

# ADHYATAN

## TPM Newsletter September 2024

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## ***Key Highlights***

### **WTO issues its 2024 Annual Report highlighting major events of the past year (30 Jul)**

The WTO has published its 2024 Annual Report which has shed light upon various issues and events. One major event covered under the Report is the outcomes of the 13<sup>th</sup> Ministerial Conference held in February 2024. The member states renewed their commitments towards multilateral trading system and directed officials to accelerate discussions on reforms over the dispute settlement mechanism. The Report also dealt with the joint efforts of UNCTAD and the WTO to formulate trade policies for a global response to climate change.

### **EU requests WTO consultations over measures imposed concerning local content requirement for investment in wind farm projects by Chinese Taipei (31 Jul)**

EU has requested consultations with the Chinese Taipei, under the WTO Dispute Settlement Understanding concerning local content requirements in investments made for developing wind farms, administered by Chinese Taipei. EU has claimed that the investor bidding process, implemented using various orders and policies, for development of offshore wind farm projects, prescribes certain local content requirements. Failure to meet such committed requirements are penalised under the orders. According to EU, these order and policies violate the obligations undertaken by Chinese Taipei under GATT, GATS and TRIMs Agreements.

### **Comoros and Timor-Leste accede to the WTO (21 Aug and 30 Aug)**

Comoros and Timor-Leste have concluded their negotiations with WTO members and have accepted the respective Protocols to Accession to WTO. Comoros has joined the WTO after conducting negotiations for 17 years and Timor-Leste has joined the WTO after 7 years of negotiations. The accession of the two countries has increased the count of 'least developed countries', which have acceded to the WTO, to 11.

### **China seeks WTO consultations with EU concerning anti-subsidy duty on electric vehicles from China (14 Aug)**

On 14<sup>th</sup> August 2024, China requested consultations with EU concerning the imposition of the provisional anti-subsidy duty on Chinese Electric Vehicles. China has raised concerns over several procedural inconsistencies in the investigation undertaken by the European Commission, which violate its obligations under GATT 1994 and the Agreement on Subsidies and Countervailing Measures. These allegations pertain to failure of the Commission to select a statistically valid sample of exporters and to give due notice to the Government of China. China further contended that the Commission has failed to conduct an objective examination of alleged subsidization, consequent injury and causal relationship.

### **Brazil and India settle the dispute concerning sugar subsidies (25 Aug)**

Brazil and India have agreed to settle their longstanding dispute concerning sugar products. The dispute began in 2005 when India challenged Brazil's sugar subsidies on the ground that it was distorting the global market. Later, in 2019, Brazil challenged India's export subsidies for sugar. The dispute has now mutually reached a settlement, with Brazil sharing its technology on ethanol production with India. India aims to benefit from this agreement to meet its targets for ethanol blended petrol usage by 2026.

### **India seeks consultations with Indonesia concerning safeguard duties on imports of ceramic tiles (27 Aug)**

India has sought consultations with Indonesia in respect of the latter's proposal to extend safeguard duties on imports of ceramic tiles, including those from India for two more years, that is, till November 2026. Indonesia has proposed to impose safeguard duties of 12.72% in the first year and then reduce it slightly to 12.44% in the second year. India has expressed concerns over the extension of measures and has claimed that these measures will hurt Indian exports, especially since China is responsible for the influx of ceramic tiles into Indonesia. India was exempted from the measures that were originally imposed in 2018 but was later subjected to the same from August 2020.

# ***Ninth Trade Policy Review of China***

- *China became the world's second largest trading economy and played a significant role in trade negotiations. China was an active participant in regional bipartite and multi-party trade agreements.*
- *Though several market-oriented reforms and steps were taken, state ownership remained to be a key characteristic of the Chinese economy.*
- *Only three anti-dumping investigations were initiated, while no anti-subsidy or safeguard investigations were conducted by China during the review period.*
- *Central and state governments continued to provide financial support and incentives to various industries and sectors. Measures were also implemented for advancement and to maintain the trade development zones around the country.*
- *During the review period, China submitted two notifications on subsidy programmes and schemes to World Trade Organization, one in 2021 and one in 2023, with 454 programs identified in the latter notification.*

Following the review meeting held by the WTO Trade Policy Review Body on 17<sup>th</sup> and 19<sup>th</sup> July 2024, the WTO issued its ninth trade policy review report with respect to the trade policy and practices of China. The last review report for China was issued in October 2021. The Body noted that while a number of steps were taken by China to achieve economic liberalisation, state ownership remained to be a pivotal characteristic in the Chinese economy. Further, central and state governments continued to provide significant financial support to industries and sectors. The report also highlighted China's involvement in trade negotiations that took place at the World Trade Organisation.

## **Chinese economy and policy reforms**

Since the last review, China has become the second largest economy in the world and has the largest purchasing power parity. Exports from China increased steeply in 2022 and declined marginally thereafter in 2023. USA and EU were the largest export markets for China during this period. Taiwan, Japan

and USA were the biggest import sources for China during this period. Machinery and electrical equipment were the highest traded commodity, while agricultural products comprised a minor share in trade.

