

India Tops Again in Anti-dumping Measures, China Tops as Target Country

WTTO members' use of anti-dumping procedures dropped significantly during the first half of 2010 compared to the same period of the year before, according to data released this week by the WTO secretariat. China remains the top object of investigations into whether it is exporting goods below cost. It is also the top target of anti-dumping duties applied.

The number of initiations of new anti-dumping investigations was 29 percent lower between 1 January and 30 June of this year compared to 2009; the number of times that duties were actually applied also decreased.

India was the most active initiator of new investigations in the first half of 2010, launching 17, more than the year before. The EU was next with eight. Brazil, China, and the US initiated five, four, and two investigations respectively. For China and the US, these figures represented a drop from

2009. India also led WTO members in imposing anti-dumping duties, followed by Turkey, Argentina, China, and the US.

China was the subject of no less than 23 of the new investigations (compared to 33 in the first half of 2009). It was also the target of 25 of the 59 new anti-dumping measures introduced over the same period. The EU was next, facing 11 new investigations into the cost of its exports, and 6 new sets of anti-dumping measures.

The industrial sectors most targeted by anti-dumping investigations in the first half of 2010 were base metals, followed by chemicals, plastics and rubber, and plaster and ceramics. Base metals also faced the most applied duties, followed by chemicals.

The figures from the WTO secretariat are based on information provided by members, and would not reflect policies governments have failed to report.

India has Chosen to Take Observer Status in the GPA

The WTO Committee on Government Procurement, on 7 December 2010, adopted a decision that invites Armenia to accede to the Agreement on Government Procurement on the basis of a final coverage offer that was circulated to the Committee on 8 November together with Armenia's draft Procurement Law. Director-General Pascal Lamy welcomed the decision as "good for Armenia, good for the Agreement on Government Procurement and good for the WTO system".

Armenia's accession to the Agreement will take effect thirty days after the deposit of its instrument of accession with the Director-General, and following adoption of the draft law.

The decision on 7 December completes a process of negotiations that began with Armenia's application for accession to the Agreement just over a year ago, on 4 September 2009.

Director-General Pascal Lamy welcomed the decision as "good for Armenia, good for the Agreement on Government Procurement and good for the WTO system." He said that "Participation in the GPA brings real benefits not only in terms of access to other Parties' markets for procurement of goods, services and construction services, but also in the form of enhanced competition and transparency in the Party's internal markets. It embodies a political and legal commitment to good governance principles that reflects very positively on the acceding government and on its leaders." "In applying for GPA accession and then completing the related negotiations in a little over a year, Armenia has effectively

demonstrated to the world its commitment to these principles" Mr. Lamy said.

Government procurement accounts for in the range of 15-20 % of gross domestic product (GDP), on average, in developed countries. Only a part of this is currently covered by the Agreement on Government Procurement.

The aim of the Agreement is to open up as much of government procurement as possible to international competition. It is designed to make laws, regulations, procedures and practices regarding government procurement that is covered by the Agreement more transparent and to ensure they do not discriminate against the products or suppliers of other GPA Parties.

Currently, the Agreement covers forty-one WTO Members, namely: Canada; the European Union, with its 27 member States; Hong Kong, China; Iceland; Israel; Japan; Korea; Liechtenstein; the Kingdom of the Netherlands with respect to Aruba; Norway; Singapore; Switzerland; Chinese Taipei and the United States.

Other WTO Members that are in the process of negotiating their accession to the Agreement on Government Procurement are Albania, China, Georgia, Jordan, the Kyrgyz Republic, Moldova, Oman and Panama. A further five WTO Members, namely Croatia and the Former Yugoslav Republic of Macedonia, Mongolia, Saudi Arabia and the Ukraine, have provisions regarding accession to the Agreement in their respective Protocols of Accession to the WTO.

WTO Waiver on MFN Exception for Pak in the Dock

Meeting on 30 November, the WTO Council for Trade in Goods was unable to agree on a waiver for an EU package of trade concessions for Pakistan, set to enter into force on 1 January 2011. Certain countries requested additional consultations, due to concerns over impacts on their own export sectors and systemic implications for the multilateral trade system. This leaves the package of concessions in limbo at least until April 2011, when the Goods Council next convenes.

The trade concessions - covering a range of products from textiles and footwear to ethanol to dried mushrooms - had been designed to boost Pakistani imports to the EU in the wake of the flood disaster in July this year. The economy of Pakistan suffered a major setback as the catastrophe unfolded. Overall, the World Bank and the Asian Development Bank have put total losses associated with the disaster at about US\$9.7 billion. As a relief response, the European Council agreed in September "to grant exclusively to Pakistan increased market access to the EU through the immediate and time-limited reduction of duties on key imports."

Two years of duty free access

Following concerns among some of the EU member states with important textiles sectors, the European Council finally agreed on a watered-down version of the original package in November this year. The final package of concessions comprises two years of duty-free access for 75 tariff lines accounting for 27 percent of Pakistani exports to the EU - mainly in the textiles sector - worth about €900 million in import value.

These concessions could be extended for another year following an assessment. The deal included certain conditions, such as quotas on eight of the tariff lines, which are deemed sensitive and for which duty-free access would be suspended if imports grew by more than 20 percent. As well, a general safeguard mechanism would be put in place to counter any major import surges.

The EU the presented package at the Goods Council, stressing that it had taken into consideration possible implications for other developing countries, and noting that the measures were time-bound.

A number of countries, including the US, Mauritius on behalf of the ACP Group, China,

Saudi Arabia, Kuwait, Chile, Turkey, Uganda, Colombia, Norway, and Zambia supported a waiver for the EU measure. However, India, Vietnam, Bangladesh, and Peru opposed granting a waiver. They were concerned both about systemic implications of such a waiver for the multilateral trade system and effects on exports from other developing countries with interests in the same tariff lines. These countries suggested initiating consultations on the topic, and were supported on this by others, including Brazil, Barbados, Taiwan, and Hong Kong.

Measure is flawed: India

India raised numerous concerns at the Goods Council, including with regard to the "collateral" impact on exports in the tariff lines covered by the waiver from other least developed and developing countries. India also pointed out that the measures may not benefit the areas of Pakistan actually hit by the floods, but rather other areas of the country, where most of the textiles industry is located, and said that such temporary measures would not attract foreign direct investment.

India pointed to complexities that had not been fully explored, such as the impact of higher-than-usual cotton prices on the world market and implications for downstream producers in Pakistan. As such, India felt the issue had to be further consulted on. Reportedly, the Indian ambassador said at the meeting that "India considers EU's proposal indeed a noble gesture, but we have to look into greater details and require deeper analysis regarding its impact on the multilateral trade regime and competing economies."

Apprehensive of the potential competition, apparel exporters in Bangladesh - which enjoy duty-free access to the EU under the General System of Preferences - welcomed the deadlock at the Goods Council. Bangladeshi newspaper The Financial Express quoted a high-level official at the Ministry of Foreign Affairs saying "We are relieved now as the CTG meeting of WTO rejected the proposal of EU to provide Pakistan with waiver facility under MFN (Most Favoured Nations) criteria."

Consultations will continue among interested parties. The next meeting of the Goods Council will take place in April 2011.

Exports at IGI Airport Held Up

Due to up gradation of computers from 1.0 to 1.5, the EDI work at IGI Airport is held up since the last week of November. The work was done only manually at a very slow speed and very few export shipments could be processed. Now a subsidiary of GMR called CELEBI has issued a circular requesting not to bring any export cargo at Airport because 700 tonnes is the back log they cannot handle.

This is the last opportunity to send Christmas Orders from India and any delay will hardly hit the exporters and buyers may not even pay for the goods due to late arrivals, Exporters are in a very panic situation and they are running from pillar to post for sending their cargo. It is a matter of shame that even after paying a high Air Freight Charges the export shipments cannot be flown out of the country. There will be loss of crores of rupees. Mr. S.P. Agarwal, President, Delhi Exporters Association has already brought it in the notice of Chief Commissioner Customs and the Minister of Civil Aviation Mr. Praful Patel and Secretary Civil Aviation seeking immediate relief to bring situation to normal.

Ag Negotiators Prepare to Kick-start Doha Talks in January

After successive breakdowns, Geneva-based trade negotiators are preparing for a new push for an agreement in the WTO's long-struggling Doha Round of trade talks starting January.

WTO Director-General Pascal Lamy announced last week that governments had signaled that they want to try once again to reach an accord, this time by the end of 2011. He announced an intensive schedule of negotiations for the months ahead, with talks on rules and intellectual property issues to start on 10 January, followed a week later by agriculture, industrial goods and services. A key goal is to have updated draft negotiating texts in every area of the negotiations by the end of March.

