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**F. No. 6/18/2019-DGTR
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Trade Remedies
Jeevan Tara Building, Parliament Street, New Delhi.**

Dated 25th August, 2020

Case No. ADD-OI-12/2019

NOTIFICATION

FINAL FINDINGS

**Subject: Final Findings in anti-dumping investigation concerning imports of
“Choline Chloride in all forms” originating in or exported from China PR,
Malaysia and Vietnam.**

Having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter also 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 as amended from time to time (hereinafter also referred to as the AD Rules or the Rules).

A. BACKGROUND OF THE CASE

1. The Designated Authority (herein after referred to as the Authority), received a written application from M/s Jubilant Life Sciences Ltd. (hereinafter also referred to as “the Applicant” or “the Domestic Industry”) in accordance with the Act and the Rules for imposition of Anti-dumping duty on imports of “Choline Chloride in all its forms” (hereinafter also referred to as “the product under consideration” or “PUC” or “subject goods”) from People’s Republic of China, Malaysia and Vietnam (hereinafter also referred to as the “subject countries”) alleging dumping and consequent injury and requested for levy of anti-dumping duty on the imports of the subject goods from the above subject countries.
2. The Authority, on the basis of sufficient prima-facie evidence submitted by the Applicant, issued a public notice vide Notification No. 6/18/2019- DGTR dated 1st October, 2019, published in the Gazette of India, Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods, originating in or exported from the subject countries, in accordance with the sub-Rule 6(1) of the Rules, to determine the existence, degree and effect of alleged dumping and to consider recommendation of the anti-dumping duty, if any.

B. PROCEDURE

3. The procedure described herein below has been followed by the Authority with regard to the subject investigation:
- a. The Authority notified the Embassies of the subject countries in India about the receipt of the anti-dumping application before proceeding to initiate the investigation in accordance with Rule 5(5) of the Rules.
 - b. The Authority issued a public notice vide its initiation notification dated 1st October 2019 published in the Gazette of India Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods from subject countries.
 - c. The Authority, in terms of Rule 6(2) of the AD Rules, sent a copy of the public notice containing initiation notification to the Embassies of subject countries in India, known producers/exporters from the subject countries, known importers/ users and the domestic industry as well as other domestic producers as per the addresses made available in the application and requested them to make their views known in writing within the time limit prescribed in the initiation notification.
 - d. The Authority, in accordance with Rule 6(3) of the Rules, also forwarded a copy of the non-confidential version of the application to known producers/ exporters from the subject countries, the Governments of the subject countries through their respective Embassies in India, the known importers/ users in India and other Indian producers as per the addresses made available in the application and requested them to make their views known in writing within 40 days from the date of issue of letter by the Authority intimating the initiation of the investigation. A copy of the non-confidential version of the application was also made available in the public file and provided to other interested parties, if requested in writing.
 - e. The Authority, in accordance with Rule 6(4) of the Rules, sent a notice containing Exporter's Questionnaire to the following known producers/ exporters calling for the relevant information in the form and manner prescribed:

China PR

- i. M/s Cangzhou Dazheng Animal Medicine Co.,Ltd, China
- ii. M/s Golden Highway Chemicals Ltd., China
- iii. M/s Hebei Dahe International Trade Co. Ltd., China
- iv. M/s Hubei Maxpharm Industries Co. Ltd.
- v. M/s Liaonig Biochem Co. Ltd. China
- vi. M/s Qingdao Good Prosper Imp. & Exp. Co. Ltd., China
- vii. M/s Qingdao KFP Import & Export Co. Ltd., China
- viii. M/s Shandong Aocter Chemical Co., Ltd. China
- ix. M/s Shandong Jujia Biotechnology Co., Ltd., China
- x. M/s Shandong NB Technology Co. Ltd. China
- xi. M/s Shanghai Brightol International Co., Ltd., China
- xii. M/s Taminco Choline Chloride, China

- xiii. M/s Wuhan Xinxinjiali Biotechnology Co. Ltd, China

Malaysia

- i. M/s Uni Pharma FZC (Malaysia) Sdn, Malaysia

Vietnam

- i. M/s GHW (Vietnam) Co Ltd, Vietnam

- ii. An Huy Company Limited, Vietnam

- f. In response, the following exporters/producers from the subject countries filed exporter's questionnaire response:

- i. M/s GHW (Vietnam) Co Ltd, Vietnam

- ii. M/s GHW Holding Company, Hong Kong

- g. The Authority, in accordance with Rule 6(4) of the Rules, also sent a notice containing Importer's Questionnaire to the following known importers/users of subject goods in India calling for necessary information in the form and manner prescribed:

- i. M/s Nuovomondo Chemicals Pvt Ltd, Mumbai

- ii. M/s Vetadd Nutrients Private Limited, Punjab

- iii. M/s Niswin Enterprises, Tamil Nadu

- iv. M/s Global Health Care, Delhi

- v. M/s Planet Vyapaar Private Limited, Delhi

- vi. M/s Sheng Long Bio-Tech (India) Private Limited, Tamil Nadu

- vii. M/s Uttara Impex Private Limited, Pune

- viii. M/s B Vital Therapeutics Pvt Ltd, Telangana

- h. In response, the following importers/users have responded and filed importer's questionnaire response:

- i. M/s Sheng Long Bio-Tech (India) Private Limited, Tamil Nadu

- ii. M/s Uttara Impex Private Limited, Pune

- i. The Authority, in accordance with Rule 6(4) of the Rules, also sent notice of initiation to the following other domestic producers, intimating them of the initiation of investigation with a request to provide relevant information to the Authority in the form and manner prescribed:

- i. M/s Balaji Amines Ltd., Solapur, Maharashtra

- ii. M/s SDA Products, Gujarat

- iii. M/s Supreme Chemicals Industries, Gujarat

- iv. M/s Venvet Chemicals Private Limited, Hyderabad

- v. M/s Blue Cross Animal Healthcare Private Limited, Gujarat

- vi. M/s Salvi Chemical Industries Limited, Mumbai

- vii. M/s Meden Pharma Private Limited, Thane, Maharashtra

- j. None of the other domestic producers has responded or participated in the present

investigation.

- k. The Authority made available non-confidential version of the evidence presented/submissions made by various interested parties in the form of a public file kept open for inspection by the interested parties. Submissions made by all the interested parties to the extent considered relevant have been taken into account in these final findings.
- l. Request was made to the Directorate General of Commercial Intelligence and Statistics (DGCIS) to provide the transaction-wise details of imports of subject goods for the period of investigation and past three years, which was received by the Authority. The Authority notes that the imports reported as per the exporter's questionnaire response is *** MT while the import reflected in DGCIS data for Vietnam for the period of investigation is only 560 MT. Therefore, the imports reported as per the exporter's questionnaire response, being more than the import reflected in DGCIS data for Vietnam for the period of investigation, has been adopted, wherever applicable, for the purposes of this final finding. The Authority has however otherwise relied upon the DGCIS transaction-wise data so received for the computation of the volume of imports and its analysis.
- m. The Non-Injurious Price (NIP) based on the optimum cost of production and cost to make and sell the subject goods in India determined on the basis of the information furnished by the domestic industry, Generally Accepted Accounting Principles (GAAP) and Annexure III to the Rules has been worked out so as to ascertain whether anti-dumping duty lower than the dumping margin would be sufficient to remove injury to the domestic industry.
- n. Physical inspection through on-spot verification of the information provided by the Applicant, to the extent deemed necessary, was carried out by the Authority. Only such verified information with necessary rectification, to the extent deemed necessary, has been relied upon for the purpose of present final findings.
- o. Desk Verification of the information provided by the producers/ exporters, to the extent deemed necessary, was carried out by the Authority and has been relied upon for the purpose of present final findings.
- p. Other submissions made by the interested parties during the course of this investigation, to the extent supported with evidence and considered relevant to the present investigation, have been appropriately considered by the Authority, for the purpose of present final findings.
- q. The Period of Investigation (POI) for the purpose of the present anti-dumping investigation is from 1st April 2018 – 30th June 2019 (15 Months). The injury investigation period has however, been considered as the period from April 2015 - March 2016, April 2016 - March 2017, April 2017 - March 2018 and the POI.
- r. Due to the worldwide outbreak of COVID-19 and consequent restrictions imposed by different countries, including India, the Authority in accordance with Rule 6(6) of the AD Rules and Trade Notice No. 01/2020 dated 10th April 2020, conducted oral hearings through video conferencing on 15th May 2020 to provide an opportunity to the interested parties to present relevant information orally before the then Designated Authority in office.
- s. Subsequently, due to change of the Designated Authority and in accordance with the judgement of the Hon'ble Supreme Court delivered in the matter of Automotive Tyre Manufacturers' Association (ATMA) vs. Designated Authority, in Civil Appeal No.

949 of 2006 on 07th January 2011, second oral hearing was conducted by the new Designated Authority on 16th July 2020 to provide an opportunity to the interested parties to present relevant information orally before the present Designated Authority in office.

