

July 2021



# ADHYATAN

*TPM Newsletter*

*Issue 7 of 2021*

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The Month in Flashback	..... 3
Key Highlights	..... 4
Cover Story: Exemption and suspension of duty in sunset review investigation	..... 5
Insight: Is 22% return for non-injurious price (un) reasonable?	..... 8
Trade Remedies Updates: Trade Remedial Actions in India	.....11
Trade Remedies Updates: Trade Remedial Actions against India	.....12
Trade Remedies Updates: Other Trade Remedial Actions	.....13
Other Trade Updates: Foreign Trade Policy	.....17
Other Trade Updates: BIS Updates	.....17
Other Trade Updates: Free Trade Agreement	.....18

### *Trade Remedial Actions in India*

Number of investigations initiated	.....	10
Number of findings issued	.....	3
Duties imposed or continued	.....	0
Duties recommended but not imposed	.....	0
Ongoing anti-dumping investigations	.....	55
Ongoing anti-subsidy investigations	.....	3
Ongoing safeguard investigations	.....	2

### *Other Trade Updates*

Number of non-tariff notifications by India	.....	0
Number of non-tariff notifications by others	.....	286

### **India**

#### **Stakeholder consultation on simplification of rules, process and procedures relating to trade remedies**

The Department of Commerce has constituted a task force to reduce the burden on citizens and businesses for trade remedies. The task force will be reviewing all existing rules, processes and procedures to simplify them, and will ensure that all processes are completely online and identify regulations with provisions for criminal liability and ensure decriminalization of such cases wherever possible. A stakeholder consultation with the law firms was conducted on 23<sup>rd</sup> June 2021.

#### **Prima facie scrutiny of completeness of documents (16 Jun)**

The DGTR has issued Trade Notice 04/2021 dated 16<sup>th</sup> June 2021, superseding the earlier Trade Notice 15/2018 dated 22<sup>nd</sup> November 2018. The Trade Notice contains a checklist of documents and information to be followed at the time of filing of a petition. The domestic industry will be given a time of 5 working days to rectify deficiencies, if any, from the date of filing of the application.

### **WTO**

#### **Japan initiates WTO complaint against Chinese steel duties (11 Jun)**

Japan has requested consultations with China with respect to measures imposing anti-dumping duties on stainless steel billets, hot-rolled coils, and hot-rolled plates from Japan. Japan claimed that these measures appear to be inconsistent with various provisions of the Anti-Dumping Agreement and Article VI of the GATT 1994. Among other issues, the claimed inconsistencies pertain to injury determination, cumulative assessment, improper analysis of domestic and imported goods, improper definition of domestic industry, etc.

#### **Australia initiates WTO complaint against Chinese wine duties (22 Jun)**

Australia has requested consultations with China with respect to anti-dumping and countervailing measures on bottled wine in containers of 2 litres or less imported from Australia. Among other issues, the claimed inconsistencies pertain to application of like product, product under consideration, use of facts available, provisional measures and dumping determination.

#### **China initiates WTO complaint against Australian dumping and subsidy duties (24 Jun)**

China has requested consultations with Australia with respect to anti-dumping and countervailing measures imposed by Australia on imports of certain products originating in China, inter alia, wind towers, deep drawn stainless steel sinks and railway wheels. Among other issues, the claimed inconsistencies pertain to normal value calculation, improper comparison, improper determination for financial contribution, and other subsidy measures.

## Exemption and suspension of duty in sunset review investigation

Neha Pandey, Principal Associate

In a recently concluded sunset review investigation against China, Egypt and India, concerning imports of PET film, Brazil has extended the anti-dumping duties for another five years. Two major highlights of the finding are (i) zero duty awarded to two Indian producers, and (ii) suspension of anti-dumping duty against China and Egypt.

The investigation in question was initiated by the Undersecretary of Trade Defense and Public Interest (SDCOM), Brazil, in May 2020. Only selected producers, who represented the highest percentage of export during the review period, were called upon to fill the questionnaire response. Three exporters from India, Ester Industries Limited, Polyplex Corporation Limited and Vacmet India Limited were selected for filling up the questionnaire response. Out of the three, only Ester Industries Limited (Ester) participated in the investigation by filing the questionnaire response and presented all the details before SDCOM. Further, even though Jindal Poly Films Limited (Jindal) was not selected as identified producer, it voluntarily submitted a response to the exporter's questionnaire.

