

ADHYATAN

TPM Newsletter

May 2024

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Key Highlights

Indian Updates

Central Government considers revision of incentive schemes for Micro Small and Medium Enterprises (25 Apr)

The Central Government is considering the restructuring of various incentive schemes for Micro Small and Medium Enterprises (MSMEs). The restructuring is expected to streamline subsidy and credit linked schemes to ensure that the benefits can be claimed by more MSMEs. The Central Government also intends to incentivise procurement of materials from MSMEs by various manufacturers covered under the PLI scheme.

WTO Updates

WTO Committee on Regional Trade Agreements considers six Regional Trade Agreements for review (08 Apr)

The WTO Committee on Regional Trade Agreements considered six agreements for review, at its meeting held on 8th April 2024. The agreements considered for review include agreements concerning ASEAN, Australia, the EU, Japan, and the UK. The ASEAN-Japan Comprehensive Economic Partnership Agreement was reviewed with respect to its trade in services provisions. In this regard, both parties expressed their commitment to enhance trade cooperation in investments and services. The UK-Vietnam FTA was also reviewed wherein the two sides issued a joint statement expressing their intent to continue their trading relationship and expand on trade and sustainable development.

Key Highlights

WTO Updates

WTO Dispute Settlement Body issues report in the Australia-China dispute concerning trade remedial measures on Wine (19 Apr)

On 19th April 2024, the WTO Panel circulated its report in the dispute concerning the anti-dumping and anti-subsidy measures imposed by China on Wine imported from Australia. The dispute arose with respect to trade remedial measures imposed by China, which were challenged by Australia as being violative of China's WTO obligations. Both parties made lengthy submissions based on which the Panel issued an interim report and thereafter, prepared a final report. However, the parties requested the Panel to suspend its work prior to circulation of the final report and soon after, informed the Panel that they have agreed on a mutual solution in respect of the dispute.

WTO Committee on Safeguards reviews notifications covering 28 products (22 Apr)

On 22nd April 2024, the WTO Committee on Safeguards reviewed several safeguard notifications received from member states. The Committee reviewed notifications of new or amended safeguard legislations submitted by the Kyrgyz Republic, Liberia, and the UK. Japan and Australia raised concerns over the increasing use of safeguard measures by the member states. Further, multiple members raised concerns over updates on measures on certain steel products imposed by both the EU and the UK.

Key Highlights

WTO Updates

WTO Committee on Subsidies and Countervailing Measures holds meeting to address concerns regarding compliance and review notifications (23 Apr)

The WTO Committee on Subsidies and Countervailing Measures recently held a meeting to examine the need to improve transparency in submitting subsidy notifications. The Committee expressed concerns over the delay in submission of notifications by all members and called for members to submit pending notifications. The Committee also reviewed subsidy notifications for 2023 and considered semi-annual reports of anti-subsidy duty submitted by various member states. The notifications of amended legislations submitted by the Kyrgyz Republic, the UK, and the USA were also reviewed in the meeting.

WTO Committee of Anti-dumping Practices reviews latest notifications received from member states (24 Apr)

The Committee on Anti-dumping Practices held its first biannual meeting of the year on 24th April 2024, with the agenda to review the latest notifications with regard to anti-dumping laws and anti-dumping actions. The Committee also reviewed various Ad hoc notifications received from member states. 52 members reported that they have not established a competent authority to initiate and conduct investigations and have not taken any actions. Concerns were raised with respect to the anti-dumping actions reported in the semi-annual reports submitted by multiple members, including India. Additionally, Russia raised the issue of its non-market economy treatment in anti-dumping investigations. The next meeting of the Committee is expected to take place in October 2024.

Trade and Economic Partnership Agreement between India and EFTA

- *India and the European Free Trade Association (EFTA) signed the Trade and Economic Partnership Agreement on 10th March 2024. The Agreement was concluded after comprehensive negotiations spanning 15 years.*
- *The Agreement provides for elimination of tariffs across 92.2% tariff lines for imports into the EFTA, which cover 99.6% of the exports from India. In return, India has allowed duty-free access to 82.7% tariff lines, which cover 95.3% of imports from the EFTA into India.*
- *The EFTA countries have committed to raising the stock of foreign direct investment in India by USD 100 billion over the next 15 years, which is expected to create 1 million new jobs in India.*
- *The Agreement would allow increased market access and promote foreign investment while strengthening economic ties between India and the EFTA.*

Introduction and Background

On 10th March 2024, India and the European Free Trade Association (EFTA) marked a significant milestone with the signing of the Trade and Economic Partnership Agreement (TEPA). This Agreement represents India's first trade deal with the European bloc, signifying an important step towards increased economic cooperation.

EFTA is an intergovernmental organization established in 1960 to promote free trade and economic integration among its member states: Iceland, Liechtenstein, Norway, and Switzerland. Though the EFTA countries are not part of the European Union, they maintain strong economic ties with the bloc. TEPA paves the way for India to tap into these markets and potentially leverage them for further trade opportunities within Europe.