During the review period, the National People's Congress adopted the 14<sup>th</sup> Five-Year Plan towards economic and social development. A key objective under the Plan was reducing restrictions on foreign investment in all economic sectors, and especially in service providing sectors. In view of the same, the negative list for foreign investment was revised and only 31 countries are now placed in the negative list. Increased tax support was also granted to foreign funded enterprises allowing them to establish themselves in the country.

However, it was noted that despite reforms, state ownership remained to be a key characteristic in China's economy. Many state trading enterprises continue to have exclusive rights to import or export key products, including crude and processed oil, refined coal and chemical fertilizers. State-owned enterprises continued to have substantial market shares in many sectors and accounted for a large portion of total assets and profits in such sectors. Further, no major privatization took place during the review period.

### **Chinese participation in global multilateral trading system**

As one of the largest trading economies in the world, China played a significant role in trade negotiations at the WTO. During the review period, it participated in the Multi-Party Interim Appeal Arbitration Arrangement (MPIA), discussions on investment facilitation for development, e-commerce and services domestic regulations and Informal dialogues related to trade and environmental sustainability. Five dispute settlement cases were filed by China, while six cases were filed against it during the review period.

China has also become an active participant in regional bipartite and multi-party trade agreement. At the end of 2023, China had signed 22 regional trade agreements involving 29 partners including Serbia, Ecuador, Cambodia, Mauritius and New Zealand. It also signed a MoU on the establishment of a Mixed Commission on Economic, Trade and Investment Cooperation with Nicaragua, officially establishing a bilateral intergovernmental mechanism on economic cooperation and trade. Further, China has also been in discussions regarding upgradation of foreign trade agreements with Honduras, the Gulf Cooperation Council, Iceland, Israel, South Korea, Moldova, Norway as well as

Panama. China was also actively negotiating accession to Comprehensive and Progressive Agreement for Trans-Pacific Partnership (“CPTPP”) and Digital Economy Partnership Agreement (“DEPA”). It had signed 63 agreements with 35 economies, including the United States, the European Union, and the Russian Federation.

With regards to trade remedial measures, it was observed that China did not initiate many investigations since the last review. Between January 2021 and December 2023, China initiated only three anti-dumping investigations, which included an investigation into imports of Phthalocyanine Pigments from India in March 2022. While many anti-dumping measures were terminated during this period, a total of 120 anti-dumping measures were still in force as at end of December 2023, with United States being subjected to largest number of measures. However, no anti-subsidy investigations or safeguard investigations were conducted during this period. At the end of 2023, only 4 anti-subsidy measures were in place.

### **Financial support and incentives offered**

The report highlights that China continued to maintain development zones around the country, which played an important role for nationwide investment and trade liberalization. Various preferential tariff and tax policies were maintained with respect to entities investing and operating in these zones. Measures, rules and general plans were made for advancement of pilot free trade zones and free trade ports in accordance with international standards. On 31<sup>st</sup> October 2023, Lin-gang Special Area of China (Shanghai) was approved as a pilot free trade zone. Further, a zero-tariff policy was implemented in March 2021 on production equipment imported for own use by eligible enterprises in the Hainan free trade service port. A total of 19 reforms and innovation measures were introduced with respect to pilot free trade zones.

China also continued to provide financial support in the form of incentives and subsidies at both central and local government levels, to various sectors and industries, with a major focus on industry, science and technology. Since the last review, China submitted two notifications on subsidies to WTO, one in 2021 and one in 2023. In its 2021 notification, China disclosed that it provides 71 central level programmes that consist of 53 preferential tax policies and 18 financial appropriations as well as 374 financial appropriations provided by 36 sub-central governments. In its 2023 notification, China disclosed that, on the

one hand, the central-level programmes reduced to 69, comprising of 54 preferential tax policies and 15 financial appropriations, financial appropriations by sub-central governments increased to 385 on the other hand.

The report shows that the major objectives of the incentive and subsidy programmes was promoting cutting-edge and traditional industries, supporting SMEs, helping development in rural areas, attracting foreign direct investment and protecting the environment, and helping people with disabilities. It was reported that the largest single notified subsidy was provision of funds for development of agricultural production. Eight programmes at the central government level in 2021 and three programmes in 2023 were targeted towards the fisheries sector.

However, the Trade Policy Review Board observed that despite the submission of two notifications and clarificatory replies submitted by China, the WTO Secretariat was unable to clearly discern the nature and level of financial support granted through various subsidy and incentive programs. It was noted that the notifications did not provide information on the expenditure levels in the specific sectors where government support is likely to have global repercussions, such as aluminium, electric vehicles, solar modules, glass, shipbuilding, semi-conductors and steel.

