ที่ พณ ๐๓๐๙.๐๙/ว ๔๓๐

ถึง สภาอุตสาหกรรมแห่งประเทศไทย

กรมการค้าต่างประเทศ ขอแจ้งประกาศของหน่วยงาน Directorate General of Trade Remedies (DGTR) กระทรวงพาณิชย์และอุตสาหกรรม สาธารณรัฐอินเดีย ลงวันที่ ๓๐ ตุลาคม ๒๕๖๗ แจ้งผลการไต่สวนขั้นต้น (Preliminary Findings) กรณีการไต่สวนการทุ่มตลาด (Anti – Dumping: AD) สินค้า PVC Suspension Resins ที่มีแหล่งกำเนิดจากสาธารณรัฐประชาชนจีน สาธารณรัฐอินโดนีเซีย ประเทศญี่ปุ่น สาธารณรัฐเกาหลี ไต้หวัน ประเทศไทย และสหรัฐอเมริกา โดยพบส่วนเหลื่อมการทุ่มตลาดของสินค้าจากประเทศไทยในอัตรา ๕๓ - ๑๘๔ เหรียญสหรัฐต่อตัน ซึ่งผู้มีส่วนได้เสียสามารถแสดงความคิดเห็นหรือข้อโต้แย้งต่อผลการไต่สวนขั้นต้นดังกล่าวได้ภายใน ๓๐ นับจากวันที่ประกาศ และจะแจ้งกำหนดจัดประชุมรับฟังความคิดเห็นและข้อโต้แย้ง (Oral Hearing) จากผู้มีส่วนได้เสียภายใต้ Rule 6(6) ทาง www.dgtr.gov.in ต่อไป ทั้งนี้ สามารถดาวน์โหลดรายละเอียดประกาศดังกล่าวได้ตาม QR Code ที่แนบ มาเพื่อทราบ และแจ้งสมาชิกให้ทราบโดยทั่วกัน

กรมการค้าต่างประเทศ
กระทรวงพาณิชย์
พฤศจิกายน ๒๕๖๗

กองปกป้องและตอบโต้ทางการค้า
โทร ๐๒ ๕๔๗ ๔๗๓๘
โทรสาร ๐๒ ๕๔๗ ๔๗๔๑

जापान से गैर-नमूनाकृत उत्पादकों की सूची**

क्र. सं.	गैर-नमूनाकृत सहयोगी उत्पादक
1	शिन दाई-इची विनाइल कॉर्पोरेशन

ठ आगे की प्रक्रिया

201. प्राथमिक जांच परिणाम अधिसूचित करने के बाद नीचे उल्लिखित प्रक्रिया अपनाई जाएगी:

i. प्राधिकारी इन जांच परिणामों के प्रकाशन से 30 दिन के भीतर सभी हितबद्ध पक्षकारों से इन अनंतिम जांच परिणामों पर टिप्पणियां मांगेंगे, और प्राधिकारी द्वारा संगत मानी गई सीमा तक उन टिप्पणियों पर अंतिम जांच परिणामों में विचार किया जाएगा।

ii. प्राधिकारी हितबद्ध पक्षकारों को संबद्ध जांच के लिए संगत उनके विचार प्रस्तुत करने के लिए अवसर प्रदान करने हेतु पाटनरोधी नियमावली के नियम 6(6) के अनुसार एक मौखिक सुनवाई करेंगे।

iii. मौखिक सुनवाई की तारीख डीजीटीआर की वेबसाइट (www.dgtr.gov.in) पर प्रकाशित की जाएगी।

iv. प्राधिकारी आवश्यक समझे जाने पर हितबद्ध पक्षकारों का आगे सत्यापन करेंगे।

v. प्राधिकारी संबद्ध जांच में अंतिम जांच परिणाम जारी करने से पूर्व पाटनरोधी नियमावली के अनुसार आवश्यक तथ्य प्रकट करेंगे।

दर्पण जैन, निर्दिष्ट प्राधिकारी

MINISTRY OF COMMERCE AND INDUSTRY

(Directorate General of Trade Remedies)

NOTIFICATION

PRELIMINARY FINDINGS

New Delhi, the 30th.October, 2024

CASE NO. AD(OI) – 30/2023

Subject: Preliminary Findings in the anti-dumping investigation concerning imports of "Polyvinyl Chloride Suspension Resins" originating in or exported from China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and United States of America.

A. BACKGROUND OF THE CASE

F. No. 6/33/2023-DGTR.—

1. Chemplast Cuddalore Private Limited, DCM Shriram Limited and DCW Limited (hereinafter also referred to as the "Applicants") filed an application before the Designated Authority (hereinafter also referred to as the "Authority"), in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter also referred as the "Act") and the Customs Tariff (Identification, Assessment, and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, as amended from time to time (hereinafter referred to as the "Rules" or "Anti-Dumping Rules"), for initiation of an anti-dumping investigation concerning imports of "Polyvinyl Chloride Suspension Resins" (hereinafter also referred to as the "product under consideration" or the "subject goods"), originating in or exported from China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and United States of America (hereinafter also referred to as the "subject countries").

2. The Authority, on the basis of *prima facie* evidence submitted by the applicants, issued a public notice vide Notification No. 6/33/2023-DGTR dated 26th March 2024, published in the Gazette of India Extraordinary, initiating the subject investigation in accordance with Section 9A of the Act read with Rule 5 of the Rules to determine existence, degree and effect of the alleged dumping of the subject goods, originating in or exported from the subject countries, and to recommend the amount of anti-dumping duty, which if levied, would be adequate to remove the alleged injury to the domestic industry.

B. PROCEDURE

3. The procedure described herein below has been followed with regard to the subject investigation:

i. The Authority notified the Embassies of the subject countries in India about the receipt of the present anti-dumping application before proceeding to initiate the investigation in accordance with Rule 5(5) of the Anti-Dumping Rules and the Free Trade Agreements with various members of the WTO.

ii. The Authority issued a public notice dated 26th March 2024 published in the Gazette of India, Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods from the subject countries.

iii. The Authority sent a copy of the initiation notification along with questionnaires to the Embassies of the subject countries in India, known producers/exporters from the subject countries, known importers/users and the domestic industry as well as other domestic producers as per the email addresses made available by the applicants and requested them to make their views known, in writing, within the prescribed time limit.

iv. The Authority provided a copy of the non-confidential version of the application to the Embassies of the subject countries in India, the known producers/exporters, importers and users in accordance with Rule 6(3) of the Rules.

v. The Embassies of the subject countries in India were also requested to advise the exporters/producers from their countries to respond to the questionnaire within the prescribed time limit. A copy of the letter and questionnaire sent to the producers/exporters was also sent to them along with the details of the known producers/exporters from the subject countries.

vi. The Authority sent exporter's questionnaires to the following known producers/exporters in the subject countries in accordance with Rule 6(4) of the Rules:

1. China Haohua Chemical (Group) Corporation
2. Chipping Xinfa PVC Company Limited
3. Hubein Yinhua Group Company Limited
4. Inner Mongolia Sanlian Chemical Corporation Limited
5. Inner Mongolia Junzheng Chemical Industry Company Limited
6. Kingfa Sci. & Technology Company Limited
7. LG Dagu Chemical Company Limited
8. Mega Compound Company Limited
9. Ningxia Yinglite Chemicals Company Limited
10. Ningxia Jinyuyuan Energy Chemistry Company Limited
11. Ordos Zunzheng Energy & Chemical Industry Company Limited
12. SAR Overseas Limited
13. Shandong Haihua Chlor-Alkali Resin Company Limited
14. Shandong Xinfa Import & Export Company
15. Shanghai Chlor-Alkali Chemical Company Limited
16. Sinopec Group
17. Sinopec Qilu Company
18. Suzhou Huasu Plastics Company Limited
19. Qingdao Haijing Chemcial (Group) Company Limited
20. Qingdoa Haiwan Chemical Company Limited
21. Tianjin Dagu Chemical Company Limited
22. Tianjin LG Bohai Chemical Company
23. Xinjiang Shihezi Zhongfa Chemcial Company Limited
24. Xinjiang Shengxiong Chlor-Alkali Company Limited

25. Xinjiang Zhongtai Chemical Company Limited
26. Yibin Tianyuan Group Limited
27. Yichang Yihua Pacific Cogen Company Limited
28. Zhong Tai International Development (HK) Limited
29. Oxy Vinyl LLP
30. Visolit
31. Farmosa Plastics Corporation
32. JM Eagle Corporation
33. Oxychem
34. Shintech Inc.
35. Westlake USA Inc.
36. Ocean Plastics Company Limited
37. JNC Corporation
38. Kaneka Corporation
39. Shin-Etsu Chemical Co., Ltd
40. SCG Chemicals Company Limited
41. Viynthai Public Co., Ltd.

vii. The following producers / exporters filed response to the exporters' questionnaire issued by the Authority.

1. Inner Mongolia Chemical Industry Company Ltd.
2. Inner Mongolia Erdos Electric Power and Metallurgy Group Co., Ltd.
3. Formosa Industries (Ningbo) Co., Ltd.
4. Formosa Plastics Corporation
5. Simosa International Co. Ltd.
6. Itochu Plastics Pte., Ltd.
7. ITOCHU Corporation
8. ITOCHU (Thailand) Ltd.
9. China General Plastics Corporation
10. CGPC Polymer Corporation
11. Grand Dignity Industrial Co. Ltd.
12. Wanhua Chemical (Fujian) Co., Ltd.
13. Wanhua Petrochemical (Yantai) Co., Ltd.
14. Wanhua Chemical (Singapore) Pte. Ltd.
15. Grand Dignity For Wanhua
16. Chiping Xinfa Polyvinyl Chloride Co., Ltd
17. Chiping Xinfa Huaxing Chemical Co., Ltd
18. Shandong Xinfa Import & Export Co., Ltd
19. Jiali Bio Group (Qingdao) Limited
20. Yue Xiu Textiles Co., Ltd
21. Xinjiang Zhongtai Import & Export Co., Ltd
22. Zhong Tai International Development (Hk) Limited

23. Xinjiang Shengxiong Chlor-Alkali Co., Ltd
24. Guangxi Huayi Chlor-Alkali Chemical Co., Ltd.
25. Shanghai Chlor-Alkali Chemical Co., Ltd.
26. Joc International Technical Engineering Co., Ltd.
27. Tianjin Lg Bohai Chemical. Co. Ltd
28. LG Chem, Ltd.
29. Canko Marketing
30. TS Corporation
31. Ordos Junzheng Energy & Chemical Industry Co., Ltd
32. Inner Mongolia Junzheng Chemical Industry Co., Ltd.
33. Shaanxi Beiyuan Chemical Industry Group Co
34. Henan Pulite Import And Export Trade Co.,Limited
35. Chemdo Group Company Limited
36. United Raw Material Pte. Ltd.
37. Cosmoss Vu Limited
38. Tun Wa Industrial Co. Ltd.
39. SAR Overseas Limited
40. Kaneka Corporation
41. Shin-Etsu Chemical Co., Ltd
42. Taiyo Vinyl Corporation
43. Tokuyama Corporation
44. Tokuyama Sekisui Co. Ltd
45. Tosoh Nikkemi Corporation
46. Mitsui & Co., Ltd
47. Mitsubishi Corporation
48. IVICT (Singapore) Pte. Ltd
49. Kanematsu Corporation
50. Marubeni Corporation
51. Sojitz Asia Pte Limited
52. PT Asahimas Chemical
53. AGC Vinythai Public Limited Company
54. GCM Polymer Trading DMCC Company Limited
55. PTT Global Chemical Public Company Limited
56. Thai Polyethylene Co. Ltd
57. Thai Plastics and Chemicals Plc.
58. Qingdao Haiwan Chemical Co. Ltd.
59. CNSIG Jiltani Chlor – Alkali Chemical Co. Ltd.
60. China Salt Chemical International Trading Co. Ltd.
61. Yibin Haifeng Herui Co. Ltd.
62. Yibin Tianyuan Materials Industry Group Ltd.
63. Yibin Tianyuan Group Co. Ltd.

64. Tianjin Bohua Chemical Developments
65. Cheongfuli (Hongkong) Company Limited
66. Hanwa Corporation
67. Stavian Chemical JSC
68. Sunshine International Pvt Ltd
69. Texpo International Limited

viii. Formosa Industries (Ningbo) Co., Ltd. has filed a response to supplementary questionnaire issued by the Authority and has claimed that it should be treated as operating in market economy conditions. No other producer from China has claimed market economy treatment.

ix. The Authority sent importers and users' questionnaire to the following known importers/users of the subject goods in India calling for necessary information in accordance with Rule 6(4) of the Rules:

1. Aasu Chemplast Private Limited
2. ABM International Limited
3. Aditya Industries
4. Amisha Vinyls Private Limited
5. Apollo Pipes Limited
6. Associated Capsules Limited
7. AVI Global Plast Private Limited
8. Avon Plastics Group
9. Caprihans India Limited
10. Chaitanya Impex Private Limited
11. Cooldeck Aqua Solutions Private Limited
12. Cosmos Corporation
13. D.R. Polymers Private Limited
14. Deluxe Kaaran Import Private Limited
15. Dhabriya Agglomerates Private Limited
16. Diamond Pipes & Tubes Private Limited
17. Dutron Plastics Private Limited
18. Fine Flow Plastic Industries Limited
19. Golden Group
20. Havells India
21. INCOM Cables Private Limited
22. Jain Irrigation Systems
23. Jewel Polymers Private Limited
24. JP Group
25. Kalpana Industries
26. Kisan Group Tex
27. KLJ Group
28. Krishna Vinyls Group
29. Kriti Industries (India) Ltd.
30. KS Plastics
31. Manish Packaging Private Limited

32. Maxx Impex Private Limited
33. Megha Industries
34. MM Plastics
35. Nouvelle Credits Private Limited
36. Omega Plasto Limited
37. Oriplast Limited
38. Oswal Cable Products Limited
39. Oxyde Chemicals & Polymers India Private Limited
40. Par Petrochem Limited
41. Poly Extrusions Private Limited
42. Polycab Cables Private Limited
43. Prakash Industries
44. Premier Polyfilm Limited
45. Prfint Crafts
46. Prince Pipes and Fittings Limited
47. R.S. Overseas Private Limited
48. Royal Cushion Vinyl Product Limited
49. Sam Polymers
50. Sandeep Organics Private Limited
51. Sankhla Industries
52. Shalimar Rexine India Limited
53. Shantilal Mahendra Kumar
54. Signet Overseas Limited
55. Sintex Industries Limited
56. Sudhakar Group
57. Supreme Industries
58. Surender Commercial
59. Tirupati Group
60. Varsha Corporation Private Limited
61. Veekay Polycoats Limited

x. The following importers/users have participated in the present investigation by filing a response to the importers' / users' questionnaires issued by the Authority.

1. Alstone Green India Pvt Ltd
2. Asma Traexim Pvt. Ltd.
3. Atalantic Polymers Unit-II Pvt. Ltd.
4. Caprihans India Ltd
5. Prabitha Polymers
6. Purbanchal Composite Panel (I) Pvt. Ltd.
7. Shiv Industries
8. Sushila Parmar International Private Limited
9. Terra Polyplast PVT LTD

10. Wanhua International (India) Pvt. Ltd.
11. Yamuna Interiors Pvt. Ltd.

xi. The Plastics Export Promotion Council (PLEXCONCIL) has filed injury submission.

xii. The Authority issued economic interest questionnaire to all interested parties and concerned ministry. The following parties have filed a response to the economic interest questionnaire.