The negotiating history of the Agreement spanned more than 15 years and numerous rounds of discussions.

- a. **Formal Negotiations Begin (2008):** After a report by the Joint Study Group, official negotiations for a Comprehensive Economic Partnership Agreement (CEPA) commenced in February 2008.
- b. **Progress and Stalemate (2008-2013):** Thirteen rounds of talks took place until November 2013. However, the negotiations stalled due to unresolved issues.
- c. **Resumed Talks and Conclusion (2020-2024):** Negotiations recommenced in 2020, and after eight more rounds, a final agreement, the Trade and Economic Partnership Agreement (TEPA), was signed on 10th March 2024.

Such prolonged history of negotiations between the parties highlights the complexities involved in balancing market access concerns and domestic sensitivities in both India and the EFTA countries.

Key Provisions of the Agreement

- **Tariff Reduction:** The Agreement eliminates or reduces customs duties on a large number of goods traded between India and the EFTA countries. EFTA has committed to offer duty-free access for 92.2% of its tariff lines, covering 99.6% of India's exports. India, on the other hand, has offered duty-free access for 82.7% of its tariff lines, covering 95.3% of EFTA's exports. It is important to note that gold, which makes up a significant portion of Indian imports from EFTA countries, is excluded from tariff reductions.
- **Trade in Services:** The Agreement also liberalizes trade in services between India and the EFTA countries. This includes commitments from both sides to open up their markets in a number of sectors, such as financial services, telecommunications, and professional services.
- **Investment Promotion:** The TEPA includes provisions for promoting investment between India and the EFTA countries. The EFTA countries have committed to raising the stock of foreign direct investment in India by USD 100 billion over the next 15 years, which is expected to create 1 million new jobs in India.
- **Intellectual Property Rights:** The Agreement includes provisions on intellectual property rights (IPRs), such as patents, trademarks, and copyrights. These provisions aim to strike a balance between protecting the rights of IPR holders and promoting access to affordable medicines and other goods.

- **Dispute Settlement:** The Agreement also includes a mechanism for settling disputes that may arise between India and the EFTA countries in relation to the interpretation and implementation of the agreement.
- **Non-Trade Concerns:** The TEPA addresses non-trade concerns, such as labour standards, environmental protection, and sustainable development. This is the first time that India has included such provisions in an FTA.

Impact on India and the EFTA Countries

The TEPA holds the potential to boost economic growth and prosperity for both India and EFTA nations by increased trade and investment, improved market access, stronger economic ties and economic growth by stimulating exports from India in key sectors such as textiles, gems, and IT services.

Challenges and Considerations

While the TEPA offers promising opportunities, it also presents certain challenges:

- **Regulatory Alignment:** Harmonizing regulations across diverse legal systems poses a significant challenge, requiring effective coordination between Indian authorities and EFTA member states to ensure compliance with TEPA provisions.
- **Non-Tariff Barriers:** Addressing non-tariff barriers such as technical standards and sanitary measures is crucial for smooth implementation of the agreement. Regular monitoring and evaluation are essential to identify and mitigate emerging obstacles.

Outlook & Conclusion

The India-EFTA TEPA is a landmark agreement that holds immense potential to transform economic ties between the two regions. With reduced trade barriers, increased market access, and streamlined procedures, TEPA is expected to generate significant economic benefits for India and EFTA member states. The signing of the TEPA is a positive development for both India and EFTA countries. It could promote stronger economic relationships, increase employment, and accelerate economic progress. The success of the Agreement will depend on its effective implementation and the ability of businesses on both sides to capitalize on the new opportunities it presents.

By leveraging the provisions of the Agreement, both India and EFTA countries can unlock new avenues for trade expansion and deeper integration.

- Nihit Gupta, Joint Partner
Sanchit Gaur, Consultant

Foreign Trade Policy

Clarification on discharge of export obligation of Advance Authorisation (12 Apr)

On account of various representations received, the DGFT has issued a clarification on discharge of export obligation. The following is clarified in this regard:

1. Advance Authorisation Holders holding an Advance Authorisation issued on or after 1st April 2015, have the option to fulfil the export obligation either by physical exports or by making domestic supplies (i.e. the supply of goods against Advance Authorisation/Advance Authorisation for annual requirement/DFIA).
2. Advance Authorisation Holders holding an Advance Authorisation issued on or after 10th January 2019 have the following options:
 - a) To fulfil the export obligation either by physical exports or by making domestic supplies.
 - b) To make supplies of goods to EOU / STP / EHTP / BTP.
 - c) To make supplies of capital goods against EPCG authorisation provided that the exemption from payment of applicable Anti-Dumping Duty, Countervailing Duty, Safeguard Duty and Transition Product Specific Safeguard Duty, if any, has not been availed.
3. Advance Authorisation Holders holding an Advance Authorisation for deemed exports only for the above mentioned supplies with the stipulated conditions have an option to fulfil their export obligation either by way of supplies by the above-mentioned ways or by making physical exports.