Exports from India to Brazil during the period of review were insignificant in quantity, and thus were not representative in nature. Therefore, SDCOM constructed the normal value for India and compared it with the average domestic selling price of the Brazilian market. Upon comparing the same, SDCOM found that normal value, of the product manufactured by Jindal and Ester was lower than the domestic industry's sales price. Accordingly, SDCOM concluded that the producer/exporter would not need to export the subject goods to Brazil at a price lower than their normal value, in order to be able to compete in the Brazilian market. The prices at which these two Indian companies would export PET film to Brazil was higher than the prices at which these companies would sell PET film in the Indian market.

In the present sunset review investigation, SDCOM examined the likely price of the dumped imports and the likely effect thereof on the prices of the like product in the Brazilian domestic market, the exporter's performance and changes in market conditions in the exporting country, Brazil, or a third market, apart from the data presented by the cooperating exporters. It was concluded that imports from the subject countries declined over the review period and the import prices also increased. On the other hand, the domestic industry made considerable improvement in all the parameters during the period of review. With regard to India, as discussed above, the dumping margin was negative, and the price undercutting was

In the recent investigation concerning imports of PET Film from China, Egypt and India, Brazil authority SDCOM awarded zero duty to two Indian producers, while continuing duties against other producers.

This is because the two producers, Ester Industries Limited and Jindal Poly Films Limited were able to demonstrate that they are not dumping and are not even likely to resume dumping if the duties are removed.

This resulted in decline in anti-dumping duties levied on the producers US\$ 248.09 per ton (US\$ 0.25/kg) and US\$ 225.15 per ton, to 0% in the sunset review.



also negative. Based on detailed examination of data presented by the cooperating exporters from India and other factors such as import volume, import price, SDCOM concluded that there is no probability of resumption of dumping by Jindal and Ester. The Authority also examined the production, capacity, export orientation, idle capacity, likely export price etc. of other Indian companies, and concluded that there is a probability of resumption of dumping from India by exporters, other than Ester and Jindal.

The Authority was of the opinion that the data presented by Ester and Jindal did not represent other Indian producers. Therefore, it was held that resumption of dumping from India, in the absence of duty, is likely to damage the domestic industry, but the same does not apply to Ester and Jindal. Accordingly, the duty levied on exports by Ester and Jindal, who were earlier attracting the anti-dumping duty at US\$ 248.09 per ton (US\$ 0.25/kg) and US\$ 225.15 per ton (\$0.23/kg), respectively, was modified to 0%. However, anti-dumping duties were extended for all the other Indian producers, that did not participate in the investigation.

#### **Exemption from duty in sunset review investigation**

The moot question, which arises from the subject investigation is that whether an exporter/producer who participated in the original investigation and was awarded an individual dumping margin, can be exempted from anti-dumping duty in the sunset review investigation? The answer is “yes”. The WTO Appellate Body, in its report, *US – Corrosion-Resistant Steel Sunset Review*, very specifically addressed the issue of whether the Authority, in a sunset review investigation, should make exporter specific determination or should opt for country wise determination of likelihood of recurrence of dumping and injury. The Appellate Body held that Article 11.3 of the WTO Agreement does not oblige the Authority to adopt any specific methodology to examine the likelihood of recurrence of dumping or injury. It can be done country-wise or producer/exporter-wise. Any producer/exporter, that participates in the sunset review and submits all its data, is entitled to get individual dumping margin. The Authority may extend the anti-dumping duty against a subject country but may exempt a participating producer/exporter from anti-dumping duty, if their data suggests that there are no/negligible exports from that country or their export prices have improved during the injury period, and there is no likelihood of resumption of dumping. In the present case, based on the data submitted by Ester and Jindal, their were exempt from the scope of the levy.

However, for the remaining exporters from India, the Authority examined the production, capacity, export orientation, idle capacity, likely export price, etc. and concluded that there is likelihood of recurrence of dumping, if duties are removed.

The decision of the SDCOM is consistent with the decision of the WTO Appellate Body, which has held that the WTO Agreement does not require the Authority to adopt any specific methodology to examine the likelihood of recurrence of dumping or injury.

Therefore, analysis of likelihood of dumping may be done producer-wise or country-wise.