## **Conclusion**

Since its last trade policy review, China has emerged as one of the world's largest economies and plays a pivotal role in driving global economics. However, despite being a member of the WTO for almost 25 years, China continues to maintain state ownership over crucial sectors. While China has enacted policies to attract foreign investment, it has not undertaken any privatisation of many state-owned enterprises. Further, China continues to offer significant support, financial and otherwise, to its industry. Further, many countries across the world have entered into trade partnerships with China and continue to sign more regional agreements. Such trade agreements, coupled with the significant support provided by the Chinese government would allow China to continue to play an increasingly larger role in international trade.

- Ojasvi Nautiyal, Senior Associate  
Kanika Kapoor, Associate



# ***Foreign Trade Policy***

## **Harmonisation of Chapters 40 to 98 of Schedule-II (Export Policy) (02 Aug)**

The Ministry of Commerce has notified the Schedule-II (Export Policy) of ITC(HS) 2022 aligning the 8-digit ITC(HS) codes for Chapters 40 to 98. The Ministry had previously notified the export policy for Chapters 01 to 39 of Schedule II of the ITC (HS), 2023 vide Notification No. 60/2023 dated 13<sup>th</sup> February 2024. The Ministry has also clarified that this policy only simplifies Schedule II of ITC (HS) Export Policy, 2018, while confirming that the policies of all chapters in the schedule remain unchanged. This export policy does not include any new policy changes or amendments and the policies as applicable before shall continue.

## **Upgrades to the Electronic Bank Realization Certificate (eBRC) system for self-certification by exporters (14 Aug)**

On 10<sup>th</sup> November 2023, the Directorate General of Foreign Trade (DGFT) had launched an electronic Bank Realisation Certificate (eBRC) system with the intent to further facilitate trade for exporters. Building on that pilot phase, the DGFT has now integrated banks with the eBRC System, facilitating the automatic transmission of Inward Remittance Messages (IRMs) for all trade account transactions. Exporters can now login to the DGFT website to review IRMs shared by their respective banks and self-certify their eBRCs by matching with the details of the relevant invoice or Shipping Bill. The system came into effect from 20<sup>th</sup> August 2024.

## **Launch of Revamped Non-Preferential Certificate of Origin 2.0 System (16 Aug)**

The Ministry of Commerce has launched the upgraded version of the Non-Preferential Certificate of Origin system - eCoO 2.0 with several new and user-friendly features aimed at streamlining the certification process for exporters including multi-user access, e-signature option and integrated dashboard. Filing for Non-Preferential Certificates of Origin through the new system came into effect from 28<sup>th</sup> August 2024.

### **Amendment in Handbook of Procedures with regard to import of drugs from unregistered sources with pre-import condition (22 Aug)**

The Handbook of Procedures has been amended with regards to regularisation of bona fide default in cases where authorisation was issued for import of drugs from unregistered sources with pre-import condition. Under the amended provision in case there is any shortfall in fulfilment of Export Obligation, the authorisation holder will be required to show proof of re-export of the imported material, as compared to the earlier requirement of re-exporting to the same supplier. Further, under the previous provisions, exports made only under free Shipping Bills or under the same authorisation after expiry of Export Obligation period, using unutilized quantity of drugs were accepted in-lieu of submission of destruction certificate. However, under the amended provision, exports made under any Shipping Bills will be accepted.

### **Amendments in Appendix-4J of the Handbook of Procedures (29 Aug)**

The Ministry of Commerce has rationalised the export obligation period with pre-import condition from the date of clearance of each import consignment by Customs Authority for certain products under the Appendix-4J, for ease of doing business. The list of products is available at the [link](#) herein.

### **Extension of Pre and Post Shipment Rupee Export Credit Scheme for MSME exporters (31 Aug)**

The Directorate General of Foreign Trade has extended the Pre and Post Shipment Rupee Export Credit Scheme for another month. The scheme was earlier available till 21<sup>st</sup> August 2024. However, it has been extended till 30<sup>th</sup> September 2024. The extension is only available to the manufacturing exporters that belong to the MSME sector.

# ***Trade Agreements***

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## **Indian Updates**

### **India and Sri Lanka conclude another round of trade negotiations with focus on concessions in automobiles and machinery**

India and Sri Lanka have recently concluded the 14<sup>th</sup> round of trade negotiations in relation to the Comprehensive Free Trade Agreement. India has pushed for custom duty concessions on automobiles and machinery. Trade negotiations also covered issues such as rules of origin, trade in goods, trade in services, and technical trade barriers. Sri Lanka has sought duty concessions on tea and agricultural products and elimination of quotas on apparel exports to India.

### **India and Malaysia expected to revise the existing Malaysia-India Comprehensive Economic Cooperation Agreement**

India and Malaysia have announced the mutual goal of enhancing trade relations by way of expanding the existing CECA, which was signed in 2011. The two sides have agreed upon a deadline of three months to come up with key focus areas for the revised agreement. Both sides have already agreed to hold discussions on renewable energy, chemicals and petrochemicals, and manpower development.

