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# ADHYATAN

## TPM NEWSLETTER

July 2023

### In this Edition

- ◆ Insight into the proposed trade agreement between India and the European Union and major opportunities and challenges arising from it
- ◆ WTO Panel finds that anti-dumping measures imposed by China on imports of certain Steel Products from Japan were inconsistent with Anti-Dumping Agreement
- ◆ India and USA agree to resolve certain key trade issues through bilateral negotiations
- ◆ WTO releases the Trade Policy Review of the European Union
- ◆ Argentina suspends anti-dumping duties on certain products on grounds of public interest

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# Key Highlights

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## India

### **Government of India approves R&D project for textile industry (08 Jun)**

The Ministry of Textile has approved R&D projects worth ₹ 61.09 crores across key strategic areas such as Geotech, Protech, Indutech, Sustainable Textiles, Sportech, Buildtech segments and Speciality Fibers. The Ministry also emphasised the importance of identifying the areas where High Strength Lightweight Technical Textiles could be used as an alternative material in automobile, aviation, infrastructure and medical sectors for enhancing efficiency, advancement and sustainability. It encouraged an outreach program to attract more R&D proposals in priority areas.

### **India and USA agree to resolve key trade issues during the 13<sup>th</sup> Ministerial-level meeting of the United States-India Trade Policy Forum (22 Jun)**

India and USA have agreed to resolve key trade issues following PM Narendra Modi's visit to USA and meeting with President Joseph Biden. Following the 13<sup>th</sup> Ministerial-level meeting, India has agreed to remove retaliatory customs duties imposed on imports of 28 American products such as almonds, walnuts, and apples, among others. In 2018, USA imposed 25% and 10% import duties on certain steel and aluminium products respectively on grounds of national security under Section 232 of the Trade Expansion Act of 1962. In retaliation, in June 2019, India imposed additional customs duties on imports of 28 American products. However, following the exclusion of various steel and aluminium products of Indian origin from Section 232 measures, India has agreed to withdraw the retaliatory measures. Further, both countries have agreed to exchange information on a six-monthly basis under a Joint Monitoring Mechanism. Under the mechanism, India would apprise USA of the status of customs duties on the 28 concerned products while USA would inform India of the status of exclusions of products from Section 232 measures. India and USA have also agreed to terminate six outstanding disputes at the WTO, of which 3 were initiated by India, while the other 3 were initiated by USA.

## WTO

### **Trade Policy Review of the European Union (05 Jun)**

On 11<sup>th</sup> April 2023, the WTO Secretariat published its trade policy review of the European Union (EU). This is the fifteenth Trade Policy Review of the European Union. The review focused on the challenges posed by to the pandemic and Ukraine – Russia

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Conflict, the trade agreements negotiated and concluded during the review period, as well as trade policies and measures. The EU also countervailed ‘cross-border financial support’ provided by China to Indonesia for Cold-Rolled Flat Products of Steel during the review period. The review also highlights about the emergence of the Multi-Party Interim Appeal Arbitration Arrangement led by the EU and its increasing role in the functioning of the WTO. Further, the review discusses various trade agreements being negotiated by the EU, including the India-EU FTA, which the two countries intend to conclude by the end of 2023. For further details, kindly refer to the [link](#) herein.

### **WTO agrees to additional time for adoption of Panel Report in case of “India – Tariff Treatment on Certain Goods” (15 Jun)**

The WTO Dispute Settlement Body has agreed to grant an additional time before considering adoption of the Panel Report in the case of DS582 : India – Tariff Treatment on Certain Goods, circulated on 17<sup>th</sup> April 2023. At a meeting held on 15<sup>th</sup> June 2023, the WTO members considered the request made by European Union and India to delay the adoption of the Panel Report. Both members stated that such additional time would help facilitate the resolution of the dispute. Generally, the WTO members are required to adopt or appeal a panel report within 60 days of the circulation of the report. However, the WTO Dispute Settlement Body will now have time till 19<sup>th</sup> September 2023 to adopt the Panel Report, unless the parties decide to appeal against the report, or the Dispute Settlement Body decides not to adopt the ruling by mutual consensus.

### **China formally accepts Agreement on Fisheries Subsidies (27 Jun)**

On 27<sup>th</sup> June 2023, China formally submitted its instrument of acceptance for the WTO Agreement on Fisheries Subsidies. China is the world’s leading marine fishing producer. The Agreement on Fisheries Subsidies was adopted at the 12<sup>th</sup> Ministerial Conference of the WTO. The Agreement set binding, multilateral rules to curb harmful subsidies which are likely to lead in depletion of the global fish stocks. It also prohibits support for illegal, unreported and unregulated fishing, bans support for fishing overfished stocks, and ends subsidies for fishing on the unregulated high seas. However, the Agreement has not come into effect as it needs acceptance from two-thirds of WTO members. Currently, only 11 WTO members have formally accepted the Agreement, including China, Canada, EU and USA.

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## Global

### **Suspension of anti-dumping duties on imports of multiple products into Argentina in light of public interest (01 Jun)**

On 1<sup>st</sup> June 2023, the Ministry of Economy of Argentina has recommended suspension of the following anti-dumping duties for a period of 120 days from the date of suspension of such measures. The anti-dumping duty has been suspended in light of general foreign trade policies and public interest.

- Glass Wool from Mexico. (Chapter 70)
- Di-2-Ethylhexyl Orthophthalate (DOP) from South Korea (Chapter 29)
- Zinc Oxide (Zinc White) from Brazil and Peru (Chapter 28)
- Unsaturated, Alkyd, Oil-Free Polyester Resins from Brazil (Chapter 39)
- Polyethylene Terephthalate from Oman (Chapter 39)
- Fungicides based on copper hydroxide, copper oxychloride or cuprous oxide, which do not contain bromomethane (methyl bromide) or bromochloromethane from Brazil and Chile (Chapter 38)
- Toluene Diisocyanate 80:20 from USA. (Chapter 29)
- Polyethylene Terephthalate from China, India and Korea RP (Chapter 39)
- Sodium Benzoate from China and Netherlands. (Chapter 29)

### **USA bans imports from China due to the persecution of Uyghrus (09 Jun)**

USA has banned imports from one of the largest laser printer manufacturers, Ninestar, and a Chinese chemical company, Xinjiang Zhongtai Chemical, due to their participation in targeting Uyghurs and other persecuted groups. According to UN experts, Uyghurs and Muslim minorities have been detained in camps in China's western Xinjiang region. The import ban was put under the US Uyghur Forced Labor Protection Act (UFLPA) that prohibits imports into USA that are either produced in Xinjiang or by companies identified on a UFLPA.

# Strengthening Economic Ties: The India-EU Trade Agreement

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- India and the EU have concluded the fourth round of negotiations towards finalization of the trade agreement and aim to sign the agreement by the end of 2023.
- The EU is the second largest trading partner for India, while the latter is the ninth largest trading partner for the EU. The trade between the two totalled up to USD 135 billion in 2022-23.
- The Agreement is intended to liberalize trade in goods and services, harmonize non-tariff barriers, improve connectivity and logistics, and address sector specific challenges.
- India is also negotiating a data-secure status, and for exemption for MSMEs from the Carbon Tax imposed.
- Other challenges which are required to be addressed include concerns regarding ease of mobility of professionals, use of non-tariff barriers, intellectual property rights and dispute settlement mechanism.