1. Domestic industry
2. AGC Vinythai Public Limited Company
3. Alstone Green India Pvt Ltd
4. Asma Traexim Pvt. Ltd
5. Atalantic Polymers Unit-II Pvt. Ltd.
6. Cheongfuli (Hongkong) Company Limited
7. China Salt Chemical International Trading Co. Ltd.
8. CNSIG Jiltani Chlor – Alkali Chemical Co. Ltd.
9. GCM Polymer Trading DMCC Company Limited
10. Hanwha Corporation
11. IVICT (Singapore) Pte. Ltd
12. Kaneka Corporation
13. Kanematsu Corporation
14. Marubeni Corporation
15. Mitsubishi Corporation
16. Mitsui & Co., Ltd
17. Prabitha Polymers
18. PT Asahimas Chemical
19. PTT Global Chemical Public Company Limited
20. Purbanchal Composite Panel (I) Pvt. Ltd.
21. Qingdao Haiwan Chemical Co. Ltd.
22. SAR Overseas Limited
23. Shin-Etsu Chemical Co., Ltd
24. Shiv Industries
25. Sojitz Asia Pte Limited
26. Stavian Chemical JSC
27. Sunshine International Pvt Ltd
28. Sushila Parmar International Private Limited
29. Taiyo Vinyl Corporation
30. Terra Polyplast PVT LTD
31. Texpo International Limited
32. Thai Plastics and Chemicals Plc.
33. Thai Polyethylene Co. Ltd
34. Tianjin Bohua Chemical Developments
35. Tokuyama Corporation
36. Tokuyama Sekisui Co. Ltd

37. Tosoh Nikkemi Corporation

38. Yamuna Interiors Pvt. Ltd.

39. Yibin Haifeng Herui Co. Ltd.

40. Yibin Tianyuan Group Co. Ltd.

41. Yibin Tianyuan Materials Industry Group Ltd.

xiii. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claims. On being satisfied, the Authority has accepted the confidentiality claims wherever warranted and such information has been considered as confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis were directed to provide sufficient non-confidential version of the information filed on confidential basis.

xiv. The interested parties were asked vide notification dated 25th June, 2024 and 30th July, 2024 to share the non-confidential version of the responses, submissions and evidence presented by them with the other interested parties.

xv. The Authority conducted a meeting dated 30th April, 2024 where all the interested parties were invited to give their comments on the scope of the product under consideration and PCN methodology. Based on the submissions made by the interested parties, the Authority finalized the scope of the product under consideration and the PCN methodology vide notification dated 13th May, 2024.

xvi. Request was made to the DG Systems to provide the transaction-wise details of imports of the subject goods for the past three years, and the period of investigation, which was received by the Authority. The Authority has relied upon the DG Systems data for computation of the volume of imports and its analysis after due examination of the transactions.

xvii. The Non-Injurious Price (NIP) has been determined based on the cost of production and cost to make & sell the subject goods in India based on the information furnished by the domestic industry, maintained as per Generally Accepted Accounting Principles (GAAP), has been worked out so as to ascertain whether the present interim anti-dumping duty would be sufficient to remove injury to the domestic industry.

xviii. The period of investigation for the purpose of the present anti-dumping investigation is from 1st October, 2022 to 30th September, 2023 (12 Months). The injury investigation period has been considered as the period from 1st April, 2020 - 31st March, 2021, 1st April, 2021 – 31st March, 2022, 1st April, 2022 – 31st March, 2023 and the period of investigation.

xix. The information/data submitted by the applicants has been examined during desk study and relied upon for the purpose of preliminary findings, which will be verified at the appropriate stage from the original records of the applicants.

xx. '***' in this preliminary finding represents information furnished on confidential basis and so considered by the Authority under the Rules.

xxi. The exchange rate adopted by the Authority for the subject investigation is 1USD = ₹ **83.21**

C. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

C.1 Submissions by the other interested parties

4. The following submissions have been made by the other interested parties with regard to the product under consideration and like article.

i. While the domestic industry has claimed that K-Value is the most important parameter, no PCN has been proposed on the basis of K-Value. The cost and price of various grades of PVC ranges between 15-20%.

ii. There is a need to devise PCN based on production process. However, other interested parties stated that the PCN-Wise assessment is not warranted in the present investigation.

iii. The product excluded from the scope of the product under consideration should be specifically mentioned in the duty table.

iv. Only the grades commercially produced and sold by the domestic industry during the period of investigation should be included within the scope of the product under consideration.

v. Grade HRTP4000, LS070, LS170 and LS300 produced by LG Chem should be excluded from the scope of the product under consideration as it is ultra-high molecular weight PVC.

vi. Grades SG840, SM760, SM76E and SM84E produced by TPE should be excluded from the scope of the product under consideration as they contain higher K-value compared to grades produced by the domestic industry. The price of such grades is higher than the grades supplied by the domestic industry. These grades are not produced by the domestic industry and are not commercially substitutable with the grades produced by the domestic industry.

vii. Grades S-400 : KV51, S1007 : KV58, S1008 : KV61, S1004 : KV73, KS-1700 : KV77, KS-2500 : KV85 and KS-3000 : KV88 produced by Kaneka Corporation should be excluded from the scope of the product under consideration as like article for such grades is not produced by the domestic industry.

viii. Grades TK-2500HE, GR-600S, GR-700S, TK-800, TK-500, TK-600, TK-1700E, TK-2000E, TK-2500LS, TK-2500HS, TK-2500PE, GR-800T, GR-1300T, GR-1300S, and GR-2500S produced by Shin-Etsu should be excluded from the scope of the product under consideration as the domestic industry does not produce a like article to these grades.

ix. Grades ZEST 700Z, ZEST 1000Z and ZEST 1300SI produced by Tokuyama should be excluded from the scope of the product under consideration as the domestic industry does not produce a like article to these grades.

x. Taiyo produces Ethylene and PVC Copolymer, EVA PVC Graft Copolymer and Modified High Polymerization PVC Resin which are copolymer PVC and cross-linked PVC, such products should be considered outside the scope of the product under consideration.

xi. Grades TH-800, TH-1700, TH-2500, TH-2800, TH-3000 and TH-3800 produced by Taiyo should be excluded from the scope of the product under consideration as the domestic industry does not produce a like article to these grades.

xii. Grade TL700 should be excluded from the scope of the product under consideration as it has a very low-K value which is not produced by the domestic industry.

xiii. Grade WH800 produced by Wanhua should be excluded from the scope of the product under consideration as the same falls in the range of K-Value 60-64 which is not produced by the domestic industry.

xiv. PVC resin off grade, PVC resin floor sweep, PVC resin pond resin (PVC off grade) should be excluded from the scope of the product under consideration as these are mixed with prime grades in order to produce flooring. Such product is imported in smaller quantities and is priced much lower than the prime grade.

xv. PVC Suspension Resins with K value 57 should be excluded from the scope of the product under consideration since the same is not produced by the domestic industry.

xvi. The domestic industry is not supplying K value 55 and 60 and such product should be excluded from the scope of the product under consideration.

xvii. The scope of the product under consideration may be revised as the domestic industry has the capacity to manufacture PVC Suspension Resins with K-Value from 57 to 72 only.

xviii. The reason for excluding mass polymerization from the scope of the product under consideration must be clarified since both are used to produce CPVC and have similar specifications and applications.

xix. The user industry is using specialty grade of PVC Suspension Resins which are similar to characteristics of mass PVC for manufacturing C-PVC. Since the domestic industry is not supplying the same or technically and commercially substitutable grade, it should be excluded from the scope of the product under consideration.

xx. The grades imported by Epigral are of higher porosity and higher apparent density. Such grades are not supplied by the domestic industry.

xxi. The domestic industry also imports specialty grades for manufacturing C-PVC and does not use PVC manufactured by it captively. This is evident from the transcript of investors call of DCW Limited. Thus, such grades are not produced by the domestic industry.

C.2 Submissions made by the Domestic Industry

5. The submissions made by the domestic industry with regard to product under consideration and like article are as follows:

i. The product under consideration is Homopolymer of Vinyl Chloride Monomer (suspension grade) also known as PVC Suspension Resins.

ii. PVC Resins produced through emulsion polymerization process, bulk mass polymerization process and micro suspension polymerization process are excluded from the scope of the product under consideration.

iii. The scope of the product under consideration excludes cross-linked PVC, CPVC, VC-Vac, PVC Paste Resins, Mass Polymerization PVC and PVC Blending Resin.

iv. The subject goods are manufactured using vinyl chloride monomer which is polymerized through suspension process. Vinyl chloride monomer can be obtained through either EDC (ethylene) route or carbide route. In either case, the final product is the same.

v. The product under consideration has a dedicated HS code 39041020. However, 17% of the imports of the product under consideration have been made under other HS Codes during the period of investigation.

vi. There is no need for PCN wise analysis in the present investigation. Contrary submissions have been made by the other interested parties with regard to need for PCNs. Most of the interested parties have submitted that PCNs are not required.

vii. As opposed to the submissions of the other interested parties, PCN based on production process is not required since the production process does not lead to change in price of the product and the difference is less than 5%.

viii. As opposed to the submissions made by Hanwha, the price of product does not vary significantly between various K-values.

ix. The domestic industry produces PVC Suspension Resins with K-Value between 57 and 75.5 and there is a + / - 1 K-value tolerance. The Authority may exclude product with K value below 56 and above 76 from the scope of the product under consideration.

x. A product type can be excluded only if it is imported into India and a like article is not offered by the domestic industry. No exclusion is warranted for the product types not imported into India.

xi. As opposed to the submissions of the other interested parties, there is nothing called a specialty grade of PVC Suspension resins. In case, an exclusion is given for “specialty grades”, the exporters may classify everything as specialty grade and circumvent the duty.

xii. In case there were some “specialty grades” of PVC, the cost of production of such grades should have been different, but Epigral Limited has not filed any submission regarding different PCN for such grades.

xiii. As analysed from import data, Epigral Limited has imported regular grade of the product under consideration which has also been imported by other consumers in India.

xiv. Since DCW Limited commenced production of CPVC in the new plant, it is using its own PVC suspension resins for making CPVC. Further, the company used SPVC produced by other producers to test suitability of different SPVC for making CPVC. It is not regularly importing any foreign producer’s material for manufacturing of CPVC. DCW plans to use its own PVC suspension resins for production of CPVC.

xv. DCW purchased SPVC from a number of traders during the period of investigation for testing the same in its CPVC plant. At this time, the domestic industry was testing use of SPVC for manufacturing CPVC.

xvi. DCW Limited has used PVC suspension resins manufactured by various suppliers for manufacturing CPVC.

xvii. Reliance Industries Limited is also setting up a new plant for C-PVC and plans to use captively produced PVC Suspension Resins.

xviii. IS 17988 related to C-PVC does not mention any specialty grade for manufacturing C-PVC but only mentions PVC Suspension Resins. Further, even the investor call for Epigral Limited does not mention any specialty grade for C-PVC.

xix. All domestic producers of the subject goods hold BIS licenses for manufacturing PVC Suspension resins and adhere to the standards specified.

xx. BIS standards do not mention porosity or heat stability as one of the essential characteristics of PVC suspension resins.

xxi. While DCW Limited holds BIS license to manufacture CPVC, Epigral Limited does not even hold a BIS license in this regard.

xxii. Epigral Limited produces only 2 grades of CPVC, namely, MM67K and MM57K and has imported mass PVC as well as suspension PVC from various manufacturers. This establishes the interchangeability of different suspension resins for manufacturing CPVC.

xxiii. Since PVC suspension resins are manufactured in batches, no two batches have exact same specifications which is evident from the range specified in BIS as well as TDS. Thus, Epigral has used PVC of different specifications to manufacture CPVC.

xxiv. SPVC supplied by the Indian industry has porosity and apparent viscosity both lower and higher than grades imported by Epigral.

xxv. Epigral cannot claim its viability based on dumped prices of PVC. Since it uses Mass PVC as well which is higher priced, its viability will not be impacted due to fair prices of PVC suspension resins.

xxvi. Epigral has not shown that it has approached domestic producers of the product and tested their product for manufacturing CPVC and hence, found that the grades manufactured by the domestic industry are not appropriate for manufacturing CPVC.

xxvii. The product manufactured by the domestic industry is commercially and technically substitutable and is being used by the consumers interchangeably. Thus, product produced by the domestic industry is like article to the product imported from the subject countries.

C.3 Examination by the Authority

6. At the time of initiation of the present investigation, the Authority considered the product under consideration as "Homopolymer of Vinyl Chloride Monomer (suspension grade)" also known as PVC Suspension Resin. This type of resin has various polymer chains that are not linked to each other. The product under consideration has also been referred to as "Poly Vinyl Chloride (PVC) Resin", "Suspension Grade" or "PVC Suspension Resin".

7. The Authority conducted a meeting dated 30th April, 2024 regarding scope of the product under consideration and PCN. Post receiving comments from all the interested parties, and after examining them, the scope of the product under consideration was modified vide notification dated 13th May 2024 to exclude certain product types. The Authority has considered the product under consideration as following for the purpose of the present investigation.

"Homopolymer of Vinyl Chloride Monomer (suspension grade) also known as PVC Suspension Resin manufactured through suspension polymerisation process with K-value above 55 and upto 77."

8. The Authority notes that the other interested parties have requested exclusion for specialty grade of PVC Suspension Resins used for manufacturing C-PVC. The domestic industry has submitted that there is nothing called "specialty grade" of PVC Suspension Resins. As per the analysis of import data, and information made available by interested parties, Epigral has imported the grades of PVC Suspension Resins which have also been imported by other importers (non-manufacturers of C-PVC) in India, as well as by DCW Ltd during the post POI.

9. The Authority notes that the Bureau of Indian Standards has issued "IS 17988:2022" related to C-PVC. The relevant extract of the said standard is as below.

"5.1 Basic Resin: CPVC resin is manufactured by chlorination of PVC Homopolymer confirming to IS 17658"

The Authority notes that the standard does not refer to any specialty grade of PVC Suspension Resins for manufacturing C-PVC.

10. The Authority notes that as per the evidence on record, the domestic industry holds the BIS license for manufacturing PVC suspension resins and it produces the subject goods as per the specifications listed in the BIS standards. Further, the domestic industry has provided evidence of grade wise comparison of imported product with the product manufactured by the domestic producers. It is noted that the domestic producers of subject goods have produced like article to the product imported from the subject countries.

11. As per the evidence on record only DCW Limited holds license for manufacturing of CPVC. DCW Limited has provided evidence that it has used captively produced subject goods for manufacturing CPVC as well as used grades supplied by multiple producers. Thus, it is provisionally noted that there is no requirement for a specific grade of subject goods for manufacturing CPVC.

12. With regard to the submissions that the domestic industry does not manufacture and supply like article to grades used for manufacturing C-PVC, the Authority notes the following as per the press release of DCW Limited:

"DCW Limited's competitive edge lies in its ability to use its own S-PVC (Suspension PVC) as a raw material when market conditions are favourable. This capability guarantees a consistent quality and supply of inputs for CPVC production, further strengthening the company's position in the market."

Hence, it is provisionally concluded that the domestic industry has the capacity to manufacture and supply grades used for manufacturing of C-PVC.

13. Further, the Authority notes that prior to issuance of the present preliminary findings, Epigral Limited had approached Hon'ble Gujarat High Court against the ongoing investigation for consideration of the exclusion request. The Hon'ble Court held that the petition filed was pre-mature, and was accordingly dismissed.

14. The Authority notes that Epigral Limited has requested exclusion of few grades of PVC Suspension Resins terming the same as "specialty grades". Epigral has claim confidentiality with regard to its additional submissions on exclusion of specialised grades imported for manufacture of C-PVC. Such confidentiality claimed is excessive and thus, does not allow other interested parties including the domestic industry to rebut the claims made by Epigral. The Authority is advising to Epigral to share a proper non-confidential version of the submissions which allow reasonable understanding of the same. The Authority intends to examine the issue of exclusions requested by Epigral post circulation of such submissions and receiving comments from the domestic industry, thereafter.

15. The interested parties may provide further information and evidence with regard to the possible need for exclusion of any grade. The authority would consider all the submissions made by Epigral, domestic industry and interested parties for the purpose of final determination, after providing opportunity of submissions by the interested parties and an opportunity of being heard orally.

16. The product under consideration in the present investigation excludes the following

i. Ultra-Low K-Value PVC Suspension Resins (K-value upto 55)

ii. Ultra-High K-Value PVC Suspension Resins (K-value above 77)

iii. Cross-linked PVC

iv. Chlorinated PVC (CPVC),

v. Vinyl chloride – vinyl acetate copolymer (VC-VAC),

vi. PVC paste resin/emulsion resins

vii. Mass Polymerisation PVC

viii. Polyvinyl Chloride Blending Resins.

Further, PVC resins manufactured through emulsion polymerisation, PVC resins manufactured through bulk mass polymerization, and PVC resins manufactured through micro suspension polymerization process are also excluded from the scope of the product under consideration.

17. PVC Suspension Resins is produced using suspension polymerization technology. In order to produce the subject goods, Vinyl Chloride Monomer ("VCM") is converted into Vinyl Polymer through polymerization process. VCM is either produced using ethylene dichloride ("EDC") or by using Calcium Carbide ("Carbide"). PVC produced vide ethylene route as well as carbide route is included within the scope of the product under consideration.

18. The Authority notes that a number of interested parties have filed comments on requirement of PCN in the present investigation. Most of the interested parties have submitted that there is no requirement of PCN in the present investigation. The Authority notes that there have been a number of investigations into imports of the product under consideration from various countries in the past, and the Authority has not adopted any PCN in any of the past investigations.

19. The interested parties, which have requested for adoption of a PCN methodology, have based the same on K-Value and the production process. However, the foreign producers have not provided any information to show that there is a substantial difference in the costs of the products produced having different K-values. As per the data available on record, the cost and price of the product does not vary significantly between different K-Values. Further, the price of the product under consideration does not vary based on the production process as the final product manufactured using both the routes is the same and is used by the users interchangeably. Accordingly, there is no requirement of PCN in the present investigation.

20. With regard to the contention that certain grades produced by certain foreign producers must be excluded from the scope of the product under consideration, the Authority notes that the domestic industry has

provided evidence that it produces PVC Suspension Resins with K-value 57 and 75.5. The Authority has excluded ultra-low and ultra-high k-value which has not been manufactured by the domestic industry. The grades specified by the other interested parties with ultra-low K value and ultra-high K value have been automatically excluded with the said exclusions.

21. With regard to the grades which fall within the range of K-value included in the product under consideration, the Authority notes that the like article for such grade has been supplied by the domestic industry and hence, there is no need for exclusion of such product from the scope of the product under consideration.