### **India and Maldives set to hold trade negotiations for a free trade agreement**

India and Maldives have confirmed that trade negotiations for a free trade agreement are set to be held to enhance trade between two countries. The trade agreement will mark the second bilateral trade agreement between the two countries. The current India – Maldives Trade Agreement, signed in 1981 provides for export of essential commodities.

## Global Updates

### **China and Belarus set to sign a free trade agreement**

China and Belarus have issued a joint statement, announcing that the two countries will sign a free trade agreement for greater cooperation in investment and trade in services. The agreement includes establishment of free trade zones for service sector and investments. The joint statement also announced the launch of five industrial projects.

### **Free Trade Agreement between Türkiye and Ukraine comes into force**

Türkiye has notified that it has finished the ratification process of the free trade agreement that was signed with Ukraine in February 2022 and the agreement is now in force. Under the agreement, Ukraine will be able to export 95% of its traded goods to Türkiye at zero duty rate. The Agreement has imposed quotas on steel flat products, steel wire rods and steel rebars.

### **The UK to resume trade negotiations with Israel**

The UK has announced its intentions to resume trade negotiations with Israel. The UK has claimed to maintain its long-standing foreign policy and has pursued negotiations with other countries, including the Gulf Cooperation Council, India, South Korea, Switzerland, and Türkiye. Previous rounds of negotiations were held in February under the previous government. The first round of trade talks under the new government is expected to commence in the coming months.

### **Türkiye and the UK set to begin negotiations for revision of existing free trade agreement**

Türkiye and the UK have agreed to initiate trade negotiations to revise their existing free trade agreement with the objective to further enhance economic ties. Both sides have communicated the shared goal of increasing trade and promoting investments by expanding the scope of the agreement to include trade in services and investments.

# Bureau of Indian Standards

## Substitution of Standards (01 Aug)

The Bureau of Indian Standards has notified amendment of certain Standards, including the following, with effect from 25<sup>th</sup> July 2024. However, the previous unamended Standards will remain in force concurrently till 25<sup>th</sup> January 2025. For a full list of products, please refer the attached [link](#).

Standard established	Standard withdrawn
<b>IS 4227 : 2024</b> Textiles — Braided Nylon Cords for Aerospace Purposes — Specification (Third Revision)	<b>IS 4227 : 1998</b> Textiles — Braided Nylon Cords for Aerospace Purposes — Specification (Second Revision)
<b>IS 4229 : 2024</b> Textiles — Nylon Sewing Threads for Aerospace Purposes — Specification (Third Revision)	<b>IS 4229 : 1992</b> Textiles — Nylon Sewing Threads for Aerospace Purposes — Specification (Second Revision)
<b>IS/IEC 60383-1 : 2023</b> Insulators for Overhead Lines with a Nominal Voltage above 1 000 V Part 1 Ceramic or Glass Insulator Units for a.c. Systems — Definitions, Test Methods and Acceptance Criteria	<b>IS/IEC 60383-1 : 1993</b> Insulators for Overhead Lines with a Nominal Voltage above 1 000 V Part 1 Ceramic or Glass Insulator Units for a.c. Systems — Definitions, Test Methods and Acceptance Criteria

## Extension of Effective Date (01 Aug)

For certain Standards, including the following, the Bureau of Indian Standards has notified that the unamended Standard shall continue to remain in force till 25<sup>th</sup> January 2025. For a full list of products, please refer to the attached [link](#).

- **IS 12762 (Part 5) : 2014 IEC 60904-5 : 2011** Photovoltaic Devices Part 5 Determination of the Equivalent Cell Temperature of Photovoltaic (PV) Devices by the Open-Circuit Voltage Method (First Revision)
- **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)

### Substitution of Standards (07 Aug)

The Bureau of Indian Standards has notified substitution of the following Standards with effect from 25<sup>th</sup> July 2024. However, the previous unamended Standards will remain in force concurrently till 25<sup>th</sup> January 2025.

Standard established	Standard withdrawn
<b>IS 2002 : 2024</b> Steel Plate for Pressure Vessel for Intermediate and High Temperature Service Including Boilers — Specification	<b>IS 2002 : 2009</b> Steel Plate for Pressure Vessel for Intermediate and High Temperature Service Including Boilers (Third Revision)
<b>IS 2041 : 2024</b> Steel Plates and Strips for Pressure Vessels Used at Moderate and Low Temperature — Specification (Fourth Revision)	<b>IS 2041 : 2009</b> Steel Plates for Pressure Vessels Used at Moderate and Low Temperature — Specification (Third Revision)

### Substitution of Standards (07 Aug)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 22<sup>nd</sup> July 2024. However, the previous unamended Standards will remain in force concurrently till 22<sup>nd</sup> January 2025. For a full list of products, please refer to the attached [link](#).

