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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
DEPARTMENT OF REVENUE

Notification
No. 55/2018-Customs (ADD)

New Delhi, the 15th November, 2018

G.S.R. (E).- Whereas, in the matter of review of anti-dumping duty on import of O-Acid, falling under Chapter 29 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) [hereinafter referred to as the Customs Tariff Act], originating in or exported from China PR (hereinafter referred to as the subject country) and imported into India, the designated authority *vide* its final findings notification No.14/31/2016-DGAD, dated the 19th December, 2017, published in the Gazette of India, Extraordinary, Part I, Section 1, dated the 19th December, 2017, had recommended imposition of the anti-dumping duty on O-Acid originating in or exported from subject country.

And whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed an anti-dumping duty on subject goods originating in or exported from the subject country, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.6/2018-Customs (ADD), dated the 12th March, 2018, published *vide* number G.S.R. 220(E) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-Section (i), dated the 12th March, 2018;

And whereas, the designated authority, *vide* notification No.7/14/2018-DGAD, dated the 4th May, 2018, in the matter of circumvention of the anti-dumping duty imposed on imports of O-Acid, had initiated an investigation to determine the need for extending anti-dumping duty imposed on the imports of O-Acid originating in or exported from the subject country, *vide*, notification of the Government of India in the Ministry of Finance (Department of Revenue), No.6/2018-Customs (ADD), dated the 12th March, 2018, to the imports of "Ofloxacin Ester (O-Ester)" (hereinafter referred to as the subject goods) falling under tariff item 2934 99 00 of the First Schedule to the Customs Tariff Act, originating in or exported from the subject country.

And whereas, the designated authority in its final findings, published *vide* notification No.7/14/2018-DGAD, dated the 24th October, 2018, in the Gazette of India, Extraordinary, Part I, Section 1, has come to the conclusion that-

- (i) the anti-dumping duty imposed on imports of O- Acid, originating and exported from China PR *vide* Customs Notification No. 6/2018-Customs (ADD) dated 12th March, 2018 was circumvented through exports of O-Ester from China PR in accordance with rule 25 (3) of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995 (AD Rules). The imports of O-Ester in India constitute circumvention of ADD earlier imposed on imports of O-Acid;
- (ii) O- Ester has been exported at dumped prices during the Period of Investigation;
- (iii) O-Ester exports from China has undermined the existing Anti-dumping measure on

imports of O-Acid origination in or exported from China PR *vide* notification No. 6/20018-Customs (ADD) dated 12th March, 2018,

and has recommended extension of existing anti-dumping duty on “O-Acid” originating in or exported from the China PR and imposed *vide*, notification No.6/2018-Customs (ADD), dated the 12th March, 2018 to the imports originating and exported from the China PR of subject goods;

Now, therefore, in exercise of the powers conferred by sub-sections (1), (1A) and (5) of section 9A of the Customs Tariff Act, read with rule 27 of the AD Rules, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under the tariff items of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), exported by the exporters as specified in the corresponding entry in column (7), and imported into India, an anti-dumping duty at the rate equal to the amount as specified in the corresponding entry in column (8) in the currency as specified in the corresponding entry in column (10) and as per unit of measurement as specified in the corresponding entry in column (9) of the said Table, namely:-

Table

S. No.	Sub Heading or Tariff Item	Description of goods	Country of Origin	Country of export	Producer	Exporter	Duty Amount	Unit of Measure	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
1.	29349900	“Ofloxacin Ester” or “9, 10-Difluoro –3- Methyl-7- Oxo-2, 3- Dihydro-7H- Pyrido (1,2,3-De) 1, 4- Benzoxazine-6- Carboxylic Ester	China PR	China PR	Jiangxi Chibang Pharmaceutical Co., Ltd	Jiangxi Chibang Pharmaceutical Co., Ltd	4.91	Kg.	US\$
2.	29349900	“Ofloxacin Ester” or “9, 10-Difluoro –3- Methyl-7- Oxo-2, 3- Dihydro-7H- Pyrido (1,2,3-De) 1, 4- Benzoxazine-6- Carboxylic Ester	China PR	China PR	Jiangxi Chibang Pharmaceutical Co., Ltd	i.Zhejiang Chemicals Import & Export Co., Ltd. ii. Zhejiang Hengdian Apelo Imp. & Exp. Co. Ltd	7.50	Kg.	US\$
3.	29349900	“Ofloxacin Ester” or “9, 10-Difluoro –3- Methyl-7- Oxo-2, 3- Dihydro-7H- Pyrido (1,2,3-De) 1, 4- Benzoxazine-6-	China PR	China PR	i. Jiangxi Dadi Pharmaceu tical Limited Liability Compay and /or ii. Yanchen g XinAnzho u Pharmaceu tical	i. Zhejiang Chemicals Import & Export Co., Ltd. ii. Zhejiang Hengdian Apelo Imp.	4.90	Kg	US\$

		Carboxylic Ester			Co. Ltd.	& Exp. Co. Ltd. iii.Zhejiang Ueasyl Business Service Co. Ltd. iv. Zhejiang Xinyang Import & Export Co. Ltd.			
4.	29349900	“Ofloxacin Ester” or “9, 10–Difluoro – 3– Methyl–7– Oxo-2, 3– Dihydro–7H– Pyrido (1,2,3-De) 1, 4- Benzoxazine–6- Carboxylic Ester	China PR	China PR	i. Zhejiang Yuanhong Medical & Chemical Technology Co., Ltd and/or ii. Inner Mongolia Yuanhong Fine Chemical Co. Ltd	i. Zhejiang Medicines & Health Products Co. Ltd ii. China Sinopharm International Corporation iii. Zhejiang Chemicals Import & Export Co., Ltd. iv. Zhejiang Xinyang Import & Export Co., Ltd. v. Shanghai Changyu Chemical Technology Co., Ltd	4.16	Kg.	US\$
5.	29349900	“Ofloxacin Ester” or “9, 10–Difluoro – 3– Methyl–7– Oxo-2, 3– Dihydro–7H– Pyrido (1,2,3-De) 1, 4- Benzoxazine–6- Carboxylic Ester	China PR	China PR	Any combination other than mentioned in SI No1 to 4 above		8.55	Kg.	US\$
6.	29349900	“Ofloxacin Ester” or “9, 10–Difluoro – 3– Methyl–7– Oxo-2, 3– Dihydro–7H– Pyrido (1,2,3-De) 1, 4- Benzoxazine–6- Carboxylic Ester	China PR	Any country other than China PR	Any	Any	8.55	Kg.	US\$
7.	29349900	“Ofloxacin Ester” or “9, 10–Difluoro – 3– Methyl–7– Oxo-2, 3–	Any country other than China	China PR	Any	Any	8.55	Kg	US\$

		Dihydro-7H- Pyrido (1,2,3- De) 1, 4- Benzoxazine-6- Carboxylic Ester	PR						
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2. The anti-dumping duty imposed under this notification shall be co-terminus with the anti-dumping duty on O-Acid as levied *vide* notification No. 6/2018-Customs (ADD) dated the 12th March, 2018. The anti-dumping duty shall be paid in Indian currency.

Explanation.- For the purposes of this notification, rate of exchange applicable for the purposes of calculation of such anti-dumping duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Customs Act.

[F.No.354/407/2018-TRU]

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