### **Suspension of duty in sunset review investigation**

With regard to Egypt and China, SDCOM held that even though producers / exporters therefrom are likely to resume dumping, the analysis of the probability of resumption of damage should be based on the objective examination of all relevant factors, including the volume of imports of the subject goods during the life of duty and the likely trend of behaviour of these imports, in absolute and relative term to the production or consumption of the like product in the Brazilian domestic market. SDCOM held that there is doubt about the future behaviour of imports from these countries. For China, based on the likely price scenario, the prices will be more or less competitive in the Brazilian market, which gives rise to doubts regarding likely future evolution of imports from China. With regard to Egypt, SDCOM was of the opinion that since the producers have a lower level of idle capacity at present, future imports will depend on changes in strategies and there are doubts about the future behaviour of Egyptian export to Brazil. Thus, for both the countries, SDCOM recommended extension of the measure with the immediate suspension of its application, pursuant to Article 109 of Decree No. 8058, of 2013.

In Brazil, anti-dumping and sunset reviews investigations are determined by Decree No. 8058, of 2013. Article 109 of the decree has a provision for suspension of anti dumping duty in sunset review investigation if there is a doubt regarding behaviour of likely evolution of imports of the goods attracting duty. The collection of anti-dumping duties may be resumed on increase in import volume that could lead to recurrence of the injury to the domestic industry. The SDCOM will monitor the behaviour of imports and this monitoring will be carried out subsequent to the filing of the petition by the interested party containing data on the evolution of Brazilian imports of the subject goods. The petition for resumption of duty must be filed at least after six months of publication of the notice of suspension so that there is a reasonable time to monitor the import volume. A petition can be accepted even before six months, in case it involves public interest.

Even though the provision of suspension was there in the Decree since 2013, the SDCOM has aggressively started using it since 2019. This provision provides an opportunity to the exporters to keep a check their behaviour and encourages them to rectify dumping and resort to fair trade practices.

Additionally, SDCOM suspended the imposition of duty against Egypt and China PR.

As per the Brazilian law, duties may be suspended if there is doubt that the imports would be at dumped prices or cause injury to the domestic industry.

In this case, SDCOM took note of prices of imports from China and low level of capacities in Egypt, which cast doubt on likelihood of dumping or injury, and therefore, suspended duties.

The collection of duties may be resumed if there is an increase in import volume that could lead to recurrence of injury to the domestic industry.

While WTO permits countries to levy anti-dumping/anti-subsidy duties upto the full extent of dumping/subsidy margin, India follows what is known as “lesser duty rule”, wherein the duties are imposed considering the lower of injury margin or dumping/subsidy margin. The lesser duty rule has its own share of advocates and critics. One of the major reasons why it is criticized is because of the complex calculation methodology involved for determination of “non-injurious price”. Non-injurious price (NIP) is supposed to be that level of price at which the imports “would not injure the industry”. Once imports occur at this price, the domestic industry is expected to be able to charge a price that would allow it to recover costs and earn a reasonable return on the investment made by it.

### What is reasonable return?

As per the provisions of Annexure – III, “a reasonable return (pre-tax) on average capital employed for the product may be allowed for recovery of interest, corporate tax and profit.” Capital employed is taken as sum of net fixed assets and working capital. Neither the law nor the rules prescribe any specific rate of return, which is to be considered. Authority as a practice has been considering 22% as a reasonable rate of return on capital employed. The origin of 22% rate of return can be traced to Drug (Prices Control) Order, 1987, wherein the fixation of price of bulk drug was provided as under:-

*“While fixing the price of a bulk drug under sub-paragraph (1) the Government may take into consideration a post-tax return of 14 per cent on net worth or a return of 22 per cent on capital employed or in respect of a new plant an internal rate of return of 12 per cent based on long term marginal costing depending upon the option for any of the specified rates of return that may be exercised by the manufacturer of a bulk drug.”*

While there were three rate of returns provided under the order, in order to ensure uniformity, DGTR considered rate of return at 22% and the same is being consistently applied now.

### How reasonable is the 22% return on capital employed?

Reasonableness of 22% return on capital employed is debatable on two accounts. Firstly, the adequacy of 22% and secondly appropriateness of its application on the net fixed assets. A party opposing the imposition of anti-dumping duty might argue that a return of 22% is too high. In the era of globalization when the interest rate of borrowing rates are extremely low, it might be argued that a return of 22% will be extremely high as compared to what the industry has incurred. Indian borrowing rates are in the range of 8%

In order to impose duties following the lesser duty rule, a non-injurious price, which is the price at which the domestic industry would be able to recover costs and earn a reasonable return on investment made by it.

As per Annexure – III, a reasonable return on capital employed may be allowed for recovery of interest, corporate tax and profit.

The Authority as a practice considers 22% as a reasonable return on capital employed.

Capital employed is taken as sum of net fixed assets and working capital.

The origin of 22% return can be traced to Drug (Prices Control), Order, 1987.



to 10% and overseas funds can be borrowed at 2.5% - 3% on LIBOR.

