

**MOFCOM Announcement No. 18 of 2023 on Initiating Expiry Review
Investigation into Anti-dumping Measures against Imports of Meta
Phenoxy Benzaldehyde Originating in India**

Issuing Authority: Trade Remedy and Investigation Bureau

Announcement No.: MOFCOM Announcement No. 18 of 2023

Announcement Date: June 7, 2023

MOFCOM released MOFCOM Announcement No. 42 of 2018 on May 31, 2018, and decided to impose anti-dumping duties on imports of MPBD originating in India for five years starting from June 8, 2018, duty rates vary from 36.4% to 56.9%.

The Ministry of Commerce of the People's Republic of China (MOFCOM or the Investigation Authority) received, on March 7, 2023, an application for expiry review of the anti-dumping measures submitted by Weifang Maoyuan Biotechnology Co., Ltd. (潍坊茂源生物科技有限公司) (hereinafter referred to as "the Applicant") on behalf of the Chinese MPBD industry. The Applicant claimed that the dumping of imports of MPBD originating in India would continue or occur again in China and the dumping would continue to cause injury or would again cause injury to the Chinese MPBD industry if the anti-dumping measures were terminated. The Applicant requested the MOFCOM to carry out an expiry review investigation into imports of MPBD originating in India and rule that the anti-dumping measures against imports of MPBD originating in India shall be maintained.

In accordance with the relevant provisions of the *Anti-dumping Regulations of the People's Republic of China*, MOFCOM examined the qualification of the Applicant, the relevant situations of the products under investigation, the relevant situations of the like products in China, the import situations of the products under investigation during the anti-dumping measure implementation period, the possibility of the continuation or recurrence of dumping, the possibility of the continuation or recurrence of the injury caused, the relevant evidence, etc. The available evidences have shown that the Applicant conforms to the provisions of Article 11, Article 13, and Article 17 of the *Anti-dumping Regulations of the People's Republic of China* on the industry and the industrial representatives, and the Applicant is qualified for submitting the application on behalf of the Chinese MPBD industry. The Investigation Authority believes that the proposition of the Applicant and the prima facie evidence submitted by the Applicant meet the requirements for filing an expiry review.

In accordance with Article 48 of the *Anti-dumping Regulations of the People's Republic of China*, MOFCOM has decided to carry out an expiry review investigation into the anti-dumping measures applicable to imports of MPBD originating in India starting from June 8, 2023. The relevant matters are hereby announced as follows:

I. Continuing to Implement the Anti-dumping Measures

According to the suggestions of MOFCOM and the decision of the Customs Tariff Commission of the State Council, anti-dumping duties shall continue to be imposed on imports of MPBD originating in India in accordance with the taxation product scope and tariff rates specified in MOFCOM Announcement No. 42 of 2018 during the period of the expiry review investigation into the anti-dumping measures.

The anti-dumping duty rates imposed on companies are as follows:

1. BHARAT RASAYAN LIMITED 56.4%
2. HEMANI INDUSTRIES LIMITED 36.4%
3. GUJARAT INSECTICIDES LIMITED 52.0%
4. Other Indian Companies 56.9%

II. Expiry Review – Period of Investigation

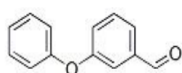
For this expiry review, The Period of Investigation for dumping is from January 1, 2022 to December 31, 2022, and the Period of Investigation for industry injury is from January 1, 2018 to December 31, 2022.

III. Expiry Review – Scope of the Products under Investigation

The scope of products to be reviewed are all the products to which the original anti-dumping measures are applicable, and is consistent with the scope of the products specified in MOFCOM Announcement No. 42 of 2018, as follows:

- Product Name (in Chinese): 间苯氧基苯甲醛
- Product Name (in English): Meta Phenoxy Benzaldehyde, M-Phenoxy Benzaldehyde, 3-Phenoxy Benzaldehyde, etc., abbreviated as MPB or MPBD.
- Chemical Formula: $C_{13}H_{10}O_2$

- Chemical Structure:



- Product Description: Meta Phenoxy Benzaldehyde is a pesticide chemical intermediate. Its appearance is usually a light blue or colorless transparent liquid, insoluble in water but soluble in organic solvents such as alcohols, benzene, and toluene.

- Main Uses: Mainly used in the synthesis of pyrethroid APIs such as synthetic-cypermethrin (cyhalothrin), cypermethrin, alpha-cypermethrin, fenvalerate, and fenpropathrin, etc., and for use in the manufacture of pesticide formulations such as pyrethroids germicides.
- The product under investigation is listed under tariff number 29124990 in the *Customs Import and Export Tariff of the People's Republic of China*; other products under the same tariff number are not included in the current scope of the product under investigation.