India and the European Union (EU) started negotiations for a free trade agreement known as the Broad-based Trade and Investment Agreement in 2007. The Agreement was aimed at liberalizing bilateral trade through tariff reductions and improving market access for services, intellectual property rights and investments. However, the negotiations stalled in 2013 since the parties failed to reach a consensus on certain issues. On 17<sup>th</sup> June 2022, India and the EU re-launched negotiations for an Agreement on Trade and Investments including Geographical Indicators (GI). The first round of negotiations were concluded in June 2022. Recently, India and the EU concluded the fourth round of negotiations for the comprehensive free trade agreement in Brussels, and aim at signing the trade agreement by the end of 2023.

## **Trade relationship between India and the European Union**

India and Europe share a rich historical connection dating back centuries. The ancient Silk Route facilitated trade between the Indian subcontinent and Europe, leading to the exchange of goods, ideas, and cultural influences. The Colonial Era further solidified this relationship, shaping trade patterns and fostering economic interdependence.

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During the recent period, the trade between India and the EU has seen a significant increase. The bilateral trade between India and the EU has shown an average growth rate of 10% in the last 20 years. Bilateral trade between the two parties stood at around USD 116 billion in the year 2021-22. Despite the global disruptions, bilateral trade achieved an impressive annual growth of 43.5% in 2021-22 as compared to 2020- 21. In 2022-23, bilateral trade between India and the EU was about USD 135 billion.

The trade between the two members involves a well-diversified portfolio. The major products exported from India include Petroleum Oils and Oils obtained from Bituminous Minerals (excluding crude), Articles of Iron and Steel, Textile Articles, Gems and Jewellery, Organic Chemicals and Automobile Parts and Components. On the other hand, India majorly imports Capital Goods, Diamonds, Metal Scrap, Medicaments, Medical or Surgical/ Laboratory Instruments and Polymers from the EU.

The EU, as a collective bloc, is the second largest trading partner for India, after USA, while India ranks as the ninth-largest trading partner for the EU. However, there still exists significant untapped potential, which has prompted both sides to actively work towards harnessing it through various initiatives including ongoing negotiations for finalization of trade agreement.

### **Expectations from the FTA**

Considering the significant trade involved, there are huge expectations from the India-EU FTA. The growing middle class and rising disposable income in India offer a vast market for European exports. India has a strength in information technology, textiles, and services, which complements European prowess in sectors such as automotive, engineering, chemicals, and machinery.

Naturally, India and the EU expect to utilize mutual potential and strengths and at the same time facilitate trade by addressing the challenges being faced. Therefore, focus area under the agreement is not only limited to liberalize trade in goods and services, but also harmonization of non-tariff barriers, improving connectivity & logistics, and addressing sector specific challenges. India is also negotiating with the EU a data-secure status<sup>1</sup>, and for exemption of MSMEs from the imposition of Carbon Tax<sup>2</sup>.

<sup>1</sup> The EU law mandates that European countries doing outsourcing business with countries that are not certified as being “data secure” have to follow stringent contractual obligations. At present, India is not considered “data-secure” by the EU.

<sup>2</sup> With effect from 1<sup>st</sup> January 2026, the EU will start collecting Carbon Tax on each consignment of steel, aluminium, cement, fertilizer, hydrogen, and electricity, which account for a significant share of exports from India.

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## **Challenges faced in finalization of the Agreement**

During negotiations both members are experiencing certain roadblocks, which are being settled through regular and rigorous discussions. In particular, India has emphasised on the following.

- Mobility of Professionals – The EU does not have a uniform working visa system due to which migration of Indian professionals is restricted across EU nations. Therefore, India is seeking a permanent solution to the given issue.
- Access to the EU market – The significant rise in non-tariff barriers (NTBs) such as technical barriers to trade (TBTs), phytosanitary measures, industrial standards and conformity assessments from the EU is acting as a hindrance to exports. Liberalization of requirements in this regard would help towards improving exports to the EU.
- Intellectual Property Issue – The EU demands a stronger and more stringent intellectual property protection law that goes beyond the obligations of the Trade-Related Aspects of Intellectual Property Rights (TRIPS) Agreement. According to the TRIPS Agreement, intellectual property rights may be disregarded to protect public health, which is seen as a major threat to their IPR rights by certain developed members including the EU. Therefore, India may seek rationalization of requirements in this regard.
- Dispute settlement mechanism – Another area of friction is the proposal by the EU to set up an investor-state dispute settlement mechanism, which is incompatible with current Indian laws. This will allow the EU investors to challenge the government in front of an international tribunal.

The trade relationship between India and the EU has witnessed remarkable progress in recent years. The shared commitment to deepen economic ties, coupled with the recognition of the immense potential for collaboration, has paved the way for enhanced trade cooperation. The India-EU Agreement will be the largest trade agreement for India with a Western bloc, that is, with 27 nations. Trade under the Agreement would assist India in further growing and diversifying its exports of goods and services. As both members continue to navigate the evolving global trade landscape, a stronger partnership between India and the EU promises significant benefits for businesses, consumers, and overall economic growth. If structured and implemented well, the Agreement can help shape the story of economic growth for India for the forthcoming decade.

– Nihit Gupta, Joint Partner  
Tushar Sehgal, Business Analyst



# From the WTO Panel

## China – Anti-Dumping Measures on Stainless-Steel Products from Japan

WT/DS601/R

Decision dated 19<sup>th</sup> June 2023

- Domestic industry is required to be constituted having regard to producers accounting for major proportion of the total domestic production. Reference to market share of the producers is not relevant for the purpose.
- Where the domestic industry focuses on production of only one type of product, the domestic industry may not be representative of the producers producing other product types. However, the complainant has onus to prove that the constitution of domestic industry is not representative.
- Where there are differences in product categories in terms of prices, uses, and characteristics, the investigating authorities are required to examine whether the prices are comparable across categories to allow a fair comparison on average basis.
- In conducting the non-attribution analysis, the investigating authorities are not required to examine the effect of factors which did not affect the performance of the domestic industry during the period of investigation for which dumping was established.

The present issue arose out of anti-dumping duty imposed by China on imports of certain Steel Products from Japan, Korea, European Union and Indonesia. Post the imposition of anti-dumping duty, Japan requested the Dispute Settlement Body for establishment of a Panel with regard to the inconsistency in the Findings. Japan raised multiple issues including those related to composition of domestic industry, price comparability, determination of injury and causal link as well as fulfilment of disclosure requirements by the Chinese Authority.

### **Composition of domestic industry**

Japan contended that the composition of domestic industry was not appropriate. Inter alia, Japan highlighted that there was a discrepancy in market share and share in total production of the domestic industry. Since the volume of imports in China were low, the market share of the domestic industry should have been similar to the share in domestic production. The Report issued by the MOFCOM was silent in this regard. Further, Japan alleged that the MOFCOM failed to ensure that the domestic industry substantially reflected the total domestic production of all three products, billets, coils and plates.