At an agriculture committee meeting open to all delegations this Monday, New Zealand Ambassador David Walker, the chair of the farm trade negotiations echoed Lamy's call for revised texts in the first quarter of 2011. He emphasised that the drafting of the new agriculture text would have to be a 'bottom-up' process, reliant on the members themselves making new compromise proposals.

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14-Dec-10	45.1200	45.1850	45.0575	45.0825	45.0825	713948	1831736	826505	45.0100
13-Dec-10	45.2900	45.4025	45.2375	45.2725	45.2725	705686	1959546	887805	45.2500
10-Dec-10	45.3475	45.5100	45.1675	45.2100	45.2100	720874	2191322	993133	45.2200
9-Dec-10	45.2725	45.4825	45.1475	45.4025	45.4025	713511	2221710	1006954	45.1700
8-Dec-10	45.0000	45.3425	45.0000	45.2525	45.2525	733248	2551664	1154701	45.1200
7-Dec-10	45.0700	45.0700	44.8325	44.8600	44.8600	756346	2427224	1091210	44.8400

[Source: NSE and RBI Website]

Dumping Investigation Initiated on Melamine from EU, Japan, Iran and Indonesia

[Ref: F.No. 14/35/2010-DGAD dated 7th December 2010]

Subject: Initiation of anti-dumping investigation concerning imports of Melamine in India from European Union, Iran, Indonesia and Japan.

Whereas M/s. Gujarat State Fertilizers and Chemicals Ltd., Vadodra (herein after also referred to as applicant or petitioner) has filed an application before the Designated Authority (hereinafter referred to as the Authority), in accordance with the Customs Tariff Act, 1975 as amended in 1995 (herein after referred to as the Act) and Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (herein after referred to as the Rules), alleging dumping of melamine (herein after also referred to as subject goods) originating in or exported from European Union, Iran, Indonesia and Japan (herein after also referred to as "subject countries") and requested for initiation of Anti Dumping investigations for levy of anti dumping duties on the subject goods.

1. Product under Consideration

The product under consideration in the present petition is Melamine, a tasteless, odorless, and non-toxic substance. Melamine formaldehyde resin is used for laminates as it offers good hardness, resistance to scratch, stain, water and heat. Laminates used in some electrical applications possess high mechanical strength, good heat resistance and good electrical insulating properties. Asbestos filled Melamine resins possess very high dielectric strength and high resistance. Beside the best dimensional stability, Melamine Formaldehyde moulding powder gives clear and bright colors, easily moldable and offers resistance to surface scratching.

Melamine is reacted with formaldehyde and made into resins or moulding powder for making innumerable products of beauty and utility. Melamine is used for making melamine formaldehyde, which in turn is used in producing downstream products.

The subject goods is classified under chapter 29 of the Customs Tariff Act at subheading no. 29336100. The customs classification is however is for reference purpose only and will have no binding on the scope of the present investigation.

2. Like Article

The applicant has claimed that there are no known differences in subject goods produced by the petitioner and exported from subject countries. Both products have comparable characteristics in terms of parameters such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification, etc. The goods produced by the domestic industry are comparable to the imported goods from subject countries in terms of essential product properties. The goods

offered by the domestic industry are like article to the goods imported from subject countries.

3. Domestic Industry Standing

The present petition is filed by M/s Gujarat State Fertilizers and Chemical Ltd (GSFC). The petitioner has stated that they have made imports at the time of their production disruption to facilitate requirements of its small customers, who wished the petitioner to import the material and supply the same. It has been submitted by the applicant that bill of entry for these imports for customs clearance were not filed by them. Further, the imports made by the petitioner constituted approx 11.78 % of its production, 7.44% of total imports and 4.57% of consumption in India during the POI. The Authority has examined the matter and it holds that the Petitioner is not a trader per se and is not resorting to imports in order to take advantage of dumping. The Authority is of the view that the focus of GSFC has not turned to imports and the company is not behaving like an importer trader. The focus of the company continues to be a producer and do its own production.

It is noted that the Petitioner is the sole producer of Melamine in India. The Authority after examining the information on record determines that the applicant constitutes domestic Industry within the meaning of the Rule 2 and the application satisfies the criteria of standing in terms of Rule 5 of the Rules supra.

4. Country Involved

The countries involved in the present investigation are European Union, Iran, Indonesia and Japan.

5. Normal Value

The applicant has constructed the normal values of subject goods in respect of subject countries stating that they are not able to get any documentary evidence or reliable information with regard to domestic prices in the subject countries and the same is also not available in the public domain. The Authority has prima-facie considered the normal value of subject goods in subject countries on the basis of constructed cost of production including selling, general and administrative overheads and reasonable profit for subject countries.

There is sufficient prima facie evidence with regard to normal values claimed by the petitioner.

6. Export Price

Export price of the subject goods from the subject countries has been determined by considering transaction-wise import data collected from Secondary Sources. Adjustments have been made on account of ocean freight, marine insur-

ance, commission, and port expenses etc. in the exporting country to arrive at ex-factory export price. There is sufficient prima facie evidence with regard to export price claimed by the petitioner.

7. Dumping Margin

Normal value and export price has been compared at ex-factory level, which shows significant dumping margin in respect of the subject countries. There is sufficient evidence that the normal value of the subject goods in subject countries is significantly higher than the ex-factory export price indicating, prima facie, that the subject goods are being dumped by exporters from subject countries into the Indian market.

8. Injury and Causal Link

The applicant has furnished information on various parameters relating to material injury. Analysis of the information shows that imports from subject countries have increased in the period of investigation in absolute term as also in relation to production and consumption in India. Various economic parameters like the loss in market share, significant decline in the profitability of the domestic industry, significant deterioration in return on investment and cash profit, prima facie, indicate collectively and cumulatively that the domestic industry have suffered material injury on account of dumped imports of subject goods from subject countries.

9. Initiation of Anti Dumping Investigations

The Designated Authority, in view of the foregoing paragraphs, finds that sufficient prima facie evidence of dumping of the subject goods from the subject countries, injury to the domestic industry and causal link between the dumping and injury exist. The Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty which, if levied, would be adequate to remove the injury to the domestic industry.

10. Period of Investigation (POI)

The applicant had proposed April-09 to March-10 as period of investigation and provided relevant information for this period in the petition. After analyzing the data, the Authority has found it appropriate to extend the proposed period and has considered April-09 to June-10 (15 months) as period of investigation for the present investigation. The injury investigation period will however be 2006-07,2007-08, 2008-09, 2009-10 and POI.

11. Submission of Information

The exporters in the subject country, Governments through the Embassies, the importers in India known to be concerned with this investigation and the domestic industry are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority at the following address:

The Designated Authority
Directorate General of Anti Dumping & Allied
Duties, Ministry of Commerce & Industry,
Department of Commerce, Government of In-
dia, Room No. 243, Udyog Bhavan,
New Delhi – 110011.

As per Rule 6(5) of Rule supra, the Designated Authority is also providing opportunity to the industrial users of the article under investigation and to representative consumer organizations, who can furnish information relevant to the investigation regarding dumping, injury and causality. Any other interested party may also make its submissions relevant to the investigation within the time limit set out below.

12. Time Limit

Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication of this notification. The known exporters and importers, who are being addressed separately, are however required to submit the information within forty days from the date of the letter

addressed to them separately.

13. Submission of Information

In terms of Rule 6(7) of the Rules, the interested parties are required to submit non-confidential summary of any confidential information provided to the Authority and if in the opinion of the party providing such information, such information is not susceptible to summarization, a statement of reason thereof, is required to be provided. In case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Designated Authority may record findings on the basis of facts available and make such recommendations to the Central Government as deemed fit.

14. Inspection of Public File

In terms of Rule 6(7), the Designated Authority maintains a public file. Any interested party may inspect the public file containing non-confidential version of the evidence submitted by interested parties.

dentistry. Morpholine is used in several direct and indirect food additive applications. Morpholine is used by the cosmetic industry also.

The product falls under customs classification 2933.39.17. It has, however, been contended that Morpholine has been imported under several Customs Tariff-head's classifications. Thus, the Customs classification is indicative only and is in no way binding on the scope of the present investigation.

Like Articles

5. The applicant has claimed that the subject goods, which are being dumped into India, are identical to the goods produced by the domestic industry. There are no differences either in the technical specifications, quality, functions or end-uses of the dumped imports and the domestically produced subject goods. The two are technically and commercially substitutable and hence should be treated as 'like article' under the AD Rules.

Therefore, for the purpose of the present investigation, the subject goods produced by the applicant in India is being treated as 'Like Article' to the subject goods being imported from the subject countries.