22. With regard to exclusion of off-grade PVC, the Authority notes that off-grade product cannot be excluded from the scope of the product under consideration. Off-grade product is not produced specifically by any manufacturer but is a result of the normal production process of any article. Merely because a product has been sold as off-grade product, the same does not imply that it does not constitute product under consideration. It is also noted in this regard that the Authority has consistently held that the mere difference in quality is immaterial to decide the scope of the product under consideration. Further, exclusion of off-grade PVC is likely to lead to circumvention of anti-dumping duty. In any case, the interested parties have not provided any evidence to demonstrate that these lower quality grades are not competing with the like article manufactured by the domestic industry.

23. The subject goods are classified under Chapter 39 of Schedule I to the Customs Tariff Act, 1975 under the Customs classification 3904 10 20. However, the product under consideration is also being imported under HS Codes 3904 10 90, 3904 21 00, 3904 10 10, 3904 22 00, 3904 90 10, 3904 90 90, 3904 30 00 and 3904 21 10. The Customs classification is only indicative and is not binding on the scope of the product under consideration.

24. The product produced by the domestic industry is like article to the goods imported from the subject countries. The product produced by the domestic industry and imported from the subject countries are comparable in terms of physical & chemical properties, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods. Even though there are different manufacturing process/technologies involved for production of the subject goods, the end product has comparable specifications and is used interchangeably. The product produced by the domestic industry and imported into India from the subject country is technically and commercially substitutable, and the consumers are using the two interchangeably. In view of the same, the product manufactured by the domestic industry has been considered as like article to the product imported into India, in accordance with Rule 2(d) of the Rules.

D. SCOPE OF DOMESTIC INDUSTRY & STANDING

D.1 Submission of other interested parties

25. No submissions have been made by the other interested parties with regard to the scope of the domestic industry and standing.

D.2 Submissions made by the Domestic Industry

26. The submissions made by the domestic industry with regard to scope of the domestic industry and standing are as follows:

i. The application has been filed by Chemplast Cuddalore Vinyls Limited, DCM Shriram Limited and DCW Limited.

ii. There are two other domestic producers in India, namely, Finolex Industries Limited and Reliance Industries Limited. The other domestic producers have imported the product under consideration from the subject countries during the period of investigation. Thus, such producers should be considered ineligible for constituting the domestic industry in the present investigation.

iii. Chemplast Cuddalore Vinyls Limited and DCW Limited produce the subject goods using the EDC Route, while DCM Shriram Limited produces the subject goods using the carbide route.

iv. The applicants have not imported the product under consideration from the subject countries and are not related to any importer in India or any exporter from the subject countries.

v. In case, the other domestic producers are considered ineligible, the applicants account for 100% production of like article in India.

vi. In case, the other domestic producers are not considered ineligible, the applicants still account for a major proportion of domestic production in India and thus, satisfy the requirement as per Rule 2(b) and Rule 5 of the Anti-Dumping Rules.

D.3 Examination by the Authority

27. Rule 2(b) of the Rules defines domestic industry as follows:

> *"(b) "domestic industry" means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are related to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term 'domestic industry' may be construed as referring to the rest of the producers."*

28. The application for initiation of the present investigation has been filed by Chemplast Cuddalore Private Limited, DCM Shriram Limited and DCW Limited. The applicants have submitted that there are two other producers of the subject goods in India, that is Finolex Industries Limited and Reliance Industries Limited. It is noted that the applicants have not imported the product under consideration and are not related to any importer in India or any exporter from the subject countries.

29. The applicants have submitted that the other domestic producers have imported the product under consideration from the subject countries during the period of investigation. The Authority notes that the other domestic producers have not made any submissions in this regard. Accordingly, the Authority has relied upon the data received from DG Systems and the submissions made by the applicants. Since Finolex Industries Limited and Reliance Industries Limited are involved in importing the product under consideration, the Authority has, provisionally, considered them ineligible for the purpose of determining standing of domestic industry.

30. Accordingly, the Authority, provisionally, holds that for the purpose of this investigation, the applicants account for 100% of the domestic production in India and satisfy the standing requirement of Rule 2(b) read with Rule 5(3) of the Rules.

31. The Authority further notes that, in case, the production of Finolex Industries Limited and Reliance Industries Limited are considered for the purpose of determining standing, the applicants still account for major proportion of domestic production in India and thus, satisfy the requirement of Rule 2(b) read with Rule 5(3) of the Rules.

E. CONFIDENTIALITY

E.1 Submission of other interested parties

32. The following submissions have been made by the other interested parties with regard to confidentiality.

i. The applicants have claimed excessive confidentiality as they have failed to share aggregate data for sales value, sales value and price for captive consumption, PBIT, interest and finance cost, depreciation and amortization expenses and calculation of non-injurious price and normal value.

ii. The applicants have not provided sales quantity, price and value under two separate headings, that is, domestic sales – SSI and domestic sales – other than SSI.

iii. The domestic industry has not disclosed the name of the producer whose information has been used to calculate the normal value for countries other than China PR.

iv. The domestic industry has claimed the details of plant shutdown confidential when the information for DCW Limited is already in the public domain.

v. While the applicants have claimed that they have not imported the product under consideration during the period of investigation, imports have been reported in Proforma IV-A which have been claimed confidential.

vi. Quantum of anti-dumping duty considered for calculation of impact has not been disclosed.

vii. The applicants have claimed the entire sentences confidential in the petition due to which the other interested parties are unable to comprehend the information submitted.

viii. The domestic industry has not provided details of funds raised in the application.

E.2 Submissions made by the Domestic Industry

33. The submissions made by the domestic industry with regard to confidentiality are as follows:

i. A number of foreign producers have claimed the names of traders and exporters which have exported their product to India confidential.

ii. A number of producers / exporters have claimed excessive confidentiality as they have not disclosed the distribution and marketing channel as well as details about related companies, nature of expenses claimed as adjustment, production process and names of raw material.

iii. Product catalogue and brochure as well as list of products sold which is routinely shared with the customers have been claimed confidential.

iv. A number of parties have not provided justification for confidentiality in accordance with Trade Notice 01/2013.

v. A number of producers and exporters have claimed company affiliations, shareholding and names of producers of the product exported by them as confidential.

vi. Details and nature of post invoicing discount given has been claimed confidential.

vii. The other interested parties have not adhered to the requirement of Trade Notice 10/2018.

viii. Formosa Industries (Ningbo) Co., Ltd. has not provided the organization chart and structure to enable the domestic industry to comment upon the involvement of Government of China in the functioning of the entity. List of shareholders, details of whether raw material and utilities have been purchased from related or unrelated entity situated in China, selection procedure for recruitment of personnels and governing laws have been claimed confidential.

E.3 Examination by the Authority

34. Rule 7 of the Anti-Dumping Rules provides as follows:

"7. Confidential Information:

(1) Notwithstanding anything contained in sub-rules (2), (3) and (7) of rule 6, sub-rule (2) of rule 12, sub-rule (4) of rule 15 and sub-rule (4) of rule 17, the copies of applications received under sub-rule (1) of rule 5, or any other information provided to the designated authority on a confidential basis by any party in the course of investigation, shall, upon the designated authority being satisfied as to its confidentiality, be treated as such by it and no such information shall be disclosed to any other party without specific authorization of the party providing such information.

(2) The designated authority may require the interested parties providing information on confidential basis to furnish non-confidential summary thereof and if, in the opinion of a party providing such information, such information is not susceptible of summary, such party may submit to the designated authority a statement of reasons why summarisation is not possible.

(3) Notwithstanding anything contained in sub-rule (2), if the designated authority is satisfied that the request for confidentiality is not warranted or the supplier of the information is either unwilling to make the information public or to authorize its disclosure in a generalized or summary form, it may disregard such information."

35. The information provided by all the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claims. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed to the other interested parties. Wherever possible, the parties providing information on confidential basis were directed to provide sufficient non-confidential version of the information filed on confidential basis.

36. A list of all registered interested parties was uploaded on the DGTR's website along with the request therein to all of them to email the non-confidential version of their submissions to all the other interested parties.

37. With regard to the submissions that the domestic industry has not shared certain parameters, the Authority notes that certain parameters do not form part of the requirements notified vide Trade Notice No. 05/2021. With regard to the pricing information not disclosed by the domestic industry, the Authority notes that the domestic industry has submitted that such information is business proprietary in nature and disclosure of same will adversely impact its interest in the market and provide an estimate of prices being charged and margins being retained by the applicants to other domestic producers, exporters as well as the consumers of the product. Disclosure of such average pricing would also allow the customers to benchmark the prices being paid by them, versus the average price in the market. The Authority has hence, accepted the confidentiality claim of the domestic industry in this regard.

F. MISCELLENEOUS SUBMISSIONS

F.1 Submission by the other interested parties

38. The following miscellaneous submissions have been made by the other interested parties.

i. The import data filed by the applicants in the form and manner that it was taken on record must be shared with the other interested parties.

ii. The applicants must submit and circulate updated petition for the period of investigation considered by the Authority in the initiation notification.

iii. Initiation of the present investigation is without any basis as the applicants have not presented substantive evidence to prove condition of initiation of anti-dumping investigations.

iv. The applicants are taking undue advantage of anti-dumping duty as the product has been subject to anti-dumping duty for a long period of time.

v. There is a need to select a longer period of investigation as the PVC prices were low during the base year and increased significantly due to COVID-19. The prices have stabilized only in 2023.

vi. The domestic producers in India have increased their prices after initiation of the present investigation.

F.2 Submissions made by the Domestic Industry

39. The following miscellaneous submissions have been made by the domestic industry.

i. PLEXCONCIL does not have *locus standi* as an interested party in the present investigation since it is an association of exporters and not importers or users and the submissions made by such association should not be considered.

F.3 Examination by the Authority

40. The other interested parties have submitted that the domestic industry must share the import data. The Authority notes that the domestic industry has relied upon its market intelligence at the time of filing the application and the summary of the import data has been shared will all the interested parties. A non-confidential summary of the same was shared with all interested parties. None of the interested parties have provided any cogent evidence to refute the information contained in the non-confidential version of the import data.

41. With regard to the contention that the domestic industry is required to file updated petition based on the period of investigation decided by the Authority in the initiation notification, the Authority notes that the domestic industry has submitted and circulated updated data based on the period of investigation considered by the Authority. There is no requirement for the domestic industry to file an updated petition post initiation of investigation. A petition is filed under Rule 5 of the Anti-Dumping Rules for the purpose of initiation of anti-dumping investigation. However, once the investigation is initiated, Rule 6 becomes applicable, which does not require the domestic industry to file a petition. In any case, the updated data has been circulated to all the interested parties and hence, no prejudice has been caused to the interest of any party.

42. The Authority does not find merit in contention of the other interested parties that the present investigation is initiated without any basis. The Authority notes that the domestic industry had submitted the *prima facie* evidence of dumping, injury and causal link in their application. Only after examining the *prima facie* evidence, the Authority proceeded to initiate the present investigation.

43. With regard to the contention that the applicants are taking undue advantage of trade remedial measures, the Authority notes that the subject goods have been subject to anti-dumping duty in various investigations. The anti-dumping duty has been recommended by the Authority on being satisfied with regard to evidence of dumping, injury and causal link. In each of the findings, the Authority has examined the relevant parameters and have come to a conclusion that the exporters have engaged in unfair trade practice of dumping. Accordingly, the anti-dumping duty has been recommended.

44. With regard to selection of longer period of investigation, the Authority has selected the period of investigation as per the Rules and trade notices. Since the Authority has examined the performance of the domestic industry as well as imports in the period of investigation compared to base year as well as year on year performance, no prejudice has been caused to the interest of any interested party for selecting a one year long period of investigation.

45. The Authority notes that the increase in selling price of the subject goods by the domestic producers have to be seen in light of the changes in the cost of sales of the subject goods. Mere change in selling price alone is not sufficient to show that the dumping of subject goods in India has stopped causing injury to the domestic industry.

G. MARKET ECONOMY TREATMENT (MET), NORMAL VALUE, EXPORT PRICE & DETERMINATION OF DUMPING MARGIN

G.1 Submissions by the other interested parties

46. The following submissions have been made by the other interested parties with regard to the market economy treatment, normal value, export price and dumping margin.

i. The dumping margin determined by the domestic industry is inflated and the actual data of the exporters must be used to determine the normal value, export price and dumping margin.

ii. While Formosa Taiwan has participated in the present investigation, its related party Formosa USA has not exported to India during the period of investigation directly or indirectly and thus, has not filed a response.

iii. China PR cannot be treated as a non-market economy the practice of treating China PR as a non-market economy was bound to expire on 11th December 2016.

iv. Appellate Body report in Fastener case against EU has provided strong justification that China PR should automatically obtain market-economy status.

v. Following the principles of "pacta sunt servanda", India is obligated under the international law to recognize China PR as a market economy. Article 15 of China's accession protocol clearly establishes that no country can treat China PR as a non-market economy post 11th December 2016. India does not have a legal basis to do otherwise.

vi. The sampling has been notified at a belated stage, that is, after 80 days of the initiation, contrary to what has been provided for in the Manual.

vii. Sufficient time has not been provided to the interested parties for filing comments on sampling notification.

viii. Reason for not undertaking sampling in case of USA must be given, as the difference in approach taken for sampling for Japan and USA is arbitrary. Sampling of producers from Japan and not the US, indicates discretion contrary to the obligation under Rule 17(3).

ix. Sampling must not be undertaken as the subject goods constitute of many grades, all of which are not produced by all of the producers.

x. Sampling was not undertaken in previous investigations with multiple subject countries.

xi. In the Sunset Review Investigation of PVC from Taiwan, China PR, Indonesia, Japan, Korea RP, Malaysia, Thailand and USA, sampling was undertaken only for producers from China PR.

xii. Since the exporters have filed voluntary responses, the same must be considered for determination of individual dumping margin in accordance with Rule 17 (3) of the AD Rules 1995 and Article 6.10.2 of Anti-dumping Agreement. The term "shall" used under Rule 17(3) creates a mandatory obligation to determine an individual dumping margin for a voluntary respondent.

xiii. Tianjin and Wanhua Group must be sampled for individual margin as they have significant share in Indian market, are regular suppliers of the subject goods, and their exports are comparable to exports made by sampled exporters.

xiv. Tianjin and Formosa Industries (Ningbo) Co. Ltd. are 100% FDI companies, unlike the sampled companies, and operate under market economy conditions. Formosa has also filed a Market Economy Treatment questionnaire.

xv. Wanhua Group must be sampled as it produces the subject goods with an ethylene-based process, comparable with the domestic industry; which has higher prices and will be subject to a lower duty.

xvi. The sample companies notified for China PR are located in North China. Yibin Haifeng Herui Co, (along with its related traders) are located in South China and operate on different costs and sales prices. Yubin Herui, Yibin Tianyuan and Yibin Tianyuan Materials must be included in the sample.

G.2 Submissions by the Domestic Industry

47. The following submissions have been made by the domestic industry with regard to market economy treatment, normal value, export price and dumping margin:

i. China PR should be treated as a non-market economy in accordance with Article 15(a)(i) of China's accession protocol, and the normal value should be determined in accordance with Para 7 of Annexure I to the Rules.

ii. The normal value for the China PR has been determined based on cost of production of [DCM Shriram Limited] duly adjusted for selling, general and administrative expenses and reasonable profits.

iii. The normal value for other subject countries has been determined based on cost of production of [Chemplast Cuddalore Vinyls Limited] duly adjusted for selling, general and administrative expenses and reasonable profits.

iv. The applicants have made adjustments with regard to ocean freight, marine insurance, commission, port expenses, bank charges and inland freight in order to determine ex-factory export price.

v. The dumping margin is positive and significant.

vi. 28 producers/exporters from China and 5 producers/exporters from Japan have filed questionnaire responses as per the interested party list, which is a high number to permit individual determination.

vii. Given low volumes of exports by certain parties, it is obvious that their product profile and exports pattern is not representative of exports into India, in terms of both product profile and time period.

viii. In the past, Chinese producers who have had negligible export volumes in the period of investigation, after getting individual lower duty, flood the Indian market, such as in the case of PET resin.

ix. Global norm in sampling is to consider at most three companies:

a. In Ceramic Tiles from India, Europe originally considered three companies and refused to extend sampling size to four companies even following aggressive representations from the company at number 4.

b. In Wood Pulp from Canada, the MOFCOM refused to individually determine dumping margin for the company at number 3, even though the companies in the first three places were exporting almost equal volume.

c. In Ceramic Tiles and Sanitarywares, the GCC sampled three companies while keeping a reserve of 2 companies, as is the standard of practice in the GCC.

d. The USA considers more than two companies as 'unduly burdensome'. In the matter of Quartz Surface from India, out of 50 companies considered, investigation and determination of dumping margin was carried out only for two companies, the results of which were extended to the others.

x. Filing of questionnaire response on voluntary basis cannot be grounds to determine individual dumping margin.

xi. Exports of niche grade or special products cannot be grounds for inclusion in the sampled group as such supply would indicate that the response and the data of the company would not be representative of the responding companies and imports from China PR.