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As regards market share, China stated that market share is irrelevant for the purpose of defining the domestic industry. The difference between the market share and share in domestic production arose due to the reason that while certain companies were excluded from determination of domestic industry, on account of relationship with exporters, their sales were a part of the consumption determined. With regard to examination of total production, China asserted that major proportion is required to be examined with respect to production of domestic like product as a whole and there was no requirement to analyze major proportion separately with regard to billets, coils and plates.

The Panel noted that the requirement to analyze major proportion focuses on share of domestic industry in domestic production and not share in total consumption. Thus, there was no obligation on the MOFCOM to analyze the same for the purpose of defining the domestic industry. Since source of the data for total domestic production and total consumption are different, it cannot be considered that discrepancy between the share in production and share in consumption rendered them unreliable. Regarding the second issue, the Panel found that the requirement under Article 4.1 is that the domestic industry should be representative of domestic producers as a whole. However, in case where domestic industry focuses on production of only one type of product, then the domestic industry may be unrepresentative. The burden of proving unrepresentativeness of the domestic industry lies upon the complainant. The Panel found that in the present case, Japan had failed to demonstrate that the domestic industry defined by the MOFCOM is not representative of domestic producers as a whole.

### **Price comparison between subject imports and domestic like product for injury analysis**

Another issue raised by Japan concerned the comparison of the import price and domestic prices for analysis of price undercutting and price suppression / depression. Japan claimed that the MOFCOM did not consider differences in prices between product categories, that is, billets, coils and plates, but took the average price of imports and domestic like product. This does not ensure price comparability between various products.

China countered that the product categories had no difference or had a minor price difference between them. Since the imports and domestic like product are sufficiently similar in composition, comparing average prices led to objective results.

The Panel noted that there are differences between product categories in terms of prices, physical characteristics, end-uses and customers which led to difference in competitive

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relationship between such product categories and accordingly, comparability of their prices. The Panel found that the MOFCOM failed to provide reasonable explanation supporting its determination that the prices of product categories were comparable for price analysis. Therefore, the Panel found that the injury analysis undertaken by the MOFCOM was not consistent with the Anti-Dumping Agreement.

**Examination of other causes of injury**

Lastly, Japan alleged that the MOFCOM failed to examine factors other than dumped imports causing injury to the domestic industry. Japan emphasized that the injury analysis undertaken by China did not consider the effect of decline in price of nickel.

However, China emphasized that none of the interested parties argued that decline in nickel prices was a factor causing injury to the domestic industry.

In this regard, Panel concluded that since decline in prices of nickel were in the period prior to the period of investigation and no dumping was established in the prior period, the MOFCOM was not required to consider it as a factor for causing injury to the domestic industry. Therefore, the causal link and non-attribution analysis undertaken by the MOFCOM was appropriate.

# Foreign Trade Policy

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## **Amendment in Import Policy for Pet Coke (02 Jun)**

The DGFT has amended the import policy for Pet Coke (Chapter 27). Under the amended policy, import of Needle Pet Coke is 'Free' for making graphite anode material for Li-Ion battery as feedstock / raw material. Further, import of Low Sulphur Pet Coke have been put under 'Restricted' category. The imports are permitted for use in Integrated Steel Plants, subject to Import Authorisation from DGFT, for blending with coking coal in recovery type coke ovens only, and not for any other purposes such as for fuel or for trade.

## **Pre-import condition for Advance Authorisation regularised (08 Jun)**

The Foreign Trade Policy 2015-20 had earlier been amended to provide that imports under Advance Authorization for physical exports are exempted from whole of the Integrated Goods and Services Tax (IGST) and compensation cess, and such imports shall be subject to pre-import condition. However, the Gujarat High Court held that the mandatory fulfilment of a 'pre-import condition' in order to claim exemption of IGST and compensation cess was arbitrary and unreasonable.

On 28<sup>th</sup> April 2023, after an appeal by the Department of Revenue, the Hon'ble Supreme Court recorded that imports that do not meet the pre-import condition have to pay the IGST and compensation cess. However, the Court also directed the Department to allow claims of refund or input credit of the IGST payable wherever the importers are eligible for the same, within six weeks from the date of the judgment on case-to-case basis. Accordingly, on 7<sup>th</sup> June 2023, the Ministry of Finance notified that for cases where the importers could not meet the pre-import condition and are required to pay IGST and Compensation Cess as a result, the importer can approach the concerned assessment group with relevant details for purposes of payment of the tax and cess along with applicable interest. For further details, kindly refer to the [link](#) herein.

In light of the same, the DGFT has notified that all imports made under Advance Authorization Scheme between 13<sup>th</sup> October 2017 to 9<sup>th</sup> January 2019, which could not meet the pre-import condition, may be regularized by making payments as prescribed in the Circular dated 7<sup>th</sup> June 2023.

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### **Amendment in Appendix 2X of Foreign Trade Policy (14 Jun)**

The DGFT has amended the Appendix 2X, containing the list of countries exempted from testing for presence of Azo Dyes in Textiles and Textile Articles. Testing of Textile and Textile Articles for presence of Azo Dyes will not be required for imports originating from the following countries:

- |                                  |                   |
|----------------------------------|-------------------|
| a. Members of the European Union | b. Canada         |
| c. Serbia                        | d. Japan          |
| e. Poland                        | f. South Korea    |
| g. Denmark                       | h. United Kingdom |
| i. Australia                     |                   |

### **Amendment in the Foreign Trade Policy 2023 with regard to the policy and procedure for General Authorisation for Export of Chemicals and related Equipment (19 Jun)**

The DGFT has amended the Foreign Trade Policy 2023 and allowed exports of SCOMET items to certain countries based on a onetime GAEC issued with a validity of 5 years, subject to the condition that all the exports done under the authorisation be reported subsequently. Further, the DGFT has also added more chemicals applicable for export under the GAEC. For a full list of chemicals, kindly refer to the [link](#) herein.

### **Amendment in Export Policy for Chromium Ores and Concentrates (22 Jun)**

The DGFT has amended the export policy for Chromium Ores and Concentrates (HS Code 2610) and placed the following items under the restricted category:

- a. 26100010 – Chrome ore lumps containing 47% Cr<sub>2</sub>O<sub>3</sub> and above
- b. 26100030 – Chrome ore lumps containing 40% or more but less than 47% Cr<sub>2</sub>O<sub>3</sub> – Chrome ore lumps below 40% Cr<sub>2</sub>O<sub>3</sub>
- c. 26100040 – Chrome ore friable and concentrates fixes containing through 47% Cr<sub>2</sub>O<sub>3</sub> and above
- d. 26100090 – Other

### **New online Norms Fixation IT module announced (23 Jun)**

As a part of the IT revamp of the exporter / importer services, the DGFT has activated the online system for Norms Fixation / Review of Norms. Applicants seeking Norms Fixation / Review of Norms through NC-7 have to now apply via the online platform. No hard copy of NC-7 will be accepted with immediate effect.

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### **Amendment in procedure for import of Copper products and Zinc Oxide under the Revised India – Nepal Treaty of Trade (22 Jun)**

The DGFT has been assigned as the designated authority for allocation and monitoring of all TRQ items under the Revised India – Nepal Treaty. It will be responsible for allocating and monitoring 10,000 MT of TRQ of Copper products and 2,500 MT of Zinc Oxide from Nepal. For further information on the TQR, kindly refer to the [link](#) herein.