Port restrictions on supply of Prohibited / Restricted essential commodities to the Republic of Maldives (15 Apr)

The DGFT has notified that export of essential commodities under the Prohibited or Restricted category to the Republic of Maldives during 2024-25 shall be permitted only through the following 4 Customs Stations: -

- a) Mundra Sea Port
- b) Tuticorin Sea Port
- c) Nhava Sheva Sea Port (JNPT)
- d) ICD Tughlakabad

Trade Agreements

Indian Updates

India and Peru hold the 7th round of negotiations for the FTA

India and Peru completed another round of negotiations in order to finalise a free trade agreement. India has sought easier access to Peru's lithium reserves in order to cater to its growing electric vehicle industry. The next round of talks will be held in Lima and is expected to focus on consensus-building on trade of goods and services.

Global Updates

Pakistan and Iran agree to finalise the FTA

Delegates from Pakistan and Iran have agreed to finalise the free trade agreement. The goal was set in a Joint Statement which was issued with an aim to expand trade cooperation through projects such as joint border markets, economic free zones, and new border openings.

UK and South Korea conclude second round of negotiations

UK and South Korea have concluded the second round of trade negotiations to finalise the upgradation of the free trade agreement. The new trade agreement aims to upgrade the current UK-Korea Free Trade Agreement (FTA) which has been in force since 1st January 2021 and is expected to replicate the provisions outlined in the 2011 EU-Korea free trade agreement. The revised agreement is aimed to strengthen trade relations in new fields such as gender and clean energy. The third round of negotiations are due to take place in June 2024.

UAE and Colombia sign a Comprehensive Economic Partnership Agreement

UAE and Colombia have signed a Comprehensive Economic Partnership Agreement to bolster bilateral trade by reducing tariffs, eliminating trade barriers, and enhancing market access for goods and services exports. This agreement is the sixth such agreement for the UAE, having recently concluded similar agreements with India, Israel, Indonesia, Turkey and Cambodia. The agreement aims to contribute to the UAE's non-oil foreign trade and foster cooperation in key sectors such as energy, environment, hospitality, tourism, infrastructure, agriculture and food production.

UAE and Costa Rica sign the Comprehensive Economic Partnership Agreement (CEPA)

UAE and Costa Rica have signed a Comprehensive Economic Partnership Agreement to expand bilateral trade and investment ties. The two parties aim to enhance non-oil trade, private-sector collaboration and provide new investment opportunities in priority segments such as logistics, energy, aviation, and tourism.

Non-Tariff Measures

India

Draft Quality Control Order for Solar Thermal Systems, Devices and Components (09 Apr)

India has notified the WTO of its draft Quality Control Order concerning Solar Thermal Systems, Devices and Components falling under the IS 12933 (Part 1): 2003, IS 12933 (Part 2): 2003, IS 16542: 2016, IS 16543: 2016 and IS 16544: 2016. The draft order has been issued by the Ministry of New and Renewable Energy, for seeking comments from WTO members within 60 days, that is by 8th June 2024. The Order shall come into force on expiry of one hundred and eighty days from the date of its publication in the Official Gazette.

Amendment in Quality Control Order for Ortho Phosphoric Acid (13 Apr)

The Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals) has amended the Ortho Phosphoric Acid (Quality Control) Order, 2021. The new order may be called Ortho Phosphoric Acid (Quality Control) Amendment Order, 2024. It shall come into force on the date of its publication in the Official Gazette.

Draft Quality Control Order for Steel and Steel Products (19 Apr)

India has notified the WTO of its draft Quality Control Order concerning Steel and Steel Products falling under the IS 18316: 2023, IS 18384: 2023, IS 18385: 2023, IS 18513: 2023, IS 1469: 1993 and IS 1466: 1985. The draft order has been issued by the Ministry of Steel, for seeking comments from WTO members within 60 days, that is by 18th June 2024. The effective date of implementation of the order is yet to be decided.

Quality Control Order for Copper Products (26 Apr)

The Ministry of Commerce and Industry (Department for Promotion of Industry and Internal Trade) has issued the Copper Products (Quality Control) Order, 2024. This order is issued in supersession of the Copper Products (Quality Control) Order, 2023. The order shall come into force on 19th October 2024. However, for small enterprises as per the MSME Development Act, 2006, it shall come into force on 19th January 2025. For micro-enterprises, it shall come into force on 19th April 2025.

Global

Japan

Draft Amendment of the Official Standards for Fertilizers (02 Apr)

The Ministry of Agriculture, Forestry and Fisheries, Japan has issued a draft amendment of official standards for fertilizers. The document aims at revising the administrative rules of the Act on the Quality Control of Fertilizer to reflect advancement of agricultural and scientific technology that contributes to human health and promotes agricultural productivity. The objective of this measure is protection of animal or plant life or health.