- t. All the parties who had attended the above mentioned two oral hearings were advised to file written submissions of the views expressed orally, followed by rejoinders, if any. The arguments made in such written submissions and/or rejoinders received from the interested parties have been considered, to the extent deemed necessary, for the purpose of present final findings.
- u. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered as confidential and not disclosed to other interested parties. Parties providing information on confidential basis were directed to provide, wherever possible, sufficient non-confidential version of the information filed on confidential basis.
- v. Wherever an interested party has refused access to, or has otherwise not provided necessary information during the course of the present investigation, or has significantly impeded the investigation, the Authority has considered such parties as non-cooperative and recorded these final findings on the basis of the facts available.
- w. In accordance with Rule 16 of the Rules, the essential facts of the investigation were disclosed to the known interested parties vide disclosure statement dated 17th August 2020 and comments received thereon, considered relevant by the Authority, have been addressed in the Final Findings. The Authority notes that most of the post-disclosure submissions made by the interested parties are mere reiteration of their earlier submissions. However, the post-disclosure submissions to the extent considered relevant are being examined in these Final Findings.
- x. '****' in this Final Findings statement represents information furnished by an interested party on confidential basis and so considered by the Authority under the Rules.
- y. The average exchange rate of US\$ 1 = Rs. 70.73 prevailing during the period of investigation has been adopted by the Authority.

C. PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

4. At the stage of initiation, the product under consideration was defined as follows:

"4. The product under consideration for the purpose of present investigation is "Choline Chloride in all its forms". Choline Chloride is an organic compound and a quaternary ammonium salt used as an additive in animal feed. Choline Chloride can be produced in various forms, such as corn cob, on silica and in aqueous solutions.

5. Choline Chloride is produced in two stages of reaction process; wherein, first, Trimethyl Amine reacts with Hydrochloric Acid, to form a salt (Trimethyl Amine Hydrochloride); which then reacts with Ethylene Oxide to give Choline Chloride. The major applications include additive

in animal feed, pharma applications, food application and Oil & Gas Applications. Present application concerns only the Choline Chloride with animal feed & oil and gas applications.

6. The subject goods are classified under customs tariff heading 23099010, 23099020, 23099090 and 29231000. The customs classification is however indicative only and in no way binding on the scope of the present investigation."

C.1. Submissions made by the Domestic Industry

5. The following are the submissions made by domestic industry with regard to product under consideration and like article:
 - a. The product under consideration is "Choline Chloride in all its forms" which is an organic compound and a quaternary ammonium salt, primarily used as an additive in animal feed.
 - b. Choline Chloride is produced in two stages of reaction process; wherein, first, Trimethyl Amine reacts with Hydrochloric Acid, to form a salt (Trimethyl Amine Hydrochloride); which then reacts with Ethylene Oxide in second stage, to give Choline Chloride. The purified Choline Chloride is deposited on a carrier and then dried.
 - c. Choline Chloride has four broad applications, viz. i) Animal feed applications, ii) Pharma applications, iii) Food applications, and iv) Oil & Gas Application. The present investigation concerns only animal feed applications & oil and gas application of Choline Chloride. Pharma and food application choline chloride are beyond the scope of the product under consideration.
 - d. Choline Chloride is produced in two broad forms – [a] liquid choline chloride falling under chapter 29 and [b] choline chloride compound animal feed falling under chapter 23. The solid form may be produced in different carriers such as Corn Cob Silica Carrier. The composition of both the products are same from the stage of basic raw material. The percentage of Choline Chloride in different form may vary. Imports are generally in the form of 60% Corn Cob in case of solid. However, the product can also be marketed in other forms to suit the customers' requirement. The cost of production and selling price of the product depends upon the percentage of Choline Chloride in a particular form. Higher the percentage, higher the cost and price. Different grades/forms/ types/strengths/sizes/application of the product does not mean different products.
 - e. The goods produced by the Applicant are like article to the imported goods as they are comparable in terms of chemical & technical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods, and are technically and commercially substitutable.

C.2. Submissions made by the other interested parties

6. The following are the submissions made by exporters/importers/other interested parties with regard to product under consideration and like article:

- a. The product of the exporter has no notable difference on active chemical component in comparison to the PUC. Technically the product that is being imported and the PUC are the same, and the only difference is in relation to the physical quality parameters as the imported product is free flowing resulting into no lump formation. Therefore, the scope of the product should be particularly specified in order to facilitate clearer assessment.
- b. Scope of PUC should be narrowed down; for the present investigation particularly specifying whether Choline Chloride is used as an additive in animal feed or used in Oil and Gas application.
- c. Dry choline chloride and liquid choline chloride cannot be combined in one PUC. The end use and chemical compositions of dry and liquid choline chloride significantly differs and cannot be combined due to the difference in function, end uses, product specifications, pricing, distribution, marketing and tariff classification.
- d. The use of PUC in animal feed is an established market. The importer is only importing dry choline chloride. However, the use of liquid choline chloride in oil and gas industry is a relatively new market. The Applicant has only recently started producing choline chloride for oil and gas application, and its stage of production is very juvenile. A material retardation standard applies in case of a new product as opposed to a material injury standard in established markets. The Authority should analyse these two products separately for the purpose of examination of dumping and injury since clear division of the production of both the products by the petitioner has not been provided. No protection was requested in the past investigations for choline chloride used in oil and gas application.

C.3. Examination by the Authority

7. The submissions made by the domestic industry and other interested parties with regard to the product under consideration and like article related issues have been examined.
8. The product under consideration in the present application is "Choline Chloride in all its forms". Choline Chloride is produced in two broad forms – [a] liquid choline chloride falling under chapter 29 and [b] choline chloride compound animal feed falling under chapter 23. Liquid Choline Chloride is classifiable under 29231000 while dry Choline Chloride is classifiable under 23099010 as animal compound feed of the Customs Tariff Act, 1975. However, imports of subject goods have been reported under customs tariff heading 23099010, 23099020, 23099090 and 29231000.
9. Choline Chloride is an organic compound and a quaternary ammonium salt, primarily used as an additive in animal feed. Choline Chloride is produced in two stages of reaction process; wherein, first, Trimethyl Amine reacts with Hydrochloric Acid, to form a salt Trimethyl Amine Hydrochloride; which then reacts with Ethylene Oxide in second stage, to give Choline Chloride. The purified Choline Chloride is either used as it is or is deposited on a carrier and then dried. Choline Chloride has four broad applications, viz. i) Animal feed applications, ii) Pharma applications, iii) Food applications, and iv) Oil & Gas Application. Present investigation concerns only the Choline Chloride with animal feed & oil and gas applications.

10. The exporter has accepted that choline chloride produced by the domestic industry and that supplied by the exporting company has no notable difference.
11. As regards the argument on narrowing down the scope of PUC, the Authority notes that the product under consideration is primarily Choline Chloride in liquid form. It is deposited on a carrier and then dried only to make it suitable as animal compound feed. However, it is Choline Chloride which is essentially used as an animal compound feed. Depositing Choline Chloride liquid on a carrier does not result in a new product. The domestic industry has sought investigation and imposition of duty on Choline Chloride in all its forms, excluding Choline Chloride used in pharma and food application. Both the forms of Choline Chloride, liquid and dry, are covered under the product under consideration in the present investigation. Past two investigations also had the same scope of the product under consideration as the present one. The mere fact that choline chloride was not used in oil and gas application in the past does not mean that the Choline Chloride used in oil and gas application is a new product. While domestic industry has provided details of the product sold for oil and gas application and Choline Chloride consumed as animal compound feed, the interested parties have provided no evidence to show a difference in the product. Evolution of a new use of an existing product does not mean creation of a new product. In fact, the opposing interested parties have themselves contended that this application has been recently developed. The liquid Choline Chloride that goes for depositing on a carrier to make Choline Chloride for feed applications and the one that goes for oil and gas application thus are held to be the same.
12. As regards customs classification, the Authority notes that dry Choline Chloride is under chapter 23 only because it is an animal compound feed, and considering the application, it is classifiable under chapter 23. The customs classification is essentially for the facilitation of imports and the mere fact that liquid Choline Chloride is classifiable under 29231000 while dry Choline Chloride is classifiable under 23099010 does not render them dislike article for the present purposes. Both the customs classifications were considered in the previous two investigations as well.
13. In view of the above, the Authority holds that the scope of the product under consideration in the notice of initiation is appropriate and accordingly defines the scope of the product under consideration as follows:

The product under consideration for the purpose of present investigation is "Choline Chloride in all its form, excluding Choline Chloride for food and pharma applications, falling under 29231000 and 23099010".

14. The Authority further holds that there is no known difference in product exported from subject countries and the subject product produced by the Indian industry. The subject goods produced by the domestic industry is comparable to the subject goods exported from subject countries in terms of characteristics such as physical & chemical characteristics, functions & uses, product specifications, distribution & marketing and tariff classification of the goods. The two are technically and commercially substitutable. The consumers are

using the two interchangeably. The Authority thus holds that the subject goods produced by the domestic industry are like article to the product under consideration exported from the subject countries.