Standard established	Standard withdrawn
<b>IS 308 : 2024</b> Dissolved Acetylene (Gas) — Specification	<b>IS 308 – 1988</b> Specification for Dissolved Acetylene (Gas)
<b>IS 879 : 2024</b> Sodium Nitrite — Specification (Second Revision)	<b>IS 879 – 1981</b> Specification for Sodium Nitrite (First Revision)
<b>IS 4846 : 2024</b> Sodium Potassium Tartrate (Rochelle Salt) — Specification (First Revision)	<b>IS 4846 – 1968</b> Specification for Sodium Potassium Tartrate (Rochelle Salt)
<b>IS 13105 : 2024</b> 2-Amino-5-[N-Ethyl-N-(2-Methane Sulphonamido Ethyl)] Aminotoluene, Sesqui Sulphate (Monohydrate), Photographic Grade (CD-3)	<b>IS 13105 : 1991</b> 2-Amino-5-[N-Ethyl-N-(2- Methane Sulphonamido Ethyl)] Aminotoluene, Sesqui Sulphate (Monohydrate), Photographic Grade (CD-3)

# **Trade Remedial Actions**

## **Indian Updates**

### **Chapter 29 – Organic Chemicals**

*Final Findings issued in the anti-dumping investigation into imports of Epichlorohydrin from China, South Korea and Thailand. (14 Aug)<sup>1</sup>*

On conclusion of an investigation initiated pursuant to an application filed by Epigral Limited (formerly known as Meghmani Finechem Limited), the DGTR has recommended imposition of anti-dumping duties on imports of Epichlorohydrin from China, South Korea and Thailand. The Authority concluded that the dumped imports retarded the establishment of industry in India. The subject imports were undercutting the prices of the domestic industry and were priced even below the raw material cost of the domestic industry. As a result, the domestic industry was not able to recover its variable cost and had to face plant shutdowns. The domestic industry incurred financial and cash losses and has recorded a negative return on capital employed.

*Final Findings issued in the anti-dumping investigation into imports of Isopropyl Alcohol from China . (14 Aug)*

The DGTR issued final findings recommending imposition of anti-dumping duties on imports of Isopropyl Alcohol from China, in the investigation initiated pursuant to an application filed by Deepak Fertilisers and Petrochemicals Corporation Limited. The Authority concluded that the domestic industry suffered material injury due to dumping of the product from the subject country. The subject imports increased, taking away the market share of Indian industry. Resultantly, the capacity utilisation, market share, profits, cash profits, and returns on capital employed of the domestic industry declined.

### **Chapter 32 - Tanning or dyeing extracts; tannins; dyes, pigments; paints**

*Final Findings issued in the anti-dumping investigation into imports of Sulphur Black from China. (07 Aug)<sup>2</sup>*

In an investigation initiated pursuant to an application filed by Atul Limited, the DGTR has recommended imposition of anti-dumping duties on the imports

of Sulphur Black from China. The investigation showed that the domestic industry suffered material injury as a result of dumping from the subject country. Despite there being no demand-supply gap, the subject imports increased in India. The subject imports were undercutting the prices of the domestic industry and suppressed the prices of the domestic industry. This impacted the production, sales, capacity utilization, market share, profits and return on capital employed of the domestic industry.

### **Chapter 39 – Plastics and articles thereof**

*Final Findings issued in the anti-dumping investigation into imports of Thermoplastic Polyurethane (TPU) from China. (06 Aug)*

The DGTR issued final findings recommending imposition of anti-dumping duties on imports of Thermoplastic Polyurethane (TPU) from China. The investigation was initiated pursuant to an application filed by Covestro (India) Private Limited. The Authority concluded that dumping from the subject country caused material injury to the domestic industry, due to increased imports, and positive price undercutting. The capacity utilisation, production, domestic sales, market share, financial profits, cash profits and return on capital employed of the domestic industry declined.

*Continuation of anti-dumping duty on imports of Chlorinated Polyvinyl Chloride Resin from China and Korea. (23 Aug)<sup>3</sup>*

The Central Government on 23<sup>rd</sup> August 2024 continued the anti-dumping duty in force on imports of Chlorinated Polyvinyl Chloride Resin from China and Korea. The continuation of anti-dumping duty was recommended by the DGTR vide Final Findings No. 7/28/2023 – DGTR, dated 25<sup>th</sup> May 2024. The anti-dumping duty imposed is in the range of 593 – 792 USD per MT.

*Final Findings issued in the anti-absorption investigation of anti-dumping duty on imports of Polyethylene Terephthalate Resins from China exported by Wankai. (28 Aug)<sup>4</sup>*

The DGTR issued final findings in India's first anti-absorption investigation. The DGTR has recommended enhancement of anti-dumping duty on imports of Polyethylene Terephthalate Resins from China exported by Wankai New Material Co. Limited. The investigation was initiated pursuant to an application filed by IVL Dhunseri Petrochem Industries Private Limited and



Reliance Industries Limited. The Authority concluded that the export price of the subject exporter has declined more than the decline in the raw material prices and the exporter has absorbed the anti-dumping duty in force. Accordingly, the DGTR has recommended enhancement of anti-dumping duty applicable on the subject exporter.