Even Customs Excise and Service Tax Appellate Tribunal, in the matter of Bridge Stone Tyre Manufacturing (Thailand) vs Designated Authority, held that determination of non-injurious price assuming 22% return on investment gives an inflated picture of price underselling. Similarly, in the matter of Indian Spinners Association vs Designated Authority, the Tribunal ordered the domestic industry to file data on the historical return and held that injury was not justified by the claim for 22% return on capital employed.

On the other hand, a return of 22% on capital employed is appropriate considering that domestic industry incurs cost of both debt and equity. While the cost of debt is low, in the range of 8 to 10%, the cost of equity is much higher. The Tribunal has also in several recent cases such as Perstorp Chemicals GmbH & Ors. vs Designated Authority, Gujarat Fluorochemicals Ltd. vs Designated Authority, and Tangshan Sanyou Group Hong Kong International Trade Co. Ltd. vs Union of India, held that a return of 22% is appropriate considering the consistent practice of the Authority.

In fact, the domestic industry contends that 22% rate of return is not adequate. For example, for an industry which is more than two decades old, the return allowed on the net fixed assets is unreasonably low, due to the plants being largely depreciated. Study of various products wherein anti-dumping duties have been imposed over past three decades shows that the DGTR has recommended duty in a number of products, where manufacturing capacities were set up in the country over a long period of time. For instance, in the case of viscose staple, while the first plant of Grasim Industries was set up in 1954, it has added capacities 1996 and 2015. The assets value as per books of accounts for its old plants are practically nil, while the new assets are at higher value. A return on the fully depreciated plant will result in a non-injurious price that is so low, that no new producer would be able to invest in setting up a new plant, due to continued dumped imports in the market. Further, Annexure – III does not consider any revaluation in the amount of assets. This implies that, while an asset has been valued in the books at its fair value, which may be higher, the return is being allowed on the depreciated value.

While it can be contended that old plants get excessive protection in these cases because of capital employed in new investments, the returns are unduly low to protect the new investment. Returns are grossly insufficient to justify investment in further capacities. If these old plants earn profits even at this rate, such return will not generate

On two occasions, the Tribunal has held that the consideration of return at 22% is not appropriate. In one of the cases, the Tribunal called upon the domestic industry to file data on its historical return.

However, in recent cases, the Tribunal has taken the view that consideration of 22% return on capital employed is appropriate considering the consistent practice of Authority.

While those opposing the duties would contend that 22% return on capital employed is too high, the domestic industry contends that the return is actually too low. This is because in case of old plants, a return on depreciated value of assets is negligible.

funds sufficient enough to fuel further investments in capacity enhancement. Thus, the present approach is against the reinvestment economics being advocated by the Government.

Another issue in considering the return on capital employed is that it does not take into consideration the intangible assets employed by the domestic industry. For example, in a case of a technology-oriented product, cost of an intangible asset like royalty or technical know-how might be extremely high. However, as per the current DGTR practice, the intangible assets are not considered in the calculation of capital employed for allowing 22% return and the amount invested by the industry in the technology gets completely ignored.

### **Practice followed in other countries for determining non-injurious price**

In Australia, anti-dumping commission derives non-injurious price or what is called unsuppressed selling price. For this, price that the industry could reasonably achieve in the market in the absence of dumped or subsidized imports is considered. However, where it is not possible, the Commission constructs non-injurious price on the basis of domestic industry's cost to make and sell, plus a profit. The cost of production considered is the actual cost incurred by the industry. For the purpose of determining a reasonable amount of profit, weighted average profit rate achieved by the industry in the most recent period unaffected by dumping is considered. Alternatively, profit rate from industries operating in similar category of goods is considered.

European Union determines the non-injurious price on the basis of cost and after adding profit thereon. While the cost considered are actual costs, profit is the profit earned by the industry under normal conditions of competition, in the absence of dumped/subsidized imports.

From the approach followed by the global Authorities, it can be seen that they not follow a fixed rate of return for the purpose of non-injurious price. The calculation is majorly being done on the basis of past trend of profits of the domestic industry. While even selection of the past appropriate rate of return will, in itself, be a bottleneck, however, it can go in a long way to address the current issues of all the parties.

In case of an old plant having depreciated fixed assets, the return is low and the non-injurious price fixed resultantly is insufficient to allow protection against dumped imports.

Duty fixed on this basis would not encourage new investment in the product, as no new producer can survive at such lower prices.

Other jurisdictions such as Australia and European Union do not have any specific return or profit margin that they consider for the purpose.