USA

Energy Conservation Program: Energy Conservation Standards for Distribution Transformers (23 Apr)

The Energy Policy and Conservation Act, as amended has prescribed energy conservation standards for various consumer products and certain commercial and industrial equipment, including distribution transformers. EPCA also requires the U.S. Department of Energy to periodically review its existing standards to determine whether more stringent standards would be technologically feasible, economically justified, and would result in significant energy savings. In the new standard, the DOE is adopting amended energy conservation standards for distribution transformers. It has determined that the amended energy conservation standards for these products would result in significant conservation of energy.

Updates from the BIS

Amendment of Standards (09 Apr)

The Bureau of Indian Standards has notified amendment of certain Standards, including the following, with effect from 26th March 2024. However, the previous unamended Standards will remain in force concurrently till 25th April 2024. For a full list of products, please refer to the attached [link](#).

- **IS 1203 : 2022** Methods for Testing Tar and Bituminous Materials — Determination of Penetration (Second Revision)
- **IS 1582 : 2017** Textiles — Silk Yarn and Fabrics — Determination of Degumming Loss (First Revision)

Withdrawal of Standards (09 Apr)

The Bureau of Indian Standards has notified withdrawal of certain Standards, including the following, with effect from 02nd April 2024. For a full list of products, please refer to the attached [link](#).

- **IS 10816 : 1984** Methods of Sampling Zinc and Lead Concentrates
- **IS 14491 : 1997** Low Carbon High Strength Cold Rolled Steel Sheets and Coils for Cold Forming — Specification

Substitution of Standards (10 Apr)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 26th March 2024. However, the previous unamended Standards will remain in force concurrently till 26th June 2024. For a full list of products, please refer to the attached [link](#).

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 256 : 2024 Glauber Salt (Sodium Sulphate, Decahydrate), Technical — Specification (Second Revision)	IS 256 : 1972 Specification for Glauber Salt (Sodium Sulphate, Decahydrate), Technical (First Revision)
IS 381 : 2024 Sodium Silicate — Specification (Third Revision)	IS 381 : 1995 Sodium Silicate — Specification (Second Revision)

No., Year and Title of the Indian Standard established	No., Year and Title of the Indian Standard withdrawn
IS 494 : 2024 Aluminium Stearate for Lubricants — Specification (Second Revision)	IS 494 : 1970 Specification for Aluminium Stearate for Lubricants (First Revision)
IS 4286 : 2024 Domestic Coke — Specification (Second Revision)	IS 4286 : 1976 Specification for Domestic Coke (First Revision)
IS 9536 : 2024 Textiles — Polyamide Cord — Specification (Second Revision)	IS 9536 : 1989 Polyamide Cord — Specification (First Revision)
IS 11782 : 2024 Sodium Cyanide, Technical — Specification (First Revision)	IS 11782 - 1986 Specification for Sodium Cyanide, Technical
IS 15751 : 2024 Calcite for Ceramic Industry — Specification (First Revision)	IS 15751 : 2007 Calcite for Ceramic Industry — Specification

Trade Remedial Actions

Chapter 28 - Inorganic chemicals

Final Findings issued in the anti-dumping investigation into imports of Sodium Cyanide from China, EU, Japan and South Korea. (28 Mar)

The DGTR has issued final findings recommending imposition of anti-dumping duty on the imports of Sodium Cyanide from China, EU, Japan and South Korea, for a period of 5 years. The investigation was initiated on 31st March 2023 pursuant to an application filed by Hindusthan Chemical Company and United Phosphorous Limited. The DGTR concluded that the domestic industry has suffered material injury due to dumping of subject imports in India. While the domestic industry has enough capacity to cater to the entire demand in India, the volume of subject imports have increased. The imports were suppressing the prices of the domestic industry due to which its production has declined, and it has incurred financial losses and recorded a negative return on capital employed.

Chapter 39 – Plastics and articles thereof

Final Findings issued in the anti-dumping investigation into imports of Flexible Slabstock Polyol from China and Thailand. (28 Mar)

The DGTR has issued final findings recommending anti-dumping duty into imports of Flexible Slabstock Polyol from China and Thailand. The investigation was initiated on 29th March 2023 pursuant to an application filed by Manali Petrochemicals Limited. The DGTR has concluded that the domestic industry has suffered material injury due to dumping of imports into India as the volume of imports have increased at prices below the selling price of the domestic industry. The domestic industry has not been able to utilize its capacities and the inventories have increased. Further, it has incurred financial losses and negative return on investment.