## **Chapter 72 – Iron and Steel**

*Initiation of anti-dumping investigation into imports of Hot Rolled Flat Products of Alloy or Non-Alloy Steel from Vietnam. (14 Aug)*

The DGTR has initiated an anti-dumping investigation into imports of Hot Rolled Flat Products of Alloy or Non-Alloy Steel from Vietnam, pursuant to an application filed by Indian Steel Association (“ISA”) on behalf of domestic producers, namely; JSW Steel Limited and ArcelorMittal Nippon Steel India Limited. The DGTR noted that there is prima facie evidence regarding dumping of the product under consideration from the subject country resulting in injury and threat of injury to the domestic industry. The subject imports have increased in India and are undercutting the prices of the domestic industry, which impacted the profitability of the domestic industry.

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

*Final Findings issued in the anti-dumping investigation into imports of Welded Stainless-Steel Pipes & Tubes from Thailand and Vietnam. (06 Aug)<sup>5</sup>*

The DGTR issued final findings recommending imposition of anti-dumping duties on imports of Welded Stainless-Steel Pipes & Tubes from Thailand and Vietnam. The investigation was initiated pursuant to an application filed by Stainless-Steel Pipe and Tubes Manufacturer Association, New Delhi, and Stainless-Steel Pipes & Tubes Manufacturers Association, Gujarat. The Authority concluded that the domestic industry suffered material injury as a result of the dumped imports from the subject countries forcing the domestic industry to compromise on margins, and as a result the profitability of the domestic industry has declined.

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

*Preliminary Findings issued in the anti-dumping investigation into imports of Aluminium Foil upto 80 microns from China. (28 Aug)*

The DGTR issued preliminary findings recommending imposition of interim anti-dumping duties on imports of Aluminium Foil upto 80 microns from China. The investigation was initiated pursuant to an application filed by Hindalco Industries Limited, Ravi Raj Foils Limited, GLS Foils Product Private Limited and LSKB Aluminium Foils Private Limited. The Authority preliminarily concluded that the domestic industry suffered material injury due to dumping, in the form of increased imports, positive price undercutting and adverse impact on profits, cash profits, and returns on capital employed of the domestic industry.

### **Global Updates**

#### **Chapter 25 – Salt; sulfur; earths and stone; plastering materials, lime and cement**

##### **Taiwan**

- Initiation of anti-dumping investigation into imports of Portland Cement and Portland Cement Clinkers from Vietnam. (08 Aug)

#### **Chapter 29 – Organic Chemicals**

##### **USA**

- Continuation of anti-dumping duty on imports of Citric acid and certain Citrate Salts from Belgium, Colombia and Thailand. (05 Aug)

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

##### **Eurasian Economic Union**

- Final affirmative determination issued in the anti-dumping investigation into imports of Titanium Dioxide from China. (16 Aug)

## **Chapter 35 – Albuminoidal substances; modified starches; glues; enzymes**

### USA

- Imposition of anti-dumping and anti-subsidy duties on imports of certain Pea Proteins from China. (26 Aug)

## **Chapter 38 – Miscellaneous chemical products**

### EU

- Imposition of provisional anti-dumping duty on imports of Biodiesel from China. (16 Aug)

## **Chapter 39 - Plastics and articles thereof**

### Trade remedial actions against India

#### Brazil

*Initiation of new exporter review of anti-dumping and anti-subsidy duties on imports of Polyethylene Terephthalate Films from India. (16 Aug)*

The DECOM has initiated a new exporter review with respect to imports of PET films by SRF Limited, an Indian exporter. SRF Limited has claimed that the producer did not export the subject goods to Brazil during the period of investigation in the original investigation. The duties were first imposed in April 2016 and are currently in force till August 2026.

#### USA

*Preliminary determination issued in the administrative review of anti-dumping and anti-subsidy duties on imports of Polyethylene Terephthalate Films, Sheets, and Strips from India. (12 Aug and 13 Aug)*

The USDOC preliminarily determined that certain producers/exporters of PET Films, Sheets and Strips were dumping the goods during the period of review. Further, the USDOC also determined that such producers received countervailable subsidies during the period. A subsidy rate of 4.96% was determined for Garware Polyester Limited and 104.18% was determined for Jindal Poly Films Limited. A dumping margin of 0% was determined for Jindal Poly Films Limited and 1.15% was determined for SRF Limited.

## Other trade remedial actions

### Malaysia

- Initiation of anti-dumping investigation into imports of Polyethylene Terephthalate from China and Indonesia. (09 Aug)

### South Korea

- Initiation of anti-dumping investigation into imports of Petroleum Resin from China and Taiwan. (02 Aug)

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

### Trade remedial actions against India

#### Türkiye

*Continuation of anti-dumping duty on imports of V-belts from China, India and Vietnam. (23 Aug)*

The Ministry of Commerce has issued orders for continuation of anti-dumping duty on imports from India. The application requesting the initiation of review was filed by three Turkish producers. The duties were first imposed in 2018. The Indian exporters are subject to duties at the rate of USD 3.5 per kilogram.

