

[TO BE PUBLISHED IN THE GAZETTE OF INDIA, EXTRAORDINARY, PART II, SECTION 3, SUB-SECTION (i)]

GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

Notification
No. 52/2017-Customs (ADD)

New Delhi, the 24th October, 2017

G.S.R. (E).- Whereas, in the matter of review of anti-dumping duty on import of Cold Rolled Flat Products of Stainless Steel, falling under the heading 7219 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) [hereinafter referred to as the Customs Tariff Act], originating in or exported from People's Republic of China, Korea, European Union, South Africa, Taiwan (Chines Taipei), Thailand and United Sates of America (USA) (hereinafter referred to as the subject countries / territories), the designated authority, *vide* its final findings in notification No. 15/04/2014 -DGAD, dated the 12th October, 2015, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 12th October, 2015, had recommended imposition of the anti-dumping duty on Cold Rolled Flat Products of Stainless Steel, originating in or exported from the subject countries / territories.

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on Cold Rolled Flat Products of Stainless Steel, originating in or exported from the subject countries / territories, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.61/2015-Customs (ADD), dated the 11th December, 2015, published *vide* G.S.R. 955(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11th December, 2015;

And whereas, the designated authority, published *vide* notification No.14/1/2014-DGAD, dated the 19th February, 2016, in the Gazette of India, Extraordinary, Part I, Section 1, in the matter of circumvention of the anti-dumping duty imposed on imports of Cold Rolled Flat Products of Stainless Steel, had initiated an investigation to determine the need for extending anti-dumping duty imposed on the imports of Cold Rolled Flat Products of Stainless Steel, originating in or exported from the subject countries / territories, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.61/2015-Customs (ADD), dated the 11th December, 2015, published *vide* G.S.R. 955(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11th December, 2015, to the imports of "*Cold-rolled Flat products of stainless steel of width greater than 1250 mm of all series not further worked than Cold rolled (cold reduced) with a thickness of up to 4mm (width tolerance of +30 mm for Mill Edged and +4mm for Trimmed Edged)*"; excluding:

(a) Grades AISI 420 high carbon, 443, 441, EN 1.4835, 1.4547, 1.4539, 1.4438, 1.4318, 1.4833 and EN 1.4509; and

(b) Product supplied under Indian Patent No. 223848 in respect of goods comprising Low Nickel containing Chromium-Nickel Manganese-Copper Austenitic Stainless steel and representing Grades YU 1 and YU 4, produced and supplied by M/s Yieh United Steel Corp (Yusco) of Chinese Taipei (Taiwan)",

(hereinafter referred to as the ‘subject goods’) falling under the heading 7219 of the First Schedule to the Customs Tariff Act, originating in or exported from the subject countries/territories;

And whereas, the designated authority in its final findings, published *vide* notification No.14/1/2014-DGAD, dated the 18th August, 2017, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) imports of circumventing product (subject goods) have increased significantly post levy of anti-dumping duty;
- (ii) the value addition in converting subject goods to cold rolled flat products of stainless steel of widths covered *vide* notification No. 61/2015-Customs (ADD), dated the 11th December, 2015 is less than the prescribed threshold.
- (iii) subject goods have been exported at dumped prices during the Period of Investigation.

and has recommended imposition of existing anti-dumping duty imposed on the imports of Cold Rolled Flat Products of Stainless Steel originating in or exported from the subject countries / territories, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.61/2015-Customs (ADD), dated the 11th December, 2015, published *vide* G.S.R. 955(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 11th December, 2015, on the subject goods, originating in or exported from the subject countries / territories;

Now, therefore, in exercise of the powers conferred by sub-sections (1), (1A) and (5) of section 9A of the Customs Tariff Act, read with rule 27 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, the specification of which is specified in column (4), falling under tariff heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries/territories as specified in the corresponding entry in column (5), exported from the countries/territories as specified in the corresponding entry in column (6), produced by the producers as specified in the corresponding entry in column (7), exported by the exporters as specified in the corresponding entry in column (8), and imported into India, an anti-dumping duty at the rate to be worked out as percentage of the landed value of imports of the subject goods as specified in the corresponding entry in column (9) of the said Table, namely:-