Subject Countries

6. The countries/territory involved in the present investigation are China PR, European Union and USA.

Normal value for China PR

The Applicant has submitted that China PR is a NME. Further, Normal value could not be determined on the basis of price or constructed value in a market economy third country by them for the reason that the relevant information is not available to the Applicant. It has been further submitted that India is an appropriate surrogate country for Chinese producers. For the purposes of initiation, the Normal value claims have been moderated by resorting to the Constructed method of determination of Normal value for exporters/producers from China PR.

Normal value for EU and USA

7. The applicant has constructed the normal values in respect of subject countries stating that neither they were able to get any documentary evidence or reliable information with regard to domestic prices of the subject goods in the subject countries nor the same are available in the public domain. The Authority has prima-facie considered the normal value of subject goods in subject countries on the basis of constructed values as made available by the applicants for the purpose of this initiation.

Export Price

8. The applicant has claimed export prices on the basis of data obtained from IBIS. Price adjustments have been allowed on account of Ocean Freight, Marine Insurance, Inland Freight and Port expenses to arrive at the net export price.

Dumping Margin

9. The applicant has provided sufficient evidence that the normal values of the subject goods in the subject countries are significantly

Dumping Investigation Initiated on Morpholine from China, EU and USA

[Ref: F.No.14/41/2010-DGAD dated 7th December 2010]

Subject: Initiation of Anti-Dumping Duty investigation concerning imports of 'Morpholine' originating in or exported from China PR, European Union and USA.

M/s. Balaji Amines Ltd., has filed an application before the Designated Authority (hereinafter referred to as the Authority) in accordance with the Customs Tariff Act, 1975 as amended from time to time (hereinafter referred to as the Act) and 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 AD Rules) for initiation of Anti-Dumping Duty investigation concerning imports of 'Morpholine' (hereinafter also referred to as the subject goods) originating in or exported from China PR, European Union and USA (hereinafter also referred to as the subject countries).

2. AND WHEREAS, the Authority finds that sufficient evidence of dumping of the subject goods originating in or exported from the subject countries, 'injury' to the domestic industry and causal link between the alleged dumping and 'injury' exist to justify initiation of an anti-dumping investigation; the Authority hereby initiates an investigation into the alleged dumping, and consequent injury to the domestic industry in terms of the Rules 5 of the AD Rules, to determine the existence, degree and effect of any alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the 'injury' to the domestic industry.

Domestic Industry & 'Standing'

3. The Application has been filed by M/s. Balaji Amines Ltd. on behalf of the domestic industry. As per information available on record, M/s. Balaji Amines Ltd. is the sole producer of the subject goods in India. Thus, the production of M/s. Balaji Amines Ltd. accounts for a major

proportion of the total domestic production of the like article and is more than 50% of Indian production of the like article. The application thus satisfies the requirements of Rule 2(b) and Rule 5(3) of the AD Rules.

Further, M/s. Balaji Amines Ltd. is proposed to be treated as "domestic industry" within the meaning of Rule 2(b) of the AD Rules.

Product under consideration

4. The product under consideration is 'Morpholine'. It has been stated that Morpholine is an extremely versatile chemical and is used as a chemical intermediate in the rubber industry, in corrosion control, and in the synthesis of a large number of drugs. It is also used for crop protection agents, dyes and optical brighteners. Morpholine is a solvent for a large variety of organic materials, including resins, dyes and waxes. It can be used as a catalyst.

Morpholine is used in the in toiletry and cosmetic products at concentrations up to 5% (Cosmetic Ingredient). It can be use for in the several direct and indirect food additive applications. Morpholine is used as intermediates for rubber accelerators and as corrosion inhibitor in steam boiler systems. It is used for optical brighteners in detergent formulations. Morpholine derivatives are used in rubber vulcanization, stabilization and the manufacture of special high-speed tyres. Morpholine may be released during rubber processing. Morpholine has volatility similar to water. Morpholine derivatives such as N-methylmorpholine and N-ethylmorpholine are used as Catalysts for the production of polyurethane foams. Morpholine derivatives are also used as analgesics and local anesthetics, antibiotics, antimycotics and for plaque control in

higher than the net export prices, prima-facie indicating that the subject goods originating in or exported from the subject countries are being dumped, to justify initiation of an antidumping investigation.

Injury and Causal Link

10. The applicant has furnished evidence regarding the 'injury' having taken place as a result of the alleged dumping in the form of increased volume of dumped imports, price undercutting, price suppression and decline in profitability, return on capital employed and cash flow for the domestic industries. There is sufficient evidence of the 'injury' being suffered by the applicant caused by dumped imports from subject countries to justify initiation of an antidumping investigation.

Period of Investigation

11. The period of investigation (POI) for the purpose of present investigation is **1st July 2009 to 30th June 2010 (12 months)**. The injury investigation period will however cover the periods April 2006-March 2007, April 2007-March 2008, April 2008-March 09, April 2009-March 2010 and the POI. For threat of material injury, the data beyond the POI would also be examined.

Submission of information

12. The known exporters in the subject countries and their Governments through their Embassies in India, importers and users in India known to be concerned and the domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other interested party may also make its submissions relevant to the investigation within the time-limit set out below and write to:

The Designated Authority,
Directorate General of Anti-Dumping & Allied Duties, Ministry of Commerce & Industry,
Department of Commerce, Room No.243,
Udyog Bhawan, New Delhi -110107.

Time limit

13. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the 'facts available' on record in accordance with the AD Rules.

Submission of Information on Non-Confidential basis

14. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2) of the AD Rules for the confidential information provided as per Rule 7 (1) of the AD Rules. The non-confidential version or non-confidential summary of the confidential information should be in sufficient detail to provide a meaningful understanding of the information to the other interested parties. If in the opinion of the party providing information, such information is not susceptible to summary; a statement of reason thereof is required to be provided.

Notwithstanding anything contained in para above, if the 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 authorise its disclosure in a generalised or summary form, it may disregard such information.

Inspection of Public File

15. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

Non-cooperation

16. In case any interested party refuses access to and otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Governments as deemed fit.

Corrigendum to F.No. 14/55/2009-DGAD dated 6 December 2010

Subject: Anti-dumping investigation concerning imports of seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron), whether hot finished or cold drawn or cold rolled, of an external diameter not exceeding 273 mm or 10", originating in or exported from China PR.

1. Attention is invited to the Investigation Termination Notification No. 14/55/2009-DGAD dated 18.11.2010, issued by the Designated Authority, in respect of the subject anti-dumping investigation as stated above.

2. Necessitated because of typographical error, the following partial modifications are caused thereof:

- i) In Section A Para 3. Sl. No. (xii), (xi), (xii), (xiii), (xiv) and (xv) to be read as (xi), (xii), (xiii), (xiv), (xv) and (xvi), and;
- ii) In Section C the title "Recommendation" to be read as "Order".

Saw Ltd.

2. AND WHEREAS, the Authority on the basis of sufficient evidence submitted by the applicants issued a public notice dated 12th January, 2010 published in the Gazette of India, Extraordinary, initiating Anti-Dumping investigations concerning imports of the subject goods, originating in or exported from the subject country, in accordance with the sub-Rule 5(5) of the Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which, if levied would be adequate to remove the injury to the domestic industry.

A. Procedure

3. Procedure described below has been followed with regard to this investigation after issuance of the public notice notifying the initiation of the above investigation by the Authority.

(i) The Embassy of the subject country in New Delhi was informed about the initiation of the investigations in accordance with Rule 6(2).

(ii) The Designated Authority sent copies of initiation notifications dated 12th January 2009 to the embassy of the subject country in India, known exporters from the subject country, known importers and other interested parties, and the domestic industry, as per the information available with it. Parties to this investigation were requested to file questionnaire responses and make their views known in writing within prescribed time limit. Copies of the letter, petition and questionnaire sent to the exporter were also sent to the Embassy of subject country along with a list of known exporters/ producers with a request to advise the exporters/producers from the subject country to respond to the questionnaire within the prescribed time.

(iii) Copy of the non-confidential version of the petition filed by the domestic industry was made available to the known exporters and the Embassy of the subject country in accordance with Rules 6(3) supra.

Anti-dumping Investigation on Seamless Steel Tubes from China Terminated

Domestic Industry Produces Insufficient Data on Injury to DGAD

[Ref: F.No. 14/55/2009-DGAD dated 18th November 2010]

Sub: Anti-dumping investigation concerning imports of seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron), whether hot finished or cold drawn or cold rolled, of an external diameter not exceeding 273 mm or 10", originating in or exported from China PR.