Preliminary findings issued in the anti-dumping investigation into imports of Poly Vinyl Chloride Paste Resin from China, Malaysia, Norway, South Korea, Taiwan and Thailand. (26 Apr)

The DGTR issued preliminary findings recommending imposition of interim

anti-dumping duty on imports of Poly Vinyl Chloride Paste Resin from China, South Korea, Malaysia, Norway, Taiwan and Thailand. The investigation was initiated on 30th September 2023 pursuant to an application filed by Chemplast Sanmar Limited. The DGTR preliminarily concluded that the domestic industry has suffered price injury as the subject imports were undercutting the prices of the domestic industry due to which the domestic industry incurred financial losses, cash losses and recorded a negative return on capital employed in the period of investigation.

Chapter 40 – Rubber and articles thereof

Preliminary findings issued in the anti-dumping investigation into imports of Isobutylene-Isoprene Rubber from China, Russia, Saudi Arabia, Singapore and the USA. (16 Apr)

The DGTR issued final findings recommending imposition of interim anti-dumping duty into imports of Isobutylene-Isoprene Rubber from China, Russia, Saudi Arabia, Singapore and USA. The investigation was initiated on 30th June 2023 pursuant to an application filed by Reliance Sibur Elastomers Private Limited. The DGTR has preliminarily concluded that the imports of the product into India have caused injury to the domestic industry as the price of such imports have suppressed the prices of the domestic industry, it is underutilizing its capacities, the domestic industry was forced to shut down and was forced to undertake exports. The domestic industry has suffered losses, cash losses and recorded a negative return on investment.

Final findings issued in the sunset review of anti-subsidy duty on imports of New Pneumatic Radial Tyres for Buses and Lorries from China. (22 Apr)

The DGTR issued final findings recommending continuation of anti-subsidy duty on the imports of New Pneumatic Radial Tyres for Buses and Lorries from China. The review was initiated on 29th December 2023 pursuant to an application filed by Automotive Tyres Manufacturers Association on behalf of Apollo Tyres Limited, J.K. Tyre Industries Limited and MRF Limited. The DGTR concluded that there is likelihood of subsidization and injury to the domestic industry in case of expiry of the duty in force as the landed price of imports was below the selling price and cost of sales of the domestic industry. Although Chinese producers hold surplus capacities exceeding Indian demand, the producers have undertaken capacity addition, and the Chinese producers face trade remedial measures in a number of countries.

Chapter 83 – Miscellaneous articles of base metal

Final Findings issued in the anti-dumping investigation into imports of Easy Open Ends of Tin Plate, including Electrolytic Tin Plate (ETP), from China. (31 Mar)

The DGTR issued final findings recommending imposition of anti-dumping duty on the imports of Easy Open Ends of Tin Plate, including Electrolytic Tin Plate (ETP), measuring 401 Diameter (99MM) and 300 Diameter (73MM) in dimension from China, for a period of 5 years. The investigation was initiated on 31st March 2023 pursuant to an application filed by Easy Openends India Private Limited. The DGTR concluded that the subject imports have increased significantly in absolute terms and in relation to production and consumption in India. The imports were undercutting the prices of the domestic industry and the landed price was below the cost of sales of the domestic industry. The subject imports have caused material injury to the domestic industry as the production, capacity utilization and sales of the domestic industry have declined and it has incurred financial losses during the period of investigation.

Preliminary findings issued in the anti-dumping investigation into imports of Telescopic Channel Drawer Slider from China. (19 Apr)

The DGTR has issued a preliminary findings recommending imposition of interim anti-dumping duty on imports of Telescopic Channel Drawer Slider from China. The investigation was initiated suo-motu by the Authority on 20th September 2023. The DGTR preliminarily concluded that the subject imports have increased by 165% over the injury period. Further, the subject imports were undercutting the prices of the domestic industry and were at the level of cost of sales of the domestic industry, due to which the performance of the domestic industry has been adversely impacted in terms of market share, profitability, and return on investment.

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

Final Findings issued in the anti-dumping investigation into imports of Alloy Steel Chisel/ Tool and Hydraulic Rock Breaker in fully assembled condition from China and South Korea. (28 Mar)

The DGTR issued final findings recommending imposition of anti-dumping duty on the imports of Alloy Steel Chisel/ Tool and Hydraulic Rock Breaker in fully assembled condition from China and South Korea, for a period of 5 years. The investigation was initiated on 30th September 2022 pursuant to an application filed by DOZCO (India) Private Limited. The DGTR concluded that the imports have caused material injury to the domestic industry as the subject imports have increased in absolute as well as relative terms to the production, consumption, and demand in India. The subject imports were undercutting the prices of the domestic industry due to which it was not able to increase its selling price in line with increase in cost of sales and the profitability of the domestic industry has declined.

Global Updates

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

Trade remedial actions against India

USA

Preliminary affirmative determination issued by the USDOC in the anti-subsidy investigation into imports of certain Frozen Warmwater Shrimp from India. (01 Apr)

The USDOC has preliminarily determined that exporters and producers from India have received countervailable subsidies during the period of investigation, that is 1st April 2022 to 31st March 2023. The subsidy margin determined for Devi Sea Foods Limited, Devi Seafoods Inc and Devee Horizon LLP is 4.72%, for Sandhya Aqua Exports Pvt. Ltd., Neeli Sea Foods Private Limited, Vijay Aqua Processors Private Limited and Neeli Aqua Farms is 3.89%, and for all others is 4.36%.

