under the Energy Policy and Conservation Act.

Note: Our newsletter only includes certain key updates concerning Non-Tariff Measures. Other updates during the month can be found at this [link](#).

Trade Remedial Actions

Chapter 03 – Fish and crustaceans, molluscs and other aquatic invertebrates

Trade remedial actions against India

USA

Preliminary affirmative determination by the USDOC in the administrative review of anti-dumping duty on imports of certain Frozen Warmwater Shrimp from India. (03 Mar)

The USDOC has preliminarily determined that the Indian producers were dumping the merchandise exported to the U.S. The period of review for the investigation was 1st February 2021 to 31st January 2022. The USDOC determined a dumping margin of 7.92% and 1.43% for the two selected respondents, Megaa Moda Private Limited and NK Marine Exports LLP. A dumping margin of 3.76% was determined for the 185 non-sampled producers.

Chapter 04 – Dairy produce; birds' eggs; natural honey; edible animal products

USA

- Initiation of sunset review of anti-dumping duty on imports of Honey from China. (01 Mar)

Chapter 20 – Preparations of vegetables, fruit, nuts or other parts of plants

USA

- Suspension of anti-dumping and anti-subsidy duties on imports of White Grape Juice Concentrate from Argentina. (24 Mar)

Chapter 26 - Ores, slag and ash

USA

- Affirmative determination by the USITC in the sunset review of anti-dumping duty on imports of Uranium from Russia. (31 Mar)

Chapter 28 – Inorganic chemicals

Trade remedial actions by India

Initiation of anti-dumping investigation into imports of Sodium Cyanide (NaCN) from China, European Union, Japan and South Korea. (31 Mar)

DGTR initiated an anti-dumping investigation into imports of Sodium Cyanide (NaCN) from China, European Union, Japan and South Korea. The application for initiation of investigation was received from Hindusthan Chemical Company and United Phosphorous Limited. The applicants have submitted prima facie information regarding increase in volume of dumped imports which are undercutting the prices of the domestic industry leading to decline in capacity utilization, production, and profitability of the domestic industry.

Trade remedial actions against India

USA

Imposition of anti-subsidy duty on imports of Barium Chloride from India. (07 Mar)

The USDOC has issued orders for imposition of anti-subsidy duty following the final affirmative determination by USITC. The USDOC has determined a subsidy margin of 23.57% for Chaitanya Chemicals, the sole respondent, as well as for all other exporters from India. The investigation was instituted on 12th January 2022, following the petition filed by Chemical Products Corp., Cartersville, Georgia.

Other trade remedial actions

Japan

- Initiation of sunset review of anti-dumping duty on imports of Electrolytic Manganese Dioxide from China. (08 Mar)

Turkey

- Initiation of anti-dumping investigation into imports of Sodium Percarbonates from Germany and Sweden. (25 Feb)

Chapter 29 – Organic Chemicals

Brazil

- Imposition of anti-dumping duty on imports of Butyl Acrylate from Russia. (17 Mar)

China

- Initiation of sunset review of anti-dumping duty on imports of Methyl Isobutyl (M) Ketone from South Korea, Japan and South Africa. (14 Mar)

Chapter 32 – Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments and other colouring matter; paints and varnishes

Madagascar

- Final affirmative determination in the safeguard investigation into imports of Paints. (10 Mar)

Chapter 37 – Photographic or cinematographic goods

China

- Initiation of sunset review of anti-dumping duty on imports of Photo Paper from EU, Japan and USA. (22 Mar)

Chapter 38 – Miscellaneous chemical products

EU

- Termination of anti-subsidy investigation into imports of Fatty Acid from Indonesia. (20 Mar)

USA

- Affirmative determination by the USDOC in the sunset review of anti-dumping duty on imports of Biodiesel from Argentina and Indonesia. (31 Mar)

Chapter 39 – Plastic and articles thereof

Trade remedial actions by India

Initiation of anti-dumping investigation into imports of Flexible Slabstock Polyol from China and Thailand. (29 Mar)

DGTR has initiated an anti-dumping investigation into imports of Flexible Slabstock Polyol from China. The application for initiation of investigation was received from Manali Petrochemicals Limited, which is the sole producer of the product in India. The applicant has submitted prima facie information showing increase in volume of dumped imports and price undercutting, leading to decline in market share and profitability of the domestic industry.