Having regard to the Customs Tariff Act 1975 as amended in 1995 (hereinafter referred to 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, (hereinafter referred to as the Rules) thereof:

1. Whereas M/s ISMT Ltd., Pune (hereinafter referred to as the applicant) has filed an application before the Designated Authority (hereinafter referred to as the Authority), in accordance with the Act, and the Rules, alleging

dumping of seamless tubes, pipes & hollow profiles of iron, alloy or non-alloy steel (other than cast iron), whether hot finished or cold drawn or cold rolled, of an external diameter not exceeding 273 mm or 10", (hereinafter referred to as subject goods), originating in or exported from China PR, (hereinafter referred to as subject country) and requested for initiation of Anti-Dumping investigation for levy of anti dumping duty on import of the subject goods. The application is supported by M/s Maharashtra Seamless Ltd. and Jindal



(iv) Questionnaires were sent to the known producers/exporters from subject country in accordance with the rule 6(4) to elicit relevant information. Responses to exporter's questionnaire have been received from the following producers/exporters of the subject goods from the subject country:

- a. M/s. Hengyang Valin Steel Tube Co., Ltd.
- b. M/s. Hengyang Steel Tube Group International Trading Inc.
- c. M/s. Hengyang Valin MPM Co. Ltd.
- d. M/s. Wuxi Seamless Special Pipe Co., Ltd.
- e. M/s. Xigang Seamless Steel Pipe Co. Ltd.
- f. M/s. Jiangsu Chengde Steel Tube Share Co. Ltd.
- g. M/s. Yangzhou Chengde Steel Tube Co., Ltd.
- h. M/s. Kirtanlal International Dmcc., Dubai
- i. M/s. Venus International Fze, Dubai
- j. M/s. Pangang Group Chengdu Steel & Vanadium Co. Ltd.
- k. M/s. Baoshan Iron and Steel Co Ltd.
- l. M/s. Baosteel Singapore Pte. Ltd.
- m. M/s. Yantai Lubao Steel Pipe Co Ltd.
- n. M/s. Jiaying Metal Trade Co. Ltd.
- o. M/s. Mertex UK Limited, UK
- p. M/s. Shandong Molong Petroleum Machinery Co Ltd.
- q. M/s. Yangzhou Lontrin Steel Tube Co Ltd.
- r. M/s. Linyi Sanyuan Steel Pipe Industry Co. Ltd.
- s. M/s. Ningbo Yongxin Steel Tube Co Ltd.
- t. M/s. Ningbo Yongxin Import & Export Co Ltd.
- u. M/s. Changshu Seamless Steel Tube Co Ltd.
- v. M/s. Zhangjiagang City Yiyang Pipe Producing Company Ltd
- w. M/s. Zhangjiagang City Yiyang Import And Export Trading Company Ltd
- x. M/s. Zhangjiagang Yichen Steel Tube Co., Ltd
- y. M/s. Tianjin Pipe International Economic And Trading Corporation
- z. M/s. Tianjin Pipe Group Corporation
- aa. M/s. Hubei Xinyegang Steel Company Ltd
- bb. M/s. Wenzhou Jiangnan Steel Pipe Manufacturing Co. Ltd.
- cc. M/s. Huadi Steel Group Co. Ltd.
- dd. M/s. Zhejians Tsingshan Steel Pipe Co. Ltd.
- ee. M/s. Baofeng Steel Group Co. Ltd.
- ff. M/s. Zhejiang Jinxin Stainless Steel Manf. Co. Ltd.
- gg. M/s. Huzhou Jiuli Piercing Co. Ltd.
- hh. M/s. Zhejiang Jiuli Hi-tech Metals Co. Ltd.
- ii. M/s. Huzhou Jiuli Hot-extrusion Co. Ltd.
- jj. M/s. Jiuli Group Co. Ltd., China
- kk. Jiangsu Huacheng Pipes Making Industry Corporation, China

(v) Submissions were also made by The China Iron and Steel Association in response to the initiation notification.

(vi) Questionnaires were sent to the known importers and consumers of subject goods in

India calling for necessary information in accordance with Rule 6(4). Responses to the Importer's questionnaire have been received from M/s. Rama Cylinders Pvt. Ltd., M/s. BHEL, Tiruchirappalli and M/s. G.B. Engineering Enterprises Pvt. Ltd., Tiruchirappalli.

(vii) Submissions were also made by the following importers/users of the subject goods in India:

- a. M/s. Pranali Industrial Services Pvt. Ltd., Ahemdabad
- b. M/s Metal & Stainless Steel Merchant's Association, Mumbai
- c. M/s. Krystal Steel Manufacturing Pvt. Ltd., Mumbai
- d. M/s. Rama Cylinders Pvt. Ltd., Mumbai
- e. M/s. Maruti Koatsu Cylinders Ltd., Mumbai
- f. M/s. PTC Alliance Precision Products (Asia) Private Ltd., Chennai
- g. M/s. Sainest Tubes Pvt. Ltd., Ahemdabad
- h. M/s. L&T Komatsu Ltd., Mumbai
- i. M/s. Ratnadeep Metal & Tubes Ltd., Mehsana
- j. M/s. Gujarat Infrapipes Pvt. Ltd., Baroda
- k. M/s. Cethar Vessels Ltd., Tiruchirappalli
- l. M/s. Heavy Metal & Tubes Ltd., Ahemdabad
- m. Tamilnadu Boilers and Components Manufacturers' and Users Association, Tiruchirappalli
- n. M/s. G.B. Engineering Enterprises Pvt. Ltd., Tiruchirappalli
- o. M/s Bharat Petroleum Corporation Limited, Kochi Refinery
- p. M/s ISGEC, Yamunanagar, Haryana

(viii) Request was made to the Directorate General of Commercial Intelligence and Statistics (DGCI&S) to arrange details of imports of subject goods for the past three years, including the period of investigation;

(ix) The Authority made available non-confidential version of the evidence presented by various interested parties in the form of a public file kept open for inspection by the interested parties;

(x) The Authority initiated the investigation with Non-Market Economy presumptions in respect of People's Republic of China in terms of para 8 of Annexure I to the Rules and provided an opportunity to the country concerned and the exporters from the subject country to rebut the said presumption under the said Rule.

(xii) The domestic industry by letter dated 10th Feb. 2010 has submitted that product scope does not include stainless steel pipes & tubes. The same information was made available in the public file maintained by the Authority.

(xi) Request was made to M/s Maharashtra Seamless Ltd. to submit the costing and injury information of subject goods vide letter 26th April 2010, reminded vide letter dated 3.5.2010, 13.7.2010 and 17.8.2010. Request was also made to M/s Jindal Saw Ltd, the other supporter of the application, vide letter dated 3rd May 2010, 17.8.2010 and reminded vide letter dated 13.7.2010 to submit the costing and injury information of subject goods, but they failed to sub-

mit the required information in the prescribed format. The applicant was also requested to arrange for the data of their supporters vide letter 17.8.2010, reminded on 27.8.2010, they did not.

(xii) M/s Maharashtra Seamless Ltd. vide their letter dated 23rd August 2010 provided only partial and limited information including costing data, but not in the prescribed format and without covering the entire injury period. Despite allowing additional time to M/s Jindal Saw Ltd, on their request, no data was received from them.

(xiii) The confidentiality claims of various interested parties in respect of the data submitted by them have been examined. The information, which is by nature confidential or which has been provided on a confidential basis by the interested parties, along with non-confidential summary thereof, has been treated confidential.

(xiv) Investigation period ranges from 1st April 2008 to 30th June, 2009 (POI). The examination of trends, in the context of injury analysis, covered the periods April 2005-March 2006, April 2006-March 2007, April 2007-March 2008 and the POI.

(xv) ***in this notification represents information furnished by an interested party on confidential basis, and so considered by the Authority under the Rules.

B. Examination by the Authority

4. The application for imposition of anti-dumping duty on the imports of the subject goods originating in or exported from the subject country was filed by M/s ISMT Ltd, Pune. The domestic industry had furnished support letter from M/s Maharashtra Seamless Ltd and M/s Jindal Saw Ltd, claiming their support for the application. The applicant domestic industry M/s ISMT Ltd, Pune holds only about 27% of the share of the domestic production and the majority balance by the supporting companies, at the time of initiation of subject investigation. The supporters have not submitted complete costing and injury information in the prescribed format for the entire injury period including the POI and other required information/data/documents despite repeated requests by the authority.

5. Due to non-submission of complete costing and injury information by the major producers of the subject goods in the country, any analysis by the Authority basing on such information may not reflect the actual injury to the domestic industry and the causal link between the alleged dumping of the subject goods from the subject country and the alleged injury to the domestic industry cannot be established.

6. After repeated reminders, M/s Maharashtra Seamless Ltd, the major producer of the subject goods in the country and supporter of the subject application, has provided some limited and partial information including costing data.

7. The analysis of limited and partial data submitted by M/s Maharashtra Seamless Ltd, the major producer of the subject goods in India and supporter of the application, does not show any injury from the alleged dumped imports of the subject goods from the subject country. In absence of complete information for the injury period including POI from the major producers of the subject goods in the country, the com-

bined analysis for determination of injury over the injury period for the established industry for the subject goods in India, cannot be carried out. In view of the above position the Authority observes that sufficient evidence of material injury cannot be established to justify continuation of the subject investigation as per the Rules.