D. SCOPE OF DOMESTIC INDUSTRY & STANDING

D.1. Submissions made by the Domestic Industry

15. Following are the submissions made by the Applicant with regard to the scope of the domestic industry and standing:

- a. The application has been filed by M/s. Jubilant Life Sciences Ltd. as a producer and domestic industry of the product in India. The Applicant is neither related to an importer in India nor an exporter from the subject countries and has not imported the product under consideration from the subject countries.
- b. There are two more known domestic producers of the product under consideration, namely, M/s Balaji Amines and M/s SDA Products.
- c. There are some more producers of Choline Chloride in India but they do not produce choline chloride from basic stage and merely produce dry Choline Chloride after procuring liquid either from the domestic producers or foreign producers. Production by these companies should not be included in determining gross domestic production, nor should these companies be treated as domestic producers of the product.
- d. There is no published information with regard to production by various producers. The applicant has assessed their production based on market intelligence.
- e. The applicant is the majority producer of the product under consideration in India. Its production accounts for more than 50% of the production of the subject goods in India and it thus constitutes domestic industry.

D.2. Submission by other interested parties

16. Following are the submissions made by other interested parties with regard to scope of the domestic industry and standing:

- a. Effectively there is only one producer in India i.e. the petitioner and the subject goods have been supplied primarily by them only during the POI. The other two producers (Balaji Amines and SDA Products) did not supply the goods in any significant quantity during the POI. Petitioner remains the largest producer and is in a dominating position and any ADD shall help the company to adopt monopolistic pricing in the market.
- b. No information has been provided regarding the production by any other party in the petition by resorting to excessive confidentiality and the petitioner has based its submissions on market information and is therefore required to be corrected if some actual information to the contrary is provided to the Authority.

D.3. Examination by the Authority

17. The present application has been filed by M/s. Jubilant Life Sciences Ltd. The applicant is

stated to be not related to any importer or exporter of subject goods in the subject countries, nor has imported subject goods from the subject country. No submission to the contrary has been made by opposing interested parties.

18. Apart from the Applicant, M/s Balaji Amines, M/s SDA Products are the other Indian producers of the subject goods in India.
19. At the stage of initiation, the Authority wrote to other domestic producers advising them to file information in the form and manner prescribed with regard to injury determination. However, none of other domestic producers have filed complete injury information in the prescribed format.
20. The Applicant had identified M/s Supreme Chemical Industries, M/s Venvet Chemicals Private Limited, M/s. Bluecross Animal Healthcare Pvt. Ltd., M/s Salvi Chemical Industries Limited and M/s Meden Pharma Pvt Ltd. as companies who are selling dry choline chloride after procuring liquid Choline Chloride either from the domestic market or from foreign producers. The applicant contended that while the input of these companies is liquid choline chloride, their output is dry choline chloride on a carrier. Such input has been sourced either from the domestic producers or imported from subject or non-subject countries. Since both input and output of these companies are within the scope of product under consideration, the input of these companies has been considered in production of domestic producers (if sourced from domestic market) or in imports in India (if imported). Therefore, production by these companies have not been included in determination of eligible gross domestic production in India. Accordingly, only those producers who are producing choline chloride from the basic stage have been considered as domestic producers for the present investigation.
21. The production of the Applicant in the POI has been determined as ****% of the gross Indian production. Moreover, even if production of dry choline chloride from imported liquid choline chloride is included in the gross domestic production, the share of the Applicant in gross domestic production is more than 50%. The production of the applicant thus constitutes a major proportion in Indian production. Accordingly, the Authority holds that the Applicant constitutes domestic industry within the meaning of Rule 2(b) Rule 5(3) of the Rules.

E. ISSUES RELATING TO CONFIDENTIALITY

E.1. Submissions made by the Domestic Industry

22. The following submissions have been made by the Domestic Industry with regard to confidentiality issues:
 - a. Applicant has disclosed all the essential information in the non-confidential version of the application in accordance with the Rules and Trade Notice issued by the Authority. Indexed information has been provided, wherever possible. The applicant

is the sole applicant and disclosure of actual information would be of significant competitive advantage to the competitors and consumers.

- b. The non-confidential version of the response filed by the other interested parties is grossly deficient and should be rejected. The responding exporter has claimed excessive confidentiality in disclosing the name of the holding company as well as the shareholding details.

E.2. Submissions made by other interested parties

23. The following are the submissions made by exporters/importers/other interested parties with regard to confidentiality issues:

- a. Excessive confidentiality is allowed in the petition in violation of Trade Notice no. 10/2018. The Petitioner has not provided sufficient data on volume and value of production by all other producers, information on R&D Expenses, funds Raised and non-injurious price calculation. The Applicant has tried to restrict the relevant information from the opposing parties and also from the Authority.
- b. The Applicant has not provided correct and complete non-confidential version of the application, which has jeopardized the right to oppose. The Authority should direct the applicant to provide correct and complete information and actual volume information so that effective rebuttals can be made.

E.3. Examination by the Authority

24. The Authority has made available non-confidential version of the information provided by interested parties to other interested parties.

25. As regards the contentions relating to excessive confidentiality of information, the Authority notes that the Rule 7 permits interested parties to claim certain information as confidential and requires them to provide non confidential version of the information filed on confidential basis. Information provided by the interested parties on confidential basis was examined with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted and such information has been considered confidential and not disclosed to other interested parties. Wherever possible, parties providing information on confidential basis were directed to provide sufficient non confidential version of the information filed on confidential basis. The Authority made available the non-confidential version of the evidence submitted by various interested parties in the form of public file.

F. MISCELLANEOUS SUBMISSIONS

F.1. Submissions made by other interested parties

26. Following submissions have been made by exporters/importers/other interested parties with regard to miscellaneous issues:

- a. The product has been sufficiently protected in the past 17 years by way of the earlier
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anti-dumping duty on EU & China PR. No application was filed by the domestic industry seeking extension of previous duty which expired on 20th December 2017.

- b. The petition has incomplete and incorrect information, as it shows same data for the annualized POI as the POI. The Authority did not initiate investigation against EU on the ground that the dumping margin on imports of subject goods from EU was de-minimis and that the injury margin was negative for the period of investigation. Despite this, the Petitioner did not file an updated petition excluding EU nor did they update the method of calculation of dumping margin. The applicant, in this regard, has neither replied to the letters nor provided updated data.
- c. Contention of domestic industry regarding Vietnam as a pseudo Chinese manufacturing is denied. Applicant has not disputed the available production facility for PUC in Vietnam.
- d. The domestic industry has not contended trans-shipment of the product in the present case. The initiation notification also does not cover the issue of trans-shipment.
- e. Process adopted by domestic industry and the exporting producer need not be same in all respects. The Vietnamese producer company undertakes significant manufacturing process to produce the product from the raw material. The value addition is in the region of 30-40%. The quantification of value addition has meaning in anti-circumvention investigations and not in anti-dumping investigations.
- f. ADD can create unwarranted distress to the end users of animal feeds in India who are unorganized to come before the Authority. The Authority may consider the plight of such users before reaching any conclusion. The burden of any duty shall be borne by such users which will be counterproductive.
- g. The applicant is intolerant to even small amount of imports and sees zero imports as a means to bolster their position in the market. Any ADD shall be used as a tool to increase profits by the applicant as they are well positioned to engage in such price determinations.
- h. The Indian Government declaring assistance packages on one hand and imposing ADD on the other hand may ultimately deny the intended benefits to the people who are engaged in animal husbandry in India.

F.2. Submissions made by the Domestic Industry

27. The following miscellaneous submissions have been made by the Domestic industry

- a. Imposition of Anti-dumping duty is not a protection. Once the duty lapsed the imports again started entering at dumped prices.
- b. There is no inaccuracy in the data presented in injury statements. The applicant provided trend in the non-confidential version of petition. Since POI is not 12 months, the trends have been reported considering the difference in length of different periods. The data have been verified by the Authority.
- c. The applicant filed application in respect of European Union as well. However, the Authority has prima facie not found justification for initiation of investigation against EU. Neither the rules require, nor has the Authority instructed the applicant to file revised petition removing EU, post initiation of investigation.
- d. In response to the contentions raised regarding public interest issues, the applicant

submitted that anti-dumping duty would not restrict the imports at fair prices and would not hinder the farmers' access to the imported goods. In fact, imposition of duty will bring the imported goods at par with the one produced by domestic industry and ensure fair competition in the market.

- e. The domestic industry has sought redressal against dumping causing injury. The domestic industry has not sought duty to earn undue profits.
- f. The Authority has earlier found that cost of the product and impact of ADD on the ultimate product is highly miniscule.