### **Procedure for applying for Amnesty Scheme amended (23 Jun)**

On 17<sup>th</sup> April 2023, the DGFT had notified that all the applications for applying for the Amnesty Scheme have to be filed electronically. However, after receiving representations that there are certain problems in the online module, the DGFT has notified a form in manual mode to file the application. However, the form can be used only when the data of the Authorisation / License is not available in the online database of EODC module and when there is a persistent problem in filing the online application. Further, the last date to apply for the scheme has been extended till 31<sup>st</sup> December 2023 and the last date for payment of Customs Duty has been extended till 31<sup>st</sup> March 2024.

### **List of Export Promotion Councils / Commodity Boards / Export Development Authorities updated (23 Jun)**

The DGFT has amended the Appendix 2T i.e., the list of Export Promotion Councils / Commodity Boards / Export Development Authorities to set up the Export Promotion Council for Medical Devices. The Council will issue Registration-Cum-Membership Certificate (RCMC) for various medical products. The list of products covered is available at the [link](#) herein.

### **Process for Export Obligation Period extension and issuance of EODC for Advance Authorization for annual requirement issued (23 Jun)**

The DGFT has notified that after the approval of physical files submitted for redemption to the concerned RA, authorization holders can submit Closure/EODC Status Update request online to the RA for updation. RAs will examine the application and the physical correspondence shall be recorded online on the DGFT portal. Further, all applications for Export Obligation Period (EOP) extension for Advance Authorization for annual requirement have to be submitted physically and will be processed manually.

# Trade Agreements

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## Indian Updates

### **India and the UK conclude another round of negotiations**

India and the UK concluded the tenth round of negotiations on 9<sup>th</sup> June 2023. There were technical discussions held across 10 policy areas over 50 separate sessions. The eleventh round of negotiations is due in the upcoming months. Along with the FTA, the two countries are also negotiating a bilateral investment treaty, which is also targeted to be concluded by the end of the year.

### **India explores negotiating trade agreement with African customs**

India and the five-member South African Customs Union (SACU) are all set to start trade negotiations for a new free trade agreement in the upcoming years. The first round of discussions began in 2007 but stalled after 2010. SACU is a customs union among five countries of Southern Africa: Botswana, Eswatini, Lesotho, Namibia, and South Africa.

## Global Updates

### **Taiwan and the United States of America sign trade agreement**

Taiwan and USA signed a trade agreement on 1<sup>st</sup> June 2023, despite objections from China, which claimed Taiwan as part of its territory. The US-Taiwan Initiative on 21<sup>st</sup> Century Trade intends to give a boost to trade by streamlining customs checks, improving regulatory procedures, and establishing anticorruption measures between the two countries.

### **United Arab Emirates and Cambodia sign trade agreement**

Cambodia and the UAE signed a Comprehensive Economic Partnership Agreement on 8<sup>th</sup> June 2023. This Agreement is the fifth such deal signed by the UAE and is intended to reduce the countries reliance on fossil fuels by reducing and removing tariffs.

### **Kenya signs trade deal with the European Union**

The EU and Kenya have announced the conclusion of negotiations for an Economic Partnership Agreement. The agreement took only seven months to negotiate and conclude. For Kenya, the agreement will allow duty-free access for its farm produce in EU, while the EU will see tariffs reduced over a period of 25 years.

# Bureau of Indian Standards

## Substitution of Standards (13 Jun)

The Bureau of Indian Standards has notified substitution of certain standards including the standard **IS 1235 : 2023** Acetic Anhydride — Specification (Second Revision) with effect from 7<sup>th</sup> June 2023. However, the previous unamended standard **IS 1235 : 1988** Specification for Acetic Anhydride (First Revision) will remain in force concurrently till 7<sup>th</sup> July 2023. For a full list of products, please refer to the attached [link](#).

## Substitution of Standards (14 Jun)

The Bureau of Indian Standards has notified substitution of certain standards including the following with effect from 9<sup>th</sup> June 2023. However, the previous unamended standards will remain in force concurrently till 9<sup>th</sup> July 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
<b>IS 9909 : 2023</b> Specification for Succinic Acid for Electroless Plating (First Revision)	<b>IS 9909 : 1981</b> Specification for Succinic Acid for Electroless Plating
<b>IS 12846 : 2023</b> Boric Acid, Photographic Grade — Specification (First Revision)	<b>IS 12846 : 1989</b> Boric Acid, Photographic Grade — Specification

## Substitution of Standards (15 Jun)

The Bureau of Indian Standards has notified substitution of certain standards including the standard **IS 248 : 2023** Sodium Bisulphite, Technical (Sodium Metabisulphite) — Specification (Fifth Revision) with effect from 9<sup>th</sup> June 2023. However, the previous unamended standard **IS 248 : 1987** Specification for Sodium Bisulphite, Technical (Sodium Metabisulphite) (Fourth Revision) will remain in force concurrently till 9<sup>th</sup> July 2023. For a full list of products, please refer to the attached [link](#).

## Substitution of Standards (16 Jun)

The Bureau of Indian Standards has notified substitution of the following standard **IS 17265 : 2023** Textiles — 100 Percent Polyester Spun Grey and White Yarns — Specification (Second Revision) with effect from 6<sup>th</sup> June 2023. However, the previous unamended standard **IS 17265 : 2022** Textiles — 100 Percent Polyester Spun Grey and White Yarns — Specification (First Revision) will remain in force concurrently till 6<sup>th</sup> December 2023.



### **Amendment of Standards (17 Jun)**

The Bureau of Indian Standards has notified amendment to the following standards with effect from 13<sup>th</sup> June 2023. However, the previous unamended standards will remain in force concurrently till 12<sup>th</sup> December 2024.

- **IS 17261 : 2022** Textiles — Polyester Continuous Filament Fully Drawn Yarns — Specification (First Revision)
- **IS 17262 : 2022** Textiles — Polyester Partially Oriented Yarn (POY) — Specification (First Revision)
- **IS 17263 : 2022** Textiles — Polyester Staples Fibers — Specification
- **IS 17264 : 2022** Textiles — Polyester Industrial Yarns — Specification

### **Substitution of Standards (19 Jun)**

The Bureau of Indian Standards has notified substitution of the standard **IS 4910 (Part 3) : 2023** Tyre Yarns, Cords and Tyre Cord Fabrics Made from Man-Made Fibres — Methods of Test Part 3 Load and Elongation Characteristics (Second Revision) with effect from 13<sup>th</sup> June 2023. However, the previous unamended standard **IS 4910 (Part 3) : 1989** Tyre Yarns, Cords and Tyre Cord Warpsheets Made from Man-Made Fibres — Methods of Test Part 3 Load and Elongation Characteristics (First Revision) will remain in force concurrently till 13<sup>th</sup> July 2023.

### **Substitution of Standards (22 Jun)**

The Bureau of Indian Standards has notified substitution of the following standards with effect from 19<sup>th</sup> June 2023. However, the previous unamended standards will remain in force concurrently till 19<sup>th</sup> December 2023. For a full list of products, please refer to the attached [link](#).