Sunset Review Initiated on Silk Fabric from China – DGAD Calls for Injury and Dumping Data

[Ref: F.No. 15/24/2010-DGAD dated 6th December 2010]

Subject : Initiation of Sunset review of Anti-dumping duty imposed on imports of Silk Fabric of weight 20 -100 gms per meter originating in or exported from China PR.



Having regard to the Customs Tariff Act, 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Designated Authority (hereinafter referred to as the Authority) recommended imposition of Anti Dumping Duty on imports of Silk Fabric originating in or exported from China PR (hereinafter referred to as subject country). The final findings notification of the Authority was published vide notification No. 14/20/2004-DGAD dated 15th November, 2006. On the basis of the findings, anti dumping duties on the subject goods imported from the subject country were imposed by the Department of Revenue vide notifications No. 121/2006-Customs dated 26.12.2006.

2. Initiation of Sunset Review

WHEREAS in terms of Section 9A(5) of the Customs Tariff (Amendment) Act 1995 the anti-dumping duties imposed, shall unless revoked earlier, cease to have effect on expiry of five years from the date of such imposition and the Authority is required to review, whether the expiry of duty is likely to lead to continuation or recurrence of dumping and injury. In this regard, Hon'ble Delhi High Court in WP No 16893 of 2006 held that sunset review is mandatory. Therefore, pursuant to the above orders of the Hon'ble High Court, the Designated Authority hereby initiates sunset review in accordance with section 9A(5) of the Act read with Rule 23 of Antidumping Rules to examine whether cessation of the duty would lead to continuation or recurrence of dumping and injury.

3. Product under Consideration

The product involved in the present investigation is Silk Fabric of weight 20 -100 gms per meter produced in the power looms only (hereinafter also referred to as subject goods). As was indicated in the Final Finding vide Notification No.14/20/2004-DGAD dated 15th November, 2006, only silk fabrics produced by power looms are covered in the product under consideration and not the fabrics produced in the hand loom sector. Silk fabric is produced from the basic raw material- raw silk, which is drawn from silk cocoons. The subject good is classified under Heading 5007 of the Customs Tariff Act and generally gets covered under Sub-heading 5007 9000. The subject goods are cleared under Sub-headings 50071000, 50072000, 50072010 and 50072090 of the Customs Tariff

C. Recommendation

8. Therefore, under the Provisions of Rule 14(b) supra the Designated Authority hereby terminates the subject investigation which was initiated vide Notification No. F.NO. 14/55/2009-DGAD dated 12th January, 2010.

Act. However, the customs classification is indicative only and in no way binding on the scope of the subject investigation.

4. Procedure

I) The investigation will determine whether the expiry of the measure would be likely to lead to continuation or recurrence of dumping and injury. The Authority will examine whether the continued imposition of the duties is necessary to offset dumping and whether the injury would be likely to continue or recur if the duty were removed or varied, or both:-

i. The review will cover all aspects of Notification 14/20/2004-DGAD dated 15th November, 2006. The country involved in this review investigation is China PR.

ii. The Period of Investigation (POI) for the purpose of the present review is from 1st April, 2009 to 30th June, 2010 (15 months). The injury investigation period will however cover the periods, April 2006 to March 2007, April 2007 to March 2008 and April 2008 to March 2009 and the proposed POI.

iii. The provisions of Rules 6, 7, 8, 9, 10, 11, 16, 17, 18, 19 and 20 of the Rules supra shall be mutatis mutandis applicable in this review.

II) Submission of Information

The Domestic industry is required to submit information on prescribed *pro forma* (Application for Domestic industry) and information on likelihood of continuance or recurrence of dumping and injury or both substantiating the need for continuation of duty within forty days (40 days) of issue of this notification.

The exporters in subject country, their government through their Embassy in India, the importers and users in India known to be concerned would be addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Authority in the following address:

The Designated Authority
Directorate General of Anti-Dumping and Allied Duties, Ministry of Commerce and Industry
Department of Commerce, Room No. 243
Udyog Bhavan, New Delhi-110011.

Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below. Any party making any confidential submission before the Authority is required to make a non-confidential version of the same available to the other parties.

III) Time Limit

On receipt of information from domestic industry, all interested parties, whose addresses are available, would be advised through a letter to offer their comments in writing so as to reach the Authority at the address mentioned above not later than forty days (40 Days) from the date of issuance of such letter. Any other interested party, whose address is not available, may also submit comments/ information within 40 days from the date of application from Domestic industry. For this purpose non confidential version of the application would be placed in the public file. If no information is received within the prescribed time limit or the information received is incomplete, the Designated Authority may record its findings on the basis of the facts available on record in accordance with the Rules supra.

IV) Inspection of Public File

In terms of Rule 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties. In case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

DGFT Allows Samples Import upto Rs. 3,00,000 for All Exporters Subject to Customs Notification Conditions

Subject: Amendment in Paragraph 2.27 of Handbook of Procedures, Vol.I, 2009-2014(RE 2010) regarding import of samples.

17-PN(RE) In exercise of the powers conferred under Paragraph 2.4
06.12.2010 of the Foreign Trade Policy, 2009-14, the following
(DGFT) amendment is being made in Para 2.27 of Handbook of Procedures, Vol. I, 2009-2014(RE 2010) in view of Customs Notification No. 16 dated 27.02.2010:

Paragraph	Existing Text	Amended Text
Second sub-para of Para 2.27 of HBP Vol.I 2009-14	Duty free import of samples upto Rs. 100,000 for all exporters (Rs 3,00,000 for gems and jewellery sector) shall be allowed as per terms and conditions of Customs Notification.	Duty free import of samples upto Rs. 3,00,000 for all exporters shall be allowed as per terms and conditions of Customs Notification.

Effect of Public Notice

- (I) All the exporters will be able to import duty free samples upto Rs.3,00,000/-. Earlier only gems and jewellery sector was allowed this benefit, for the rest the limit was Rs. 1,00,000/-
- (II) This harmonises the HBP with Customs notification of 27.2.2010.

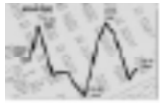
World Bank Pinksheet issued in December 2010 covers price movements in 43 energy and non-energy products. This Pink Sheet focuses on price movements in November 2010.

Commodity Prices in November on the Rise

- Crude and Coal on the rise. Natural gas up.
- Cocoa down. Coffee and Tea up.
- Copra and Coconut oil up. Edible oils on the rise.
- Thai Rice up, Maize, Sorghum and Barley up.
- Wheat up. Bananas, US up and Oranges down.
- Meat up and Fishmeal down.
- World Sugar on the rise.
- Logs down, Plywood up, and Sawnwood, Malaysia up.
- Woodpulp down.
- Cotton and Rubber up.
- DAP, TSP and Urea up. Phosphate rock steady. Potassium Chloride up.
- Gold and Silver on the rise.
- Iron ore steady. Aluminium, Lead, Nickel, Tin and Zinc down. Copper up.
- Steel products down. Steel sheets steady.