G.3 Examination by the Authority

48. The Authority had sent questionnaires to the known producers/exporters from the subject countries, advising them to provide the information in the form and manner prescribed by the Authority. Responses to questionnaire response has been filed by the following producers/exporters.

i. Inner Mongolia Chemical Industry Company Ltd.

ii. Inner Mongolia Erdos Electric Power and Metallurgy Group Co., Ltd.

iii. Formosa Industries (Ningbo) Co., Ltd.

iv. Formosa Plastics Corporation

v. Simosa International Co. Ltd.

vi. Itochu Plastics Pte., Ltd.

vii. ITOCHU Corporation

viii. ITOCHU (Thailand) Ltd.

ix. China General Plastics Corporation

x. CGPC Polymer Corporation

xi. Grand Dignity Industrial Co. Ltd.

xii. Wanhua Chemical (Fujian) Co., Ltd.

xiii. Wanhua Petrochemical (Yantai) Co., Ltd.

xiv. Wanhua Chemical (Singapore) Pte. Ltd.

xv. Grand Dignity

xvi. Chiping Xinfa Polyvinyl Chloride Co., Ltd

xvii. Chiping Xinfa Huaxing Chemical Co., Ltd

xviii. Shandong Xinfa Import & Export Co., Ltd

xix. Jiali Bio Group (Qingdao) Limited

xx. Yue Xiu Textiles Co., Ltd

xxi. Xinjiang Zhongtai Import & Export Co., Ltd

xxii. Zhong Tai International Development (HK) Limited

xxiii. Xinjiang Shengxiong Chlor-Alkali Co., Ltd

xxiv. Guangxi Huayi Chlor-Alkali Chemical Co., Ltd.

xxv. Shanghai Chlor-Alkali Chemical Co., Ltd.

xxvi. Joc International Technical Engineering Co., Ltd.

xxvii. Tianjin Lg Bohai Chemical. Co. Ltd

xxviii. LG Chem, Ltd.

xxix. Canko Marketing

xxx. TS Corporation

xxxi. Ordos Junzheng Energy & Chemical Industry Co., Ltd

xxxii. Inner Mongolia Junzheng Chemical Industry Co., Ltd.

xxxiii. Shaanxi Beiyuan Chemical Industry Group Co

xxxiv. Henan Pulite Import And Export Trade Co., Limited

xxxv. Chemdo Group Company Limited

xxxvi. United Raw Material Pte. Ltd.

xxxvii. Cosmoss Vu Limited

xxxviii. Tun Wa Industrial Co. Ltd.

xxxix. SAR Overseas Limited

xl. Kaneka Corporation

xli. Shin-Etsu Chemical Co., Ltd

xlii. Taiyo Vinyl Corporation

xliii. Tokuyama Corporation

xliv. Tokuyama Sekisui Co. Ltd

xlv. Tosoh Nikkemi Corporation

xlvi. Mitsui & Co., Ltd

xlvii. Mitsubishi Corporation

xlviii. IVICT (Singapore) Pte. Ltd

xlix. Kanematsu Corporation

l. Marubeni Corporation

li. Sojitz Asia Pte Limited

lii. PT Asahimas Chemical

liii. AGC Vinythai Public Limited Company

liv. GCM Polymer Trading DMCC Company Limited

lv. PTT Global Chemical Public Company Limited

lvi. Thai Polyethylene Co. Ltd

lvii. Thai Plastics and Chemicals Plc.

lviii. Qingdao Haiwan Chemical Co. Ltd.

lix. CNSIG Jiltani Chlor – Alkali Chemical Co. Ltd.

lx. China Salt Chemical International Trading Co. Ltd.

lxi. Yibin Haifeng Herui Co. Ltd.

lxii. Yibin Tianyuan Materials Industry Group Ltd.

lxiii. Yibin Tianyuan Group Co. Ltd.

lxiv. Tianjin Bohua Chemical Developments

lxv. Cheongfuli (Hongkong) Company Limited

lxvi. Hanwa Corporation

lxvii. Stavian Chemical JSC

lxviii. Sunshine International Pvt Ltd

lxix. Texpo International Limited

49. As per the provisions of Rule 17, while the Authority shall determine individual dumping margin in respect of all those producers/exporters who have filed questionnaire responses, in a situation where a large number of producers/ exporters have filed questionnaire responses, the Authority may resort to sampling by limiting the response to a limited number of producers. The Rules provides as follows in this regard.

> *17(3) The designated authority shall determine an individual margin of dumping for each known exporter or producer concerned of the article under investigation:*
>
> ***Provided** that in cases where the number of exporters, producers, importers or types of articles involved are so large as to make such determination impracticable, it may limit its findings either to a reasonable number of interested parties or articles by using statistically valid samples based on information available at the time of selection, or to the largest percentage of the volume of the exports from the country in question which can reasonably be investigated, and any selection, of exporters, producers, or types of articles, made under this proviso shall preferably be made in consultation with and with the consent of the exporters, producers or importers concerned :*
>
> ***Provided** further that the designated authority shall, determine an individual margin of dumping for any exporter or producer, though not selected initially, who submit necessary information in time, except where the number of exporters or producers are so large that individual examination would be unduly burdensome and prevent the timely completion of the investigation.*

50. In view of the large number of responses, the Authority considered sampling of producers. The same was proposed vide notification dated 28th August 2024. After receiving comments from various parties, the sampled producers were notified vide notification dated 23rd September 2024. The sample considered was based on the volume of exports to India, with the producers having the largest volume of exports, being considered as a part of the sample. The Authority notes that even though only three producers are selected within sample, the number of producers/exporters, for whom duty would be quantified, is much higher.

51. The interested parties have contended that the time allowed for furnishing comments on sampling was too low. The Authority notes that 2 working days were allowed to all interested parties. However, no request for further time was received from any party.

52. Some of the interested parties have questioned why no sampling has been proposed for USA. The Authority notes that in case of USA, a response has been filed by only three producer groups (that is, producer and their affiliates). Therefore, there was no cause for sampling for USA.

53. As regards the request for inclusion on the grounds that the company has supplied Specialty products or the product profile forming part of the sample should be comprehensive, the Authority notes that there is no such obligation under Rule 17(3). The Authority notes that the fact of supply of a specialty grade does not justify inclusion of such company for individual determination. In a situation where adoption of a PCN methodology was not considered necessary, there can be no cause for consideration of a producer as a part of the sample based on the product type supplied. In any case, the Rules also allow the Authority to limit determination to certain product types as well.

54. Certain interested parties have contended that the Authority has undertaken individual determination of dumping margin for much larger number of producers or exporters in the past in other investigation. However, the fact that a large number of producers were investigated in the past does not imply that the Authority is barred from resorting to sampling in the present case.

55. The Authority also does not find merit in the contention of the interested parties that there is a mandatory obligation to consider voluntary responses filed an accord an individual dumping margin to all exporters.

Rule 17(3) and its proviso make it amply clear that the Authority may limit examination to certain exporters, where necessary in the interest of timely completion of the investigation.

56. Tianjin LG Bohai has claimed that it is a 100% FDI company, and thus, cannot be equated with producers operating under non-market economy conditions. However, the Authority notes that Tianjin has not claimed market economy treatment in the present case.

57. As regards claim of Formosa that it is also a 100% FDI and has claimed market economy treatment, the Authority notes that its exports comprise less than ***% of the total exports by cooperative producers to India during the period of investigation. Therefore, the consideration of Formosa for individual examination would not be appropriate.

58. Lastly, with regard to the geographical location, the Authority notes that there is no requirement that the Authority consider geographical location of the exporters, in the determination of appropriate sample of producers to be considered. On the contrary, the global practice indicates that the volume of exports is the criteria relied upon by investigating authorities across jurisdictions, to determine the sample for which margin is determined.

59. In view of the foregoing, the Authority selected three producers from China PR and Japan along with their associated exporters for determining individual dumping margin, on the basis of the largest percentage of the volume of exports to India during the investigation period. The following producers were sampled by the Authority from China.

i. Qingdao Haiwan Chemical Co., Ltd.

ii. Tianjin Bohua Chemical Development Co., Ltd., China PR

iii. Chiping Xinfa Polyvinyl Chloride Co. Ltd., China PR

60. The following producers were sampled by the Authority from Japan.

i. Shin-Etsu Chemical Co., Ltd, Japan

ii. Kaneka Corporation, Japan

iii. Taiyo Vinyl Corporation, Japan

G.3.1 Determination of normal value and export price for China

Normal Value for China PR

61. Article 15 of the China's Accession Protocol to the WTO provides as follows:

> *"Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:*
>
> *In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:*
>
> *(i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;*
>
> *(ii) The importing WTO Member may use a methodology that is not based on a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.*
>
> *In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then use methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.*

The importing WTO Member shall notify methodologies used in accordance with subparagraph (a) to the Committee on Anti-Dumping Practices and shall notify methodologies used in accordance with subparagraph (b) to the Committee on Subsidies and Countervailing Measures.

Once China has established, under the national law of the importing WTO Member, that it is a market economy, the provisions of subparagraph (a) shall be terminated provided that the importing Member's national law contains market economy criteria as of the date of accession. In any event, the provisions of subparagraph (a)(ii) shall expire 15 years after the date of accession. In addition, should China establish, pursuant to the national law of the importing WTO Member, that market economy conditions prevail in a particular industry or sector, the non-market economy provisions of subparagraph (a) shall no longer apply to that industry or sector."

62. The applicants have cited and relied upon Article 15(a)(i) of China's Accession Protocol. The applicants have claimed that producers in China PR must be asked to demonstrate that market economy conditions prevail in their industry producing the like product with regard to the manufacturing, the production and the sale of the product under consideration. It has been stated by the applicants that in case the responding Chinese producers are not able to demonstrate that their costs and price information are market-driven, the normal value should be calculated in terms of provisions of Para 7 and 8 of Annexure- I to the Rules.

63. None of the sampled producers have claimed market economy treatment in the present case. Accordingly, the normal value has been determined in accordance with paragraph 7 of Annexure I of the Rules which state as follows.

"In case of imports from non-market economy countries, normal value shall be determined on the basis of the price or constructed value in the market economy third country, or the price from such a third country to other countries, including India or where it is not possible, or on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin. An appropriate market economy third country shall be selected by the designated authority in a reasonable manner, keeping in view the level of development of the country concerned and the product in question, and due account shall be taken of any reliable information made available at the time of selection. Accounts shall be taken within time limits, where appropriate, of the investigation made in any similar matter in respect of any other market economy third country. The parties to the investigation shall be informed without any unreasonable delay the aforesaid selection of the market economy third country and shall be given a reasonable period of time to offer their comments."

64. While the applicants have claimed that the normal value should be determined on the basis of price payable in India. The other interested parties have not adduced any other basis, amongst that listed under paragraph 7 of Annexure I of the Rules, which may form basis of determination of normal value.

65. Para 7 lays down a hierarchy for the determination of normal value and provides that normal value shall be determined on the basis of the price or constructed value in a market economy third country or the price from such a third country to other countries, including India or where it is not possible, on any other reasonable basis, including the price actually paid or payable in India for the like product, duly adjusted, if necessary, to include a reasonable profit margin. Thus, the Authority notes that the normal value is required to be determined having regard to the various sequential alternatives provided under para 7. There is no evidence of price or constructed value prevailing in a market economy third country brought forward by any interested party. Apart from the subject countries in the present investigation, imports into India from other countries are low in volume. Thus, imports into India from the market economy third country could not be considered for determination of normal value.

66. Therefore, the Authority has determined the normal value for the subject imports in China PR as "price actually payable in India" as stipulated in para 7 of Annexure – I to the AD Rules, 1995. It has been computed based on the cost of production of the domestic industry, with reasonable addition for selling, general and administrative expenses, and profits. The normal value so determined is given below in the dumping margin table.

Determination of Export Price

67. As stated above, the Authority considered the following producers and their associated exporters for the determination of individual margins.

S. No.	Name of the producers	Name of the associated affiliated / unaffiliated producers / exporters
1.	Qingdao Haiwan Chemical Co., Ltd.	Chemdo Group Company Limited Cheongfuli (Hong Kong) Company Limited

		Cosmoss Vu Limited Hanwha Corporation Itochu Plastics Pte Ltd Marubeni Corporation SAR Overseas Ltd Texpo International Limited Tricon Energy Ltd USA United Raw Material Pte Ltd Yue Xiu Textiles Company Limited Zhejiang Hengdian (HK) Import and Export Co. Ltd. Sunshine International Private Limited
2.	Tianjin Bohua Chemical Development Co., Ltd.	Cheongfuli (Hong Kong) Company Limited Cosmoss Vu Ltd Hanwha Corporation Marubeni Corporation SAR Overseas Ltd Stavian Chemical Joint Stock Company Sun Shine International Pvt Limited. Texpo International Limited Tricon Energy Ltd Yue Xiu Textiles Co., Ltd
3.	Chiping Xinfa Polyvinyl Chloride Co. Ltd.	Cheongfuli (Hong Kong) Company Limited Cosmoss Vu Limited Hanwha Corporation Itochu Plastics Pte.,Ltd Jiali Bio Group (Qingdao) Limited SAR Overseas Ltd Shandong Xinfa Import&Export Co.,Ltd Stavian Chemical Joint Stock Company Texpo Internationai Limited Tun Wa Industrial Co,. Ltd United Raw Material Pte Ltd Yue Xiu Textiles Co.,Ltd

Export price for Qingdao Haiwan Chemical Co., Ltd.

68. Qingdao Haiwan Chemical Co., Ltd. (Qingdao Haiwan) is the producer of the product under consideration and has exported *** MT of the subject goods to India directly and *** MT through unrelated exporters. Of the total exporters involved, only the following exporters have furnished a response with respect to the export of goods produced by Qingdao Haiwan.

i. Chemdo Group Company Limited

ii. Cheongfuli (Hong Kong) Company Limited

iii. Cosmoss Vu Limited

iv. Hanwha Corporation

v. Itochu Plastics Pte Ltd

vi. Marubeni Corporation

vii. SAR Overseas Ltd

viii. Sun Shine International Pvt Limited

ix. Texpo International Limited

x. Tricon Energy Ltd USA

xi. United Raw Material Pte Ltd

xii. Yue Xiu Textiles Company Limited

xiii. Zhejiang Hengdian (HK) Import and Export Co. Ltd.

69. It is noted that Zhejiang Hengdian (HK) Import and Export Co. Ltd. has not furnished a full response to the questionnaire, and has only submitted Appendix 3A. Further, some of traders who have exported subject goods to India sourced from Qingdao Haiwan have not cooperated before the Authority. The Authority has determined the export price and landed price for such exports based on the information furnished. The Authority has examined the profitability statements of unrelated traders, and in cases, an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

70. Accordingly, the export price has been determined based on the price of sale charged by Qingdao Haiwan for sales to India directly, or through unrelated exporters. Adjustments have been made for ocean freight, insurance, inland transportation, and bank charges, to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters/traders, the Authority has determined the export price and landed price based on facts available. The export price provisionally determined is mentioned in the table below.

Export price for Tianjin Bohua Chemical Development Co., Ltd.

71. Tianjin Bohua Chemical Development Co., Ltd. (Tianjiin Bohua) is the producer of the product under consideration and has exported *** MT of the subject goods to India directly and *** MT through unrelated exporters. Of the total exporters involved, only the following exporters have furnished a response with respect to the export of goods produced by Tianjin Bohua.

i. Cheongfuli (Hong Kong) Company Limited

ii. Cosmoss Vu Ltd

iii. Hanwha Corporation

iv. Marubeni Corporation

v. SAR Overseas Ltd

vi. Stavian Chemical Joint Stock Company

vii. Sun Shine International Pvt Limited.

viii. Texpo International Limited

ix. Tricon Energy Ltd

x.Yue Xiu Textiles Co., Ltd

72. It is noted that some of traders who have exported subject goods to India sourced from Tianjin Bohua have not cooperated before the Authority. The Authority has determined the export price and landed price for such exports based on the information furnished. The Authority has examined the profitability statements of unrelated traders, and in cases, an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

73. Accordingly, the export price has been determined based on the price of sale charged by Tianjin Bohua for sales to India directly, or through unrelated exporters. Adjustments have been made for ocean freight, insurance, and port and other related expenses to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. The export price

provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Chiping Xinfa Polyvinyl Chloride Co., Ltd.

74. Chiping Xinfa Polyvinyl Chloride Co. Ltd. (Chiping Xinfa) is the producer of the product under consideration and has exported *** MT of the subject goods to India directly and remaining through one related exporter, namely Shandong Xinfa Import & Export Co., Ltd., and 49 unrelated exporters. However, of this, only the following exporters have furnished a response with respect to export of goods produced by Chiping Xinfa.

i. Cheongfuli (Hong Kong) Company Limited

ii. Cosmoss Vu Limited

iii. Hanwha Corporation

iv. Itochu Plastics Pte.,Ltd

v. Jiali Bio Group (Qingdao) Limited

vi. SAR Overseas Ltd

vii. Shandong Xinfa Import & Export Co., Ltd. (related)

viii. Stavian Chemical Joint Stock Company

ix. Texpo Internationai Limited

x. Tun Wa Industrial Co., Ltd

xi. United Raw Material Pte Ltd

xii. Yue Xiu Textiles Co., Ltd

xiii. Zhejiang Hengdian (HK) Imp.& Exp. Co., Ltd.