Table

Sl. No .	Tariff heading	Description of goods	Specification	Countries/Territories of Origin	Countries /Territories of Export	Producer	Exporter	Duty Amount
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	7219	Cold-rolled Flat products of	All Grades, All Series except the exclusions as	People’s Republic of China	Any	Any	Any	57.39%

		stainless steel	per footnote below*					
2	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	People's Republic of China	Any	Any	57.39%
3	-Do-	-Do-	-Do-	Korea RP	Korea RP	POSCO	1. Hyundai Corporation 2. Daewoo International Corporation	5.39%
4	-Do-	-Do-	-Do-	Korea RP	Korea RP	Any combination other than above combination		13.44%
5	-Do-	-Do-	-Do-	Korea RP	Any	Any	Any	13.44%
6	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	Korea RP	Any	Any	13.44%
7	-Do-	-Do-	-Do-	Chinese Taipei	Any	Any	Any	15.93%
8	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	Chinese Taipei	Any	Any	15.93%
9	-Do-	-Do-	-Do-	South Africa	South Africa	Columbus Stainless (Pty) Ltd	Columbus Stainless (Pty) Ltd	12.34%
10	-Do-	-Do-	-Do-	South Africa	South Africa	Any combination other than above combination		36.91%
11	-Do-	-Do-	-Do-	South Africa	Any	Any	Any	36.91%
12	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	South Africa	Any	Any	36.91%
13	-Do-	-Do-	-Do-	Thailand	Thailand	POSCO Thainox	1. POSCO Thainox 2. Hyundai Corporation	4.58%

14	-Do-	-Do-	-Do-	Thailand	Thailand	Any combination other than above combination		5.39%
15	-Do-	-Do-	-Do-	Thailand	Any	Any	Any	5.39%
16	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	Thailand	Any	Any	5.39%
17	-Do-	-Do-	-Do-	United States of America	Any	Any	Any	9.47%
18	-Do-	-Do-	-Do-	Any country other than the subject countries/territories	USA	Any	Any	9.47%
19	-Do-	-Do-	-Do-	European Union	European Union	Acerinox Europa SAU, Spain	Acerinox Europa SAU, Spain	29.41%
20	-Do-	-Do-	-Do-	European Union	European Union	Any combination other than the above combination		52.56%
21	-Do-	-Do-	-Do-	European Union	Any	Any	Any	52.56%
22		-Do-	-Do-	Any country other than the subject countries/territories	European Union	Any	Any	52.56%

***Note:** The subject goods include cold-rolled Flat products of stainless steel of width greater than 1250 mm of all series not further worked than Cold rolled (cold reduced) with a thickness of up to 4mm (width tolerance of +30 mm for Mill Edged and +4mm for Trimmed Edged), excluding the following:

- (a) Grades AISI 420 high carbon, 443, 441, EN 1.4835, 1.4547, 1.4539, 1.4438, 1.4318, 1.4833 and EN 1.4509;
- (b) Product supplied under Indian Patent No. 223848 in respect of goods comprising Low Nickel containing Chromium-Nickel Manganese-Copper Austenitic Stainless steel and representing Grades YU 1 and YU 4, produced and supplied by M/s Yieh United Steel Corp (Yusco) of Chinese Taipei (Taiwan).

2. Further, no anti-dumping duty shall be payable on imports of the subject goods if:
 - (i) an importer who imports the subject goods for end use in the same form without slitting; or
 - (ii) slitted it into 2 or more subject goods i.e. sizes above 1250 mm (for example a 2600 mm piece slitted into two 1300 mm size pieces),

Provided that the importer follows the procedure set out in the Customs (Import of Goods at Concessional Rate of Duty) Rules, 2017.

Explanation: Anti-dumping duty shall be payable on the imports of the subject goods if it is slitted for a combination of subject goods and below subject goods size or below subject goods sizes, (For example, an 1800 mm piece being slit into a 1400 mm and a 400-mm piece or a 2200 mm piece is slit into 1400 mm and 800 mm or a 1400 mm piece being slit into 600, 500 & 300 mm sizes);

3. This notification shall remain in force up to and inclusive of the 10th December, 2020, unless revoked earlier, from the date of publication of this notification in the Official Gazette and the anti-dumping duty shall be paid in Indian currency.

Explanation. - For the purposes of this notification, “Landed Value” shall be the assessable value as determined under the Customs Act, 1962 (52 of 1962) and all duties of customs except duties levied under sections 3, 3A, 8B, 9 and 9A of the Customs Tariff Act.

[F.No. 354/87/2009-TRU (Pt-III)]

(Gunjan Kumar Verma)
Under Secretary to the Government of India