F.3. Examination by the Authority

28. The various miscellaneous submissions considered relevant have been examined as under:

- a. As regards the argument that domestic industry is having protection for the last several years, the Authority notes that anti-dumping duty is imposed or extended only if the necessary conditions under the AD Rules are met. The present investigation is a fresh investigation since anti-dumping duty is not in force.
- b. As regards the argument of incomplete and incorrect information, the Authority notes that the data provided in the petition was examined and the investigation was initiated only after prima facie satisfaction regarding adequacy and accuracy of information. Further, information furnished by the domestic industry has subsequently been verified by the Authority. As regards providing indexed data, the Authority notes that there is no infirmity in the indexation.
- c. As regards the argument of filing revised application after excluding EU, the Authority notes that the application was filed in respect of China, EU, Malaysia and Vietnam. The Authority considered it appropriate not to initiate investigation in respect of imports from EU. However, the application contains sufficient data separately for each of the country under investigation.
- d. With regard to the DI's contention of Vietnamese exporter being a pseudo Chinese manufacturer, the Authority notes that the responding exporter has procured liquid choline chloride from China, processed the same into dry choline chloride and exported to India. The questionnaire response filed by the exporter shows that the cost of raw material consumed (mainly liquid chlorine chloride) constitutes ***% of the cost of production and ***% of the cost of sales. It is also noted that the exporter has created manufacturing facilities, and has declared exported product as originating in Vietnam. The claim of the exporter has been accepted by the customs authorities. The exporter has sourced raw material from its own related entity from China and the raw material obtained by the company is also within the scope of the product under consideration. This aspect has been taken note of while determining normal value for the exporter.
- e. As regards the argument of selective participation of the exporter or misleading information, the Authority notes that the responding exporter has not denied the fact that they have bought liquid Choline Chloride from their own affiliated producer in China, who has not responded in the present investigation.
- f. As regards the argument of the domestic industry that the goods supplied from Vietnam constitute goods of Chinese origin, the Authority notes that it is for the Customs Authorities to examine the same at the time of importation in accordance with rules of origin and is not within the scope of the present investigation. The Authority has

considered that the goods originating from Vietnam, as treated by the Customs authorities.

- g. As regards the contention with respect to the impact on consumers through increase in product costs due to ADD, the Authority notes that the interested party has merely made a statement and has provided no verifiable data/information to substantiate its contention. Further, the domestic industry has submitted quantified information and has referred to the previous investigation conducted by the Authority, wherein the Authority had noted submissions of the domestic industry that cost of Choline Chloride as a chicken feed constitutes highly insignificant proportion. The Authority also notes that anti-dumping measures are aimed to ensure fair trade and provide level-playing field. These measures do not restrict import nor cause an unjustified increase in cost of products. The purpose of ADD is not to give any kind of undue advantage to the domestic producers. Nor a consumer can seek, as a matter of right, access to a product at dumped prices, particularly when such dumping is found to have caused injury to an established industry in India. The purpose of ADD is to remove unfair dumping causing injury to the domestic industry. However, fair competition in the Indian market will not be reduced by the imposition of anti-dumping measures. Imposition of anti-dumping duties would not affect the availability of the product to the consumers at fair prices.

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

29. Under Section 9A(1)(c) of the Act, "normal value, in relation to an article, means:

(i) the comparable price, in the ordinary course of trade, for the like article when meant for consumption in the exporting country or territory as determined in accordance with the rules made under sub-section (6); or

(ii) when there are no sales of the like article in the ordinary course of trade in the domestic market of the exporting country or territory, or when because of the particular market situation or low volume of the sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison, the normal value shall be either-

(a) comparable representative price of the like article when exported from the exporting country or territory to an appropriate third country as determined in accordance with the rules made under sub-section (6); or

(b) the cost of production of the said article in the country of origin along with reasonable addition for administrative, selling and general costs, and for profits, as determined in accordance with the rules made under sub-section (6):

Provided that in the case of import of the article from a country other than the country of origin and where the article has been merely transshipped through the country of export or such article is not produced in the country of export or there is no comparable price in the country of export, the normal value shall be determined with reference to its price in the country of origin."

G.1. Submissions by the Domestic Industry

30. The following submissions are made by the domestic industry with regard to normal value:

- a) China and Vietnam should be treated as non-market economies for the present purposes.
- b) In line with the position taken by the Authority in previous cases, and by investigating authorities in other countries, the cost and price of the Chinese producers cannot be relied upon for determination of normal value. Accordingly, normal value should be determined in accordance with the provisions of para 7 of Annexure I of the Rules.
- c) The Applicant has determined the normal value of subject goods based on cost of production of the subject goods in India with addition of administrative & selling expenses and a reasonable amount of profit.
- d) The producers in Vietnam are importing liquid form of choline chloride from China, processing the same and exporting to India. The Authority should treat the producer as only processor and not a manufacturer of Choline chloride. Transforming one form of the product under consideration into other form is an insignificant production activity and the value addition is incremental. The Authority should not grant individual dumping margin to the Vietnam producers.
- e) The value of choline chloride liquid consumed by the producers of the product in Malaysia and Vietnam should be considered at the market value of liquid choline chloride. The procurement price from China cannot be considered, as this is material sourced from Chinese affiliated supplier and the material itself is part of the product under consideration.
- f) Custom data of other countries show that liquid choline chloride is produced in significant volumes only in EU, China, US, India and has been exported to various countries and therefore price of liquid Choline Chloride can be considered on the prices of the prices in EU or USA.
- g) None of the producers of the product under consideration in Malaysia have filed questionnaire response. As per trade map data, Malaysia is also importing the liquid form of choline chloride from other countries, processing the same and exporting to India. The Authority should determine normal value in Malaysia considering the international price of liquid choline chloride and facts available with regard to conversion costs.
- h) Dumping margin of the imports from the subject countries is positive and above de minimis.

G.2. Submissions made by other interested parties

31. Following submissions have been made by exporters/importers/other interested parties with regard to normal value.

- a) The constructed normal value for China PR, Vietnam and Malaysia at approximately USD ***/MT is extremely high as compared to a normal value of USD ***/MT for EU, which is an expensive market. It is evident that the cost of the domestic industry is inflated, and this higher cost is responsible for its own injury.
- b) Net export price is unreliable as there is no information regarding calculations or methodology used for its calculation.
- c) The net export price for imports from Vietnam is much higher than the export price for imports from EU. Thus, the dumping margin for Vietnam should be even lower than that of EU. The net export price for EU is *** US\$/MT, and the Authority considered the dumping margin for EU as de minimis. Therefore, dumping margin for Vietnam should also be de minimis, as the net export price for Vietnam is ***US\$. There is no major difference between normal values for these countries.
- d) Authority should not rely on the data provided by the applicant to assess the normal value, Export Price, and dumping margin. The Authority should adopt verifiable information provided by the exporter.
- e) The Vietnamese producer undertakes significant manufacturing process to produce the product. Quantification of value addition from raw material stage to finished goods stage has no relevance in the anti-dumping investigation.

G.3. Examination by the Authority

G.3.1. Determination of normal value

G.3.1.1. Market economy status for Chinese Producers

32. Article 15 of China's Accession Protocol in WTO provides as follows: "Article VI of the GATT 1994, the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 ("Anti-Dumping Agreement") and the SCM Agreement shall apply in proceedings involving imports of Chinese origin into a WTO Member consistent with the following:

"(a) In determining price comparability under Article VI of the GATT 1994 and the Anti-Dumping Agreement, the importing WTO Member shall use either Chinese prices or costs for the industry under investigation or a methodology that is not based on a strict comparison with domestic prices or costs in China based on the following rules:

- (i) If the producers under investigation can clearly show that market economy conditions prevail in the industry producing the like product with regard to the manufacture, production and sale of that product, the importing WTO Member shall use Chinese prices or costs for the industry under investigation in determining price comparability;*
- (ii) The importing WTO Member may use a methodology that is not based on*

a strict comparison with domestic prices or costs in China if the producers under investigation cannot clearly show that market economy conditions prevail in the industry producing the like product with regard to manufacture, production and sale of that product.

(b) In proceedings under Parts II, III and V of the SCM Agreement, when addressing subsidies described in Articles 14(a), 14(b), 14(c) and 14(d), relevant provisions of the SCM Agreement shall apply; however, if there are special difficulties in that application, the importing WTO Member may then methodologies for identifying and measuring the subsidy benefit which take into account the possibility that prevailing terms and conditions in China may not always be available as appropriate benchmarks. In applying such methodologies, where practicable, the importing WTO Member should adjust such prevailing terms and conditions before considering the use of terms and conditions prevailing outside China.

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

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

33. It is noted that while, the provision contained in Article 15 (a) (ii) have expired on 11.12.2016, the provision under Article 2.2.1.1 of WTO read with obligation under 15 (a) (i) of the Accession protocol require criterion stipulated in para 8 of the Annexure I of the AD Rules to be satisfied through the information/data to be provided in the prescribed formats for claiming the market economy status. Since none of the producers from China PR have submitted questionnaire response, the normal value is required to be determined as per provisions of para 7 of Annexure I of the AD Rules.

G.3.1.2. Determination of Normal Value for all producers in China PR

34. As none of the producers from China PR have filed questionnaire response, the normal value has been determined in accordance with Para 7 of Annexure I of the Rules, which provides that normal value shall be determined on the basis of the price or constructed value in the market economy third country, or the price from such a third country to other countries, including India or where it is not possible, or on any other reasonable basis,

including the price actually paid or payable in India for the like product, duly adjusted if necessary, to include a reasonable profit margin.

35. None of the interested parties, including the domestic industry have provided any information for determination of normal value on the basis of price or constructed value in the market economy third country, or the price from such a third country to other countries, including India. In the absence of sufficient information on record regarding the other methods prescribed under Para 7 of Annexure I of the Rules, the Authority has determined the normal value by considering "any other reasonable basis" provided under the rules. The Authority has determined normal value for Chinese producers on the basis of cost of production in India, duly adjusted, including selling, general and administrative expenses and reasonable profits. The normal value so determined is mentioned in the dumping margin table below.