IV. Expiry Review – Content

The content to be reviewed is to find out whether termination of the anti-dumping measures against imports of MPBD originating in India is likely to result in the continuation or recurrence of dumping as well as injury.

V. Registration for the investigation

Interested parties may register with the Trade Remedy and Investigation Bureau of MOFCOM for the expiry review investigation of the anti-dumping **measures within 20 days after the issue date of this Announcement**. The interested parties participating in the investigation are required to provide their basic identity information based on the *Reference Format of the Registration for the Investigation* and the explanatory materials including the quantity and amount of the products under investigation exported to or imported from China, the quantities and amounts of the like products produced and sold, as well as related information. The *Reference Format of the Registration for the Investigation* can be downloaded from the Trade Remedy and Investigation Bureau of MOFCOM sub-website.

Interested parties registering for the anti-dumping investigation should submit the electronic version of their registration through the “Trade Remedy and Investigation Information Platform (<https://etrb.mofcom.gov.cn>)”, and submit the written version at the same time according to the requirements of the MOFCOM. The content of the electronic version and the written version shall be the same and the format shall be consistent.

Interested parties in the Announcement refer to the individuals and organizations defined in Article 19 of the *Anti-dumping Regulations of the People's Republic of China*.

VI. Public information

Interested parties can download the non-confidential version of the Application submitted by the Applicant from the Trade Remedy and Investigation Bureau of MOFCOM sub-website, or in-person visit the MOFCOM Trade Remedy Public Information Access Office (Tel: 0086-10-65197856) to find, read, transcribe and copy the non-confidential version of the Application. In the process of investigation, interested parties can refer to the public information about the

case through the relevant websites, or find, read, transcribe and copy the public information about the case in the MOFCOM Trade Remedy Public Information Access Office.

VII. Comments on the Initiation of the Review

Interested parties who wish to comment on the scope of the product under investigation, the qualification of the Applicant, the investigated country and other related issues may submit their comments in written form to the Trade Remedy and Investigation Bureau of MOFCOM within 20 days after the issue date of the Announcement.

VIII. Investigation Methods

In accordance with Article 20 of the *Anti-dumping Regulations of the People's Republic of China*, MOFCOM may get information on the related situations from the interested parties by using questionnaires, sampling, hearing, on-site verification, etc., and carry out the investigation.

In order to obtain the information required for the investigation of this case, MOFCOM usually issues questionnaires to the interested parties within 10 working days from the deadline for registering for the investigation as prescribed herein. Interested parties may download the questionnaire from the Trade Remedy and Investigation Bureau of MOFCOM sub-website.

All interested parties shall submit their complete and accurate Response within the specified time period. The Response shall include all the information requested in the questionnaires.

IX. Submission and Processing of Confidential Information

Interested parties shall submit comments, responses, etc. in the course of the review investigation through the “Trade Remedy and Investigation Information Platform (<https://etrb.mofcom.gov.cn>)” in electronic form, and submit the written version at the same time as required by the MOFCOM. The content of the electronic version and the written version shall be the same and the format shall be consistent.

If it is necessary to keep confidential some of the information submitted to the MOFCOM by an interested party, the said interested party may make a request to the MOFCOM for confidential treatment of relevant information, and the interested party shall give the reason for it. If MOFCOM grants the request, the interested party requesting confidential treatment shall also provide a non-confidential summary of the said confidential information. The non-confidential summary shall include full and meaningful information, so that the other interested parties can reasonably understand the confidential information. If a non-confidential summary cannot be provided, the reasons for non-providing should be stated. If an interested party submits information that is not stated to be confidential, MOFCOM will treat the information as public.

X. Consequences of Non-cooperation

According to Article 21 of the *Anti-dumping Regulations of the People's Republic of China*, when the MOFCOM makes investigations, the interested parties shall faithfully reflect the situation and provide the relevant materials. If an interested party fails to truthfully reflect the situation or provide the necessary information, or fails to provide necessary information within a reasonable time, or seriously impedes the investigation in any other way, the MOFCOM may give a determination based on available facts and best information available.

XI. Investigation Period

The investigation begins on June 8, 2023 and should be completed before June 8, 2024 (excluding this date).

XII. Contact of the MOFCOM

Address: No. 2 Dong Chang'an Avenue, Beijing, China

Postcode: 100731

Import Investigation Division 3, Trade Remedy and Investigation Bureau, Ministry of Commerce

Tel: 0086-10-65198740, 65198175

Fax: 0086-10-65198172

Trade Remedy and Investigation Bureau of MOFCOM sub-website: trb.mofcom.gov.cn

Ministry of Commerce of the People's Republic of China

June 7, 2023