Australia

- Extension of anti-dumping duty on imports of Black Concrete Underlay Film with a width from 2-6 metres from Malaysia to Films with a width to 1-7 meters. (06 Mar)

EU

- Initiation of anti-dumping investigation into imports of certain Polyethylene Terephthalate (PET) from China. (30 Mar)

Chapter 40 – Rubber and articles thereof

Trade remedial actions against India

USA

Preliminary affirmative determination by the USDOC in the administrative review of anti-subsidy duty on imports of certain New Pneumatic Off-the-Road Tires from India. (31 Mar)

The USDOC has preliminarily determined that the Indian producers received countervailable subsidies for merchandise exported to the U.S. For the period 1st January 2022 to 31st December 2022, the USDOC has determined a subsidy rate of 1% for Balkrishna Industries Limited, 1.57% for ATC Tires Private Limited and 1.29% for all non-sampled producers. The final determination is due in September 2023.

Chapter 44 – Wood and articles of wood

USA

- Affirmative determination by the USDOC in the sunset review of anti-subsidy and anti-dumping duties on imports of certain Hardwood Plywood products from China. (06 and 30 Mar)

Chapter 48 – Paper and paperboard; articles of paper pulp, of paper or paperboard

Trade remedial actions against India

USA

Final affirmative determination by the USDOC in the anti-subsidy investigation into imports of Paper File Folders from India. (20 Mar)

The USDOC has preliminarily determined that the Indian producers received subsidies

for merchandise exported to the U.S. The USDOC determined a subsidy margin of 3.65% for Navneet Education Limited and all other exporters. However, high margin of 59.26% was determined for Lotus Global Private Limited based on adverse facts available. The final determination in the investigation is likely to be issued by 24th July 2023.

Other trade remedial actions

South Korea

- Initiation of sunset review of anti-dumping duty on imports of Coated Paper from China, Finland and Japan. (21 Mar)

Chapter 54 – Man-made filaments

Trade remedial actions by India

Final Findings issued in anti-circumvention investigation of anti-dumping duty on imports of High Tenacity Polyester Yarn from China. (31 Mar)

DGTR issued final findings in anti-circumvention investigation of anti-dumping duty on imports of High Tenacity Polyester Yarn from China. DGTR held that the product under investigation is being imported into India after alteration of name, description or composition after imposition of anti-dumping duty, and imports are entering India at dumped prices. DGTR recommended extension of anti-dumping duty in force to High Tenacity Polyester Yarn of less than 1000 deniers but more than 840 deniers, High Tenacity Polyester Yarn of more than 6000 deniers but more than 7000 deniers and adhesive activated yarn of more than 1000 deniers but less than 1300 deniers.

Chapter 72 – Iron and Steel

Trade remedial actions against India

USA

Final negative determination by USDOC in anti-circumvention investigation of anti-dumping duty on imports of certain Welded Carbon Steel Standard Pipes and Tubes from India, when completed and exported from Oman and UAE. (03 Mar)

The USDOC has determined that anti-dumping duty on Pipes and Tubes imported from India is not being circumvented by goods exported from Oman and UAE. The USDOC

had initiated an investigation into the alleged circumvention of duty on account of completion and export of Circular Welded Carbon Steel Pipes and Tubes from Oman and UAE, using Hot-Rolled Steel of Indian origin. The anti-dumping duty was first imposed in 1986.

Preliminary negative determination by the USDOC in the administrative review of the anti-dumping duty on imports of Stainless-Steel Bars from India. (07 Mar)

The USDOC has determined that the Indian producers did not dump the subject merchandise in the U.S., during the period of review, that is 1st February 2021 to 31st January 2022. A dumping margin of 0% was determined for Laxcon Steels Limited and its affiliates and as a result, 0% margin was determined for other non-sampled companies.

Other trade remedial actions

EEU

- Affirmative determination by the Internal Market Protection Department of EEC in the sunset review of anti-dumping duty on imports of Hot-Rolled Steel Angles of Carbon, Low-Alloy, and Alloy Steel from Ukraine. (10 Mar)

South Africa

- Preliminary affirmative determination in the anti-dumping investigation into Flat-Rolled Products of Iron or Non-Alloy Steel from China. (02 Mar)
- Initiation of sunset review of the safeguard measures on imports of Threaded Fasteners of Iron or Steel. (24 Mar)

South Korea

- Initiation of sunset review of anti-dumping duty on imports of Stainless-Steel Plates from Japan. (10 Mar)

Ukraine

- Initiation of sunset review of anti-dumping duty on imports of Rebars and Wire Rods from Russia. (28 Feb)

UK

- Final affirmative determination in the transition review of anti-dumping duty on imports of certain High Fatigue Performance Steel Concrete Reinforcement Bars from China. (01 Mar)