G.3.1.3. Determination of Normal Value for all producers in Malaysia

36. None of the producers from Malaysia have filed questionnaire response. Since none of the producers/exporters have cooperated with the Authority, normal value has been determined on the basis of facts available in terms of Rule 6(8).
37. The normal value has been determined on the basis of facts available. Accordingly, the constructed normal value so determined for Malaysian producers/ exporters is mentioned in the dumping margin table below.

G.3.1.4. Determination of Normal Value for all producers in Vietnam

38. The Authority notes that exporter's questionnaire responses have been submitted by M/s GHW (Vietnam) Co Ltd, Vietnam and M/s GHW Holding Company, Hong Kong and their related importer M/s Nuovomondo Chemicals Pvt Ltd, Mumbai. M/s GHW (Vietnam) Co Ltd is a producer/exporter in Vietnam. M/s GHW Holding Company, Hong Kong is a trader and M/s Nuovomondo Chemicals Pvt Ltd, Mumbai is their related importer. M/s GHW Holding Company, Hong Kong however has submitted that it has exported to India the goods produced in China by Havay Group (PRC) and not exported the goods produced in Vietnam. It had filed questionnaire response envisaging that the Chinese producer concerned shall file questionnaire response. However, since the Chinese producer has not filed questionnaire response, the Authority has ignored the questionnaire response filed by M/s GHW Holding Company, Hong Kong.

M/s GHW (Vietnam) Co Ltd, Vietnam

39. As regards the argument of the domestic industry that the goods supplied from Vietnam do not satisfy the criteria of minimum value addition as prescribed under the Rules of Origin, it is noted that the same is for the Customs Authorities to examine at the time of importation and is outside the purview of the present investigation.
40. The Authority notes that the company has bought liquid Choline Chloride from its own

Chinese related company. The Chinese company is engaged in production of liquid Choline Chloride and has not cooperated with the Authority. Further, liquid Choline Chloride is a form of the product under consideration in the present case. Under the circumstances, the Authority considers that the purchase price reported by the company cannot be adopted for determination of its cost of production. Accordingly, the Authority has taken the cost of production of liquid Choline Chloride based on facts available and added the actual conversion costs of the company to determine the cost of production of dry chlorine chloride. Further, since all the domestic sales made by the company are at a price below the cost of production of dry chlorine chloride so determined by the Authority, a profit margin of 5% has been added to such cost of production to determine the normal value.

G.3.2. Determination of Export Price

G.3.2.1. M/s GHW (Vietnam) Co Ltd, Vietnam

41. After examination of the response, the exporter's data was verified by the Authority. The DGCI&S data has also been examined and correlated with the questionnaire response filed by the exporter. The Authority notes that the imports as per the exporter's questionnaire has been reported more than the DGCI&S data for Vietnam for the period of investigation. The Authority has accepted the data submitted by the producers/exporters and for determination of export price. The Authority notes that the company had reported 22 transactions involving export of *** MT of the subject goods to India during POI at an average CIF price of US\$ *** per MT. Entirety of sales are of dry form. Price adjustments have been made on account of inland freight, handling charges, ocean freight, insurance, cash credit, bank charges and SGA of traders as reported by the exporter to arrive at ex-factory level. Accordingly, the net export price at ex-factory level for M/s GHW (Vietnam) Co Ltd, Vietnam is determined as US\$ *** per Kg.

G.3.2.2. Non-cooperative producer/exporter

42. No other producer/exporter has responded from Vietnam. The Authority has determined export price for non-responding exporters/producers from Vietnam based on facts available. The Authority has used the data of responding exporter for determination of export price for non-cooperative exporters. Price adjustments have been made on account of inland freight, handling charges, ocean freight, insurance, cash credit, bank charges to arrive at ex-factory level.

G.3.2.3. Export price for China and Malaysia

43. Since none of the producers/exporters from China and Malaysia have filed questionnaire response, the Authority has determined export price for all producers/ exporters from China and Malaysia on the basis of weighted average import price as reported in DGCI&S import data. Price adjustments have been made on account of inland freight, handling charges, ocean freight, insurance, cash credit, bank charges to arrive at ex-factory level.

G.3.3. DUMPING MARGIN

44. The dumping margin for the subject goods has been determined by considering normal value and net export price at ex-factory level. The same is mentioned in the table below.

Country	Exporter	Normal Value	Net Export Price	Dumping Margin	Dumping Margin	Dumping Margin in %
		US\$/MT	US\$/MT	US\$/MT	%	Range
China	All	***	***	***	***	70-80
Vietnam	GHW (Vietnam) Co. Ltd	***	***	***	***	30-40
Vietnam	Residual	***	***	***	***	40-50
Malaysia	All	***	***	***	***	70-80

G. METHODOLOGY FOR INJURY DETERMINATION AND EXAMINATION OF INJURY AND CAUSAL LINK

G.1 Submissions by the Domestic Industry

45. The submissions made by Domestic Industry are as follows:

- a. The demand has increased throughout the injury period. The volume of imports has shown massive increase in absolute terms as well as in relation to production & consumption in India.
- b. The imports are undercutting the prices of the applicant in the Indian market. Though the selling price has increased, the increase is less than the increase in cost of production. The imports are causing price suppression.
- c. As regards consequent impact of dumped imports on the domestic industry, the domestic industry has submitted as follows
 - i. While overall production increased, the increase in production is lower than increase in demand and sales have not increased to the extent of increase in demand. The applicant added capacity to meet the domestic needs. But due to continued imports, additional capacity has remained largely unutilized, thus, resulting in decline in capacity utilization.
 - ii. Market share of domestic industry declined over the injury period.
 - iii. The domestic industry is faced with consistent increase in cost of sales of the subject goods due to continued increase in the input prices. Even when both selling price and cost of production increased, the increase in the selling price was less than the increase in the cost of production, throughout the injury period.

- iv. Profits of the domestic industry started declining to such an extent that the domestic industry has started suffering financial losses now. Resultantly, cash profit, PBIT and ROCE also followed the same trend and declined significantly over the period of injury.
- v. Inventories with the Domestic Industry have shown significant increase throughout the injury period with a significant increase in the POI.
- vi. Employment and wages increased in the injury period. The Applicant produces few other goods as well and therefore employment and wages are not solely dependent on the subject goods' performance.
- vii. The dumping margin is not only more than de-minimus but also substantial. The impact of dumping on the Domestic Industry is adverse.
- viii. Growth of the Domestic Industry in terms of the majority of parameters such as, production, sales, market share, profits, return on investment, cash profits, etc. is negative.
- d. Injury to the domestic industry is not due to other factors, viz. the performance of other products being produced and sold by the Domestic Industry, changes in the patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producer, developments in technology, and export performance.
- e. Responding to the issues raised by the other interested parties, the domestic industry has submitted as follows
 - i. As regards the contention that there are nominal imports, it is submitted that with cessation of anti-dumping duty, dumping has not only started but has also significantly intensified from other subject countries such as Vietnam and Malaysia.
 - ii. As regard the contention that injury is due to new product, it is submitted that no new product has been manufactured by the Applicant. The existing product has been sold for a new application. Besides, such sale of choline chloride to Oil and gas industry is very miniscule.
 - iii. Imports from subject countries constitute significantly high percentage in total imports and demand.
 - iv. As regard the contention that there is no injury it is submitted that performance of the domestic industry in respect of various volume and price parameters have deteriorated.
 - v. During 2015-16 and 2016-17 anti-dumping duty against China was in existence, due to which there were no imports. Once the duty lapsed in December 2017 the imports once again began to increase not only from China but also from other subject countries.
 - vi. Prices from Vietnam have increased in POI as compared to 2017-18 but has remained significantly below the cost and selling price of domestic industry.
 - vii. The depreciation has not increased much and share of depreciation is quite low in comparison to cost. Thus, increase in depreciation is not the reason for the injury suffered by domestic industry.
 - viii. There is no extra R&D cost incurred to manufacture choline chloride used in Oil and gas sector.

- ix. If Oil and natural gas application is exempted, one can import liquid choline chloride in the garb of use in oil and gas market and use the same for manufacture of dry choline chloride and use the same for feed application.
- x. With reference to annual report of M/s Jubilant Life Sciences, it is submitted there is nothing in the annual reports which suggests that the performance of the product under consideration deteriorated due to some other reasons.
- xi. The injury to the domestic industry has not been caused by any other factor. There is a clear causal link between the dumping of the subject goods and injury to the domestic industry.