75. It is noted that some of traders who have exported subject goods to India sourced from Chiping Xinfa have not cooperated before the Authority. The Authority has determined the export price and landed price for such exports based on the information furnished. The Authority has examined the profitability statements of unrelated traders, and in cases, an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

76. Accordingly, the export price has been determined based on the price of sale charged by Chiping Xinfa for sales to India directly, or through unrelated exporters. Adjustments have been made for inland transportation, port and other related expenses, and credit cost to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. Where the volume reported by the producer did not reconcile with the volume reported by the exporter, the landed price and export price for such volume have also been determined based on facts available. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Chiping Xinfa Huaxing Chemical Co., Ltd

77. During the POI, Chiping Xinfa Huaxing Chemical Co., Ltd., has sold *** MT subject goods to India. Out of which producer/exporter has sold *** MT directly to India and remaining was exported indirectly through an unrelated exporter/trader namely, Yue Xiu Textiles Co., Ltd. The producer/exporter has claimed adjustments on accounts of inland transportation, port and other related expenses, bank charges and credit cost to arrive at export price at ex-factory level so determined is as shown in the Dumping Margin Table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

For all other producers / exporters from China PR

78. The dumping margin for all other cooperative non-sampled producers has been determined based on the weighted average margin for the cooperative sampled producers. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.2 Determination of normal value and export price in Indonesia

Normal value for Indonesia

Normal value for PT Asahimas Chemical

79. PT Asahimas Chemicals (Asahimas) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. The Authority notes that the domestic sales are in sufficient volumes when compared with exports to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since more than 80% sales were made at profits, the normal value has been determined based on average selling price. Asahimas has claimed price adjustments on account of commission, freight cost, insurance, warehousing cost, license fee, bank charges and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for Asahimas has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for PT TPC Indo Plastic and Chemicals

80. PT TPC Indo Plastic and Chemicals (TPC) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. The Authority notes that the domestic sales are in sufficient volumes when compared with exports to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 80% sales were made at profits, the normal value has been determined based on price of profitable sales. TPC has claimed price adjustments on account of freight cost, insurance, bank charges and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for TPC has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for all other producers / exporters in Indonesia

81. The normal value for all other non-cooperating producers and exporters of Indonesia has been determined based on facts available and the same is mentioned in the dumping margin table below.

Export price for Indonesia

Export price for PT Asahimas Chemical

82. Asahimas has exported *** MT of the subject goods to India, through the following three unrelated exporters.

Asahimas → IVICT(Singapore) Pte. Ltd. → Unrelated customers in India

Asahimas → Itochu (Thailand) Ltd. → Unrelated customers in India

Asahimas → Marubeni Corporation → Unrelated customers in India

The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

83. Accordingly, the export price has been determined based on the price of sale charged by PT Asahimas Chemical for sales to unrelated exporters. Adjustments have been made for commission, ocean freight, inland freight, insurance, license fee, bank charges and credit cost to arrive at the ex-factory price. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for PT TPC Indo Plastic and Chemicals

84. TPC has exported *** MT of the subject goods to India directly. The price charged by TPC for sales has been considered for determination of export price. Adjustments have been made for ocean freight, inland freight, insurance, handling charges, packing cost, commission, bank charges, credit cost and other expenses to arrive at the ex-factory price. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in Indonesia

85. The export price for all other non-cooperating producers and exporters of Indonesia has been determined based on facts available and the same is mentioned in the dumping margin table below.

G.3.3 Determination of normal value and export price in Japan

Normal value for Japan

86. As stated above, the Authority has sampled following producers for the determination of individual margins.

Sl. No.	Name of the producers	Name of the associated affiliated / unaffiliated producers / exporters
1.	Shin-Etsu Chemical Co., Ltd.	Itochu Corporation Mitsubishi Corporation
2.	Kaneka Corporation	Itochu Corporation Kanematsu Corporation Marubeni Corporation Mitsui & Co., Ltd. Mitsubishi Corporation
3.	Taiyo Vinyl Corporation	Itochu Corporation Kanematsu Corporation Marubeni Corporation Mitsubishi Corporation Mitsui & Co., Ltd. Sojitz Corporation Tokuyama Sekisui Co., Ltd.

Normal value for Kaneka Corporation

87. Kaneka Corporation (Kaneka) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. Kaneka has sold the subject goods to affiliates in the domestic market, as well as under swap agreement with Tokuyama Sekisui Co., Ltd. to Sekisui Chemical. The Authority examined whether such transactions were made on arm's length basis, and excluded transactions which were not found to be at arm's length prices, as being outside the ordinary course of trade. Having excluded such transactions, the Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

88. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since more than 80% sales were made at profits, the normal value has been determined based on average selling price. Kaneka has claimed price adjustments on account of rebates, freight cost, storage cost, commission and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for Kaneka has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Shin-Etsu Chemical Co. Ltd.

89. Shin-Etsu Chemical Co., Ltd. (SECL) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. However, SECL has sold the subject goods to affiliates in the domestic market, as well as under swap agreement with Tokuyama Sekisui Co., Ltd. to Sekisui Chemical. The Authority examined whether such transactions were made on arm's length basis, and excluded transactions which were not found to be at arm's length prices, as being outside the ordinary course of trade. Having excluded such transactions, the Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

90. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since

more than 80% sales were made at profits, the normal value has been determined based on average selling price. SECL has claimed price adjustments on account of rebates, credit notes, freight cost, insurance, handling charges, storage cost, packing cost and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for SECL has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Taiyo Vinyl Corporation

91. Taiyo Vinyl Corporation (Taiyo Vinyl) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. Taiyo Vinyl is affiliated to another producer of the subject goods in Japan, namely Tokuyama Sekisui Co., Ltd. (Tokuyama). Tokuyama has sold *** MT of the subject goods in the domestic market during the period of investigation, while exporting *** MT of the subject goods to India. However, all exports to India were made through its affiliate, Sekisui Chemical Co. Ltd., which has not participated in investigation. In the absence of cooperation by all affiliates forming part of the channel of distribution, the Authority provisionally finds that no individual duty rate can be determined for Taiyo Vinyl.

Normal value for all other producers / exporters in Japan

92. The dumping margin for all other cooperative non-sampled producers has been determined based on the weighted average margin for the cooperative sampled producers. The normal value for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

Export price for Japan

Export price for Kaneka Corporation

93. Kaneka has exported *** MT of the subject goods to India directly and *** MT, through the following five unrelated exporters.

Kaneka → Itochu Corporation → Unrelated customers in India

Kaneka → Kanematsu Corporation → Unrelated customers in India

Kaneka → Marubeni Corporation → Unrelated customers in India

Kaneka → Mitsubishi Corporation → Unrelated customers in India

Kaneka → Mitsui & Co. Ltd. → Unrelated customers in India

The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits. Where an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

94. Accordingly, the export price has been determined based on the price of sale charged by Kaneka for sales to unrelated customers in India and through unrelated exporters. Adjustments have been made for ocean freight, inland freight, insurance, storage cost, packing cost, bank charges and credit cost to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Shin-Etsu Chemical Co., Ltd.

95. SECL has exported *** MT of the subject goods through the following two unrelated exporters.

SECL → Itochu Corporation → Unrelated customers in India

SECL → Mitsubishi Corporation → Unrelated customers in India

The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits. Where an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

96. Accordingly, the export price has been determined based on the price of sale charged by SECL for sales to unrelated customers in India and through unrelated exporters. Adjustments have been made for ocean freight, inland freight, insurance, storage cost, packing cost, bank charges and credit cost to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined

is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in Japan

97. The dumping margin for all other cooperative non-sampled producers has been determined based on the weighted average margin for the cooperative sampled producers. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.4 Determination of normal value and export price in Korea RP

Normal value for Korea RP

Normal value for LG Chem Ltd.

98. LG Chem Ltd. (LG) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 20% sales were made at profits, the normal value has been determined based on cost of production with a reasonable addition towards selling, general and administrative expenses and profits. The normal value at ex-factory level for LG has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal Value for Hanwha Solutions Corporation, Korea RP

99. Hanwha Solutions Corporation (HSC) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 80% sales were made at profits, the normal value has been determined after removing the loss-making transactions and profit-making transactions were only considered for computation of normal value. The normal value at ex-factory level for HSC has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for all other producers / exporters in Korea RP

100. The normal value for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

Export price for Korea RP

Export price for LG Chem Ltd.

101. LG has exported *** MT of the subject goods directly and *** MT through the following two unrelated exporters.

LG → Canko Marketing → Unrelated customers in India

LG → TS Corporation → Unrelated customers in India

The Authority has examined the profitability statements of unrelated traders, and in cases, an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted.

102. Accordingly, the export price has been determined based on the price of sale charged by LG for sales to unrelated customers in India and through unrelated exporters. Adjustments have been made for ocean freight, inland freight, insurance, port expenses, packing cost, bank charges and credit cost to arrive at the ex-factory price, in addition to loss of unrelated exporter, as applicable. The producer had also claimed adjustment towards duty drawback. However, the same has not been allowed. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export Price for Hanwha Solutions Corporation, Korea RP

103. HSC has exported *** MT of the subject goods directly and *** MT through the one related exporter and three unrelated exporters as follows:

HSC - Hanwha Corporation (Related) - Unrelated customers in India

HSC – N H International (Unrelated) - Unrelated customers in India

HSC – Tricon Energy Ltd (Unrelated) - Unrelated customers in India

HSC – Itochu Plastics Pte Ltd (Unrelated) - Unrelated customers in India

The Authority has examined the profitability statements of unrelated traders, and in cases, an unrelated exporter has resold the goods at a loss, the loss of such exporter has been adjusted. .

104. Accordingly, the export price has been determined based on the price of sale charged by HSC for sales to unrelated customers in India and through related/unrelated exporters. Adjustments have been made for ocean freight, inland freight, insurance, port expenses, packing cost, bank charges and credit cost to arrive at the ex-factory price, in addition to loss of related/unrelated exporter, as applicable. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in Korea RP

105. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.5 Determination of normal value and export price in Taiwan

Normal value for Taiwan

Normal value for China General Plastics Corporation and CGPC Polymer Corporation

106. China General Plastics Corporation (CGPC) and CGPC Polymer Corporation (CGPCP) are affiliated producers of the subject goods in Taiwan. During the period of investigation, CGPC has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. CGPCP has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. However, CGPCP has sold a small volume of goods to affiliate parties as well. The Authority examined whether such transactions were made on arm's length basis, and found that the price of sales to affiliates were not materially different that the price of sales to unaffiliated parties. The Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

107. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 20% sales were made at profits by CGPC, the normal value has been determined based on cost of production, with a reasonable addition towards selling, general and administrative expenses and profits. Since more than 80% sales were made at profits by CGPCP, the normal value has been determined based on average selling price. CPGC and CGPCP have claimed price adjustments on account of inland freight, packing cost, bank charges and costs of technical support department. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the weighted normal value at ex-factory level for CPGC and CGPCP have been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Formosa Plastics Corporation

108. Formosa Plastics Corporation (Formosa) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. Formosa has sold the subject goods to affiliates in the domestic market. The Authority examined whether such transactions were made on arm's length basis, and excluded transactions which were not found to be at arm's length prices, as being outside the ordinary course of trade. Having excluded such transactions, the Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

109. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since more than 80% sales were made at profits, the normal value has been determined based on average selling price. Formosa has claimed price adjustments on account of inland freight, packing cost and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for Formosa has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Ocean Plastics Co. Ltd.

110. Ocean Plastics Co., Ltd. (OPC) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 20% sales were made at profits, the normal value has been determined based on cost, with a reasonable addition for selling, general and administrative expenses and profits. Thus, the normal value at ex-factory level for OPC has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for all other producers / exporters in Taiwan

111. The normal value for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

Export price for Taiwan

Export price for China General Plastics Corporation and CGPC Polymer Corporation

112. CGPC has exported *** MT of the subject goods to India, of which *** MT was exported directly, and the balance through the following 3 unrelated exporters.

CGPC → Tricon Energy Limited → Unrelated customers in India

CGPC → Grand Dignity Industrial Co. Ltd. → Unrelated customers in India

CGPC → Magnate Merchant Ltd. → Unrelated customers in India

Of the above, Magnate Merchant Ltd. has not cooperated with the Authority. However, the exporter constitutes an insignificant share of the total exports of CGPC. The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

113. CGPCP has exported *** MT of the subject goods to India, of which *** MT was exported directly, and the balance through the following 4 unrelated exporters.

CGPC → Tricon Energy Limited → Unrelated customers in India

CGPC → Grand Dignity Industrial Co. Ltd. → Unrelated customers in India

CGPC → Sun Shine International Pvt. Limited → Unrelated customers in India

CGPC → Al Kanooz Enterprise LLC → Unrelated customers in India

Of the above, Al Kanooz Enterprise LLC has not cooperated with the Authority. Further, while Tricon Energy Limited has participated, the volume reported by the exporter does not reconcile with that reported by the producer. Accordingly, the Authority has not considered the response of Tricon Energy Limited, to the extent of volume exported by CGPCP. However, the two exporters constitute an insignificant share of the total exports of CGPCP. The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

114. Accordingly, the export price has been determined based on the price of sale charged by CGPC and CGPCP for sales to unrelated customers in India and through unrelated exporters. Adjustments have been made for discount, ocean freight, inland freight, insurance, port and handling charges, harbor service fee, trade promotion fee, low sulphur surcharge, packing cost, commission and bank charges to arrive at the ex-factory price. The producer has also claimed an adjustment towards differences in quantity. However, pending verification of the claim, the Designated Authority has provisionally not allowed such adjustment. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Formosa Corporation Limited

115. Formosa has exported *** MT of the subject goods to India directly, and *** MT through the following four unrelated exporters.

Formosa → Simosa International Co. Ltd. → Unrelated customers in India

Formosa → Tricon Energy Ltd → Unrelated customers in India

Formosa → Reliance International Limited → Unrelated customers in India

Formosa → Renuka Agencies Limited → Unrelated customers in India

However, of the above, Reliance International Limited and Renuka Agencies Limited have not participated with the Authority. Further, the volume reported to having been exported through Tricon Energy Ltd. did not reconcile with that reported by the exporter, and thus, the exporter was not considered as cooperative. Exports through the non-cooperative exporters are insignificant in relation to the total exports by Formosa. The Authority also examined and confirmed that the cooperative unrelated exporters have resold the product under consideration at profits.

116. Accordingly, the export price has been determined based on the price of sale charged by Formosa for sales to unrelated customers in India and for exports through unrelated exporters. Adjustments have been made for ocean freight, inland freight, insurance, brokerage and documentation fee, harbor service fee, trade promotion fee, LC negotiation interest, packing cost, commission, bank charges and credit cost to arrive at the ex-factory price. The producer has also claimed an adjustment towards differences in quantity. However, pending verification of the claim, the Designated Authority has provisionally not allowed such adjustment. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Ocean Plastics Co. Ltd.

117. OPC has exported 53,985 MT of the subject goods to India directly during the period of investigation. Accordingly, the export price has been determined based on the price of sale by OPC to unrelated customers in India. Adjustments have been made for ocean freight, inland freight, insurance, port and other related expenses, and credit cost to arrive at the ex-factory price. The landed price has been determined based on the price charged to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in Taiwan

118. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.6 Determination of normal value and export price in Thailand

Normal value for Thailand

Normal value for AGC Vinythai Public Co. Ltd.

119. AGC Vinythai Public Co., Ltd. (AGC) sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since less than 80% sales were made at profits, the normal value has been determined based on the price of profitable sales. AGC has claimed price adjustments on account of rebates, credit notes, debit notes, inland freight, handling charges, storage cost, packing cost, bank charges and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for AGC has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Thai Plastics & Company Limited

120. Thai Plastics & Company Limited (TPC) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India., TPC has sold the subject goods to affiliates in the domestic market. The Authority examined whether such transactions were made on arm's length basis, and found that the sales to affiliates were made at arm's length prices. The Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

121. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since more than 80% sales were made at profits, the normal value has been determined based on average selling price. TPC has claimed price adjustments on account of freight cost, credit cost and other expenses. The

adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for TPC has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for all other producers / exporters in Thailand

122. The normal value for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

Export price for Thailand

Export price for AGC Vinythai Public Co. Ltd.

123. AGC has exported *** MT of the subject goods to India during the period of investigation. Of this, *** MT has been exported directly, while the balance has been exported through the following four exporters.