### Other trade remedial actions

#### China

- Continuation of anti-dumping duty on imports of Halogenated Butyl Rubber from the EU, Singapore, the UK and USA. (19 Aug)

#### Mexico

- Initiation of anti-dumping investigation into imports of Styrene Butadiene Styrene Thermoplastic Rubber from China. (07 Aug)

#### USA

- Continuation of anti-dumping and anti-subsidy duties on imports of Truck and Bus Tires from China. (29 Aug)

## **Chapter 52 – Cotton**

### Argentina

- Initiation of expiry review of anti-dumping duty on imports of Cotton Denim Fabrics from China. (02 Aug)

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

### Trade remedial actions against India

#### Türkiye

*Initiation of sunset review of anti-dumping duty on imports of Polyester Staple Fibres from India, Taiwan and Thailand. (01 Aug)*

The Ministry of Commerce has initiated an expiry review of anti-dumping duty on imports from India. The application requesting the initiation of review was filed by Sasa Polyester Industry Inc. and was supported by various other Turkish producers. The duties were first imposed in 2003. The Indian exporters are subject to duties in the range of 16.5-23.9%.

### Other trade remedial actions

#### Türkiye

- Continuation of anti-dumping duty on imports of Polyester Synthetic Staple Fibres from China, Indonesia and Korea. (24 Aug)

## **Chapter 57 – Carpets and other textile floor coverings**

### Indonesia

- Continuation of safeguard measures on imports of Carpets and Other Textile Floor Coverings. (14 Aug)

## **Chapter 68 – Articles of stone, plaster, cement, asbestos, mica or similar materials.**

#### Türkiye

- Initiation of anti-dumping investigation into imports of Granite from Egypt. (09 Aug)

## **Chapter 69 – Ceramic products**

### Trade remedial actions against India

#### Argentina

*Continuation of anti-dumping duty on imports of Porcelain Tiles from Brazil, China, India, Malaysia and Vietnam. (09 Aug)*

The Argentinian Commission for Trade has continued the anti-dumping duty on imports from India, among other countries, for a further period of 2 years. All Indian exports are subject to a duty of 75.8%. The duties were first imposed in February 2018.

### Other trade remedial actions

#### Indonesia

- Continuation of safeguard measures on imports of Ceramic Flags and Paving, Hearth or Wall Tiles. (12 Aug)

## **Chapter 70 – Glass and glassware**

#### Türkiye

- Initiation of anti-dumping investigation into imports of Glass Fibre from Bahrain and Egypt. (06 Aug)

## **Chapter 72 – Iron and Steel**

### Trade remedial actions against India

#### EU

*Initiation of anti-dumping investigation into imports of certain Hot-rolled Flat Products of Iron, Non-alloy or Other Alloy Steel from Egypt, India, Japan and Vietnam. (08 Aug)*

The European Commission has initiated an anti-dumping investigation into imports from India, among other countries. The application was filed by European Steel Association on behalf of the Union Industry. The applicant has alleged that iron ore, which accounts for 27% of the cost of production of the subject goods, is subject to raw material distortions in India due to export tax applicable on such raw material. The preliminary findings are due in March 2025.

## Malaysia

*Initiation of anti-dumping investigation into imports of certain Flat-Rolled Products of Iron or Non-Alloy Steel from China, India, Japan and South Korea. (15 Aug)*

The Government of Malaysia has initiated an anti-dumping investigation into imports of certain Flat-rolled Products from India, among other countries. The petition requesting initiation of anti-dumping investigation was filed by Perusahaan Sadur Timah Malaysia (Perstima) Berhad, on 15<sup>th</sup> July. The preliminary findings are due to be issued on 13<sup>th</sup> December 2024.

## USA

*Preliminary negative determination issued by the USDOC in the new shipper review of anti-dumping duty on imports of Stainless-Steel Bars from India. (13 Aug)*

The USDOC preliminarily determined that Welspun Specialty Solutions Limited had bona fide sales during the period of review and that such sales were not at dumped prices. Accordingly, a dumping margin of 0% was determined for the exporter. The period of review for the investigation was 1<sup>st</sup> February 2023 through 31<sup>st</sup> July 2023.

*Final determination issued by the USDOC in the sunset review of anti-dumping duty on imports of Silicomanganese from India, Kazakhstan and Venezuela. (19 Aug)*

The USDOC determined that the revocation of anti-dumping duty on imports from India, among other countries, would likely lead to continuation or recurrence of dumping. The USDOC determined that the dumping margins up to 20.53% for India, 247.88% for Kazakhstan and 24.62% for Venezuela are likely to continue.

