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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

NOTIFICATION NO. 04/2023-Customs (ADD)

New Delhi, the 10th April, 2023

G.S.R...(E). – Whereas, in the matter of ‘Ursodeoxycholic Acid (UDCA)’ (hereinafter referred to as the ‘subject goods’) 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 and Korea RP (hereinafter referred to as the ‘subject countries’) and imported into India, the designated authority *vide* its preliminary findings No. 6/15/2021-DGTR, dated 30th June, 2022, published in the Gazette of India, Extraordinary, Part I, Section 1, dated 30th June, 2022, had recommended imposition of provisional anti-dumping duty on the imports of subject goods, originating and exported from the subject countries;

And, whereas, on the basis of the aforesaid findings of the designated authority, the Central Government had imposed provisional anti-dumping duty on the subject goods with effect from 18th August, 2022, *vide* notification of the Government of India in the Ministry of Finance (Department of Revenue), No. 25/2022-Customs (ADD), dated 18th August, 2022, published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S. R. 637(E), dated 18th August, 2022;

And, whereas, the designated authority in its final findings *vide* notification No. 6/15/2021-DGTR, dated 19th January, 2023, published in the Gazette of India, Extraordinary, Part I, Section 1, dated 19th January, 2023, while confirming the preliminary findings, dated 30th June, 2022, has come to the conclusion that-

- (i) there is substantial increase in the volume of dumped imports of subject goods from the subject countries over the injury period in absolute and relative terms;
- (ii) the product under consideration that has been exported to India from the subject countries are at dumped prices;
- (iii) the domestic industry has suffered material injury;
- (iv) material injury has been caused by the dumped imports of the subject goods from the subject countries,

and has recommended imposition of definitive anti-dumping duty on imports of the subject goods, originating in or exported from the subject countries and imported into India, in order to remove injury to the domestic industry.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (5) of section 9A of the Customs Tariff Act read with rules 18 and 20 of the Customs Tariff (Identification, Assessment and Collection of Anti-dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the designated authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under the Chapter 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), and imported into India, a definitive anti-dumping duty at a rate equal to the difference between the landed value of subject goods and the amount specified as reference price in the corresponding entry in column (7), provided that the landed value is less than the amount indicated in column (7), in the currency as specified in the corresponding entry in column (9) and as per unit of measurement as specified in the corresponding entry in column (8) of the following Table, namely:-

Table

SN	Chapter	Description of goods	Country of origin	Country of exports	Producer	Reference Price	Unit	Currency
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
1	29*	Ursodeoxycholic Acid	China PR	Any country including China PR	Zhongshan Belling Biotechnology Co., Ltd.	435.10	KG	USD
2	-do-	-do-	China PR	Any country including China PR	Sichuan Xieli Pharmaceutical Co., Ltd.	438.75	KG	USD
3	-do-	-do-	China PR	Any country including China PR	Suzhou Tianlu Biopharmaceutical Co., Ltd.	450.40	KG	USD
4	-do-	-do-	China PR	Any country including China PR	Any other producer excluding producers mentioned in Sl. No. (1), (2) and (3)	465.94	KG	USD
5	-do-	-do-	Any country other than China PR and Korea RP	China PR	Any	465.94	KG	USD
6	-do-	-do-	Korea RP	Any Country including Korea R	Daewoong Bio Incorporated	378.38	KG	USD
7	-do-	-do-	Korea RP	Any Country including Korea RP	Any other producer excluding producer mentioned in Sl. No. (6)	381.93	KG	USD
8	-do-	-do-	Any country other than China PR and Korea	Korea RP	Any	381.93	KG	USD

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*2915, 2916, 2918, 2922, 2924, 2931, 2933, 2934, 2939, 2941 and 2942. However, the product is majorly imported under 29181690 and 29181990.

2. The anti-dumping duty imposed under this notification shall be effective for a period of five years from the date of imposition of the provisional anti-dumping duty, that is, the 18th August, 2022, unless revoked, amended or superseded earlier, and shall be payable in Indian currency:

Provided that the said anti-dumping duty shall not be levied for the period commencing from the date of the lapse of the provisional anti-dumping duty, that is, the 18th February, 2023, up to the preceding day of the publication of this notification in the Official Gazette.

Explanation 1.- For the purposes of this notification, rate of exchange applicable for the purposes of calculation of the 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) (hereinafter referred to as the Customs Act), 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.

Explanation 2.- The landed value of imports for the purpose of this notification shall be the assessable value as determined by the customs under the Customs Act and includes all duties of customs except duties under sections 3, 8B, 9 and 9A of the Customs Tariff Act.

[F. No. 190354/185/2022 –TRU]

(Nitish Karnatak)
Under Secretary to the Government of India