<b>No., Year and Title of the Indian Standard established</b>	<b>No., Year and Title of the Indian Standard withdrawn</b>
<b>IS 1285 : 2023</b> Wrought Aluminium and Aluminium Alloys — Extruded Round Tube and Hollow Sections for General Engineering Purposes — Specification (Fourth Revision)	<b>IS 1285 : 2002</b> Wrought Aluminium and Aluminium Alloys — Extruded Round Tube and Hollow Sections for General Engineering Purposes — Specification (Third Revision)
<b>IS 9997 : 2023</b> Aluminium Alloy Redraw Rods for Electrical Purposes — Specification (Second Revision)	<b>IS 9997 : 1991</b> Aluminium Alloy Redraw Rods for Electrical Purposes — Specification (First Revision)

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### **Substitution of Standards (26 Jun)**

The Bureau of Indian Standards has notified substitution of the standard **IS 12540 : 2023** Acrylonitrile — Specification with effect from 12<sup>th</sup> May 2023. However, the previous unamended standard **IS 12540 : 1988** Specification for Acrylonitrile will remain in force concurrently till 12<sup>th</sup> December 2023.

### **Substitution of Standards (30 Jun)**

The Bureau of Indian Standards has notified substitution of the standard **IS 5295 : 2023** Ethylene Glycol — Specification (Third Revision) with effect from 28<sup>th</sup> June 2023. However, the previous unamended standard **IS 5295 : 2021** Ethylene Glycol — Specification (Second Revision) will remain in force concurrently till 28<sup>th</sup> December 2023.

### **Amendment of Standards (30 Jun)**

The Bureau of Indian Standards has notified amendment to the following standards with effect from 16<sup>th</sup> June 2023. However, the previous unamended standards will remain in force concurrently till 15<sup>th</sup> July 2023. For a full list of products please refer to the [link](#).

- **IS 5815 (Part 5) : 2005** Fishing Nets — Determination of Mesh Breaking Force of Netting
- **IS 12503 (Part 1 to 6) : 2020** Coir — Mattings, Mourzouks and Carpets
- **IS 14596 : 2020** Coir Products — 2-Ply Coir Yarns Spun by Manual Operation — Specification
- **IS 16187 : 2014** High Density Polyethylene (HDPE)/Polypropylene (PP) Leno Woven Sacks for Packaging and Storage of Fruits and Vegetables — Specification

# Non-Tariff Measures

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## India

### **Aluminium Conductors (Quality Control) Order, 2023 (01 Jun)**

India has notified the WTO of its draft Quality Control Order concerning Aluminium Conductors falling under IS 398: Part 1: 1996, IS 398: Part 2: 1996, IS 398: Part 4: 1994 and IS 398: Part 5: 1992. The draft order was issued by the Ministry of Power for seeking comments from WTO members before the measure is introduced by India. WTO Members can file comments within 60 days, that is by 31<sup>st</sup> July 2023. The measure would be adopted upon publication in the official gazette. The objective of the measure is to provide a higher level of quality, reliability and to enhance the safety of power transmission lines.

### **Quality Control Orders concerning Precision Roller and Bush Chains, Attachments, and Associated Chain Sprockets; Aluminium and Aluminium Alloy Products; Water Meters and Accessories; and Plywood and Wooden Flush Door Shutters (Quality Control) Order, 2023 (08 Jun)**

India has notified the WTO of its draft Quality Control Order concerning the following

- Precision, Roller and Bush Chains, Attachments and Associated Chain Sprockets falling under IS 2403: 2014 or ISO 606: 2004
- Water meters and Accessories falling under IS 2373:1981, IS 779: 1994 and IS 2692: 1989
- Aluminium and Aluminium Alloy Products falling under IS 7092 (Part 1):1992, IS 7092 (Part 2):1987, IS 5484:1997, IS 733:1983, IS 734:1975, IS 739:1992, IS 740:1977, IS 5082:1998, IS 16011:2012, IS 17682:2021, IS 1285:2002, IS 2067:1975, IS 21:1992, IS 1254:2007 and IS 7902:2001
- Plywood and Wooden flush door shutters falling under IS 303:1989, IS 2202 (Part 1):1999, IS 710:2010, IS 5509:2021, IS 1328:1996, IS 2191 (Part 2):2022, IS 2191 (Part 1):2022, IS 2202 (Part 2): 2022, IS 4990: 2011 and IS 10701: 2012.

The draft order was issued by the Department for Promotion of Industry and Internal Trade for seeking comments from WTO members before the measure is introduced by India. WTO Members can file comments within 60 days, that is by 7<sup>th</sup> August 2023. The measure would be adopted upon publication in the official gazette. The objective of the measure is to provide a higher level of quality, reliability, and protection of the environment, and to prevent deceptive practices and protect consumers.

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### **Electrical Equipment (Quality Control) Amendment Order (EEQCAO), 2023 (07 Jun)**

India has notified the WTO of its amendment to the Electrical Equipment (Quality Control) Order, 2020 for Low Voltage Switch Gears and Control Gears published in the Gazette of India dated 11<sup>th</sup> November 2022. The EEQCAO has been notified by the Ministry of Heavy Industries. Following the amendment, additional timelines for implementation of the Order have been provided to manufacturers linked to the product ratings and specified conditions.

### **Steel and Steel Products (Quality Control) Order, 2023 (14 Jun)**

India has notified the WTO of its draft Quality Control Order concerning Steel and Steel Products falling under IS 16732: 2019, IS 17111: 2010 (ISO 683- 17: 2014), IS 12594: 1988, IS 1170: 1992, IS 1171: 2011 and IS 1470: 2013. The order was issued by the Ministry of for seeking comments from WTO members before the measure is introduced by India. WTO members can file comments within 60 days, that is by 13<sup>th</sup> August 2023. The measure would be adopted upon publication in the Official Gazette. The objective of this measure is to ensure safety of infrastructure/ housing and protect consumers.

### **Cycle and Rickshaw Tyres and Tubes (Quality Control) Order, 2023 (16 Jun)**

India has notified the WTO of its draft Quality Control Order concerning Cycle and Rickshaw Tyres and Tubes falling under IS 2414:2005 and IS 2415:2015. The draft order was issued by the Department for Promotion of Industry and Internal Trade for seeking comments from WTO members before the measure is introduced by India. WTO Members can file comments within 60 days, that is by 15<sup>th</sup> August 2023. The measure would be adopted upon publication in the Official Gazette. The objective of the measure is to prevent deceptive practices and protection of consumers, human health and environment.

### **Change in effective date for Quality Control Orders for Automobile Wheel Rim Component. (15 Jun)**

The Ministry of Heavy Industries has notified amendment to the effective date of Automobile Wheel Rim Component (Quality Control) Order, 2020. Following the amendment, the orders shall now come into force with effect from 22<sup>nd</sup> December 2023.

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### **Change in effective date for Quality Control Orders for certain chemicals. (21 Jun)**

The Ministry of Chemicals and Fertilizers has notified amendment to the effective date of Quality Control Orders of certain chemicals. Following the amendments, the Orders concerning n-Butyl Acrylate and Toluene shall now come into force with effect from 22<sup>nd</sup> December 2023.