The calculation is usually done based on the past trends of profits of the domestic industry.

## Trade Remedial Actions in India

### **Initiation of investigations**

- Anti-dumping investigation into imports of resin bonded thin wheels from China PR. (07 Jun)
- Sunset review of anti-dumping duty imposed on imports of textured tempered coated and uncoated glass from China PR. (07 Jun)
- Sunset review of anti-dumping duty imposed on imports of plain medium density fiberboards having thickness of 6 mm and above from Vietnam. (07 Jun)
- Sunset review of anti-dumping duty imposed on imports of ammonium nitrate from Russia, Georgia and Iran. (11 Jun)
- Anti-dumping investigation on imports of mono ethylene glycol from Kuwait, Saudi Arabia and USA. (28 Jun)
- Sunset review of anti-dumping duty imposed on imports of jute products from Bangladesh and Nepal. (28 Jun)
- Anti-dumping investigation into imports of electrogalvanized steel from Korea RP, Japan and Singapore. (28 Jun)
- Sunset review of anti-dumping duty imposed on imports of clear float glass from Iran. (29 Jun)
- Anti-dumping investigation on imports of clear float glass from Bangladesh and Thailand. (30 Jun)
- Sunset review of anti-dumping duty imposed on imports of elastomeric filament yarn from China PR, Korea RP, Taiwan and Vietnam. (30 Jun)

### **Duties recommended**

- Anti-dumping duty on imports of natural mica based pearl industrial pigments excluding cosmetic grade from China PR. (08 Jun)
- Anti-dumping duty on imports of aluminium foil 80 microns and below from China PR, Indonesia, Malaysia and Thailand. (18 Jun)
- Countervailing duty on imports of aluminium wire / wire rods above 7 mm diameter from Malaysia. (28 Jun)

### **Customs Notifications**

- Extension of anti-dumping duty imposed on imports of phenol from European Union and Singapore till 31<sup>st</sup> October 2021. (03 Jun)
- Extension of anti-dumping duty imposed on imports of polytetrafluoroethylene from Russia till 31<sup>st</sup> October 2021. (03 Jun)
- Extension of anti-dumping duty imposed on imports of vitrified / porcelain tiles from China PR till 31<sup>st</sup> December 2021. (28 Jun)

### **Customs Notifications (Contd.)**

- Extension of anti-dumping duty imposed on imports of cold-rolled flat products of alloy or non-alloy steel from China PR, Japan, Korea RP and Ukraine till 15<sup>th</sup> December 2021. (29 Jun)
- Extension of anti-dumping duty imposed on imports of hot-rolled flat products of alloy or non-alloy steel from Brazil, China PR, Indonesia, Japan, Korea RP and Russia till 15<sup>th</sup> December 2021. (29 Jun)
- Extension of anti-dumping duty imposed on imports of tyre curing presses/ tyre vulcanisers/ rubber processing machinery for tyres from China PR till 30<sup>th</sup> November 2021. (29 Jun)
- Extension of anti-dumping duty imposed on imports of plain medium density fibre board having thickness 6mm and above from Vietnam till 13<sup>th</sup> March 2022. (30 Jun)
- Extension of anti-dumping duty imposed on imports of viscose staple fibre from China PR and Indonesia till 31<sup>st</sup> October 2021. (30 Jun)
- Extension of anti-dumping duty on imports of PVC flex films from China PR till 31<sup>st</sup> January 2022. (30 Jun)

### ***Trade Remedial Actions against India***

#### **Canada**

##### **Initiation of normal value and export price review on imports of oil country and tubular goods from India (14 Jun)**

CBSA initiated a normal value and export price review on imports of oil country tubular goods from India by Jindal Saw Limited. The exporter has been advised to file information by 21<sup>st</sup> July 2021, if it wishes to participate in the investigation. The normal value and export price if re-determined, will be applicable to exports of subject goods from the date of conclusion of the review.

#### **United States of America**

##### **Initiation of expiry review investigation of anti-subsidy and anti-dumping measures on imports of certain corrosion-resistant steel products from India, Italy, China PR, Korea RP and Taiwan (01 Jun)**

USITC has initiated an expiry review investigation of measures imposed on imports of corrosion-resistant steel products from India, Italy, China PR, Korea RP and Taiwan to examine whether revocation of duties is likely to result in continuation or recurrence of injury. The original duties were imposed on 25<sup>th</sup> July 2016 and are due to expire on 24<sup>th</sup> July 2021.