USA

- Affirmative determination by the USDOC in the sunset review of anti-dumping duty on imports of Carbon and certain Alloy Steel Wire Rods from Belarus, Italy, Russia, South Africa, South Korea, Spain, Turkey, Ukraine, UAE and UK. (15 Mar)
- Final affirmative determination by the USDOC in the anti-circumvention investigation of anti-dumping duty on imports of certain Stainless-Steel Sheets and Strips from China and further processed in Vietnam. (30 Mar)

Vietnam

- Continuation of safeguard measures on imports of Long Steel Products and revocation of measures on imports of Steel Billet Products. (24 Mar)
- Extension of safeguard measures on imports of Long Steel Products to Coiled Steel Products and Steel Wires. (24 Mar)

Chapter 73 – Articles of iron or steel

Trade remedial actions against India

USA

Preliminary affirmative determination by the USDOC in the administrative review of anti-subsidy duty on imports of certain Cold-drawn Mechanical Tubing of Carbon and Alloy Steel from India. (07 Mar)

The USDOC has preliminarily determined that the producers in India received countervailable subsidies for merchandise exported to the U.S. during the period from January 2021 to December 2021. The USDOC determined a subsidy rate of 3.53% and 3.97% for the selected respondents, Goodluck India Limited and Tube Investments of India Limited, respectively. For the two non-sampled respondents, Lal Baba Seamless Tubes Private Limited and Metamorphosis Engitech India Private Limited, a rate of 3.79% was determined.

Final affirmative determination by the USDOC in the administrative review of anti-dumping duty on imports of Stainless-Steel Flanges from India. (07 Mar)

The USDOC has determined that the Indian producers were dumping the merchandise exported to the U.S. during the period 1st October 2020 to 30th September 2021. The USDOC determined a dumping margin of 0.65% and 50.72% for the two selected respondents, Chandan Steel Limited and Goodluck India Limited. A margin of 13.22% has been determined for 21 non-sampled respondents.

Affirmative determination by the USDOC in the sunset review of anti-dumping duty on imports of certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from China, Germany, India, Italy, South Korea and Switzerland. (20 Mar)

The USDOC has determined that revocation of anti-dumping duty on the subject merchandise is likely to result in continuation of dumping in the U.S. The USITC will now determine whether the revocation of duty is likely to result in continuation or recurrence of injury to the U.S. industry. In the original investigation concluded in 2018, the USDOC determined a dumping margin ranging from 8.26% to 33.80% for Indian exporters.

Other trade remedial actions

Canada

- Initiation of sunset review investigation by CBSA and CITT of anti-dumping and anti-subsidy duties on imports of Certain Steel Piling pipes from China. (14 Mar)
- Affirmative determination by CBSA in sunset review of anti-dumping duty on imports of Carbon and Alloy Steel Line Pipes from South Korea. (30 Mar)

Columbia

- Initiation of sunset review of anti-dumping duty on imports of Stainless-steel Dishwashers weighing less than or equal to 8 kilograms from China. (17 Mar)

EEU

- Initiation of sunset review by the Internal Market Protection Department of EEC of anti-dumping duty on imports of Cold-worked Seamless Pipes and Tubes of Stainless Steel from China. (06 Mar)

EU

- Extension of anti-dumping duty on imports of Stainless-Steel Tube and Pipe Buttwelding Fittings from China to goods originating in Malaysia. (02 Mar)
- Initiation of sunset review of anti-dumping duty on imports of certain Seamless Pipes and Tubes of Stainless Steel from China. (03 Mar)

UK

- Initiation of transition review of anti-dumping duty on imports of Steel Ropes and Cables from China, including goods consigned from Morocco and South Korea. (30 Mar)

USA

- Affirmative determination by the USDOC and USITC in the sunset review of anti-dumping duty on imports of Stainless Steel Butt-Weld Pipe Fittings from Italy, Malaysia and the Philippines. (07 Mar)
- Affirmative determination by the USDOC in the sunset review of anti-subsidy duty on imports of Carbon and Alloy Steel Wire Rods from Italy. (28 Mar)
- Affirmative determination by the USDOC in the sunset review of anti-subsidy duty on imports of Carbon and Alloy Steel Wire Rods from Turkey. (30 Mar)

Chapter 74 – Copper and articles thereof

USA

- Affirmative determination by the USITC in the sunset review of anti-dumping duty on imports of Brass Sheets and Strips from France, Germany, Italy and Japan. (24 Mar)

Chapter 76 – Aluminium and articles thereof

USA

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Aluminium Foil from China. (01 Mar)