	Monthly averages			Quarterly averages					Annual averages		
	2010			2009		2010			2008	2009	2010
	Sep	Oct	Nov	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Jan-Dec	Jan-Dec	Jan-Nov
Energy											
Coal, Australia \$/mt	94.88	97.45	102.75	71.31	77.66	95.19	99.49	93.55	127.10	71.84	96.81
Crude oil, average \$/bbl	76.12	81.72	84.53	68.21	75.50	77.06	78.18	75.51	96.99	61.76	78.04
Crude oil, Brent \$/bbl	77.79	82.92	85.67	68.37	74.97	76.65	78.69	76.41	97.64	61.86	78.53
Crude oil, Dubai \$/bbl	75.27	80.34	83.70	68.07	75.46	75.86	77.98	74.04	93.78	61.75	77.06
Crude oil, West Texas Int. \$/bbl	75.29	81.90	84.24	68.21	76.08	78.67	77.85	76.08	99.56	61.65	78.54
Natural gas Index 2000=100	150.4	144.7	151.6	123.3	149.4	170.3	147.5	155.1	267.9	153.5	155.9
Natural gas, Europe \$/mmbtu	8.28	8.29	8.59	6.91	7.81	8.84	7.51	8.26	13.41	8.71	8.25
Natural gas, US \$/mmbtu	3.90	3.43	3.73	3.17	4.36	5.15	4.32	4.28	8.86	3.95	4.40
Natural gas LNG, Japan \$/mmbtu	11.03	11.00	11.15	7.91	9.33	10.32	10.95	11.22	12.53	8.94	10.87
Beverages											
Cocoa ¢/kg	287.5	292.7	291.0	296.4	341.8	329.7	321.0	305.9	257.7	288.9	314.0
Coffee, Arabica ¢/kg	491.0	479.8	514.7	322.7	341.7	353.7	392.0	468.5	308.2	317.1	421.5
Coffee, robusta ¢/kg	179.2	188.0	202.9	160.1	156.4	150.8	161.0	183.2	232.1	164.4	170.5
Tea, auctions (3) average ¢/kg	299.6	303.5	302.8	303.6	301.9	279.0	276.4	295.1	242.0	272.4	287.1
Tea, Colombo auctions ¢/kg	334.9	337.2	338.4	356.1	338.0	335.1	316.2	322.1	278.9	313.7	326.9
Tea, Kolkata auctions ¢/kg	318.2	324.7	318.3	273.0	284.4	215.8	274.0	320.6	225.5	251.5	279.5
Tea, Mombasa auctions ¢/kg	245.8	248.5	251.8	281.7	283.2	286.1	238.9	242.7	221.8	252.0	254.9
Fats and Oils											
Coconut oil \$/mt	1,275	1,412	1,521	711	734	834	955	1,159	1,224	725	1,071
Copra \$/mt	847	947	1,013	469	491	557	634	769	816	480	713
Groundnut oil \$/mt	1,270	1,331	1,728	1,133	1,152	1,359	1,352	1,301	2,131	1,184	1,372
Palm oil \$/mt	912	987	1,120	679	732	808	813	875	949	683	872
Palmkernel oil \$/mt	1,260	1,412	1,645	700	760	922	1,034	1,161	1,130	700	1,128
Soybean meal \$/mt	396	409	430	431	412	369	342	378	424	408	373
Soybean oil \$/mt	1,042	1,157	1,250	856	921	917	876	984	1,258	849	976
Soybeans \$/mt	470	493	526	454	439	417	409	452	523	437	441
Grains											
Barley \$/mt	168.1	174.6	179.1	122.0	145.5	143.6	146.9	161.9	200.5	128.3	155.5
Maize \$/mt	205.9	235.8	238.2	151.3	167.8	162.7	157.7	181.7	223.1	165.5	180.1
Rice, Thailand, 5% \$/mt	476.5	486.0	514.5	539.0	542.3	535.3	452.4	457.0	650.2	555.0	485.0
Rice, Thailand, 25% \$/mt	448.0	457.0	477.5	441.4	462.8	477.0	399.1	418.5	n.a.	458.1	438.0
Rice, Thailand, 35% \$/mt	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.	n.a.



	Monthly averages			Quarterly averages					Annual averages		
	2010			2009		2010			2008	2009	2010
	Sep	Oct	Nov	Jul-Sep	Oct-Dec	Jan-Mar	Apr-Jun	Jul-Sep	Jan-Dec	Jan-Dec	Jan-Nov
Rice, Thai, A.1 \$/mt	412.0	428.3	427.8	309.7	346.1	400.7	333.8	376.9	482.3	326.4	381.0
Sorghum \$/mt	184.9	201.0	203.2	139.3	163.8	156.9	142.6	153.6	207.8	151.1	160.3
Wheat, Canada \$/mt	365.0	365.6	376.2	271.2	283.4	279.0	260.9	326.1	454.6	300.5	303.6
Wheat, US, HRW \$/mt	271.7	270.2	274.1	208.8	205.4	195.4	177.4	237.9	326.0	224.1	216.0
Wheat, US SRW \$/mt	276.3	267.5	278.5	165.2	195.6	193.5	186.9	253.4	271.5	186.0	222.5
Other Food											
Bananas EU \$/mt	974	1,003	1,035	1,118	1,032	1,014	1,029	933	1,188	1,145	997
Bananas US \$/mt	880	916	908	826	813	781	862	922	844	847	865
Fishmeal \$/mt	1,645	1,710	1,606	1,276	1,535	1,660	1,814	1,663	1,133	1,230	1,702
Meat, beef ¢/kg	335.1	341.2	343.9	273.2	273.5	314.2	342.4	330.9	313.8	263.6	331.6
Meat, chicken ¢/kg	175.9	173.9	171.3	173.9	165.1	167.2	173.0	176.0	169.6	171.7	172.1
Meat, sheep ¢/kg	533.4	550.3	553.6	453.3	450.1	447.6	486.8	508.0	458.5	427.6	493.8
Oranges \$/mt	1,047	1,086	907	861	1,107	1,009	1,084	1,163	1,107	909	1,069
Shrimp, Mexico ¢/kg	n.a.	1,179	1,240	970	864	827	945	n.a.	1,069	945	n.a.
Sugar EU ¢/kg	43.90	45.41	44.55	55.43	49.11	46.38	42.66	43.29	69.69	52.44	44.27
Sugar US ¢/kg	84.15	84.29	85.62	57.31	70.48	84.31	69.62	78.20	46.86	54.88	78.75
Sugar, world ¢/kg	49.63	54.26	58.09	46.98	50.29	51.82	34.93	42.94	28.21	40.00	45.58
Timber											
Logs, Cameroon \$/cum	432.0	458.9	450.2	414.9	449.5	431.4	408.0	426.3	526.9	421.5	427.8
Logs, Malaysia \$/cum	310.9	316.4	313.3	279.6	271.1	253.6	253.5	293.5	292.3	287.2	275.6
Plywood ¢/sheets	575.4	578.2	581.0	561.5	558.4	557.2	566.3	572.3	645.5	564.6	567.9
Sawnwood, Cameroon \$/cum	827.1	867.4	843.8	779.0	806.3	804.1	787.1	811.8	958.3	748.9	810.9
Sawnwood, Malaysia \$/cum	876.0	880.2	901.5	771.4	807.4	787.8	832.6	879.8	889.1	805.5	843.8
Woodpulp \$/mt	906.6	915.3	910.0	627.7	715.6	780.9	875.5	912.9	820.2	614.6	866.7
Other Raw Materials											
Cotton A Index ¢/kg	230.9	279.0	341.0	141.9	157.7	178.8	199.3	205.2	157.4	138.2	215.4
Cotton Memphis ¢/kg	234.8	284.9	349.1	148.8	172.4	183.6	200.1	215.0	161.3	145.3	220.9
Rubber RSS1, US ¢/kg	375.9	422.8	464.3	221.0	284.7	345.2	381.5	360.7	284.1	214.6	377.2
Rubber RSS3, SGP ¢/kg	353.3	392.5	430.6	199.3	256.5	318.6	372.7	337.5	258.6	192.1	355.4
Fertilizers											
DAP \$/mt	525.0	575.0	588.0	309.6	316.9	464.8	458.2	494.1	967.2	323.1	492.2
Phosphate rock \$/mt	125.0	140.0	140.0	90.0	90.0	102.1	125.0	125.0	345.6	121.7	121.5
Potassium chloride \$/mt	337.5	335.0	340.6	506.8	423.0	334.0	316.1	334.2	570.1	630.4	329.9
TSP \$/mt	428.0	455.0	463.8	224.7	235.7	316.9	357.4	389.6	879.4	257.4	373.7
Urea \$/mt	315.0	329.4	366.4	241.6	248.3	281.0	237.2	279.2	492.7	249.6	280.7
Metals and Minerals											
Aluminum \$/mt	2,162	2,347	2,333	1,812	2,003	2,163	2,096	2,090	2,573	1,665	2,157
Copper \$/mt	7,709	8,292	8,470	5,859	6,648	7,232	7,027	7,243	6,956	5,150	7,388
Gold \$/toz	1,271	1,342	1,370	960	1,102	1,109	1,196	1,227	872	973	1,210
Iron ore ¢/dmu	212.0	182.0	182.0	101.0	101.0	101.0	152.0	212.0	140.6	101.0	159.9
Lead ¢/kg	218.4	238.0	237.7	192.8	229.3	222.1	195.0	203.2	209.1	171.9	212.4
Nickel \$/mt	22,643	23,807	22,909	17,700	17,528	19,959	22,476	21,191	21,111	14,655	21,600
Silver ¢/toz	2,061	2,347	2,657	1,477	1,760	1,693	1,838	1,901	1,500	1,469	1,936
Steel products index 2000=100	235.0	234.8	233.5	210.8	207.4	211.5	241.1	232.4	289.3	227.1	229.4
Steel cr coilsheet \$/mt	850	850	850	700	700	725	838	850	966	783	813
Steel hr coilsheet \$/mt	750	750	750	600	600	625	738	750	883	683	713
Steel rebar \$/mt	530	550	550	500	522	546	621	533	760	486	564
Steel wire rod \$/mt	670	660	650	857	814	751	767	678	1,010	969	718
Tin ¢/kg	2,270	2,634	2,552	1,459	1,517	1,721	1,786	2,055	1,851	1,357	1,988
Zinc ¢/kg	215.1	237.2	229.2	176.1	221.4	228.9	202.6	201.3	187.5	165.5	215.0

\$ = US dollar; ¢ = US cent; bbl = barrel; cum = cubic meter; dmtu = Dry Metric Ton Unit; kg = kilogram; mmbtu = million British thermal units; mt = metric ton; toz = troy oz; n.a. = not available; n.q. = no quotation

Zero Service Tax on Electricity Meter Installation in Service for Transmission and Distribution of Electricity

Subject: Electricity meter installed in consumers' premises and hire charges collected – whether covered under exemption for transmission and distribution of electricity.