Other trade remedial actions

USA

- Preliminary determination issued by the USDOC in the anti-subsidy investigation into imports of Frozen Warmwater Shrimps from Ecuador, Indonesia and Vietnam. (01 Apr)

Chapter 07 – Edible vegetables and certain roots and tubers

Ukraine

- Initiation of anti-dumping investigation into imports of Fresh Cucumber and Fresh Tomatoes from Türkiye. (17 Apr)

Chapter 28 – Inorganic Chemicals

Trade remedial actions against India

USA

Initiation of administrative review by the USDOC of anti-dumping and anti-subsidy duties on imports of Sodium Nitrite from India. (09 Apr)

The USDOC has initiated an administrative review of anti-dumping and anti-subsidy duties, to determine the level of dumping and subsidization during the period of review. In the original investigation, the USDOC had imposed a combined duty of 42.76% for all Indian exporters.

Other trade remedial actions

Colombia

- Initiation of anti-dumping investigation into imports of Manganese Sulphate from China. (03 Apr).

Chapter 29 – Organic Chemicals

Trade Remedial actions against India

USA

Initiation of anti-dumping and anti-subsidy investigations into imports of 2,4-Dichlorophenoxyacetic Acid from China and India. (30 Apr)

The USDOC has initiated investigations into imports from India and China to determine the existence and level of dumping and subsidization.

The application requesting initiation of investigations has been filed by Corteva Agriscience LLC, a U.S. producer of subject goods. The USDOC would now select certain Indian exporters who would be the mandatory respondents in the investigations.

Other trade remedial actions

China

- Imposition of provisional anti-dumping duty on imports of Propionic Acid from USA. (19 Apr)

EU

- Imposition of provisional anti-dumping duty on imports of certain Alkyl Phosphate Esters from China. (10 Apr)

Türkiye

- Initiation of safeguard investigation into imports of Ethyl Acetate. (08 Apr)

USA

- Initiation of anti-dumping investigation into imports of Dioctyl Terephthalate from Malaysia, Poland, Taiwan, and Türkiye. (22 Apr)

Chapter 35 – Albuminoidal substances; modifies starches; glues; enzymes

Canada

- Initiation of anti-dumping and anti-subsidy investigations into imports of certain Pea Protein from China. (22 Apr)

Chapter 36 – Explosives; pyrotechnic products; matches; pyrophoric alloys; certain combustible preparations

Trade remedial actions against India

Ukraine

Initiation of anti-dumping investigation into imports of matches from India and Pakistan. (17 Apr)

The Ukrainian Commission has initiated an anti-dumping investigation into imports from India and Pakistan. The application requesting the investigation was filed by Ukrainian Match Factory. The period of investigation has been determined as July 2022 to June 2023.

Chapter 38 – Miscellaneous chemical products

Trade remedial actions against India

USA

Preliminary determination issued by the USDOC in the administrative review of anti-dumping and anti-subsidy duties on imports of Granular Polytetrafluoroethylene Resin from India. (03 Apr)

The USDOC has preliminarily determined that certain Indian exporters were dumping the subject goods in USA and received countervailable subsidies during the period of review. The dumping margin determined was 2.38%. The subsidy rate for the period 2021 was determined as 4.89% and was determined as 4.70% for the period 2022.

Initiation of anti-dumping and anti-subsidy investigations into imports of Epoxy Resins from China, India, South Korea, Taiwan, and Thailand. (29 Apr)

The USDOC has initiated investigations into imports from India, among other countries. The application requesting initiation of investigations has been filed by U.S. Epoxy Resin Producers Ad Hoc Coalition. The USDOC would now select certain Indian exporters who would be the mandatory respondents in the investigations.

Other remedial actions against India

China

- Imposition of anti-dumping duty on imports of Polycarbonate from Taiwan. (19 Apr)

EU

- Imposition of anti-dumping duty on imports of Polyethylene Terephthalate from China. (02 Apr)

USA

- Continuation of anti-dumping duty on imports of Xanthan Gum from China. (15 Apr)

Chapter 38 – Miscellaneous chemical products

USA

- Preliminary affirmative determination issued by the USDOC in the anti-circumvention investigation concerning anti-dumping duty on imports of Hydrofluorocarbon Blends from China by imports of R-410B, R-407G and a custom HFC blend of 50% R-125 and 50% R-134a from China. (11 Apr)

Chapter 40 – Rubber and articles thereof

Trade remedial actions against India

USA

Preliminary determination issued by the USDOC in the administrative review of anti-dumping and anti-subsidy duties on imports of certain New Pneumatic Off-the-Road Tires from India. (05 Apr)

The USDOC has preliminarily determined that certain producers and exporters from India were dumping and received countervailable subsidies during the period of review. The dumping margin determined for the Indian exporters was in the range of 2.68% to 3.18%. Further, the subsidy rate determined for the Indian exporters was 1.83%. The subsidy rate for Balkrishna Industries Limited was determined as zero (0).