G.2 Submission by other interested parties

46. The submissions made by other interested parties with regard to injury are as follows:

- a. There were no import from the subject countries in the year 2015-16 and 2016-17. In 2017-18, only Vietnam has exported. So, any injury caused from 2015-16 to 2017-18 cannot be attributed to the subject imports at all.
- b. Imports from Vietnam constitute 51% of the total subject imports, and volume of subject imports for Malaysia and China PR are insignificant and the CIF price has increased in the POI.
- c. No differentiated imports from the subject countries for dry and liquid choline chloride for oil and gas sector have been provided.
- d. Different injury analysis is required for different markets as for dry choline chloride for animal feeds and liquid choline chloride in oil and gas industry.
- e. Domestic industry is not suffering material injury due to subject imports. In the absence of any injury which is reflected in the negative injury margin, it can be ascertained that the claims of causal link also have no truth in it and should be rejected. There is improvement in relevant economic parameters of the domestic industry.
- f. Since injury margin is negative from EU, injury margin for Vietnam cannot be positive, as the landed price of import from Vietnam was clearly higher than EU. The Authority should exclude Vietnam from the scope of investigation.
- g. NSR is higher than the NIP of the Domestic Industry. Accordingly, Domestic Industry is earning way above the NIP and earning sufficient ROCE.
- h. Newly started production of Choline Chloride for oil and gas has caused unstable business and is further causing production line to be erratic which can destabilize the market and lead to a shortage of supply.
- i. The Financial Reports point to multiple other reasons which may have led to injury during the POI such as- substantial investment in R&D, the international and domestic macro-economic activities affecting supply chain, continuous changes in GST, volatility in crude oil, solvents and other chemicals.
- j. Decline in some economic parameters is on account of un- dumped imports as dumping margin from imports from EU and Vietnam is negative.
- k. Data provided shows that there is no price effect due to dumped imports.
- l. Injury, if any, is attributable to export sales in large quantities and losses have reasons

other than imports. The widening gap in export sales resulting in losses could be the reason for any injury caused.

- m. Fall in PBIT since 2016-17 when there were no subject imports. Increase in cost can be attributed to an increase in depreciation cost which increased by 25%. The PBIT per unit could be adversely impacted due to such an increase in cost. The Applicant is earning a higher sales realization in India than in export market. Applicant's cost is at a constant rise, which can be attributable to the setup of a new line of business.
- n. The domestic industry holds about 90% of the Indian demand for the product.
- o. Indian poultry sector has observed a huge demand and supply gap in Choline Chloride. Anti-dumping duty will create demand and supply gap which will result into price increase from Indian manufacturers.

G.3 Examination of the Authority

47. The Authority has taken note of various submissions of interested parties on injury to the domestic industry and has analyzed the same considering the facts available on record and applicable laws. The Authority notes that the imports as per the exporter's questionnaire response has been reported more than the DGCI&S data for Vietnam for the period of investigation and hence the Authority has considered the import data as per the questionnaire response filed by the foreign producer/ exporter.

G.3.1 Cumulative Assessment

48. Annexure II para (iii) of the Anti-dumping Rules provides that in case where imports of a product from more than one country are being simultaneously subjected to antidumping investigations, the Authority will cumulatively assess the effect of such imports, in case it determines that:

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

49. The Authority notes that:

- a. The subject goods supplied from various subject countries and by the domestic industry are like articles.
- b. The subject goods are being dumped into India from the subject countries. The margins of dumping from each of the subject countries are more than the de minimis limits prescribed under the Rules.
- c. The volume of imports from each of the subject countries is individually more than 3% of total volume of imports.
- d. Prices at which the goods are being exported from the subject countries indicate a clear

inter se competition between the imports from these sources in the Indian market.

- e. The competition between the dumped imported articles and the like articles offered by the domestic industry in the Indian market exists.

50. In view of the above, the Authority considers that it would be appropriate to assess injury to the domestic industry cumulatively.

51. Rules require the Authority to examine injury by examining both volume and price effect. A determination of injury involves an objective examination of both (a) the volume of the dumped imports and the effect of the dumped imports on prices in the domestic market for the like article and (b) the consequent impact of these imports on the domestic industry. With regard to the volume of dumped imports, the Authority is required to consider whether there has been a significant increase in the dumped imports, either in absolute terms or relative to production or consumption in India. With regard to the effect of the dumped imports on prices, the Authority is required to consider whether there has been a significant price undercutting by the dumped imports as compared with the price of the like product in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases which otherwise would have occurred to a significant degree.

G.3.2 Volume Effect of Dumped Imports on the Domestic Industry

(a) Assessment of Demand/Apparent Consumption

52. Demand or apparent consumption of the product in India has been determined as the sum of domestic sales of the Indian Producers and imports from all sources. The demand so assessed for the product under consideration is given below:

Particulars	UoM	2015-16	2016-17	2017-18	POI	
					Actual	Annualized
Subject countries	MT	-	-	208	1,124	899
(a)China PR	MT	-	-	-	324	259
(c)Vietnam	MT	-	-	208	***	***
(b)Malaysia	MT	-	-	-	208	166
Other countries	MT	72	362	671	270	216
Domestic Industry Sales	MT	***	***	***	***	***
Sales of Other Producers	MT	***	***	***	***	***
Total Demand	MT	***	***	***	***	***

53. It is seen that the demand for the product has shown a positive trend over the injury period.

(b) Import Volumes from subject countries

54. The volume of imports of the subject goods from the subject countries have been analysed as under-

Import Volume	UOM	2015-16	2016-17	2017-18	POI	POI(A)
Subject Countries		-	-	208	1,124	899
China PR	MT	-	-	-	324	259
Vietnam	MT	-	-	208	***	***
Malaysia	MT	-	-	-	208	166
Other Countries	MT	72	362	671	270	216
Total	MT	72	362	879	***	***
<u>Share in Imports</u>						
Subject Countries	%	0.00	0.00	23.66	80-100	80-100
China PR	%	0.00	0.00	0.00	20-30	20-30
Vietnam	%	0.00	0.00	23.66	40-50	40-50
Malaysia	%	0.00	0.00	0.00	10-20	10-20
Other Countries	%	100.00	100.00	76.34	10-20	10-20
Total	%	100.00	100.00	100.00	100.00	100.00
<u>Subject Imports in relation to</u>						
Indian production	%	0.00	0.00	1.16	5.05	5.05
Consumption	%	0.00	0.00	1.18	5.07	5.07
Total Imports	%	0.00	0.00	23.66	80-100	80-100

55. It is seen that

- a. Imports from the subject countries have increased in absolute terms over the injury period. While there were no imports till 2016-17 from subject countries, imports started from Vietnam in 2017-18, while the same started from China PR and Malaysia in POI itself.
- b. The imports have increased in relation to imports of the product in India, production and consumption in India.

G.3.3 Price Effect of Dumped Imports on the Domestic Industry

56. The impact on the prices of the domestic industry on account of the dumped imports from the subject countries has been examined with reference to the price undercutting, price underselling, price suppression and price depression, if any. For the purpose of this analysis the cost of sales, Net Sales Realization (NSR) and the Non-Injurious Price (NIP) of the domestic industry have been compared with the landed value of imports from the subject countries.

(a) Price Undercutting

57. For the purpose of price undercutting analysis, net selling price of the Domestic Industry has been compared with the landed value of imports from each of the subject countries. Price undercutting has been determined separately for the two forms and thereafter for the product.

Country		China	Vietnam	Malaysia
Import Quantity	MT	315	***	208
Landed Import Price	Rs/MT	61,587	***	58,767
Net Sales Realization	Rs/MT	***	***	***
Price Undercutting	Rs/MT	***	***	***
Price Undercutting	%	***	***	***
Price Undercutting	%Range	20-30	10-20	20-30

58. It is seen that the imports from subject countries are at prices significantly below the selling price of the domestic industry. The imports were undercutting the prices of the domestic industry during the period of investigation.

(b) Price Suppression and Depression

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

Particulars	UOM	2015-16	2016-17	2017-18	POI
Selling price	Rs/MT	***	***	***	***
	Indexed	100	100	100	104
Cost of Sales	Rs/MT	***	***	***	***
	Indexed	100	101	109	118
<u>Landed Price:</u>					
- China	Rs/MT	-	-	-	61,587
- Vietnam	Rs/MT	-	-	66,462	***
- Malaysia	Rs/MT	-	-	-	58,767
- Subject countries	Rs/MT	-	-	66,462	***

60. It is seen that

- the landed price of imports is significantly below the cost of sales and selling price of the domestic industry;
- the cost of sales has increased over the injury period. The selling price has not increased in proportion to the increase in cost of sales.

61. It is thus seen that the imports were suppressing the prices of the domestic industry during the period of Investigation.

(c) Price Underselling

62. The non-injurious price (NIP) of the Domestic Industry has been determined and compared with the landed value of the subject goods to arrive at the extent of price underselling. It is seen that the landed value of subject imports was below the non-

injurious price of the Domestic Industry. The price underselling so determined is significant.