### **United States of America (Contd.)**

#### **Initiation of expiry review investigation of anti-subsidy and anti-dumping measures on imports of cold-rolled steel flat products from Brazil, China PR, India, Japan, Korea RP and the United Kingdom (01 Jun)**

USITC has initiated an expiry review investigation of anti-subsidy measures on imports cold-rolled steel flat products from Brazil, China PR, India and Korea RP and anti-dumping measures on imports from Brazil, China PR, India, Japan, Korea RP and UK. The original duties were initially imposed on Japan and China PR on 14<sup>th</sup> July 2016 and were later imposed on other countries on 20<sup>th</sup> September 2016.

### ***Other Trade Remedial Actions***

#### **Argentina**

- Initiation of anti-dumping investigation on imports of steel doors from China PR. (03 Jun)

#### **Australia**

- Affirmative preliminary determination in anti-dumping investigation on imports of precision pipe and tube steel from China PR, Korea RP, Taiwan and Vietnam. (01 Jun)
- Initiation of anti-dumping investigation on imports of A4 copy paper from Indonesia by PT Pabrik Kertas Tjiwi Kimia Tbk. (02 Jun)
- Affirmative final determination in review of anti-dumping measures on imports of aluminium extrusions from Malaysia and Vietnam. (02 Jun)
- Affirmative final determination in anti-dumping investigation on imports of aluminium extrusions (mill and surface finish) from Malaysia. (02 Jun)
- Affirmative final determination in the accelerated review of anti-dumping and countervailing measures on imports of aluminium extrusions from Malaysia by PMB Aluminium Sdn. Bhd. (08 Jun)

#### **Brazil**

- Continuation of anti-dumping duties on imports of disposable plastic syringes for general use from China PR. (21 Jun)
- Continuation of anti-dumping duties on imports of elastomeric rubber tubes from Germany, Italy and United Arab Emirates. (21 Jun)



### **Canada**

- CBSA issues final determination in the anti-dumping investigation on imports of certain concrete reinforcement bars from Oman and Russia. (02 Jun)
- CITT issues final determination concluding that injury has been caused to the domestic industry due to imports of concrete reinforcement bars from Algeria, Egypt, Indonesia, Italy, Malaysia, Singapore and Vietnam. (02 Jun)
- Initiation of anti-dumping and anti-subsidy investigations on imports of certain container chassis from China PR. (10 Jun)
- CITT issues preliminary determination concluding that injury has been caused to the domestic industry by imports of certain small power transformers imported from Chinese Taipei and Korea RP. (14 Jun)

### **China**

- Initiation of expiry review of anti-dumping measures on imports of carbon steel from European Union and United Kingdom. (29 Jun)

### **Columbia**

- Initiation of bilateral safeguard investigation on imports of milk powder from the USA. (21 Jun)

### **Eurasian Economic Union**

- Initiation of anti-dumping investigation on imports of ferrosilicomanganese from Georgia and Ukraine. (28 Jun)
- Continuation of anti-dumping measures imposed on crawler dozers with angle and non-angle blade with engine power up to 250 hp from China PR. (30 Jun)

### **European Union**

- Imposition of provisional anti-dumping duties on imports of birch plywood from Russia. (11 Jun)
- Imposition of provisional anti-dumping duties on imports of mono ethylene glycol from USA and Saudi Arabia. (11 Jun)
- Imposition of provisional anti-dumping duties on imports of aluminium converter foil from China PR. (18 Jun)
- Initiation of anti-dumping investigation on imports of certain corrosion resistant steels from Russia and Turkey. (24 Jun)
- Continuation of safeguard measures on certain steel products for three years. (25 Jun)
- Recission of anti-dumping measures on imports of seamless pipes and tubes of iron or steel from China PR. (28 Jun)
- Initiation of expiry review of anti-dumping measures on imports of certain molybdenum wires from China PR. (28 Jun)

### **Japan**

- Initiation of anti-dumping investigation on imports of hot-dipped galvanized steel wire from China PR and Korea RP. (14 Jun)
- Imposition of definitive anti-dumping duties on imports of dipotassium carbonate from Korea RP. (18 Jun)

### **Korea RP**

- Initiation of anti-dumping investigation on imports of aluminium hydroxide from Australia and China PR. (17 Jun)

### **Mexico**

- Continuation of anti-dumping duties on imports of stainless-steel sinks from China PR. (07 Jun)

### **Pakistan**

- Imposition of definitive anti-dumping duties on imports of phthalic anhydride from China PR, Korea RP, Russia and Taiwan. (05 Jun)