Chapter 82 – Tools, implements, cutlery, spoons and forks, of base metal; parts thereof of base metal

Argentina

- Continuation of anti-dumping duty on imports of High-Speed Steel Straight Manual Saw Blades and Bimetal Steel Straight Manual Saw Blades from Sweden. (03 Mar)
- Continuation of anti-dumping duty on imports of High-Speed Steel Manual Saw Blades from China. (21 Mar)

Chapter 83 – Miscellaneous articles of base metal

Brazil

- Initiation of anti-dumping investigation into imports of Yale or Tetra Type Unsealed Brass Keys, with or without plastic resin applied to the head, from China, Colombia and Peru. (15 Mar)

Turkey

- Continuation of anti-dumping duty on imports of Cored Wires of Base Metals for Electrical Arc Welding from China. (28 Feb)

Chapter 84 – Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

Turkey

- Initiation of anti-dumping investigation into imports of certain Air Conditioners from China (28 Feb)

Chapter 86 – Railway or tramway locomotives, rolling-stock and parts thereof

USA

- Preliminary affirmative determination by the USDOC in the anti-subsidy and anti-dumping investigations into imports of certain Freight Rail Couplers and parts thereof from China. (03 and 13 Mar)

Chapter 87 – Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof

Trade remedial actions by India

Initiation of sunset review of anti-dumping duty on imports of Flat Base Steel Wheels from China. (24 Mar)

DGTR initiated the third sunset review of anti-dumping duty on imports of Flat Base Steel Wheels from China. The application for initiation of investigation was received from Wheels India Limited and Steel Strips Wheels Limited. The anti-dumping duty has been in force since 31st December 2007, and shall remain in force till 12th September 2023, unless extended by the Central Government.

Other trade remedial actions

EEU

- Initiation of anti-dumping investigation by the Internal market Protection Department of EEC into imports of Aluminium Alloy Wheels from Japan, Thailand, Turkey and Malaysia. (01 Mar)

Chapter 94 – Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishings

USA

- Affirmative determination by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of certain Tool Chests and Cabinets from China and Vietnam. (14 and 30 Mar)

Chapter 96 – Miscellaneous manufactured articles

USA

- Continuation of anti-dumping duty on imports of certain Cased Pencils from China. (14 Mar)

About Us

TPM was founded in 1999 at a time when the practice of trade remedies in India was in its infancy and there were only a handful of firms in the field. While other firms added these services to their existing portfolios, TPM dealt exclusively in cases in the domain of trade remedies.

TPM began its journey with a staff of merely 2 professionals. Today, it has a team of more than 40 professionals including Cost Accountants, Chartered Accountants, Company Secretaries, Lawyers, Engineers and MBAs.

In its first two decades, TPM was primarily focused on providing consultancy in the field of trade remedies. TPM helps domestic producers suffering due to cheap and unfair imports into India to avail the necessary protection under the umbrella of the WTO Agreements. TPM also assists the domestic producers in other countries to avail similar measures in their respective countries. Besides assisting domestic producers in India and other countries, TPM also represents exporters and importers facing trade remedial investigations in India or other countries. TPM has assisted Indian exporters facing investigations in a number of jurisdictions such as China, Argentina, Brazil, Canada, Egypt, European Union, GCC, Indonesia, South Korea, Turkey and USA.

In the last few years, TPM's reputation has grown in other fields of non-tariff barriers, policy advocacy matters, foreign trade policy, business consulting and litigation. Its vast experience with industry leaders in various sectors puts it in a unique position to effectively and efficiently handle matters relating to policy advocacy before various government forums as well as business consulting. This has brought new avenues of growth for the TPM team and has helped industry find innovative solutions to complex problems.

For more details about the contents of this newsletter, kindly contact aastha@tpm.in.

TPM Consultants

Ish Kriti, J-209, Saket, New Delhi – 17



[011 – 4989 2200](tel:011-49892200)



info@tpm.in



www.tpm.in



[TPM Solicitors & Consultants](#)

Disclaimer: The information contained in this document is intended for informational purposes only and does not constitute legal opinion or advice. This document is not intended to address the circumstances of any particular individual or corporate body. Readers should not act on the information provided herein without appropriate professional advice after a thorough examination of the facts and circumstances of a particular situation. There can be no assurance that the judicial/quasi judicial authorities may not take a position contrary to the views mentioned herein. Unless stated otherwise, TPM does not grant the copyright for the information provided. All pictures copyright to their respective owner(s). TPM does not claim ownership of any of the pictures displayed in the document unless stated otherwise.