131-ST
07.12.2010
(DoR)

A doubt has been raised whether renting of electricity meter by a service provider rendering the service of transmission or distribution of electricity, is covered by the exemption available under Notification No. 11/2010-ST dated 27.02.2010 and/ or 32/2010-ST dated 22.06.2010.

2. The matter has been examined. It is a general practice among electricity transmission (TRANSCO) / distribution companies (DISCOM) to install electricity meters at the premises of the

consumers, to measure the amount of electricity consumed by them and 'hire charges' are collected periodically. Supply of electricity meters for hire to the consumers being an essential activity having direct and close nexus with transmission and distribution of electricity, the same is covered by the exemption for transmission and distribution of electricity, extended under the relevant notifications.

3. Trade Notice/Public Notice may be issued to the field formations accordingly.

F.No.356/13/2010-TRU

Correct Data in Import/Export Declaration

The following Public Notice was issued by the Commissioner of Customs (Import) Jawaharlal Nehru Custom House on 7th December 2010.

Subject: Data quality of information furnished by importers and exporters.

124-PN
07.12.2010

The importance of data quality is not only in levying correct duty on imports or extending appropriate incentives on exports, but also for the purposes of ensuring uniformity of assessment practices, compliance with Allied Acts and correct policy formulation. Needless to mention, poor data quality leads to bad and unethical trade practices which is detrimental to all stakeholders including importers and department and country's economy in general.

2. Jawaharlal Nehru Custom House had issued a public Notice No.42/2010 dated 07.04.2010 emphasizing the need for better data quality. The said Public Notice prescribes that full and correct information concerning the goods being imported/exported such as description, brand, model, grade, specification etc, must be filled in appropriate columns of Bill of Entry/ Shipping Bills.

3. For stakeholders' education, interactive sessions were conducted in Conference Hall of JNCH in April, 2010 and BCHAA too played significant role in this context. Subsequent to that, improvement in data quality has been no-

ticed but there is still scope and need for further improvement. Accordingly, this Customs House and BCHAA has planned to arrange jointly more numbers of interactive sessions so that the message of benefits of good data quality and legal requirement thereof is percolated to all stakeholders. The date and timings for these sessions will be intimated by BCHAA to its members.

4. All Customs House Agents are requested to depute at least one G-Card holder to attend one of these sessions for learning and assuring correct legal compliance on the subject and also to support the initiative undertaken by JNCH to improve the data quality. This program which emphasizes on legal compliance by describing correct data in Import/Export declaration is compulsory and failure to attend will lead to temporary suspension of their license till they complete this learning process. All CHA firms are requested to contact BCHAA on time so as to attend the said programme.

5. This issues with the approval of the Chief Commissioner, JNCH.

F.NO. S/22-GEN-297/2010 AM (IMP) JNCH

Export Credit of US \$72.55 mn to Laos

Sub: Exim Bank's Line of Credit of USD 72.55 million to the Government of Lao People's Democratic Republic

AP(DIR Srs)
Cir.22
03.12.2010
(RBI)

Export-Import Bank of India (Exim Bank) has concluded an Agreement dated September 13, 2010 with the Government of Lao People's Democratic Republic (Lao PDR) making available to the latter, a Line of Credit (LOC) of USD 72.55 million (USD seventy two million five hundred fifty thousand) for financing eligible goods and services including consultancy services from

India for the purpose of financing (i) 230 KV double circuit transmission line from Nabon to Thabok and substations (USD 34.68 million) and (ii) Nam Boun 2 hydropower projects (15 MW) (USD 37.86 million) in Lao PDR. The goods and services including consultancy services from India for exports under this Agreement are those which are eligible for export under the Foreign Trade Policy of the Government of India and whose purchase may be

Corrigendum to Ntnf 119/ 2010 dated 19.11.2010

[Corrigendum dated 3rd December 2010]

In the notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 119/2010-Customs, dated the 19th November, 2010 published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) vide number G.S.R. 919(E), dated the 19th November, 2010, in the first para, in the first line for the words "imports of Polypropylene" read "imports of Polypropylene excluding ter-polymer".

[F.No.354/140/2009 –TRU]

agreed to be financed by the Exim Bank under this Agreement. Out of the total credit by Exim Bank under this Agreement, the goods and services including consultancy services of the value of at least 75 per cent of the contract price shall be supplied by the seller from India, and the remaining 25 per cent goods and services (other than consultancy services) may be procured by the seller for the purpose of Eligible Contract from outside India.

2. The Credit Agreement under the LOC is effective from November 2, 2010 and the date of execution of Agreement is September 13, 2010. Under the LOC, the last date for opening of Letters of Credit and Disbursement will be 48 months from the scheduled completion date(s) of contract(s) in the case of project exports and 72 months (September 12, 2016) from the execution date of the Credit Agreement in the case of supply contracts.

3. Shipments under the LOC will have to be declared on GR / SDF Forms as per instructions issued by the Reserve Bank from time to time.

4. No agency commission is payable under the above LOC. However, if required, the exporter may use his own resources or utilize balances in his Exchange Earners' Foreign Currency Account for payment of commission in free foreign exchange. Authorised Dealer Category- I (AD Category-I) banks may allow such remittance after realization of full payment of contract value subject to compliance with the prevailing instructions for payment of agency commission.

5. AD Category-I banks may bring the contents of this circular to the notice of their exporter constituents and advise them to obtain full details of the Line of Credit from the Exim Bank's office at Centre One, Floor 21, World Trade Centre Complex, Cuffe Parade, Mumbai 400 005 or log on to www.eximbankindia.in.

6. The Directions contained in this circular have been issued under sections 10(4) and 11(1) of the Foreign Exchange Management Act (FEMA), 1999 (42 of 1999) and are without prejudice to permissions / approvals, if any, required under any other law.

New Scheme for Authorised Economic Operators Drafted – CBEC Invites Comments

[Ref: F.No.450/179/2009-Cus.IV dated 1st December 2010]

In order to ensure security in supply chain of the movement of goods, the Central Board of Excise & Customs (CBEC) is considering introduction of scheme of 'Authorized Economic Operator (AEO)'. The contents of said draft Scheme are enclosed herewith (Annexure – 'A').

2. CBEC solicits views, comments and suggestions on the draft Scheme of 'Authorized Economic Operator (AEO)' in Customs from the trade and industry associations, departmental officers and others. The views, comments and suggestions to the draft Scheme may please be sent, latest by **15th December, 2010**, to Director (Customs), Ministry of Finance, Department of Revenue, Central Board of Excise & Customs, Room No.159-A, North Block, New Delhi – 110001 or at Fax No. (011) 23092173 or at e-mail I.D.: dircus@nic.in

3. It is emphasized that the Draft Scheme has been put up **only** to elicit public response. No final decision has been taken as yet by the Government / Board, which will proceed further in the matter only after due examination of the response received.

Annexure - A

Draft Scheme of Authorized Economic Operator (AEO)

1. Introduction

1.1 The global trading system is vulnerable to terrorist exploitation while the international trade is an essential element for economic development. Customs plays a unique role in providing increased security to the global trade while facilitating the legitimate flow of goods. Thus, in 2005 the World Customs Organisation (WCO), an organization of 178 Customs administrations, adopted the SAFE Framework of Standards to secure and facilitate global trade, which includes the concept of an Authorized Economic Operator (AEO) whereby a party engaged in the international movement of goods is approved by Customs as compliant with the supply chain security standards, and given benefits, such as simplified Customs procedures and reduced Customs intervention. The AEO concept is being increasingly adopted by various Customs administrations with the objective of securing the supply chain with resultant benefits for the trading community.

1.2 Consistent with the "SAFE Framework" developed by the WCO, the Indian Customs administration has developed an AEO Programme that encompasses various players in the international supply chain such as importers, exporters, warehouse owners, Custom House Agents, cargo forwarders and carriers. The objective of the AEO Programme is to provide businesses with an internationally recognized quality mark which will indicate their secure role in the international supply chain and that their Customs procedures are efficient and compliant. An entity with an AEO status can, therefore, be considered a 'secure' trader and a reliable trading partner.