### **Steel Wires/ Strands, Nylon Wire and Wire Mesh (Quality Control) Order, 2023 (28 Jun)**

India has notified the WTO of its draft Quality Control Order concerning Steel Wires/ Strands, Nylon Wire and Wire Mesh falling under IS 2266:2019, IS 2365:2018, IS 1855:2022, IS 1856:2005, IS 2141:200, IS 4521:2001, IS 6590:1972, IS 278:2009 and IS 16014:2018. The draft order was issued by the Ministry of Steel for seeking comments from WTO members before the measure is introduced by India. WTO Members can file comments within 60 days, that is by 27<sup>th</sup> August 2023. The measure would be adopted upon publication in the official gazette. The objective of the measure is to prevent deceptive practices and protection of consumers, human health and environment.

## **Global**

### **USA**

### **Energy Conservation Program: Energy Conservation Standards for Electric Motors (02 Jun)**

The Office of Energy Efficiency and Renewable Energy, Department of Energy US has issued an amended Energy Policy and Conservation Act (EPCA). The amended Act prescribes energy standards for various consumer products and certain commercial and industrial equipment including electric motors. The objective of this measure is the protection of the environment.

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

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

### **Trade remedial actions against India**

#### **USA**

*Affirmative determination by USITC in the sunset review of the anti-dumping duty on imports of Frozen Warmwater Shrimp from China, India, Thailand and Vietnam (20 Jun)*

The USITC has determined that revocation of duties is likely to result in continued injury of Frozen Warmwater Shrimp. The review was initiated on 5<sup>th</sup> August 2022. The USDOC had earlier issued affirmative determinations and will now issue orders for continuation of duties.

## **Chapter 04 – Dairy produce; birds' eggs; natural honey; edible products of animal origin, not elsewhere specified or included**

#### **USA**

- Affirmative Determination by USDOC in the sunset review of anti-dumping duty on imports of Honey from China. (07 Jun)

## **Chapter 07 – Edible vegetables and certain roots and tubers**

#### **USA**

- Initiation of anti-circumvention investigation concerning anti-dumping duty on imports of Fresh Garlic from China, by imports of Small and Large Garlic Chunks from China. (08 Jun)

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

#### **New Zealand**

- Termination of anti-dumping investigation into imports of Preserved Peaches from China (12 Jun)

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## **Chapter 27 – Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes**

### **Trade remedial actions in India**

*Initiation of safeguard (quantitative restrictions) investigation into imports of Low Ash Metallurgical Coke. (30 Jun)*

The DGTR initiated safeguard (quantitative restrictions) investigation into imports of Low Ash Metallurgical Coke. The application for initiation of investigation was filed by BLA Coke Private Limited, Jindal Coke Limited, Saurashtra Fuels Private Limited, Vedanta Malco Energy Limited and Visa Coke Limited. The DGTR held that there is prima facie evidence of serious injury to the domestic industry due to increase in imports of the product as a result of unforeseen developments.

## **Chapter 29 – Organic Chemicals**

### **Trade remedial actions in India**

*Initiation of sunset review of anti-dumping duty on imports of Meta Phenylene Diamine from China. (30 Jun)*

The DGTR initiated the sunset review of anti-dumping duty on imports of Meta Phenylene Diamine from China. The application for initiation of investigation was received from Aarti Industries Limited. The DGTR held that there is prima facie evidence of likelihood of dumping and injury in case of cessation of anti-dumping duty. The likelihood has been established based on positive dumping margin and injury margin, freely disposable capacities, high export orientation and capacity expansion by Chinese producers, and vulnerability of the domestic industry.

### **Trade remedial actions against India**

#### **China**

*Initiation of sunset review of anti-dumping duty on imports of Meta Phenoxy Benzaldehyde, M-Phenoxy Benzaldehyde, 3-Phenoxy Benzaldehyde or MPB from India. (07 Jun)*

Based on an application filed by Weifang Maoyuan Biotechnology Co., Ltd., the MOFCOM has initiated a sunset review of anti-dumping duty to determine whether revocation of duty is likely to result in continuation of dumping and injury to domestic industry. The duty imposed in the original investigation ranged from 36.4% to 56.9%.

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## USA

*Preliminary affirmative determination by USDOC in the administrative review of anti-subsidy duty on imports of Glycine from India. (30 Jun)*

The USDOC has preliminarily determined that the subsidized imports of Glycine have entered the country during the period of review, that is 1<sup>st</sup> January 2021 to 31<sup>st</sup> December 2021. The USDOC determined a subsidy rate of 6.03% for Kumar Industries, Rudraa International and Rexusize Rasayan Industries.

## Other trade remedial actions

### China

- Initiation of sunset review of anti-dumping duty on Styrene from South Korea, Taiwan and USA. (21 Jun)

### Brazil

- Preliminary affirmative determination in the expiry review of anti-dumping duty on imports of Citric Acid and certain Citric Acid Salts and Esters from China. (02 Jun)

### USA

- Initiation of sunset review of anti-dumping duty on imports of Citric Acid and certain Citrate Salts from Belgium, Columbia and Thailand. (01 Jun)
- Affirmative determination by USITC in the sunset review of anti-dumping duty on imports of Dioctyl Terephthalate from South Korea. (26 Jun)

## **Chapter 31 – Fertilisers**

### Australia

- Initiation of anti-dumping investigation into imports of Ammonium Nitrate from China, Sweden and Thailand. (22 Jun)

## **Chapter 34 – Soap, organic surface-active agents, washing preparations, lubricating preparations, artificial waxes, prepared waxes, polishing or scouring preparations, candles and similar articles**

### Madagascar

- Continuation of safeguard measures on imports of Detergent products. (07 Jun)



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## **Chapter 38 - Miscellaneous chemical products**

### **USA**

- Initiation of sunset review of anti-dumping duty on imports of Activated Carbon from China. (01 Jun)
- Continuation of anti-dumping and anti-subsidy duties on imports of Biodiesel from Argentina and Indonesia. (15 Jun)

## **Chapter 40 – Rubber and Articles thereof**

### **Trade remedial actions in India**

*Initiation of anti-dumping investigation into imports of Isobutylene-Isoprene Rubber from China, Russia, Saudi Arabia, Singapore and USA. (30 Jun)*

The DGTR initiated an anti-dumping investigation into imports of Isobutylene-Isoprene Rubber from China, Russia, Saudi Arabia, Singapore and USA. The application for initiation of investigation was filed by Reliance Sibur Elastomers Private Limited. The DGTR held that there is prima facie evidence of injury and causal link as the imports have prevented price increases, which would have otherwise occurred, and have forced the domestic industry to export in order to dispose of its production. The domestic industry has sold at increasing losses, incurred cash losses and recorded a negative return on capital employed.

## **Chapter 44 – Wood and articles of wood; wood charcoal**

### **EU**

- Continuation of anti-dumping duty on imports of Okumé Plywood from China. (14 Jun)

### **USA**

- Continuation of anti-dumping and anti-subsidy duties on imports of certain Hardwood Plywood Products from China. (06 Jun)
- Affirmative determination by USITC in the sunset review of the anti-dumping and anti-subsidy duties on imports of Multilayered Wood Flooring from China. (16 Jun)

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

### **Trade remedial actions against India**

#### **USA**

*Affirmative determination by USDOC in the sunset review of anti-subsidy duty on imports of certain Lined Paper Products from India. (05 Jun)*

The USDOC has determined that revocation of anti-subsidy duty would likely lead to continuation or recurrence of imports of subsidized imports from India. Subsidy rate of 165.95% is likely to be continued for all Indian exporters.