## Other trade remedial actions

### Australia

- Initiation of anti-dumping and anti-subsidy investigations into imports of Steel Corner Beads and Angles from China. (28 Aug)
- Initiation of anti-dumping and anti-subsidy investigations into imports of Ceiling Steel Framing Members from China. (28 Aug)

## Brazil

- Initiation of anti-dumping investigation into imports of certain Flat-Rolled Carbon Steel products from China. (19 Aug)

## Taiwan

- Initiation of sunset review of anti-dumping duty on imports of SUS 300 Series Flat-Rolled Products of Stainless Steel from China and Korea. (07 Aug)

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

### Trade remedial actions against India

#### USA

*Initiation of administrative review of anti-dumping duty on imports of Cold-Drawn Mechanical Tubing of Carbon and Alloy Steel from India. (14 Aug)*

The USDOC has initiated an administrative review of the anti-dumping duty imposed on imports from India. The period of review for the investigation is 1<sup>st</sup> June 2023 to 31<sup>st</sup> May 2024. In the original anti-dumping investigation, the USDOC had determined dumping margin of 0% for Goodluck India Limited and 7.57% for Tube Products of India Limited and all other Indian producers.

### Other trade remedial actions

#### Philippines

- Termination of safeguard investigation into imports of Liquefied Petroleum Gas Cylinders. (28 Aug)

#### USA

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Steel Racks from China. (01 Aug)
- Final determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of Cast Iron Soil Pipes from China. (08 Aug)
- Final determination issued by the USDOC in the sunset review of anti-dumping duty on imports of Utility Scale Wind Towers from China and Vietnam. (12 Aug)



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

### Canada

- Initiation of expiry review of anti-dumping duty on imports of certain Copper Tubes from Brazil, China, Greece, Mexico and South Korea and anti-subsidy duty on imports from China. (13 Aug)

### USA

- Final affirmative determination issued by the USDOC in the anti-dumping and anti-subsidy investigations into imports of Brass Rods from Israel. (05 Aug)

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

### Eurasian Economic Union

- Final affirmative determination issued in the anti-circumvention investigation concerning anti-dumping duty on imports of Aluminium Tape from China, when imported from Azerbaijan. (28 Aug)

### USA

- Preliminary affirmative determination issued by the USDOC in the anti-circumvention investigation concerning anti-dumping and anti-subsidy duties on imports of Aluminium Wires and Cables from China, when imported from South Korea and Vietnam, and preliminary negative determination concerning imports from Cambodia. (07 Aug)
- Final determination issued by the USITC in the sunset review of anti-dumping duty on imports of Common Alloy Aluminium Sheets from China. (23 Aug)

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

### USA

- Initiation of anti-dumping and anti-subsidy investigations into imports of certain Tungsten Shot from China. (13 Aug)

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

### Canada

- Affirmative determination issued by CITT in the expiry review of anti-dumping and anti-subsidy duties on imports of Sucker Rods from China. (21 Aug)

### EU

- Initiation of anti-dumping investigation into imports of Steel Track Shoes from China. (23 Aug)

## **Chapter 85 - Electrical machinery and equipment and parts thereof**

### USA

- Affirmative determination issued by the USITC in the sunset review of anti-dumping duty on imports of Large Power Transformers from South Korea. (22 Aug)

## **Chapter 87 – Vehicles other than Railway or Tramway Rolling-Stock**

### EU

- Initiation of expiry review of anti-dumping duty on imports of Bicycles from China. (29 Aug)

### Eurasian Economic Union

- Final affirmative determination issued in the anti-dumping investigation into imports of Cast Aluminium Rims from Japan, Malaysia, Thailand and Türkiye. (30 Aug)

### UK

- Initiation of transition review of anti-dumping duty on imports of Bicycles and certain Bicycle parts from China, Cambodia, Indonesia, Malaysia, Pakistan, Philippines, Sri Lanka and Tunisia. (23 Aug)

### USA

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Steel Trailer Wheels from China. (01 Aug)

- Final determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of certain Steel Wheels from China. (09 Aug)

**Chapter 90 – Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus**

Brazil

- Initiation of anti-dumping investigation into imports of Hypodermic Needles from China. (28 Aug)

**Chapter 96 – Miscellaneous manufactured articles**

Madagascar

- Imposition of safeguard measures on imports of Napkins and Sanitary Towels. (02 Aug)

## 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. TPM was the first firm to deal exclusively in the domain of trade remedies. Today, we have completed a journey of 25 years.

TPM began its journey with a staff of merely 2 professionals. Today, it has a team of more than 50 professionals including Cost Accountants, Chartered Accountants, Company Secretaries, Lawyers, Engineers and MBAs.

In its first two decades, TPM was primarily focused assisting domestic producers suffering due to cheap and unfair imports into India and in other countries to avail the necessary protection under the umbrella of the WTO Agreements. 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).

### TPM Consultants

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



[011 – 4989 2200](tel:011-49892200)



[info@tpm.in](mailto:info@tpm.in)



[www.tpm.in](http://www.tpm.in)



[TPM Solicitors  
& Consultants](#)