### **Thailand**

- Initiation of anti-dumping investigation on imports of flat cold rolled stainless steel from Indonesia and Malaysia. (02 Jun)

### **Turkey**

- Initiation of antidumping investigation on imports of polyester flat yarn and polyester fully drawn yarn from Korea RP and Vietnam. (02 Jun)
- Initiation of review investigation of anti-dumping measures on imports of various knuckle chains and their parts from China PR. (16 Jun)
- Initiation of review investigation of anti-dumping measures on imports of frameless glass mirrors from China PR. (19 Jun)
- Initiation of review investigation of anti-dumping measures on imports of chillers from China PR. (26 Jun)

### **Ukraine**

- Initiation of safeguard investigation on imports of ceramic tiles. (1 Jun)

### **United Kingdom**

- Initiation of anti-dumping investigation on imports of aluminium extrusions from China PR. (21 Jun)

### USA

- Initiation of expiry review investigation of anti-dumping measures on imports of tissue paper from China PR. (01 Jun)
- USITC finds that material injury is likely to continue or recur on revocation of anti-dumping and anti-subsidy measure on imports of certain welded line pipe from Korea RP and Turkey. (02 Jun)
- USITC finds that material injury is likely to continue or recur on revocation of anti-dumping and anti-subsidy duties on imports of cut-to-length carbon steel plate from China PR, Russia and Ukraine. (07 Jun)
- DOC issues affirmative final determination in the anti-subsidy investigation on imports of utility scale wind towers from Malaysia. (09 Jun)
- USITC finds that US industry is materially injured due to imports of methionine from France. (10 Jun)
- USITC finds that material injury is likely to continue or recur on revocation of anti-dumping and anti-subsidy duties on imports of potassium phosphate salts from China PR. (15 Jun)
- USITC finds that US industry is materially injured due to subsidized and dumped imports of walk-behind lawn mowers from China PR and Vietnam. (16 Jun)
- USITC finds that US industry is materially injured due to imports of chassis and subassemblies from China PR. (21 Jun)
- USITC finds that material injury is likely to continue or recur on revocation of anti-dumping and anti-subsidy duties on imports of melamine from China PR. (21 Jun)
- DOC issues affirmative final determination in the anti-dumping investigation on imports of standard steel welded wire mesh from Mexico. (23 Jun)
- USITC finds that US industry is materially injured due to dumped imports of passenger vehicle and light truck tires from Korea RP, Taiwan, Thailand and subsidized imports from Vietnam. (23 Jun)
- DOC issues affirmative final determination in the anti-dumping investigation on imports of silicon metal from Malaysia. (24 Jun)
- DOC issues affirmative final determination in the anti-dumping investigation on imports of seamless refined copper pipe and tube from Vietnam. (24 Jun)
- DOC issues affirmative preliminary determination in the anti-subsidy investigation on imports of pentafluoroethane (R-125) from China PR. (25 Jun)

### Vietnam

- Initiation of review investigation of anti-dumping measures on imports of galvanized steel products from China PR and Korea RP. (7 Jun)
- Imposition of anti-dumping and countervailing duties on imports of cane sugar products from Thailand. (16 Jun)

### *Foreign Trade Policy*

#### **Amendment in Import Policy from restricted to free effective (25 Jun)**

Import Policy of items under HS Code 15119010, 15119020 and 15119090 viz. 'Refined bleached deodorised palm oil', 'Refined bleached deodorised plamolein' and 'Other Refined Palm Oil & its Fractions' are amended from restricted to free with effect from 30<sup>th</sup> June 2021, for the period up to 31<sup>st</sup> December 2021. Further, import of items under HS Code 151190 is not permitted through any port in Kerala.

#### **Fixation of two new Standard Input Output Norms (25 Jun)**

SION for export products Phenol is fixed at A- 3678 and for Acetone at A- 3679 under "Chemical & Allied Product".

### *Bureau of Indian Standards*

#### **Postponement of implementation of Standards (24 Jun)**

The implementation of the following Quality Control Orders has been extended, and the same shall now apply with effect from 21<sup>st</sup> December 2021, that is, 181<sup>st</sup> day from the date of the amendment:

1. Ethylene Glycol
2. Ether
3. n-Butyl Acrylate
4. Phthalic Anhydride
5. Terephthalic Acid
6. Toluene

#### **Postponement of implementation of Standards (15 Jun)**

The implementation of the following Quality Control Orders has been extended, and the same shall now apply with effect from 13<sup>th</sup> December 2021, that is, 181<sup>st</sup> day from the date of the amendment:

1. Ortho Phosphoric Acid

### Free Trade Agreement

#### **Canada to begin negotiations with Indonesia on a Comprehensive Economic Partnership Agreement**

The Honourable Mary Ng, Canada's Minister of Small Business, Export Promotion and International Trade, and Muhammad Lutfi, Indonesia's Minister of Trade, announced that Canada and Indonesia will begin negotiations on a Comprehensive Economic Partnership Agreement (CEPA).