*Initiation of anti-dumping investigation into imports of certain Paper Shopping Bags from China, Colombia, India, Malaysia, Portugal, Taiwan, Turkey and Vietnam and anti-subsidy investigation into imports from China and India. (26 and 27 Jun)*

The USDOC and USITC have initiated simultaneous anti-dumping and anti-subsidy investigations into Paper Shopping Bags imported from India, among other countries. The investigation was initiated based on petitions from the Coalition for Fair Trade in Shopping Bags. The period of investigation is 1<sup>st</sup> April 2022 to 31<sup>st</sup> March 2023 for the anti-dumping investigation and 1<sup>st</sup> January 2022 to 31<sup>st</sup> December 2022 for the anti-subsidy investigation.

### **Other trade remedial actions**

#### **USA**

- Initiation of sunset review of anti-dumping duty on imports of Folding Gift Boxes from China. (01 Jun)

## **Chapter 55 - Man-made staple fibres**

### **Trade remedial actions against India**

#### **USA**

*Affirmative determination by USDOC in the sunset review of anti-subsidy duties on imports Fine Denier Polyester Staple Fiber from India and China and anti-dumping duty on imports from China, India, South Korea and Taiwan (08 Jun)*

The USDOC has determined that revocation of the anti-subsidy and anti-dumping duties is likely to lead to continuation or recurrence of dumping and imports of subsidized goods from India. The duties were first imposed in 2018. Subsidy rates of 14.35% for

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Bombay Dyeing & Manufacturing Company Limited, 28.33% for Reliance Industries Limited and 25.77% for all other exporters are likely to be continued. Further, dumping margin of 21.43% for all Indian exporters is also likely to be continued.

## **Chapter 56 – Wadding, Felt and Nonwovens; special yarns; twine, cordage, ropes and cables and articles thereof**

### **Trade remedial actions in India**

*Final Findings issued in sunset review of anti-dumping duty on imports of Fishing net from China. (08 Jun)*

The DGTR issued Final Findings recommending continuation of anti-dumping duty on imports of Fishing Nets from China. The application for initiation of investigation was filed by Indian Fishnet Manufacturers Association. The DGTR concluded that continued dumping of subject goods from China and dumping of Chinese goods from Malaysia has caused injury to the domestic industry. Further, there was likelihood of continuation or recurrence of dumping or injury in case of cessation of the current anti-dumping duty in force, in view of significant capacities in the subject country, export orientation of producers in the subject country, capacity expansion in China, exports to third countries at dumped and injurious prices and price attractiveness of India.

## **Chapter 63 – Other made-up textile articles**

### **Madagascar**

- Continuation of safeguard measures on imports of Blankets and Travelling Rugs of all colours. (06 Jun).

## **Chapter 72 - Iron and steel**

### **Trade remedial actions against India**

#### **Mexico**

*Imposition of anti-dumping duty on imports of High Carbon Ferromanganese from India. (01 Jun)*

On 14<sup>th</sup> March 2021, the Ministry of Economy initiated an anti-dumping investigation into imports of High Carbon Ferromanganese from India. The Ministry of Economy on 1<sup>st</sup> June 2023 has imposed definitive anti-dumping duty of 38.38% on imports of High Carbon Ferromanganese from India. The application for imposition of such duties was

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filed by Minera Autlán, S.A.B. de C.V. Since none of the Indian producers / exporters participated in the said investigation, the anti-dumping duty has been determined based on evidence available.

## UK

*Final negative determination by TRA in transition review of anti-subsidy duty on imports of certain Stainless-Steel Bars and Rods from India. (15 Jun)*

The TRA has decided that revocation of anti-subsidy duty imposed on imports from India are not likely to lead to continued injury and thus, the duty should be revoked. The transition review was initiated to determine that, following UK's exit from the EU, whether these measures should be continued or revoked in the UK. The amount of duty which was imposed earlier ranged from 0% to 4%.

## USA

*Affirmative Determination by USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of certain Cut-to-Length Carbon-Quality Steel Plates from India, Indonesia and South Korea. (05 and 09 Jun)*

The USDOC has determined that revocation of anti-dumping and anti-subsidy duties are likely to lead to continuation or recurrence of dumping and imports of subsidised goods. Weighted average dumping margins of 42.39% for India, 52.42% for Indonesia and 6.09% for South Korea are likely to continue. Further, anti-subsidy rates of 12.39% for Steel Authority of India and other exporters from India, 15.90%-47.71% for Indonesia and 1.99%-2.02% for South Korea are likely to continue.

*Preliminary affirmative determination by USDOC in the administrative review of anti-dumping duty on Silicomanganese from India. (06 Jun)*

The USDOC has preliminarily determined that Silicomanganese from India was being dumped during the period of review, that is from 1<sup>st</sup> May 2021 to 30<sup>th</sup> April 2022. It determined a weighted-average dumping margin of 1.01% for Maithan Alloys Limited, who had requested the review for itself.

## Other trade remedial actions

### Australia

- Continuation of anti-dumping duty on imports of Zinc Coated (Galvanised) Steel from China, South Korea and Taiwan and anti-subsidy duty on imports from China.

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### Eurasian Economic Union

- Affirmative determination in the expiry review of anti-dumping duty on imports of Polymer Coated Steel Products from China. (15 Jun)

### EU

- Continuation of anti-dumping and anti-subsidy duties on imports of certain Hot-rolled Flat Products of Iron, Non-Alloy or Other Alloy Steel from China. (08 Jun)
- Continuation of safeguard measures in the form of tariff rate quotas on imports of certain Steel Products upto 30<sup>th</sup> June 2024. (27 Jun)

### Malaysia

- Termination of anti-dumping duty on imports of certain Cold-rolled Steel Coils from South Korea and Vietnam. (26 Jun)

### Morocco

- Initiation of sunset review of safeguard measures on imports of Welded Tubes and Pipes, of Iron or Steel. (16 Jun)

### South Africa

- Continuation of safeguard measures on imports of Threaded Fasteners of Iron or Steel, Bolt Ends, Screw Studs, Screw Studding and other hexagon nuts (excluding those of stainless steel and those identifiable for aircraft). (20 Jun)

### Thailand

- Continuation of anti-dumping duty on imports of Hot-rolled Steel Sheet whether in Coils or not from Brazil, Iran and Turkey. (01 Jun)

### UK

- Final affirmative determination in the transition review of anti-dumping duty on imports of Heavy Plate of Non-Alloy or other Alloy Steel from China. (28 Jun)

## **Chapter 73 – Articles of iron or steel**

### Trade remedial actions against India

#### Brazil

*Initiation of expiry review of anti-dumping duty on Grinding Media in Cast Iron and/or Steel Alloyed with Chromium from India. (15 Jun)*

The Department of Trade Defense has initiated the expiry review of anti-dumping duty

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on imports of Grinding Media in Cast Iron and/or Steel Alloyed with Chromium from India. The duties were first imposed in 2017, with 9.8% duties applicable on AIA Engineering Limited and Welcast Steels Limited while 37.8% applicable on all other exporters from India. The review was initiated based on application by Magotteaux Brasil Ltda.