Country		China	Vietnam	Malaysia
Import Quantity	MT	315	***	208
Non Injurious Price	US\$/MT	***	***	***
Landed Import Price	US\$/MT	870.73	***	830.87
Price Underselling	US\$/MT	***	***	***
Price Underselling	%	***	***	***
Price Underselling	%Range	30-40	0-10	30-40

G.3.4 Economic Parameters of the Domestic Industry

63. Annexure II to the Anti-Dumping Rules requires that the determination of injury shall involve an objective examination of the consequent impact of dumped imports on domestic producers of such products. With regard to consequent impact of dumped imports on domestic producers of such products, the Anti-dumping Rules further provide that the examination of the impact of the dumped imports on the Domestic Industry should include an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments. The Authority has examined the injury parameters objectively taking into account various facts and arguments made by the interested parties in their submissions.

a. Sales, Capacity, Production and Capacity Utilization

64. Capacity, production, sales and capacity utilization of the Domestic Industry over the injury period is given in the following table: -

Particulars	UOM	2015-16	2016-17	2017-18	POI	
					Actual	Annualized
Capacity	MT	***	***	***	***	***
	Indexed	100	100	119	119	119
Production-Liquid	MT	***	***	***	***	***
	Indexed	100	107	113	112	112
Capacity Utilization-	%	***	***	***	***	***
	Indexed	100	107	95	94	94
Domestic Sales-Liquid	MT	***	***	***	***	***
	Indexed	100	97	84	49	49

Domestic Sales-Dry	MT	***	***	***	***	***
	Indexed	100	112	107	114	114
Equivalent Domestic Sales (Dry basis)	MT	***	***	***	***	***
	Indexed	100	109	102	102	102

65. From the above information, the Authority notes that

- While production increased over the injury period till 2017-18, production and capacity utilization declined in POI as compared to preceding year.
- Sales of the domestic industry increased till 2016-17. Thereafter, sales of the domestic industry declined.
- Capacity utilization of the domestic industry increased in 2016-17 and has been declining thereafter.

b. Market Share

66. Market share of the domestic industry and of imports was as shown in table below:

Particulars	UoM	2015-16	2016-17	2017-18	POI	
					Actual	Annualized
Subject countries	%	0.00	0.00	1.18	5.07	5.07
Other countries	%	0.43	2.03	3.82	1.22	1.22
Domestic Industry Sales	%	***	***	***	***	***
Sales of Other Producers	%	***	***	***	***	***
Total Demand	%	100.00	100.00	100.00	100.00	100.00

67. It is seen that while the market share of subject imports has increased, the share of domestic industry has declined over the period.

c. Profitability, return on investment and cash profits

68. Profitability, return on investment and cash profits of the Domestic Industry over the injury period is given in the table below: -

Particulars	UOM	2015-16	2016-17	2017-18	POI	POI(A)
Selling price	Rs/MT	***	***	***	***	***
	Indexed	100	100	100	104	104
Cost	Rs/MT	***	***	***	***	***
	Indexed	100	101	109	118	118
Profit/ loss	Rs/MT	***	***	***	***	***
	Indexed	100	95	29	-5	-5
Profit/ loss	Rs Lacs	***	***	***	***	***
	Indexed	100	104	29	-5	-5
Profit before Interest	Rs Lacs	***	***	***	***	***
	Indexed	100	101	37	12	12

Cash Profit	Rs. Lacs	***	***	***	***	***
	Indexed	100	103	34	2	2
Capital Employed	Rs. Lacs	***	***	***	***	***
	Indexed	100	82	91	105	105
ROCE	%	***	***	***	***	***
	Indexed	100	123	40	11	11

69. From the above, it is seen that

- The profit of the domestic industry was at similar levels during 2015-16 and 2016-17. Profits of the domestic industry declined significantly in 2017-18 and further in POI. The domestic industry suffered financial losses in the POI.
- The domestic industry is faced with increase in cost of sales. However, even when both selling price and cost of sales increased, the increase in selling price was less than the increase in cost of sales, resulting in decline in profits and even financial losses in the POI.
- Cash profit, Profit before interest, and Return on Capital Employed followed the same trend as that of profits and have declined significantly over the period of injury.

d. Employment, productivity and wages

70. Performance of the domestic industry with regard to employment, productivity and wages is as follows:

Particulars	Unit	2015-16	2016-17	2017-18	POI	
					Actual	Annualised
Employee	Nos.	***	***	***	***	***
	Indexed	100	102	106	108	108
Productivity per Day	MT/Day	***	***	***	***	***
	Indexed	100	107	113	112	112
Productivity per employee	MT/Nos	***	***	***	***	***
	Indexed	100	104	107	103	103
Wages	Rs. Lacs	***	***	***	***	***
	Indexed	100	111	119	138	138
Wages	Rs/MT	***	***	***	***	***
	Indexed	100	104	106	123	123

71. The Authority notes that there is improvement over the injury period in respect of employment, wages and productivity. It is however noted that these parameters are not reflective of the impact of dumped imports on the domestic industry in view of various statutory regulations in the country and multi product operations of the domestic industry.

e. Inventories

72. Inventory position with the domestic industry over the injury period is given in the table below:

<u>Particulars</u>	<u>Unit</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>POI</u>
Average Stock	MT	***	***	***	***
Indexed		100	66	86	173
Opening Stock	MT	***	***	***	***
Indexed		100	97	33	135
Closing Stock	MT	***	***	***	***
Indexed		100	34	140	212

73. It is seen that the inventories with the Domestic Industry had shown decline till 2016-17, but increased thereafter till the POI.

f. Growth

74. The Authority notes that growth of the Domestic Industry with regard to production, domestic sales, profits, market share, return on investment, cash profits and inventory etc. was negative in the POI.

<u>Particulars</u>	<u>2015-16</u>	<u>2016-17</u>	<u>2017-18</u>	<u>POI(A)</u>
Capacity Utilization	-	5.81%	-10.23%	-0.80%
Production	-	6.92%	5.47%	-1.01%
Domestic Sales	-	9.32%	-6.29%	-0.83%
Cost of Sales	-	0.91%	8.51%	7.50%
Selling Price	-	0.25%	-0.05%	3.44%
Profit/Loss per MT	-	-4.83%	-69.95%	-116.34%
ROI	-	8.25%	-29.79%	-10.51%
Cash Profit	-	3.29%	-67.18%	-92.71%

g. Magnitude of dumping

75. The dumping margins in respect of each of the subject countries are positive and substantial during the POI.

h. Ability to raise investment

76. It is noted that the domestic industry has enhanced its capacity for the subject goods in the year 2017-18 before commencement of dumping. However, with commencement of dumping, the profits, cash profits and return on investment earned by the domestic industry turned negative, thus signifying that their ability to raise capital investment will get impacted if dumping persists.

i. Factors affecting domestic prices

77. Examination of the import prices from the subject countries and other countries, change in the cost structure, competition in the domestic market, factors other than dumped imports that might be affecting the prices of the Domestic Industry in the domestic market, etc. show that the landed value of imported material from subject countries is significantly below the selling price of the domestic industry, causing significant price undercutting in the Indian market. There is no viable substitute to this product. Demand for the product has by and large remained unchanged and could not have been a factor responsible for price suppression faced by the domestic industry. The only factor responsible for the domestic industry prices are the import prices of the product from subject countries and the cost of sales of the domestic industry. As the information shows, whereas the cost of sales increased, the domestic industry was prevented from increasing their prices in line with the increase in the cost.
78. The examination of the imports of the subject goods and performance of domestic industry shows that the volume of imports has increased in absolute terms as well as in relation to production and consumption in India. The imports are undercutting the prices of the domestic industry to a significant degree. The price underselling is positive and significant. The imports have prevented price increases which otherwise would have occurred. While the capacity of the domestic industry has increased over the period, the production and sales of the domestic industry have declined in the POI when compared to the base year. The domestic industry has suffered a decline in its profits over the period and is suffering financial losses. The cash profits and return on capital employed of the domestic industry has declined significantly. The dumping margin is positive and significant. The growth of the domestic industry was negative in the POI.
79. In view of the foregoing, the Authority concludes that the domestic industry has suffered material injury.

H. OTHER KNOWN FACTORS AND CAUSAL LINK

80. Having examined the existence of injury, volume and price effects of dumped imports on the prices of the domestic industry, the Authority has examined whether injury to the domestic industry can be attributed to any factor, other than the dumped imports, as listed under the Rules.
- a. **Volume and prices of imports from third countries:-** The Authority notes that volume of imports of the product is significant from European Union. It is however noted that imports from EU are only of liquid choline chloride. Therefore, the Authority determined dumping margin and injury margin in case of imports from EU by considering normal value and NIP for liquid choline chloride and found that the injury margin in case of imports from EU was negative. Accordingly, the Authority decided not to initiate investigations in respect of imports from EU. The Authority notes that the interested parties are comparing import price from EU and subject countries without recognizing that imports from EU are only liquid choline chloride and therefore normal value and NIP is required to be considered accordingly. The interested parties have

assessed injury margin in imports from EU by considering price for dry choline chloride, which is fallacious. The Authority notes that the petitioner had given one single NIP for dry choline chloride in its petition. It had not claimed two NIPs separately for liquid (choline chloride of 75% concentration) and dry (choline chloride of 60% concentration) in its petition. Therefore, for proper comparison at the same level, it had converted in its petition the import data of 75% concentration to bring it at par with the NIP submitted in the petition which was for dry (choline chloride of 60% concentration). However, the Authority, at the time of initiation, prepared two NIPs separately for both liquid and dry. And therefore, there was no need for the import data of 75% concentration to convert it equivalent to 60% concentration, as the Authority compared the NIP of liquid (75%) with import data of liquid (75%) and compared the NIP of dry (60%) with import data of (60%). The comparison showed that the injury margin in case of EU was negative which warranted exclusion of EU from the scope of the investigations. Thus, the Authority holds that there is no injury to the domestic industry from EU and the contention of other interested parties on failure of causal link in this regard is unfounded. Imports from all other countries are de-minimis in volume terms.