Trade remedial actions against India

Mexico

- Preliminary affirmative findings issued in the anti-dumping investigation into imports of New Pneumatic Radial Tyres for Cars and Light Trucks from China. (5 Apr)

USA

- Affirmative determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of Truck and Bus Tires from China. (25 Apr)

Chapter 44 – Wood And Articles of Wood, Wood Charcoal

Türkiye

- Continuation of anti-dumping duty on imports of Plywood from China. (18 Apr)

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

Trade remedial actions against India

USA

Final determination issued by the USDOC in the administrative review of anti-dumping duty on imports of certain Lined Paper Products. (15 Apr)

The USDOC has determined that the subject goods were dumped in USA during the period of review, that is 1st September 2021 to 31st August 2022. The weighted average dumping margin determined for 7 Indian exporters was 23.16%, while the dumping margin for Navneet Education Limited was determined as 0%.

Other trade remedial actions

China

- Initiation of sunset review of anti-dumping duty on imports of Electrolytic Capacitor Paper from Japan. (17 Apr)

Chapter 54 – Man-made filaments; strip and the like of man-made textile materials

Trade remedial actions against India

USA

Final determination issued by the USDOC in the administrative review of anti-dumping duty on imports of Polyester Textured Yarn from India. (18 Apr)

The USDOC has determined that the subject goods were not dumped in USA during the period of review, that is 1st January 2022 to 31st December 2022. The weighted average dumping margin determined for Reliance Industries Limited and Alok Industries Limited was 0%.

Chapter 55 – Man-made staple fibres

Trade remedial actions against India

USA

Continuation of anti-dumping and anti-subsidy orders on imports of Fine Denier Polyester Staple Fiber from China, India, Korea, and Taiwan (11 Apr)

The USDOC and USITC have determined that revocation of the anti-dumping and anti-subsidy duties on imports from India would lead to continued dumping or subsidization of the subject goods and injury to the industry in the United States. Duties upto 15.49% will be continued on import from India.

Other trade remedial actions

Türkiye

- Initiation of safeguard investigation into imports of Polyester Staple Fibre. (29 Apr)

Chapter 60 – Knitted or crocheted fabrics

Argentina

- Termination of anti-dumping investigation into imports of Warp Knitted Fabrics (Raschel) from China. (23 Apr)

Chapter 64 – Footwear, gaiters and the like; parts of such articles

Mexico

- Initiation of anti-dumping investigation into imports of Footwear from China. (26 Apr)

Chapter 72 – Iron and Steel

Australia

- Initiation of sunset review of anti-dumping duty on imports of Hot Rolled Structural Steel Sections from Japan, South Korea, Taiwan and Thailand. (02 Apr)

Canada

- Affirmative determination issued by the CBSA in the expiry review of anti-dumping and anti-subsidy duties on imports of certain Cold-Rolled Steel from China, South Korea and Vietnam. (12 Apr)

EU

- Initiation of expiry review of anti-dumping and anti-subsidy duties on imports of certain Organic Coated Steel Products from China. (30 Apr)

Türkiye

- Initiation of anti-dumping investigation into imports of Hot Rolled Flat Steel (Thick Plate) from South Korea. (02 Apr)

Ukraine

- Continuation of anti-dumping duty on imports of Fittings and Wire Rods from Russia. (17 Apr)

UK

- Initiation of anti-dumping and anti-subsidy investigations into imports of Organic Coated Steel Products from China. (15 Apr)

USA

- Continuation of anti-dumping duty on imports of Clad Steel Plates from Japan. (16 Apr)
- Initiation of anti-dumping and anti-subsidy investigations into imports of Ferrosilicon from Brazil, Kazakhstan, Malaysia and Russia (24 Apr)

Chapter 73 – Articles of iron or steel

Trade remedial actions against India

Türkiye

Continuation of anti-dumping duty on the imports of Iron & Steel Pipe Fittings from Brazil, Bulgaria, India, Indonesia, China and Thailand. (05 Apr)

The Ministry of Commerce has determined that revocation of orders on imports from India, among other countries, would result in continuation of dumping and consequent injury to Turkish industry. Anti-dumping duty of \$305 per tonne has been continued for Jainsons Industries whereas duty of \$400 per tonne has been continued for all other Indian producers.

USA

Final determination issued by the USDOC in the anti-dumping and anti-subsidy investigations into imports of certain Non-Refillable Steel Cylinders from India (22 Apr)

The USDOC has determined that countervailable subsidies were provided to producers and exporters from India during the period of investigation. Accordingly, the subsidy rate in the range of 2.26% to 2.48% was determined for the Indian exporters. The USDOC also determined that subject goods were

being dumped in USA during this period and a dumping margin of 4.13% was determined for the Indian exporters. However, it was found that INOX India Limited was not dumping the goods and a dumping margin 0% was determined for the exporter.