## USA

*Final affirmative determination by USDOC in the administrative review of anti-dumping duty on imports of Welded Stainless Pressure Pipes from India (09 Jun)*

The USDOC determined that Welded Stainless Pressure Pipes from India were being dumped during the period of review, that is from 1<sup>st</sup> November 2020 to 31<sup>st</sup> October 2021. It determined a weighted-average dumping margin of 7.57% for Ratnamani Metals and Tubes Limited and the non-selected companies.

*Final affirmative determination by USDOC in the administrative review of anti-dumping duty on imports of certain Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India. (26 Jun)*

The USDOC determined that subject goods from India were being dumped during the periods of review, that is from 22<sup>nd</sup> November 2017 to 31<sup>st</sup> May 2019 and 1<sup>st</sup> June 2019 to 31<sup>st</sup> May 2020. It determined a dumping margin of 1.59% and 1.39% for Goodluck India Limited for the respective periods.

## Other trade remedial actions

### Brazil

- Initiation of expiry review of anti-dumping duty on imports of certain Austenitic Stainless Steel Seamed Tubes from Malaysia, Thailand and Vietnam. (13 Jun)
- Continuation of anti-dumping duty on imports of certain High Carbon Steel Cords and High-carbon, High-strength, Circular-section Steel Wires from China. (16 Jun)

### USA

- Initiation of anti-circumvention investigation by USDOC concerning anti-dumping and anti-subsidies duties on imports of Non-Refillable Steel Cylinders with water capacity between 300 to 1,526-cubic inches from China, by imports of cylinders with water capacity between 100 to 299 cubic inches from China (01 Jun)
- Continuation of anti-dumping duty on imports of Carbon and Alloy Seamless Standard, Line and Pressure Pipes (under 4 1/2 inches) from Japan and Romania. (13 Jun)

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## **Chapter 74 – Copper and articles thereof**

### **Canada**

- Affirmative determination by CBSA in the expiry review of anti-dumping and anti-subsidy duties on imports of Copper Pipes and Fittings from Vietnam. (15 Jun)

## **Chapter 76 – Aluminium and articles thereof**

### **Trade remedial actions in India**

*Initiation of anti-dumping investigation into imports of Aluminium Frame for Solar Panels / Modules from China. (30 Jun)*

The DGTR initiated an anti-dumping investigation into imports of Aluminium Frame for Solar Panels / Modules from China. The application for initiation of investigation was filed by Vishakha Metals Private Limited. The DGTR held that there is prima facie evidence of injury and causal link as the volume of imports have increased in absolute and relative terms, imports are undercutting and suppressing and depressing the prices of the domestic industry. The performance of the domestic industry has been adversely impacted in terms of capacity utilization, profitability and return on investment.

### **Other trade remedial actions**

### **Thailand**

- Final affirmative determination in the anti-dumping investigation into imports of Aluminium Extrusions from China. (09 Jun)

### **USA**

- Affirmative determination by USDOC in the sunset review of anti-subsidy duty on imports of certain Aluminium Foils from China. (28 Jun)

## **Chapter 80 – Tin and articles thereof**

### **USA**

- Initiation of sunset review of anti-dumping duty on imports of Tin and Chromium-coated Steel Sheets and Tin Mill Products from Japan. (01 Jun)
- Preliminary affirmative determination by USDOC in the anti-subsidy investigation into imports of Tin Mill Products from China. (26 Jun)

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## **Chapter 81 – Other base metals; cermets; articles thereof**

### **USA**

- Affirmative determination by USDOC in the sunset review of anti-dumping duty on imports of Pure Magnesium in Granular Form from China. (06 Jun)

## **Chapter 83 – Miscellaneous articles of base metal**

### **USA**

- Revocation of anti-dumping duty on imports of Carton-Closing Staples from China. (22 Jun)

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

### **USA**

- Preliminary affirmative determination by USDOC in the anti-subsidy investigation into imports of Gas-Powered Pressure Washers from China. (05 Jun)
- Preliminary affirmative determination by USDOC in the anti-dumping investigation into imports of Gas-Powered Pressure Washers from Vietnam. (15 Jun)

## **Chapter 85 – Electrical machinery and equipment and parts thereof; sound recorders and reproducers, and parts and accessories of such articles**

### **Trade remedial actions against India**

#### **EU**

*Continuation of anti-dumping and anti-subsidy duties on imports of certain Graphite Electrode Systems from India. (07 Jun)*

The European Commission has determined that material injury is likely to recur or continue due to dumped and subsidised imports from India in case the current duties are allowed to expire. Accordingly, the Commission has decided to continue the anti-dumping and anti-subsidy duties in force. The duties were first imposed in 2004. Anti-dumping duties in the range of 0% to 9.4% and anti-subsidy duties in the range of 6.3% to 7.2% will continue for a further period of five years.



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## Other trade remedial actions

### Argentina

- Initiation of sunset review of anti-dumping duty on imports of Multi-purpose Appliances for Food Processing and Blenders from China. (05 Jun)

### Australia

- Initiation of sunset review of anti-dumping duty on imports of PVC Flat Electric Cables from China. (9 Jun)

### Brazil

- Initiation of anti-subsidy investigation into imports of Optical Fiber Cables from China. (21 Jun)

### UK

- Preliminary affirmative determination by TRA in the anti-dumping investigation into imports of Optical Fibre Cable from China. (09 Jun)

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

### Trade remedial actions in India

*Final Findings issued in sunset review of anti-dumping duty on imports of Flat Base Steel Wheels from China. (12 Jun)*

The DGTR issued Final Findings recommending continuation of anti-dumping duty on imports of Flat Base Steel Wheels from China. The application for initiation of investigation was filed by Steel Strips Wheels Limited and Wheels India Limited. The DGTR concluded that while there were no imports from the subject country during the injury period, there was likelihood of continuation or recurrence of dumping or injury in case of cessation of the current anti-dumping duty in force. The likelihood was established based on significant capacities in the subject country, capacity expansion in the subject country, high export orientation of the producers in the subject country, loss of market due to imposition of trade remedial measures, decline in dumped imports post imposition of anti-dumping duty, dumping in third countries, subsidies provided by the Government of China and unremunerative domestic market for producers in subject country.

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## Other trade remedial actions

### Argentina

- Negative determination issued in the anti-dumping investigation into imports of Bicycles with wheels over 26 inches from China. (06 Jun)

## **Chapter 90 – Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus; parts and accessories thereof**

### Brazil

- Re-imposition of anti-dumping duty, which was earlier suspended in the public interest, on imports of Disposable General-use Plastic Syringes from China. (16 Jun)

## **Chapter 96 – Miscellaneous manufactured articles**

## Trade remedial actions against India

### Argentina

*Initiation of anti-dumping investigation into imports of Zippers and Tapes from Brazil, China, India, Indonesia and Peru. (01 Jun)*

The Ministry of Economy has initiated an anti-dumping investigation into imports of Zippers and Tapes, with base metal teeth, nylon or polyester monofilament and injected plastics from Brazil, China, India, Indonesia and Peru. The investigation has been initiated based on an application filed by Lyn SAC and I. and Cierres Depe SA. The prima facie dumping margin determined by the Ministry of Economy was 189.35% for Brazil, 74.16% for China, 314.29% for India, 243.87% for Indonesia and 204.17% for Peru.

# 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](mailto:aastha@tpm.in).

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