#### **ASEAN, Canada look forward to further discussion on FTA**

The Association of Southeast Asian Nations (ASEAN) and Canada recently reaffirmed their commitment to strengthening cooperation under their new Plan of Action 2021-2025 in areas of mutual interest at the 9th ASEAN-Canada Joint Cooperation Committee (JCC) Meeting via videoconference. Both sides looked forward to further discussion on a possible ASEAN-Canada Free Trade Agreement (FTA).

#### **UK looks to seal Australia trade deal after G7**

The UK is aiming to sign its first significant post-Brexit trade deal with Australia soon after the upcoming G7 summit, as a major Pacific trade bloc formally approved Britain's application to begin accession talks.

#### **New Zealand-UK FTA free trade talks gearing up for fifth round**

Talks for a New Zealand and United Kingdom free trade deal are set to gather pace this week and British High Commissioner Laura Clarke says a new survey shows New Zealand traders are positive about its prospects.

#### **Australia and UK finalise free trade deal**

Australian Prime Minister Scott Morrison has hailed a free trade deal with the United Kingdom as the most comprehensive and ambitious in Australia's history. The prime minister and his British counterpart Boris Johnson announced the deal on Tuesday after sealing an in-principle agreement over dinner overnight.

#### **Ukraine and Turkey have to take the last step towards the conclusion of the Free Trade Agreement.**

Ukraine and Turkey have to take the last step towards the conclusion of the Free Trade Agreement, the most important and the most sensitive one, requiring a compromise between the two sides. The Ukrainian delegation is ready to arrive in Ankara to continue negotiations on finalizing the agreement.



### **UK Agrees Trade Deal With Norway in Latest Post-Brexit Accord**

The UK agreed to a new trade accord with Norway, Iceland and Liechtenstein, in its latest post-Brexit deal, which cuts tariffs on agricultural products and fish.

### **UK starts talks to join Asia-Pacific free trade pact**

Britain is to start negotiations to join a free trade area which could grant businesses access to "some of the biggest economies of the present and future", the government has said. The Comprehensive and Progressive Agreement for Trans-Pacific Partnership (CPTPP) is made up of 11 nations, including Australia, Canada and Japan. Membership would reduce tariffs on exports such as cars and whisky.

### **Japan ratifies world's biggest free trade agreement involving China, ASEAN**

Japan on Friday ratified the Regional Comprehensive Economic Partnership (RCEP), a free trade agreement between China, Australia, and the Association of Southeast Asian Nations. Tokyo became the third member to ratify the agreement, which was signed by 15 countries in November last year. Among the signatories, Singapore and China have completed ratification procedures

### **Singapore to ink free trade deal with Latin American bloc by end of 2021**

Singapore will sign a free trade agreement (FTA) by the end of this year with the Pacific Alliance (PA), a trading bloc of four Latin American nations - Chile, Colombia, Mexico and Peru.

### **UK enters negotiations on a digital trade agreement with Singapore**

Singapore and the United Kingdom begin negotiations today for a trade agreement in the hope of removing barriers related to exporting digital content and services. The UK is the first European country to embark on this type of deal. Australia and Singapore signed a digital economy agreement (DEA) in December 2020 and a three-way agreement was made between Chile, Singapore, and New Zealand in June 2020.

### **India, Australia likely to resume FTA talks soon**

India may begin formal negotiations for free trade agreements (FTAs) with the United Kingdom (UK) and European Union (EU) by the end of 2021 after completing ongoing preparatory work, commerce secretary Anup Wadhawan said.

## 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.*

*From the beginning, TPM was 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 has also assisted 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 assists 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 Argentina, Brazil, Canada, Egypt, European Union, GCC, Indonesia, Korea RP, Turkey and USA.*

*TPM has an enviable experience in the field, of more than 700 cases. Its unique experience in the field sets it apart from other firms. While the firm is primarily dedicated to trade remedies, it also provides services in the field of trade policy, non-tariff barriers, competition law, trade compliance, indirect taxation, trade monitoring and analysis. It also represents industries before the Government in matters involving customs policy.*

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