AGC → Marubeni Corporation (unrelated) → Unrelated customers in India

AGC → Mitsui & Co., Ltd. (unrelated) → Unrelated customers in India

AGC → GCM Polymer Trading DMCC (related) → Unrelated customers in India

AGC → PTT Global Chemical PCL (related) → Unrelated customers in India

The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

124. For direct sales by AGC, and sales through unrelated exporters, the export price has been determined based on the price charged by AGC for sales from the unrelated customer. However, in case of sales made by related exporter, the export price has been determined based on the price charged by the related exporter for sales to the unrelated customer. Adjustments have been made for ocean freight, inland freight, insurance, handling charges, storage cost, packing cost, commission, bank charges and credit cost to arrive at the ex-factory price. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Thai Plastics & Company Limited

125. TPC has exported *** MT of the subject goods to India during the period of investigation, through its affiliated trader Thai Polyethylene Co., Ltd. (TPE). Of this, TPE has exported *** MT directly, and the balance through the following three unrelated exporters.

TPC → TPE → SAR Overseas Limited → Unrelated customers in India

TPC → TPE → Tricon Energy Limited → Unrelated customers in India

TPC → TPE → Tun Wa Industrial Co. Limited → Unrelated customers in India

Tun Wa Industrial Co. Limited has not cooperated with the Authority. However, exports through Tun Wa are insignificant in relation to the total exports by TPC. The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

126. For sales made by TPE directly to India, and through unrelated exporters, the export price has been determined based on the price charged by the related exporter, TPE, for sales to the unrelated customer. Adjustments have been made for ocean freight, inland freight, insurance, handling charges, packing cost, commission, bank charges, credit cost and other expenses to arrive at the ex-factory price. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in Thailand

127. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.7 Determination of normal value and export price in USA

Normal value for USA

Normal value for Oxy Vinyls, L.P.

128. The Authority notes that the company has provided month-wise summary information with regard to domestic sales, and export sales to India. It is mandatory to provide the transaction-wise domestic sales information to enable the Authority to carry out ordinary course of trade test. In the absence of transaction-wise information, the Authority is unable to determine the normal value. As the company has failed to provide the relevant information in the prescribed format in the form and manner prescribed, the response submitted by the company is considered grossly deficient, and thus, the Authority is unable to accept the response filed by Oxy Vinyls, L.P, and no separate dumping and injury margin is determined for Oxy Vinyls, L.P. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Shintech, Inc.

129. Shintech Inc. (Shintech) has sold *** MT of the subject goods in the domestic market during the period of investigation, whereas it has exported *** MT of the subject goods to India. Shintech has sold the subject goods to affiliates in the domestic market. The Authority examined whether such transactions were made on arm's length basis, and found that the sales to affiliates were made at arm's length prices. The Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

130. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. Since more than 80% sales were made at profits, the normal value has been determined based on average selling price. Shintech has claimed price adjustments on account of credit notes, inland freight, packing cost and credit cost. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. Thus, the normal value at ex-factory level for Shintech has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for Westlake Chemicals & Vinyls LLC, Westlake Vinyls Company, LP and Westlake Vinyls, Inc

131. Westlake Chemicals & Vinyls LLC (Wchem), Westlake Vinyls Company, LP (Wvinc) and Westlake Vinyls, Inc (Winvy), collectively referred hereinafter as Westlake Group, sold *** MT, *** MT, and *** MT of the subject goods in the domestic market during the period of investigation respectively. Westlake Group has sold the subject goods to affiliates in the domestic market. The Authority examined whether such transactions were made on arm's length basis, and excluded transactions which were not found to be at arm's length prices, as being outside the ordinary course of trade. Having excluded such transactions, the Authority notes that the domestic sales in ordinary course of trade are in sufficient volumes when compared with exports to India.

132. To determine the normal value, the Authority has conducted the ordinary course of trade test to determine profit making domestic sales transactions with reference to the cost of production of the subject goods. In case of Wchem and Wvinc, since less than 20% sales were made at profits, the normal value has been determined based on the cost of production, with a reasonable addition towards selling, general and administrative expenses and profits. However, in case of Wviny, since more than 80% of the sales were made at profits, the normal value has been determined based on the average selling price. Wviny has claimed price adjustments on account of inland freight, handling charges, rebates, credit cost and other expenses. The adjustments claimed have been provisionally allowed for the purpose of the present preliminary findings. A weighted average normal value was determined for Westlake Group. Thus, the normal value at ex-factory level for Westlake Group has been provisionally calculated as mentioned in the dumping margin table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Normal value for all other producers / exporters in USA

133. The normal value for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

Export price for USA

Export price for Shintech Inc.

134. Shintech has exported *** MT of the subject goods to India during the period of investigation, through its affiliated trader Shin-Etsu Chemical Co., Ltd. (SECL). SECL has, in turn, exported the subject goods to India through the following 2 unrelated exporters.

Shintech → SECL → Itochu Corporation → Unrelated customers in India

Shintech → SECL → IVICT (Singapore) Pte. Ltd. → Unrelated customers in India

The Authority also examined and confirmed that the unrelated exporters have resold the product under consideration at profits.

135. The export price has been determined based on the price charged by the related exporter, SECL, for sales to the unrelated customers. Adjustments have been made for ocean freight, inland freight, insurance, packing cost, bank charges and credit cost. The landed price has been determined based on the price charged by the ultimate exporter to the customer in India. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for Westlake Chemicals & Vinyls LLC, Westlake Vinyls Company, LP and Westlake Vinyls, Inc

136. Westlake has exported *** MT of the subject goods to India directly or indirectly through the following 12 channels.

Westlake Group → Unrelated customers in India

Westlake Group → Continental Industries → Unrelated customers in India

Westlake Group → COPAP USA → COPAP Inc → Unrelated customers in India

Westlake Group → COPAP USA → Sigma Trade Finance Inc. → Unrelated customers in India

Westlake Group → Itochu Plastics Pte Ltd. → Unrelated customers in India

Westlake Group → Marubeni America Corporation → Marubeni Corporation → Unrelated customers in India

Westlake Group → Reliance International

Westlake Group → Resin Technology

Westlake Group → SAR Overseas Limited

Westlake Group → Stavian Chemical JSC → Unrelated customers in India

Westlake Group → Tricon Energy Limited → Unrelated customers in India

Westlake Group → Vinmar International LLC → Unrelated customers in India

Of the above, Reliance International and Resin Technology have not cooperated before the Authority. Further, while SAR Overseas Limited has cooperated with the Authority, it has not reported any exports of goods produced by Westlake Group to India. It is further noted that COPAP USA, COPAP Inc and Sigma Trade Finance Inc. are related to each other. Further, Marubeni America Corporation and Marubeni Corporation are related to each other.

137. To determine the export price and landed price, the Authority considered the price at which the ultimate exporter has sold to the customer in India. The export price was adjusted appropriately to arrive at the ex-factory price. Adjustments have been made, as claimed for each channel, for debit / credit notes, ocean freight, inland freight, insurance, handling charges, storage cost, courier fee, liability amount, surveyor cost, packing cost, commission, LC discounting charges, LC fees, discounting charges, seller risk insurance, interest expense, bank charges, credit cost and other expenses to arrive at the ex-factory price. Further, the selling, general and administrative expenses and profits of the exporters / traders forming part of the channel of sales have been adjusted. However, for the volume exported through non-cooperative exporters, the Authority has determined the export price and landed price based on facts available. The export price provisionally determined is mentioned in the table below. However, the submissions made by the producer/exporter would further be examined during the course of investigation for the purpose of final findings.

Export price for all other producers / exporters in USA

138. The export price for all other producers and exporters, that have not participated in the present investigation, has been determined as per facts available. The same has been mentioned in the dumping margin table.

G.3.8 Dumping Margin

139. Considering the normal value constructed as provided above, and export price as determined, the dumping margin determined for the subject country is as follows:

S. No.	Name of Producer	Normal Value	Export Price	Dumping Margin	Dumping Margin	Dumping Margin
		USD/MT	USD/MT	USD/MT	%	(Range%)
A	**China PR**					
1	Chiping Xinfa Polyvinyl Chloride Co., Ltd	***	***	***	***	50-60
2	M/s Chiping Xinfa Huaxing Chemical Co., Ltd	***	***	***	***	30-40
3	Chiping Group	***	***	***	***	50-60
4	Tianjin Bohua Chemical Development Co., Ltd.	***	***	***	***	20-30
5	Qingdao Haiwan Chemical Co., Ltd.	***	***	***	***	20-30
6	Non-Sampled Producers	***	***	***	***	30-40
7	Others	***	***	***	***	50-60
B	**Indonesia**					
8	PT. Asahimas Chemical	***	***	***	***	10-20
9	PT. TPC Indo Plastic and Chemicals	***	***	***	***	10-20
10	Others	***	***	***	***	30-40
C	**Japan**					
11	Kaneka Corporation	***	***	***	***	40-50
12	Shin-Etsu Chemical Co., Ltd.	***	***	***	***	40-50
13	Non-Sampled Producers	***	***	***	***	40-50
14	Others	***	***	***	***	40-50
D	**Korea RP**					
15	LG Chem, Ltd.	***	***	***	***	30-40
16	Hanwha Solutions Corporation	***	***	(***)	(***)	(0-10)
17	Others	***	***	***	***	50-60
E	**Taiwan**					
18	China General Plastics Corporation	***	***	***	***	30-40
19	CGPC Polymer Corporation	***	***	***	***	10-20
20	CGPC Group	***	***	***	***	20-30
21	Ocean Plastics Co., Ltd.	***	***	***	***	50-60
22	Formosa Plastics Corporation	***	***	***	***	20-30
23	Others	***	***	***	***	60-70
F	**Thailand**					
24	Thai Plastics and Chemicals Plc.	***	***	***	***	0-10
25	AGC Vinythai Public Company Limited	***	***	***	***	10-20
26	Others	***	***	***	***	20-30
G	**USA**					
27	Westlake Chemicals & Vinyls LLC, Westlake Vinyls, Inc. Westlake Vinyls Company LP	***	***	***	***	140-150
28	Shintech Incorporated	***	***	***	***	80-90
29	Others	***	***	***	***	140-150

H. INJURY ASSESSMENT AND CAUSAL LINK

H.1 Submissions by other interested parties

140. The following submissions have been made by the other interested parties with regard to injury and causal link.

i. The imports into India have increased due to increase in demand in India which the domestic industry is not capable to meet.

ii. There is no injury to the domestic industry as the capacity, production, productivity, capacity utilization and sales of the domestic industry have increased over the injury period, while the inventories have declined.

iii. The cost of sales of the domestic industry has declined more than its selling price in the period of investigation as compared to the previous year. In case there was any price pressure from imports, the domestic industry would have been forced to pass on the entire decline in cost to the consumers.

iv. The fluctuation in selling price of the subject goods is due to impact of COVID-19.

v. The reduction in profits of the domestic industry is due to increase in cost of sales over the injury period. Thus, there is no causal link between imports and injury to the domestic industry.

vi. The Authority should examine other factors impacting profitability and causing injury to the domestic industry.

vii. The domestic industry has not addressed critical issues impacting the domestic industry such as internal problems, depressed market conditions, fluctuation in price of raw material, impact of COVID-19 and Russia-Ukraine conflict.

viii. 22% return on capital employed was designed in 1987 when the interest rates and corporate tax rates were different. Such a return is not appropriate in the current period. The CESTAT in Bridge Stone Tyre Manufacturing & othr. Vs. DA, held that adoption of 22% return on investment has coloured the injury determination. In Hyosung Corporation V. DA, the CESTAT held that a reasonable return on capital employed should have been what was earned by the domestic industry in the years where there was no allegation of dumping. Even European Commission determines reasonable returns on the basis of actual returns earned by the domestic industry during the injury period.

ix. The non-injurious price determined is inflated as 22% return has been considered which is incorrect as global recession does not allow such high returns and considering return on capital employed which consists of both equity and debt, the effective return on net worth is much more than 22%. Reasonable return on capital employed should be considered as that actually earned by the industry when there was no dumping in the country.

x. Retrospective duties should not be imposed since the submissions made by the domestic industry requesting retrospective duties lack evidence.

xi. The applicants have claimed that since the imports were subject to anti-dumping duty till 2022, there is history of dumping in India. However, the duties on imports from USA were continued based on likelihood and not actual dumping and injury to the domestic industry. The Authority did not continue anti-dumping duty on imports from Thailand due to lack of injury and likelihood of injury. The Authority did not initiate a second sunset review on imports from Japan, Korea, Taiwan and Thailand due to absence of dumping. Thus, it cannot be said that there is history of dumping in India.

xii. Retrospective duties are not warranted since there was no injury to the domestic industry during the injury period as production, sales, wages, no. of employees and profits increased.

xiii. The domestic industry has failed to provide evidence that the importers had the knowledge that exporters are dumping the product in India.

xiv. The applicants have failed to provide evidence to demonstrate massive dumping in short period of time warranting retrospective duties. The applicants have also not demonstrated that the remedial effects of anti-dumping duty would be undermined if anti-dumping duty is not levied on retrospective basis.

xv. The applicants have failed to request provisional duties which is a pre-condition of imposition of retrospective duties.

xvi. There are no provisions in the Act or the Rules that empower the Authority to recommend provisional assessment of duties.

xvii. The applicants have requested the Authority to collect month-wise export data of the exporters for post period of investigation. However, since the present is an original investigation, the Act or the Rules do not confer any power to review post period of investigation data.

H.2 Submissions made by the Domestic Industry

141. The following submissions have been made by the domestic industry with regard to injury and causal link:

i. The volume of the subject imports has increased in absolute terms as well as in relation to production and consumption in India as compared to the base year as well as the previous year.

ii. During the period of investigation, the subject imports accounted for 93% imports into India.

iii. The volume of the subject imports has increased at a faster pace than the increase in demand in India.

iv. The domestic industry has been forced to compete with the low-priced subject imports, by reducing its prices to retain customers. As a result, while the imports are undercutting the prices of the domestic industry, the price undercutting is low.

v. While the cost of sales has increased over the injury period, the selling price has declined due to decline in landed price of imports.

vi. The market share of the subject imports has increased while that of the domestic industry and Indian industry as a whole has declined.

vii. The domestic industry has incurred financial losses during the period of investigation.

viii. The cash profits have declined and turned into cash losses. The return on investment of the domestic industry was the lowest during the period of investigation.

ix. The interest coverage ratio of the domestic industry has declined over the injury period and was the lowest during the period of investigation. The domestic industry has not earned sufficient profits before interest to even cover its present interest obligations.

H.3 Examination by the Authority

142. The Authority has taken note of various submissions made by the domestic industry with regard to the injury assessment and causal link and has examined the same considering the facts available on record and applicable laws.

143. With regard to request for imposition of anti-dumping duty on retrospective basis, the Authority notes, that the critical circumstances identified by the domestic industry and the injury suffered by the domestic industry will be remedied by imposition of interim anti-dumping duty and there is no need for retrospective imposition of anti-dumping duty.

144. Article 3.3 of the WTO Agreement and Annexure-II Para (iii) of the Rules provide that in case where imports of a product from more than one country are being simultaneously subjected to anti-dumping investigations, the Authority will cumulatively assess the effect of such imports, in case it determines that:

a. The margin of dumping established in relation to the imports from each country is more than two percent expressed as percentage of export price and the volume of the imports from each country is three percent (or more) of the import of like article or where the export of individual countries is less than three percent, the imports collectively account for more than seven percent of the import of like article, and

b. A cumulative assessment of the effects of the imports is appropriate in light of the conditions of competition between the imported products and the conditions of competition between the imported products and the like domestic products.

145. The Authority notes that:

i. The subject goods are being dumped into India from the subject countries. The margin of dumping from each of the subject countries is more than the *de minimis* limits prescribed under the Rules.

ii. The volume of imports from each of the subject countries is individually more than 3% of the total volume of imports.

iii. Cumulative assessment of the effects of import is appropriate as the imports from the subject countries are not only directly competing with the product offered by each of the subject countries but also the like article offered by the domestic industry in the Indian market.

146. In light of the above, the Authority considers it appropriate to assess the effect of the dumped imports of the subject goods from China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and United States of America on the domestic industry cumulatively.

H.3.1 Volume Effect of Dumped Imports on the Domestic Industry

a. Assessment of demand/apparent consumption

147. For the purpose of the present investigation, demand or apparent consumption of the product in India has been defined as the sum of domestic sales of the Indian producers and imports from all sources. The demand so assessed is given in the table below.

Particulars	Unit	2020-21	2021-22	2022-23	POI
Sales of domestic industry	MT	***	***	***	***
Trend	*Indexed*	*100*	*111*	*115*	*117*
Sales of other domestic producers	MT	***	***	***	***
Trend	*Indexed*	*100*	*99*	*102*	*96*
Subject imports	MT	10,29,546	12,51,861	19,97,000	23,23,183
Other imports	MT	2,76,383	1,16,123	1,48,155	1,69,420
Total Demand	MT	24,92,103	25,93,601	34,10,483	37,14,880
Trend	*Indexed*	*100*	*104*	*137*	*149*

148. The Authority notes that the demand for the subject goods has increased in India throughout the injury period and was highest during the period of investigation.

b. Import volumes from the subject countries

149. With regard to the volume of the imports, the Authority is required to consider whether there has been a significant increase in the dumped imports from the subject countries, either in absolute terms or relative to production or consumption in India. The same is analysed in the table below.