- b. **Contraction in demand:** - Demand for the product has by and large remained almost same over the injury period. Thus, decline in demand could not be the reason for injury to the domestic industry.
- c. **Changes in the patterns of consumption:** - There is no evidence of any change in the pattern of consumption with regard to the product under consideration. Therefore, changes in the pattern of consumption cannot be considered to have caused injury to the Domestic Industry.
- d. **Trade restrictive practices of and competition between the foreign and domestic producers:** - The import of the subject goods is not restricted in any manner and the same are freely importable in the country. No evidence has been submitted by any interested party to suggest that the conditions of competition between the foreign and the domestic producers have undergone any change.
- e. **Developments in technology:** - None of the interested parties have furnished any evidence to demonstrate that changes in the technology could have caused injury to the Domestic Industry.
- f. **Export performance:** - The injury information examined hereinabove relates only to the performance of the domestic industry in terms of its domestic market. Thus, the injury suffered cannot be attributed to the export performance of the domestic industry.

I. CONCLUSION ON CAUSAL LINK

81. Analysis of the performance of the domestic industry over the injury period shows that the performance of the domestic industry has materially deteriorated due to dumped imports

from the subject countries. Causal link between dumped imports and the injury to the domestic industry is established on the following grounds:

- a. Decline in sales by the domestic industry as a result of increase in imports led to increase in inventory and consequently decline in production and capacity utilization.
- b. Imported product is significantly undercutting the prices of the domestic industry. Resultantly, the domestic industry was not able to increase its prices in proportion to the increase in cost of sales.
- c. Price suppression faced by the domestic industry led to decline in profits, cash profits and return on capital employed.

J. MAGNITUDE OF INJURY AND INJURY MARGIN

82. The Authority has determined Non-Injurious Price (NIP) for the domestic industry on the basis of principles laid down in Anti-Dumping Rules read with Annexure III, as amended. The non-injurious price of the product under consideration has been determined by adopting the verified information/data relating to the cost of production for the period of investigation. The non-injurious price has been considered for comparing the landed price from the subject country for calculating injury margin. For determining the non-injurious price, a reasonable return (pre-tax @ 22%) on average capital employed (i.e. average net fixed assets plus average working capital) for the product under consideration was allowed as pre-tax profit.

83. For all the non-cooperative producers/exporters from the subject countries, the Authority has determined the landed price based on facts available.

84. Based on the landed price and non-injurious price determined as above, the injury margins for producers/exporters have been determined and the same is provided in the table below:

Country	Exporter	Non Injurious Price	Landed Import Price	Injury Margin	Injury Margin	Injury Margin
		US\$/MT	US\$/MT	US\$/MT	%	Range
China	All	***	***	***	***	30-40
Vietnam	GHW (Vietnam) Co. Ltd	***	***	***	***	0-10
Vietnam	Residual	***	***	***	***	10-20
Malaysia	All	***	***	***	***	30-40

85. It is evident from the above table that the level of injury margin is significantly higher.

K. POST DISCLOSURE SUBMISSIONS

86. Post- disclosure submissions have been received from the interested parties as under:

Submissions made by the domestic industry

- a) The non-injurious price determined by the Authority is not based on the expenses reported by the domestic industry. The expenses reported by the domestic industry have been modified. Such modification is inappropriate and unjustified. The domestic industry is unable to comment on these modifications done, as reasons for these modifications have not been stated in the disclosure statement.

Submissions made by other interested parties.

Submissions made by M/s GHW (Vietnam) Co., Ltd.

- b) The Company exported the subject goods directly to Indian users and also to related importer in India, namely M/s Nuovomondo Chemicals Pvt. Ltd. However, landed price determined as per the disclosure statement does not reflect the resale price of the imported product by the related importer. The landed price should be determined as per the definition of export price provided in Section 9A (1) (b) of the Customs Tariff Act 1975.

Submissions made by M/s Uttara Impex Pvt. Ltd.

- c) The Authority has done comparison of imports of liquid form of PUC with NIP of liquid form of PUC and imports of dry form of PUC with NIP of dry form of PUC. The Authority is requested to kindly disclose the import quantity & other analysis such as price undercutting and underselling of liquid and dry form separately.

Examination of the Authority

87. The Authority has examined the post-disclosure submissions made by the interested parties including reiterations which have already been examined suitably and addressed adequately in the relevant paras of these final findings. The issues raised for the first time in the post disclosure comments/submissions by the interested parties and considered relevant by the Authority are examined below.

88. With regard to the NIP, it is clarified that the Authority has determined the NIP as per the guidelines laid down in Annexure-III of AD Rules and the practice followed by the Authority with regard to admissibility of expenses, allocation & apportionment of expenses. The NIP has been calculated on the basis of actual data of raw material, utilities, capacity etc., as made available by the Domestic Industry.

89. With regard to the claims of GHW (Vietnam) Co., Ltd and Nuovomondo Chemicals Pvt. Ltd, the Authority notes that GHW (Vietnam) Co., Ltd exported the PUC to independent customers in India and also to a related importer namely Nuovomondo Chemicals Pvt. Ltd who had also filed the response. It is seen that the related importer further sold the subject goods to independent users in the market. The Authority notes that the export price has been determined appropriately in terms of Section 9A (1) (b) of the Customs Tariff Act.
90. With regard to the claim of M/s Uttara Impex, the Authority notes that there is no requirement to disclose analysis for each type of PUC. The authority has disclosed all relevant information for the product under consideration as a whole.

L. INDIAN INDUSTRY'S INTEREST & OTHER ISSUES

91. The Authority notes that the purpose of anti-dumping duties, in general, is to eliminate injury caused to the domestic industry by the unfair trade practices of dumping so as to re-establish a situation of open and fair competition in the Indian market, which is in the general interest of the country. Imposition of anti-dumping duty would not restrict imports from the subject countries in any way, and, therefore, would not affect the availability of the products to the consumers.
92. It is recognized that the imposition of anti-dumping duty might affect the price levels of the product under consideration and downstream goods manufactured using the product under consideration. This might consequently have some effect on the relative competitiveness of the downstream products. However, since levy of an anti-dumping duty is restricted to the amount necessary to redress the injury to the domestic industry, fair competition in the Indian market will not be reduced by the anti-dumping measure. Imposition of anti-dumping measure would remove the unfair advantages gained by dumping practices, prevent the decline in the performance of the domestic industry and help maintain availability of wider choice to the consumers of the product under consideration.

M. CONCLUSION

93. Having regard to the contentions raised, information provided, and submissions made by the interested parties and facts available before the Authority as recorded in these final findings and on the basis of the above analysis, the Authority concludes that:
- I. The product under consideration has been exported to India from the subject countries below its normal value, resulting in dumping.
 - II. The domestic industry has suffered material injury due to dumping of the product under consideration from the subject countries.
 - III. The material injury has been caused by the dumped imports from the subject countries.

N. RECOMMENDATION

94. The Authority notes that the investigation was initiated and notified to all interested parties and adequate opportunity was given to the exporters, importers and other interested parties to provide positive information on the aspect of dumping, injury and causal link. Having initiated and conducted the investigation into dumping, injury and causal link in terms of the provisions laid down under the Rules and having established positive dumping margin as well as material injury to the domestic industry caused by such dumped imports, the Authority is of the view that imposition of definitive anti-dumping duty is required to offset dumping and injury. The Authority, therefore, considers it necessary to recommend imposition of anti-dumping duty on imports of subject goods from the subject countries in the form and manner described hereunder.

95. In terms of provision contained in Rule 4(d) & Rule 17(i) (b) of the Rules, the Authority recommends imposition of anti-dumping duty equal to the lesser of margin of dumping and the margin of injury, so as to remove the injury to the domestic industry. Accordingly, definitive anti-dumping duty equal to the amount mentioned in Column 7 of the duty table below is recommended to be imposed for five (5) years from the date of the Notification to be issued by the Central Government, on all imports of subject goods originating in or exported from subject countries.

DUTY TABLE

S. No	Heading/Sub-Heading	Description of Goods	Country of Origin	Country of Export	Producer	Duty Amount	Currency	Unit
1	2	3	4	5	6	7	8	9
1.	23099010, 23099020, 23099090 29231000	Choline Chloride in all forms	China PR	Any country including China PR	Any	269	US\$	MT
2.	-do-	Choline Chloride in all forms	Any country other than China PR, Malaysia and Vietnam	China PR	Any	269	US\$	MT
3.	-do-	Choline Chloride in all forms	Malaysia	Any country including Malaysia	Any	315	US\$	MT

4.	-do-	Choline Chloride in all forms	Any country other than China PR, Malaysia and Vietnam	Malaysia	Any	315	US\$	MT
5.	-do-	Choline Chloride in all forms	Vietnam	Any country including Vietnam	GHW (Vietnam) Co., Ltd	94	US\$	MT
6.	-do-	Choline Chloride in all forms	Vietnam	Any country including Vietnam	Any producer other than producer mentioned at S.No. 5. above	170	US\$	MT
7.	-do-	Choline Chloride in all forms	Any country other than China PR, Malaysia and Vietnam	Vietnam	Any	170	US\$	MT

*Note: Customs classification is only indicative, and the determination of anti-dumping duty shall be made as per the description of the PUC.

O. FURTHER PROCEDURE

96. An appeal against the order of the Central Government that may arise out of this recommendation shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the relevant provisions of the Act.



(B.B.Swain)

Special Secretary and Designated Authority