Customs Valuation Exchange Rates

December 2010	Imports	Exports	
Schedule I			
1 Australian Dollar	45.35	44.00	
2 Canadian Dollar	45.95	44.60	
3 Danish Kroner	8.30	8.05	
4 EURO	61.75	60.10	
5 Hong Kong Dollar	5.95	5.85	
6 Norwegian Kroner	7.65	7.35	
7 Pound Sterling	72.95	71.05	
8 Swedish Kroner	6.70	6.45	
9 Swiss Franc	46.50	45.25	
10 Singapore Dollar	35.40	34.40	
11 U.S. Dollar	46.15	45.25	
Schedule II			
1 Japanese Yen	55.55	53.95	

Rate of exchange of one unit of foreign currency equivalent to Indian Rupees

Rate of exchange of 100 units of foreign currency equivalent to Indian rupees

(Source: Customs Notification 98(NT)/26.11.2010)

Commodity Spot Prices in India – 10-13 December 2010

These commodity prices are taken from Multi Commodity Exchange of India (Mumbai) at 6 pm every day.

Commodity	Unit	Market	10-Dec	11-Dec	13-Dec
CER (Carbon Trading)	1 MT	Mumbai	682	695.5	695.5
Chana	100 KGS	Delhi	2389	2381	2409
Masur	100 KGS	Indore	2956	2952	2938
Potato	100 KGS	Agra	NA	NA	NA
Potato TKR	100 KGS	Tarkeshwar	NA	NA	NA
Arecanut	100 KGS	Mangalore	NA	NA	NA
Cashewkern	1 KGS	Quilon	NA	NA	NA
Cardamom	1 KGS	Vandanmedu	1180.8	1185	1140.4
Coffee ROB	100 KGS	Kushalnagar	NA	NA	NA
Jeera	100 KGS	Unjha	NA	NA	NA
Pepper	100 KGS	Kochi	NA	NA	NA
Red Chili	100 KGS	Guntur	NA	NA	NA
Turmeric	100 KGS	Nzmbad	16963	16963	16863
Guar Gum	100 KGS	Jodhpur	NA	NA	NA
Maize	100 KGS	Nzmbad	963	965	970
Wheat	100 KGS	Delhi	1307.9	1307.5	1314.2
Mentha Oil	1 KGS	Chandausi	1210.6	1183.2	1183.7
Cotton Seed	100 KGS	Akola	NA	NA	NA
Castorsd RJK	100 KGS	Rajkot	4009.5	4026	4009.5
Guar Seed	100 KGS	Bikaner	2375	2300	2300
Soya Bean	100 KGS	Indore	2203	2181.5	2185
Mustrdsd JPR	20 KGS	Jaipur	573.05	568.15	568.6
Sesame Seed	100 KGS	Rajkot	5810	5775	5788
Coconut Oil Cake	100 KGS	Kochi	NA	NA	NA
RCBR Oil Cake	1 MT	Raipur	NA	NA	NA
Kapaskhali	50 KGS	Akola	945	938	948
Coconut Oil	100 KGS	Kochi	8268	8268	8268
Refsoy Oil	10 KGS	Indore	578	575.8	577.5
CPO	10 KGS	Kandla	527.2	524.1	530.7
Mustard Oil	10 KGS	Jaipur	586.5	579.7	581.7
Gnutoilexp	10 KGS	Rajkot	735.6	732.5	730
Castor Oil	10 KGS	Kandla	NA	NA	NA
Crude Oil	1 BBL	Mumbai	3992	3970	3970
Furnace Oil	1000 KGS	Mumbai	NA	NA	NA
Sourcrd Oil	1 BBL	Mumbai	NA	NA	NA
Brent Crude	1 BBL	Mumbai	4110	4092	4092
Gur	40 KGS	Muzngr	NA	NA	NA
Sugars	100 KGS	Kolhapur	2873	2874	2855
Sugarm	100 KGS	Delhi	3050	3051	3060
Natural Gas	1 mmBtu	Hazirabad	200.3	199.7	199.7
Rubber	100 KGS	Kochi	19750	19750	19862
Cotton Long	1 Candy	Kadi	NA	NA	NA
Cotton Med	1 Maund	Sriganganagar	NA	NA	NA
Jute	100 KGS	Kolkata	3502	3501	3453.5
Gold	10 GRMS	Ahmd	20430	20381	20455
Gold Guinea	8 GRMS	Ahmd	16409	16370	16430
Silver	1 KGS	Ahmd	43725	43425	44200
Sponge Iron	1 MT	Raipur	NA	NA	NA
Steel Flat	1000 KGS	Mumbai	NA	NA	NA
Steel Long	1 MT	Gobindgarh	26350	26520	26525
Copper	1 KGS	Mumbai	407	409.95	409.95
Nickel	1 KGS	Mumbai	1065.9	1070.9	1094
Aluminium	1 KGS	Mumbai	104.3	104.7	103.95
Lead	1 KGS	Mumbai	108.4	108.55	109.45
Zinc	1 KGS	Mumbai	103.35	103.45	105.05
Tin	1 KGS	Mumbai	1167.5	1188	1171.75

(Source: MCX Spot Prices)

2. Benefits of an AEO Programme

2.1 Under the programme, a business authorized by the Customs an AEO can enjoy benefits flowing from being a more compliant and secure company as well as favourable consideration in any Customs proceedings coupled with better relations with Customs. AEO status will also ensure a low risk score that may be incorporated into Customs 'Risk Management System' (RMS) and used to determine the frequency of Customs physical and documentary checks. The benefits may also include simplified Customs procedure, declarations, etc. besides faster Customs clearance of consignments of/for AEO status holders.

2.2 Illustrations: Possible long term benefits flowing to different categories of AEO status holders are as under:

(a) Importers

- (i) Reduced examination and inspection.
- (ii) Acceptance of pre-arrival import declarations.
- (iii) Clearance of cargo before duty payment.
- (iv) Periodical duty payment.

(b) Exporters

- (i) Reduced examination and inspection.
- (ii) Acceptance of export declarations without

bringing goods into Customs area.

(c) Warehouse Owners

- (i) Faster approvals for a new warehouse.
- (ii) Reduced audit.

(d) Custom House Agents

- (i) Acceptance of pre-arrival import declarations for client importers.
- (ii) Clearance of cargo before duty payment by client importers / exporters.
- (iii) Periodical duty payment by client importers.

(e) Logistics Providers (Carriers / Forwarders / etc.)

- (i) Transit of goods without case by case permissions.
- (ii) Transit of goods without Customs escort.

3. Criteria for considering application for grant of AEO status:

- (i) Appropriate record of compliance of Customs and other relevant laws;
- (ii) Satisfactory system of managing commercial and, where appropriate, transport records;
- (iii) Proven financial solvency; and
- (iv) Maintenance of approved security and safety standards.

4. Who can apply for AEO status?
5. How to apply for AEO status?
6. Return of application:
7. Processing of application:
8. Rejection of application:
9. Time limit for grant of AEO certificate:
10. Compliance
11. Managing commercial and (where appropriate) transport records
12. Financial solvency
13. Safety and security
14. Pre-certification verification:
15. Certification:
16. Maintaining AEO Status:
17. Review of AEO Status:
18. Suspension of AEO Status:
19. Revocation of AEO Status:
20. Right to Appeal:

Annexure A – Application Form for Grant of AEO Status

Annexure B – Security Plan

Annexure C – Process Map

Annexure D – Site Plan

[Full Detail of Notification is available at our website www.worldtradesScanner.com]

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China Wins Steel Fastener Dispute with the EU at WTO

A WTO panel last week handed China its first victory in a dispute with the EU, ruling that the anti-dumping duties levied by Brussels on various Chinese screws, nuts and bolts, contravened multilateral trade rules.

At issue were duties ranging from 26.5 to 85 percent on Chinese 'steel and iron fasteners.' Beijing initiated dispute proceedings in mid-2009, alleging that the EU had failed to follow WTO procedures in its determination of whether or not to impose anti-dumping measures and its calculation of what those duties should be.

The panel found fault with several of the EU procedures identified by China, such as parts of the methodology it used for calculating a 'normal value' against which to measure whether the fasteners were being sold below the cost of production, and by how much. WTO rules normally afford countries greater latitude in calculating such values for imports from non-market economies.

China's commerce ministry welcomed the decision, reiterating its view that the EU policies placed an unfair burden on Chinese exporters. It urged Brussels to "respect the WTO's ruling and rescind rules and discriminating practices that go against WTO rules at an early date and treat Chinese exporters fairly to maintain normal trade between China and the EU."

The panel ruling (WT/DS397/R), which was released on 3 December, did find that China had failed to substantiate some of its claims, enabling the EU to claim partial vindication.

Both sides can appeal within 60 days.