Particulars	Unit	2020-21	2021-22	2022-23	POI
Subject imports	MT	10,29,546	12,51,861	19,97,000	23,23,183
China PR	MT	88,995	2,82,101	7,71,817	8,08,326
Indonesia	MT	15,839	58,524	67,425	1,14,045
Japan	MT	3,57,780	3,38,146	3,61,072	4,04,597
Korea RP	MT	2,09,254	1,93,786	1,81,813	2,51,633
Taiwan	MT	2,49,544	2,60,851	3,24,390	3,69,959
Thailand	MT	67,312	1,09,792	1,21,946	1,25,325
USA	MT	40,823	8,662	1,68,536	2,49,299
Other imports	MT	2,76,383	1,16,123	1,48,155	1,69,420
Total Imports	MT	13,05,930	13,67,984	21,45,155	24,92,603
Subject imports in relation to					
Production	%	76%	88%	134%	163%
Consumption	%	41%	48%	59%	63%
Total Imports	%	79%	92%	93%	93%

150. It is seen that –

i. The imports from subject countries have increased throughout the injury period in absolute terms.

ii. While the imports from the subject countries have increased, the imports from other countries have declined over the injury period.

iii. Imports in relation to production and consumption have also increased over the injury period, with the effect that the imports account for more than majority of the consumption during the period of investigation.

iv. While the subject imports comprised of 79% imports into India during the base year, the imports from the subject countries account for almost entirety of imports during the period of investigation.

v. The demand in India has increased by 49% in the period of investigation as compared to the base year, while the subject imports have increased by 126% over the same period. Thus, the subject imports have increased at a pace higher than the increase in demand.

H.3.2 Price Effect of Dumped Imports on the Domestic Industry

151. With regard to the effect of the dumped imports on prices of the domestic industry, it is required to be analysed whether there has been a significant price undercutting by the alleged dumped imports as compared to the price of the like products in India, or whether the effect of such imports is otherwise to depress prices or prevent price increases, which otherwise would have occurred in the normal course. The impact on the prices of the domestic industry on account of the dumped imports from the subject countries has been examined with reference to price undercutting, price suppression and price depression, if any.

a. Price Undercutting

152. For the purpose of price undercutting analysis, the selling price of the domestic industry has been compared with the landed value of imports from the subject countries.

Particulars	Unit	Amount
Selling price	₹/MT	***
Landed price	₹/MT	76,156
Price undercutting	₹/MT	***
Price undercutting	%	***
Price undercutting	Range	0-10%

153. The Authority notes that the subject imports are undercutting the prices of the domestic industry, and the price undercutting is positive and significant.

b. Price Suppression and Depression

154. In order to determine whether the dumped imports are depressing the domestic prices and whether the effect of such imports is to suppress prices to a significant degree or prevent price increases which otherwise would have occurred in normal course, the changes in the costs and prices over the injury period, are compared as below:

Particulars	Unit	2020-21	2021-22	2022-23	POI
Selling price	₹/MT	***	***	***	***
Trend	Indexed	100	141	101	86
Cost of sales	₹/MT	***	***	***	***
Trend	Indexed	100	146	123	105
Landed Price	₹/MT	82,169	1,24,033	95,518	76,156
Trend	Indexed	100	151	116	93

155. The Authority notes that in 2021-22, both the cost of sales and selling price of the domestic industry increased. However, the increase in selling price was lower. In 2022-23, the selling price and cost of sales of the domestic industry decreased, but the decline in selling price was higher. During the period of investigation, the cost of sales and selling price reduced further. The landed price of imports from the subject countries was below the cost of sales and selling price of the domestic industry during the period of investigation, forcing the domestic industry to reduce its prices, despite being below cost. As compared to the base year, while the cost of sales has increased, the selling price of the domestic industry has declined. The imports have depressed the prices of the domestic industry and prevented price increases, which otherwise would have occurred.

H.3.3 Economic Parameters of the Domestic Industry

156. Annexure II to the Rules requires that the determination of injury shall involve an objective examination of the consequent impact of dumped imports on the prices of the domestic industry. With regard to consequent impact of dumped imports on domestic producers of such products, the Rules further provide that the

examination of the impact of the dumped imports on the domestic industry should include an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments.

157. The injury parameters have been examined objectively taking into account various facts and submissions made.

a) Production, Capacity, Capacity Utilization and sales

158. Capacity, production, capacity utilization and sales of the domestic industry over the injury period is given in the following table: -

Particulars	Unit	2020-21	2021-22	2022-23	POI
Capacity	MT	***	***	***	***
Trend	Indexed	100	103	112	114
Production	MT	***	***	***	***
Trend	Indexed	100	115	119	119
Capacity Utilization	%	***	***	***	***
Trend	Indexed	100	111	106	105
Domestic Sales	MT	***	***	***	***
Trend	Indexed	100	111	115	117

159. The Authority notes that the capacity, production, domestic sales, and capacity utilization of the domestic industry have increased over the injury period. The domestic industry has not suffered injury on this account.

b) Market share

160. The market share of the domestic industry, other domestic producers, subject imports and imports from the other countries are given in the table below.

Particulars	Unit	2020-21	2021-22	2022-23	POI
Sales of domestic industry	%	***	***	***	***
Trend	Indexed	100	106	84	79
Sales of other Indian producers	%	***	***	***	***
Trend	Indexed	100	96	75	64
Subject imports	%	41%	48%	59%	63%
Trend	Indexed	100	117	142	151
Other imports	%	11%	4%	4%	5%
Trend	Indexed	100	40	39	41

161. The Authority notes that:

i. The share of the domestic industry as well as the Indian industry as a whole has declined over the injury period.

ii. The share of imports from other countries has also declined.

iii. The share of the subject imports in demand has increased, and the subject imports account for almost two-thirds share of the market. The subject imports have taken over the market share of the Indian industry as well as imports from other countries.

c) Inventories

162. The inventory position with the domestic industry over the injury period is given in the table below:

Particulars	Unit	2020-21	2021-22	2022-23	POI
Average Inventory	MT	***	***	***	***
Trend	Indexed	100	48	76	99

163. It is seen that the inventories of the subject good declined in 2021-22 as compared to the base year and increased thereafter in 2022-23 and the period of investigation. However, the inventories of the domestic industry have remained stable over the injury period.

d) Profitability, return on investment and cash profits

164. Profitability, return on investment and cash profits of the domestic industry over the injury period is given in the table below: -

Particulars	Unit	2020-21	2021-22	2022-23	POI
Cost of sales	₹/MT	***	***	***	***
Trend	Indexed	100	146	123	105
Selling price	₹/MT	***	***	***	***
Trend	Indexed	100	141	101	86
Profit/(Loss) per unit	₹/MT	***	***	***	***
Trend	Indexed	100	116	-4	-9
Total Profit/(Loss)	₹ Lacs	***	***	***	***
Trend	Indexed	100	129	-5	-10
Cash Profit	₹ Lacs	***	***	***	***
Trend	Indexed	100	127	4	-1
Return on Capital Employed	%	***	***	***	***
Trend	% Indexed	100	91	14	14

165. The Authority notes that:

a. The profitability of the domestic industry has declined significantly over the injury period. While the domestic industry was earning profits in 2020-21 and 2021-22, it has incurred financial losses in 2022-23 and the period of investigation. Further, the losses of the domestic industry have increased in the period of investigation.

b. While the sales of the domestic industry have increased, the total losses of the domestic industry have also increased. Thus, with additional volume of sales, the losses of the domestic industry are growing.

c. The cash profit has fallen significantly and to such an extent that it was in negative during the period of investigation.

d. The return on capital employed of the domestic industry has also followed the same trend. The return on capital employed has declined significantly over the injury period.

166. The domestic industry has also emphasized that its interest coverage ratio has declined significantly over the injury period. The Authority notes that the profits before interest of the domestic industry have declined to a level that the same are below the interest cost of the domestic industry. Thus, the domestic industry is not generating sufficient profits to recover its interest cost.

e) Employment, productivity and wages

167. Employment, productivity and wages of the domestic industry over the injury period is given in the table below.

Particulars	Unit	2020-21	2021-22	2022-23	POI
No of Employees	Nos	***	***	***	***
Trend	Indexed	100	103	102	104
Wages	₹/Lacs	***	***	***	***

Trend	Indexed	100	115	121	117
Productivity per day	MT/Days	***	***	***	***
Trend	Indexed	100	115	119	119
Productivity per employee	MT/No.	***	***	***	***
Trend	Indexed	100	111	116	115

168. It is seen that no. of employees, wages and productivity of the domestic industry has increased over the injury period. The domestic industry has not claimed any injury on these parameters.

f) Growth

Particulars	Unit	2020-21	2021-22	2022-23	POI
Production	%	-	15%	4%	0.48%
Domestic Sales	%	-	11%	4%	2%
Profit/Loss	%	-	16%	-104%	-109%
Cash profits	%	-	27%	-96%	-125%
Return on capital employed	%		-9%	-85%	-0.46%

169. The Authority notes that the volume parameters of the domestic industry have shown a positive growth over the injury period. The profits and cash profits of the domestic industry have increased in 2021-22, as compared to the base year. The return on capital employed declined in 2021-22, as compared to the base year. The profitability parameters of the domestic industry have shown a negative growth during 2022-23 and the period of investigation.

g) Factors affecting domestic prices

170. Since the price of the subject imports is lower than the selling price of the domestic industry, the same has created a strain on the prices of the domestic industry. Further, the imports are below the non-injurious price and cost of sales of the domestic industry. This has forced the domestic industry to sell at prices below their cost, resulting in financial and cash losses. The imports have prevented price increases, which otherwise would have occurred. Therefore, the imports are impacting the prices of the domestic industry.

h) Magnitude of dumping and dumping margin

171. It is noted the subject goods from the subject countries are being dumped in India and the dumping margin is positive and significant.

i) Ability to raise capital investment

172. The Authority notes that the domestic industry has incurred financial losses and cash losses in the period of investigation. The total losses of the domestic industry have increased with increase in sales of the domestic industry. The domestic industry is not earning sufficient profits to discharge its present interest costs. In such a case, the ability of the domestic industry to raise capital investment has been adversely impacted.

j) Injury Margin

173. The Authority has determined non-injurious price for the domestic industry on the basis of principles laid down in Rules read with Annexure III, as amended. The non-injurious price of the product under consideration has been determined by adopting the desk verified information/data relating to the cost of production for the period of investigation. The non-injurious price of the domestic industry has been worked out and it has been compared with the landed price from each of the producers/exporters from the subject countries for calculating injury margin. The injury margin for the non-cooperative exporters has been determined based on the facts available with the Authority.

174. Some of the interested parties have contended that a return of 22% is not appropriate in light of the present economic situation, including prevailing interest rates and tax rates. The Authority notes that, it is the consistent practice of the Authority to allow a return of 22% on capital employed for the determination of non-injurious price. The observations of the Hon'ble CESTAT in the Bridgestone case were specific to the use of 22% ROCE in determining price underselling, not its appropriateness in computing the Non-Injurious Price (NIP). Moreover, the Bridgestone decision predates the introduction of Annexure-III to the AD Rules, rendering reliance on it by other interested parties unjustified. In the subsequent Merino Panel Products case, the CESTAT upheld the practice of the Authority of applying a 22% ROCE. Moreover, the Authority notes

that even after consideration of a return of 22% on capital employed, the return for one of the domestic producers remains lower than the interest cost incurred by it, thereby not allowing sufficient recovery towards interest and a return on equity.

175. With regard to the submissions of the other interested parties regarding determination of non-injurious price, the Authority notes that the non-injurious price has been determined as per Annexure III of the Rules and the established practice of the Authority.

176. Based on the landed price and non-injurious price determined as above, the injury margin for producers/exporters has been determined by the Authority and the same is provided in the table below.

Injury Margin

SN	Name of Producer	NIP	Landed Price	Injury Margin	Injury Margin	Injury Margin
		USD/MT	USD/MT	USD/MT	%	Range (%)
A	China PR					
1	Chiping Xinfa Polyvinyl Chloride Co., Ltd	***	***	***	***	10-20
2	Chiping Xinfa Huaxing Chemical Co., Ltd	***	***	(***)	(***)	(5-15)
3	Chiping Group	***	***	***	***	10-20
4	Tianjin Bohua Chemical Development Co., Ltd.	***	***	***	***	0-10
5	Qingdao Haiwan Chemical Co., Ltd.	***	***	***	***	10-20
6	Non-Sampled Producers	***	***	***	***	10-20
7	Others	***	***	***	***	20-30
B	**Indonesia**					
8	PT. Asahimas Chemical	***	***	***	***	0-10
9	PT. TPC Indo Plastic and Chemicals	***	***	***	***	0-10
10	Others	***	***	***	***	20-30
C	**Japan**					
11	Kaneka Corporation	***	***	***	***	0-10
12	Shin-Etsu Chemical Co., Ltd.	***	***	***	***	0-10
13	Non-Sampled Producers	***	***	***	***	0-10
14	Others	***	***	***	***	10-20
D	**Korea RP**					
15	LG Chem, Ltd.	***	***	***	***	0-10
16	Hanwha Solutions Corporation	***	***	(***)	(***)	(0-10)
17	Others	***	***	***	***	15-25
E	**Taiwan**					
18	China General Plastics Corporation	***	***	***	***	0-10
19	CGPC Polymer Corporation	***	***	***	***	0-10
20	CGPC Group	***	***	***	***	0-10
21	Ocean Plastics Co., Ltd.	***	***	***	***	0-10
22	Formosa Plastics Corporation	***	***	***	***	0-10
23	Others	***	***	***	***	15-25

F	**Thailand**					
24	Thai Plastics and Chemicals Plc.	***	***	***	***	0-10
25	AGC Vinythai Public Company Limited	***	***	***	***	0-10
26	Others	***	***	***	***	20-30
G	**USA**					
27	Westlake Chemicals & Vinyls LLC, Westlake Vinyls, Inc. Westlake Vinyls Company LP	***	***	***	***	15-25
28	Shintech Incorporated	***	***	***	***	10-20
29	Others	***	***	***	***	50-60

NON-ATTRIBUTION ANALYSIS

177. As per the Rules, the Authority, inter alia, required to be examined that any known factors other than the dumped imports which at the same time are injuring the domestic industry, so that the injury caused by these other factors may not be attributed to the dumped imports. Factors which may be relevant in this respect include, inter alia, the volume and prices of imports not sold at dumped prices, contraction in demand or changes in the patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and the productivity of the domestic industry. It has been examined below whether factors other than dumped imports could have contributed to the injury to the Domestic Industry.

a. Volume and price of imports from third countries

178. The imports from countries other than the subject countries are not significant in volume so as to cause or threaten to cause injury to the domestic industry.

b. Export Performance of the domestic industry

179. The injury information examined hereinabove relates only to the performance of the domestic industry in terms of its domestic market. Thus, the injury suffered cannot be attributed to the export performance of the domestic industry.

c. Development of Technology

180. There has been no change in technology for production of the subject goods which could have caused injury to the domestic industry.

d. Performance of other products

181. The Authority has examined data relating only to the performance of the subject goods. Therefore, performance of other products produced and sold by the applicants are not a possible reason for injury to the domestic industry.

e. Trade Restrictive Practices and Competition between the Foreign and Domestic producers

182. The Authority notes that there are no trade restrictive practices which could have caused injury to the domestic industry.

f. Contraction in Demand

183. It is noted that the demand for the subject goods has increased consistently over the entire injury period. Thus, it can be provisionally concluded that the injury to the domestic industry was not due to contraction in demand.

g. Changes in pattern of consumption

184. There have been no material changes in the pattern of consumption of the product under consideration. Hence, changes in the pattern of consumption have not caused injury to the domestic industry.

h. Productivity

185. The Authority notes that the productivity of the domestic industry has increased over the injury period. Thus, decline in productivity cannot be a reason for injury to the domestic industry.

I. CONCLUSION ON INJURY & CAUSAL LINK

186. In view of above, the Authority provisionally notes that:

a. Imports of the subject good from the subject countries have increased in absolute and relative terms over the injury period.

b. The subject imports are undercutting the prices of the domestic industry.

c. The subject imports have depressed the prices of the domestic industry and prevented price increases, which would have otherwise occurred.

d. The market share of the domestic industry and Indian industry as a whole has decreased, while that of the subject imports have increased.

e. While the demand for the subject goods has increased over the injury period, such increase has been captured by the subject imports.

f. The inventories of the domestic industry have increased as compared to the previous year and 2021-22, though remained stable over the period.

g. The profitability of the domestic industry has declined significantly over the injury period.

h. The domestic industry has incurred financial losses as well as cash losses in the period of investigation.

i. The total losses of the domestic industry have declined which demonstrates that with increase in volume of sales, the losses of the domestic industry have increased.

j. The return on capital employed of the domestic industry has declined significantly.

k. The ability of the domestic industry to raise capital investment has been adversely impacted.

187. It is, thus, provisionally concluded that the imports from the subject countries have caused material injury to the domestic industry during the period of investigation.