Other trade remedial actions

Australia

- Continuation of anti-dumping duty on imports of Steel Pallet Racking from China and Malaysia. (8 Apr)

EU

- Initiation of expiry review of anti-dumping duty on imports of certain Tubes and Pipes Fittings from Malaysia, Russia and South Korea. (09 Apr)

USA

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Cast Iron Soil Pipes from China (01 Apr)
- Initiation of sunset review of anti-dumping duty on imports of Utility Wind Towers from China and Vietnam and anti-subsidy duty on imports from China. (01 Apr)
- Preliminary affirmative determination issued by the USDOC in the anti-circumvention investigation concerning anti-dumping duty on imports of Prestressed Concrete Steel Wire Strands from Mexico by imports of certain High Carbon Steel Wires produced in Mexico and assembled or completed into Prestressed Concrete Steel Wire Strands in USA. (02 Apr)

Chapter 74 – Copper and articles thereof

Trade remedial actions against India

USA

Final affirmative determination issued by the USDOC in the anti-dumping investigation into imports of Brass Rods from India. (22 Apr)

The USDOC has determined that Brass Rods was being dumped in USA during the period of investigation. A dumping margin of 2.19% was determined for Rajhans Metals Pvt Ltd., 5.42% for Shree Extrusions Limited and 2.41% for all other Indian exporters.

Other trade remedial actions

Türkiye

- Continuation of anti-dumping duty on imports of Refined Copper Pipes and Tubes from Greece. (05 Apr)

USA

- Final affirmative determination issued by the USDOC in the anti-dumping investigation into imports of Brass Rods from Brazil, Mexico, South Africa and South Korea; and in the anti-subsidy investigation into imports from South Korea. (22 Apr)

Chapter 76 – Aluminium and articles thereof

Ukraine

- Initiation of anti-dumping investigation into imports of Radiators for Heating from China and Türkiye. (17 Apr)

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

Eurasian Economic Union

- Affirmative determination issued in the sunset review of anti-dumping duty on imports of Rolling Bearings other than Needle Bearings from China. (02 Apr)

USA

- Initiation of sunset review of anti-dumping duty on imports of Large Residential Washers from Mexico. (01 Apr)

Chapter 85 - Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and other articles

Trade remedial actions against India

Eurasian Economic Union

Affirmative determination in the sunset review of anti-dumping duty on imports of Graphite Electrodes from India. (02 Apr)

The Eurasian Economic Commission determined that revocation of current duties would likely result in continuation of dumping and injury to domestic

industry. The duty has been continued till 31st March 2029. The duty was first imposed in January 2013 and was continued in September 2018.

Other trade remedial actions

Australia

- Continuation of anti-dumping and anti-subsidy duties on imports of PVC Flat Electrical Cables from China. (29 Apr)

Japan

- Initiation of anti-dumping investigation into imports of Graphite Electrodes from China. (24 Apr)

Türkiye

- Initiation of anti-dumping investigation into imports of Electric Storage Water Heaters from China, Italy and Serbia. (05 Apr)

USA

- Initiation of anti-dumping and anti-subsidy investigations into imports on Crystalline Silicon Photovoltaic Cells, whether or not assembled into modules, from Cambodia, Malaysia, Thailand and Vietnam. (25 Apr)

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

Argentina

- Initiation of sunset review of anti-dumping duty on imports of Motorcycle Shock Absorbers from China. (15 Apr)

Eurasian Economic Union

- Final affirmative determination issued in the anti-dumping investigation into imports of Cast Aluminium Rims from Japan, Malaysia, Thailand and Türkiye. (04 Apr)

USA

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

Chapter 94 – Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishing and other items

Trade remedial actions against India

USA

Termination of anti-dumping investigation into imports of Boltless Steel Shelving Units prepackaged for sale from India. (19 Apr)

The USDOC has determined that the subject goods were not dumped in the USA during the period of review, that is 1st April 2022 to 31st March 2023. The weighted average dumping margin determined for Triune Technofab Private Limited was 0%. Accordingly, the USITC has terminated the investigation.

Other trade remedial actions

USA

- Final affirmative determination issued by the USDOC in the anti-dumping investigation into imports of Boltless Steel Shelving Units prepackaged for sale from Malaysia, Taiwan, Thailand and Vietnam. (19 Apr)

Chapter 96 – Miscellaneous manufactured articles

Argentina

- Initiation of sunset review of anti-dumping duty on imports of Thermos and other Isothermal Containers of Stainless Steel from China. (15 Apr)

Mexico

- Initiation of sunset review of anti-dumping duty on imports of Plastic Atomizers from China. (19 Apr)
- Initiation of sunset review of anti-dumping duty on Pencils from China. (25 Apr)

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.

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