J. INDIAN INDUSTRY'S INTEREST

J.1 Submissions by the other interested parties

188. The following submissions have been made by the other interested parties with regard to the Indian industry's interest.

i. The price of the product under consideration is consistently higher than the import price, due to which the downstream industry struggles to compete with imports of plastic products.

ii. Imposition of anti-dumping duty on imports of off-grade PVC Suspension will make the finished product unviable and uncompetitive compared to imported PVC flooring.

iii. Imposition of anti-dumping duty on the product under consideration will lead to huge imports of downstream product, which will destroy hundreds of downstream producers.

iv. Anti-dumping duty should not be imposed on imports of the product under consideration till India becomes self-sufficient for the product.

v. Since there is a huge demand-supply gap in India, imposition of anti-dumping duty will lead to irreparable injury to the users which are heavily dependent upon the imported product.

vi. The product under consideration was subject to anti-dumping duty for a long period of time, however, the domestic producers have failed to increase their capacities.

vii. The scenario identified by the domestic industry may not reflect the true state as the injury period coincides with COVID period in which the industry was trying to survive and remain commercially viable.

viii. PVC Suspension Resins constitutes a significant share in the downstream product and anti-dumping duty to the tune of 10-20% will have an impact of at least 4-8% on the finished product. The downstream industry will not be able to pass on such increased costs due to competition with imported downstream product.

ix. There are large number of users which are a part of MSME sector but collectively contribute immensely to the GDP of the country.

x. The applicants are taking undue advantage of anti-dumping duty by requesting for imposition of duty even though the imports were subject to duty for a period of 15 years.

xi. The Government of India is in process of implementing mandatory BIS standards for the product under consideration which will lead to increase in prices of the product and adversely impact the downstream industry. The Indian government is not processing application for the BIS licenses for Chinese manufacturers. Any implementation of anti-dumping duty will further impact the users.

J.2 Submissions made by the domestic industry

189. The following submissions have been made by the domestic industry with regard to the Indian industry's interest.

i. There will not be any adverse impact of imposition of anti-dumping duty which is evident from the fact that there has been no adverse impact of anti-dumping duty in the past.

ii. Impact of imposition of anti-dumping duty is less than 0.1%.

iii. Since the impact of anti-dumping duty is minimal, it is likely to be borne by the downstream industry and not passed on to the users.

iv. Fair prices will be maintained in the market as there is sufficient inter se competition in India.

v. Imposition of anti-dumping duty does not restrict imports into India.

vi. Since the subject goods are not sold under long-term contracts, the users can easily switch suppliers, if required.

vii. There are global overcapacities for the product under consideration and hence, there is abundant supply of the product in the market.

viii. There is history of dumping in India, hence, the exporters are not able to sell the product in India at fair prices.

J.3 Examination by the Authority

190. The Authority notes that the primary objective of anti-dumping duty is to remedy the injury inflicted upon the domestic industry by the unfair trade practices of dumping. The imposition of anti-dumping measures is not designed to curtail imports from the subject countries arbitrarily. Rather, it is a mechanism to ensure a level playing field. The Authority acknowledges that the persistence of anti-dumping duties may influence the price levels of the product in India. However, it is crucial to note that the essence of fair competition in the Indian market will remain unscathed by the imposition of these measures. Far from diminishing competition, the imposition of anti-dumping measures serves to prevent the accrual of unfair advantages through dumping practices. It safeguards the consumers' access to a broad selection of the subject goods. Thus, anti-dumping duties are not a hindrance but a facilitator of fair-trade practices.

191. The other interested parties have submitted that the prices of the domestic industry are higher than import price, which causes a strain on the margins of the downstream industry. The Authority notes, that the prices of the domestic industry as well as landed price of imports have declined significantly in the period of investigation. The prices were much higher in the past. Since there was no adverse impact on the performance of downstream industry in the past due to such high prices, there likely will not be any adverse impact of imposition of anti-dumping duty.

192. With regard to the contention that imposition of anti-dumping duty will lead to excessive imports of downstream product, the Authority notes that there was anti-dumping duty on imports of the subject goods for a long period of time in India. During such time, the downstream industry has not suffered adversely due to imports of the downstream product. Such being the case, the downstream industry will likely not suffer due to imposition of current measures. Further, in case, the downstream product starts getting dumped in India post imposition of measures, the downstream industry is free to make an application for initiation of anti-dumping investigation.

193. With regard to the contention that the domestic industry has failed to increase capacities even though anti-dumping duty was in force, the Authority notes that the purpose of imposition of anti-dumping duty is to offset the price discriminatory behavior of the exporters. It is not a safeguard measure, intended to facilitate adjustment by the domestic industry. While the imposition of safeguard measures presupposes that there are factors required to be addressed by the domestic industry, in order to allow it to become competitive versus the imports; there is no such presumption in case of imposition of anti-dumping duty. The duty imposed earlier was intended to counteract the injurious effects of dumping earlier by the foreign producers, and thus, achieved its intended purpose. In any case, the capacities in India have increased. The domestic industry has increased capacities even over the injury period.

194. The other interested parties have submitted that anti-dumping duty should not be imposed till India is self-sufficient in production of the subject goods. The Authority notes that the same is not a requirement for imposition of anti-dumping duty. The Authority in the past has imposed anti-dumping duty on a number of products where there was demand-supply gap in India. Imposition of anti-dumping duty is likely to provide a level playing field to the Indian industry.

195. The contention that the current scenario does not reflect correct situation as the injury period coincides with COVID period is incorrect. There was no impact of COVID-19 in the period of investigation. It is seen that the profitability parameters of the domestic industry have been adversely impacted in the period of investigation as compared to even the previous year. Thus, the present scenario reflects the extent of injury to the domestic industry.

196. With regard to the contention that the applicants are taking undue advantage of trade remedial measures, the Authority notes that the anti-dumping duty has been imposed on imports of the product under consideration multiple times in the past, as a result of dumping of the product. The Authority has conducted detailed

examination of dumping, injury and causal link and thereafter recommended imposition of anti-dumping duty. The number of measures on imports of the product under consideration shows the pricing and unfair trade practice of the producers in the subject countries.

197. With regard to the contention that BIS standards are being imposed, the Authority notes that the BIS standards are being worked out by the Government of India since a long period of time. The same have not been implemented yet. Further, implementation of BIS does not vitiate the fact that the domestic industry is suffering material injury due to dumping in India. The Authority is not the appropriate forum to examine concerns regarding any alleged delay in granting of BIS licenses.

K. CONCLUSION & RECOMMENDATIONS

198. After examining the submissions made by the interested parties and issues raised therein; and considering the facts available on record, the Authority provisionally concludes that:

i. The application for initiation of anti-dumping investigation against imports of PVC Suspension Resins originating or exported from China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA was filed by Chemplast Cuddalore Vinyls Limited, DCM Shriram Limited and DCW Limited.

ii. There are two other producers of the subject goods in India. However, such producers are involved in importing the subject goods from the subject countries and have been provisionally considered ineligible for constituting the domestic industry for the purpose of the present investigation.

iii. The applicants account for major share of Indian production and constitute the domestic industry.

iv. The product under consideration is "homopolymer of vinyl chloride monomer (suspension grade) manufactured through suspension polymerization process with K-value above 55 and upto 77".

v. The scope of the product under consideration excludes ultra-low k-value PVC suspension resins (K-value upto 55), ultra-high K-value PVC suspension resins (K-value above 77), cross-linked PVC, chlorinated PVC, vinyl chloride vinyl acetate copolymer (VC-Vac), PVC paste resins, mass polymerisation PVC and PVC blending resin.

vi. Since cost and price of the product does not vary significantly between various K-values and the product remains the same irrespective of the production process, there is no need for PCN in the present investigation.

vii. There is no need for exclusion of off-grade PVC suspension resins since a mere difference in quality is immaterial to decide the scope of the product under consideration.

viii. The domestic industry has produced like article to the imported product under consideration.

ix. The normal value and export price for cooperative producers and exporters have been determined based on the information provided by them, subject to verification of such information.

x. Considering the normal value and export price determined, the dumping margin for the subject goods from the subject countries is significant and above *de minimis*.

xi. Imports of the subject good from the subject countries have increased in absolute and relative terms over the injury period.

xii. The subject imports are undercutting the prices of the domestic industry.

xiii. The subject imports have depressed the prices of the domestic industry and prevented price increases, which would have otherwise occurred.

xiv. As regards to the effect of such dumped imports on the economic parameters of the domestic industry, the following provisional conclusions are reached:

a. The market share of the domestic industry and of the Indian industry as a whole has decreased, while that of the subject imports have increased.

b. While the demand for the subject goods has increased over the injury period, such increase has been captured by the subject imports.

c. The inventories of the domestic industry have increased as compared to the previous year and 2021-22, though remained stable over the period.

d. The profitability of the domestic industry has declined significantly over the injury period.

e. The domestic industry has incurred financial losses as well as cash losses in the period of investigation.

f. The return on capital employed of the domestic industry has declined significantly.

g. The ability of the domestic industry to raise capital investment has been adversely impacted

xv. The domestic industry has suffered injury as a result of dumped goods from the subject countries.

xvi. No other factors have caused injury to the domestic industry and the injury to the domestic industry is due to dumping of the subject imports into India.

xvii. The imposition of anti-dumping duty is in the interest of public at large. This is evident from the following:

a. Imposition of anti-dumping duty will provide a fair playing field to the Indian industry.

b. The price of the product under consideration was higher in the past, which did not adversely affect the users. Thus, any increase in the price of the product under consideration due to imposition of anti-dumping duty is not likely to have an adverse impact on the downstream industry.

c. There is history of dumping in India. The product under consideration was subject to anti-dumping duty multiple times. Since there was no adverse impact of such anti-dumping duty on the downstream industry, there likely will be no adverse impact of the anti-dumping duty in the future.

d. The number of anti-dumping duty imposed on the product under consideration shows unfair practice of dumping resorted by the exporters in the subject countries and the inability to sell at fair prices in the Indian market.

e. There was no impact of COVID-19 on the domestic industry during the period of investigation. The economic parameters of the domestic industry show a decline even when compared to the previous year.

199. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the domestic industry, exporters, importers and other interested parties to provide positive information on the aspect of dumping, injury and causal link. Having initiated and conducted the investigation into dumping, injury and causal link in terms of provisions laid down under the Anti-Dumping Rules, the Authority is of the view that imposition of provisional duties is required to offset dumping and injury, pending completion of the investigation. Therefore, the Authority considers it necessary and recommends imposition of provisional anti-dumping duty on imports of the subject goods from the subject countries.

200. Having regard to the lesser duty rule followed by the Authority, the Authority recommends imposition of provision anti-dumping duty equal to the lesser of margin of dumping and the margin of injury, so as to remove the injury to the domestic industry. Accordingly, the Authority recommends imposition of provisional anti-dumping duty on the imports of the subject goods, originating in or exported from the subject countries, from the date of notification to be issued in this regard by the Central Government, equal to the amount indicated in Col. 7 of the duty table appended below

Duty Table

S.N.	Headig	Description	Country of Origin	Country of Export	Producer	Amount	Unit	Currency
1	2	3	4	5	6	7	8	9
1	3904	PVC Suspension Resins*	China PR	China PR	Chiping Xinfa Polyvinyl Chloride Co., Ltd.	125	MT	USD
2	-do-	-do--	China PR	China PR	Chiping Xinfa Huaxing Chemical Co., Ltd.	125	MT	USD
3	-do-	-do-	China PR	China PR	Tianjin Bohua Chemical Development Co., Ltd.	82	MT	USD
4	-do-	-do-	China PR	China PR	Qingdao Haiwan Chemical Co., Ltd.	92	MT	USD
5	do-	-do-	China PR	China PR	Non-Sampled Producers, as per list below*	97	MT	USD
6	-do-	-do-	China PR	Any country inclu ding China PR	Any producer other than Sl. No. (1) to (5)	167	MT	USD
7	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan,Thailand and USA	China PR	Any	167	MT	USD
8	do-	-do-	Indonesia	Indonesia	PT. Asahimas Chemical	73	MT	USD
9	do-	-do-	Indonesia	Indonesia	PT. TPC Indo Plastic and Chemicals	61	MT	USD
10	do-	do-	Indonesia	Any country including Indonesia	Any producer other than Sl. No. (8) and (9)	200	MT	USD
11	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA	Indonesia	Any	200	MT	USD
12	-do-	-do-	Japan	Japan	Kaneka Corporation	54	MT	USD
13	-do-	-do-	Japan	Japan	Shin-Etsu Chemical Co., Ltd.	73	MT	USD
14	-do-	-do-	Japan	Japan	Non-Sampled Producers, as per list below**	66	MT	USD
15	-do-	-do-	Japan	Any country including Japan	Any producer other than Sl. No. (12) to (14)	147	MT	USD
16	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA	Japan	Any	147	MT	USD
17	-do-	-do-	Korea RP	Korea RP	LG Chem, Ltd.	51	MT	USD
18	-do-	-do-	Korea RP	Korea RP	Hanwha Solutions Corporation	NIL	MT	USD
19	-do-	-do-	Korea RP	Any country including Korea RP	Any producer, other than Sl. No. (17) & (18)	161	MT	USD
20	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA	Korea RP	Any	161	MT	USD
21	-do-	-do-	Taiwan	Taiwan	China General Plastics Corporation	25	MT	USD
22	-do-	-do-	Taiwan	Taiwan	CGPC Polymer Corporation	25	MT	USD
23	-do-	-do-	Taiwan	Taiwan	Ocean Plastics Co., Ltd.	40	MT	USD
24	-do-	-do-	Taiwan	Taiwan	Formosa Plastics Corporation	74	MT	USD
25	-do-	-do-	Taiwan	Any country including Taiwan	Any producer, other than Sl. No. (21) to (24)	163	MT	USD
26	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP,	Taiwan	Any	163	MT	USD

			Taiwan, Thailand and USA					
27	-do-	-do-	Thailand	Thailand	Thai Plastics and Chemicals Plc.	53	MT	USD
28	-do-	-do-	Thailand	Thailand	AGC Vinythai Public Company Limited	80	MT	USD
29	-do-	-do-	Thailand	Any country including Thailand	Any producer, other than Sl. No. (27) and (28)	184	MT	USD
30	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA	Thailand	Any	184	MT	USD
31	-do-	-do-	USA	USA	Westlake Chemicals & Vinyls LLC	164	MT	USD
32	-do-	-do-	USA	USA	Westlake Vinyls, Inc.	164	MT	USD
33	-do-	-do-	USA	USA	Westlake Vinyls Company LP	164	MT	USD
34	-do-	-do-	USA	USA	Shintech Incorporated	104	MT	USD
35	-do-	-do-	USA	Any country including USA	Any producer, other than Sl. No. (31) to (34)	339	MT	USD
36	-do-	-do-	Any country other than China PR, Indonesia, Japan, Korea RP, Taiwan, Thailand and USA	USA	Any	339	MT	USD

* *Homopolymer of Vinyl Chloride Monomer (suspension grade) also known as PVC Suspension Resin manufactured through suspension polymerization process with K-value above 55 and upto 77*

List of non-sampled producers from China PR*

Sl.No.	**Non-Sampled Cooperative Producers**
1.	Chiping Xinfa Huaxing Chemical Co., Ltd
2.	CNSIG Jiltani Chlor – Alkali Chemical Co. Ltd.
3.	Formosa Industries (Ningbo) Co., Ltd.
4.	Guangxi Huayi Chlor-Alkali Chemical Co., Ltd.
5.	Inner Mongolia Chemical Industry Company Ltd.
6.	Inner Mongolia Erdos Electric Power and Metallurgy Group Co., Ltd.
7.	Inner Mongolia Junzheng Chemical Industry Co., Ltd.
8.	Ordos Junzheng Energy & Chemical Industry Co., Ltd
9.	Shaanxi Beiyuan Chemical Industry Group Co
10.	Shanghai Chlor-Alkali Chemical Co.,Ltd.
11.	Tianjin LG Bohai Chemical. Co. Ltd
12.	Wanhua Chemical (Fujian) Co., Ltd.
13.	Wanhua Petrochemical (Yantai) Co., Ltd.
14.	Xinjiang Shengxiong Chlor-Alkali Co., Ltd
15.	Xinjiang Zhongtai Import & Export Co., Ltd
16.	Yibin Haifeng Herui Co. Ltd.
17.	Zhong Tai International Development (HK) Limited

List of non-sampled producers from Japan**

SN	Company Name
1.	Shin Dai-ichi Vinyl Corporation

L. FURTHER PROCEDURE

201. The procedure as mentioned below would be followed subsequent to notifying the preliminary findings:

i. The Authority invites comments on these provisional findings from all interested parties within 30 days from the publication of these findings, and the same, to the extent considered relevant by the Authority, would be considered in the final findings.

ii. The Authority would conduct an oral hearing in terms of Rule 6(6) of the Anti-Dumping Rules to provide an opportunity to the interested parties to present their views relevant to the subject investigation.

iii. The date of the oral hearing will be published on the DGTR website. (www.dgtr.gov.in)

iv. The Authority would conduct further verification of the interested parties as deemed necessary.

v. The Authority would disclose the essential facts as per the Anti-Dumping Rules before issuing final findings in the subject investigation.

DARPAN JAIN, Designated Authority

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