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GOVERNMENT OF INDIA
MINISTRY OF FINANCE
(DEPARTMENT OF REVENUE)

New Delhi, the 4th May, 2023

NOTIFICATION
No. 01/2023-Customs (CVD)

G.S.R. (E). -Whereas, in the matter of “Saturated Fatty Alcohol of Carbon chain length C10 to C18 and their blends” (hereinafter referred to as the subject goods) falling under sub-headings 2905 17, 2905 19 and 3823 70 of the First Schedule to the Customs Tariff Act, 1975 (51 of 1975) (hereinafter referred to as the Customs Tariff Act), originating in or exported from Indonesia, Malaysia and Thailand (hereinafter referred to as the subject countries), and imported into India, the Designated Authority in its final findings, published in the Gazette of India, Extraordinary, Part I, Section 1, *vide* notification No. 6/18/2021-DGTR, dated the 7th February, 2023, has come to the conclusion that-

- (i) the subject goods have been exported to India from the subject countries at subsidized prices;
- (ii) the domestic industry has suffered material injury due to subsidisation of the subject goods;
- (iii) the material injury has been caused by the subsidised imports of the subject goods originating in or exported from the subject country,

and has recommended the imposition of definitive countervailing duty on imports of the subject goods originating in or exported from the subject countries.

Now, therefore, in exercise of the powers conferred by sub-sections (1) and (6) of section 9 of the Customs Tariff Act, read with rules 20 and 22 of the Customs Tariff (Identification, Assessment and Collection of Countervailing Duty on Subsidized Articles and for Determination of Injury) Rules, 1995, the Central Government, after considering the aforesaid final findings of the Designated Authority, hereby imposes on the subject goods, the description of which is specified in column (3) of the Table below, falling under sub-heading of the First Schedule to the Customs Tariff Act as specified in the corresponding entry in column (2), originating in the countries as specified in the corresponding entry in column (4), exported from the countries as specified in the corresponding entry in column (5), produced by the producers as specified in the corresponding entry in column (6), and imported into India, countervailing duty calculated at the rate mentioned in the corresponding entry in column (7) of the said Table, namely:-

Duty Table

S. No.	Heading/ Sub-heading	Description of Goods	Country of Origin	Country of Export	Producer	Duty amount as % of CIF value
(1)	(2)	(3)	(4)	(5)	(6)	(7)
1.	2905.17, 2905.19, 3823.70	Saturated Fatty Alcohol of Carbon chain length C10 to C18 and their blends	Indonesia	Any including Indonesia	M/s PT Ecogreen Oleochemicals	14% *
2.	-do-	-do-	Indonesia	Any including Indonesia	M/s PT Musim Mas	20%*

3.	-do-	-do-	Indonesia	Any including Indonesia	M/s PT Wilmar Nabati Indonesia	27%*
4.	-do-	-do-	Indonesia	Any including Indonesia	M/s PT. ENERGI SEJAHTERA MAS	4%*
5.	-do-	-do-	Indonesia	Any country including Indonesia	Any other than 1 to 4 above	30%*
6.	-do-	-do-	Any country other than Indonesia, Malaysia & Thailand	Indonesia	Any	30%*
7.	-do-	-do-	Malaysia	Any including Malaysia	M/s FPG Oleochemicals Sdn. Bhd.	3%*
8.	-do-	-do-	Malaysia	Any including Malaysia	M/s KL - Kepong Oleomas Sdn. Bhd.	9% #
9.	-do-	-do-	Malaysia	Any country including Malaysia	Any other than 7 to 8 above	11% #
10.	-do-	-do-	Any country other than Indonesia, Malaysia & Thailand	Malaysia	Any	11% #
11.	-do-	-do-	Thailand	Any including Thailand	M/s Global Green Chemicals Public Company Limited	3% ^s
12.	-do-	-do-	Thailand	Any country including Thailand	Any other than 11 above	5% ^s
13.	-do-	-do-	Any country other than Indonesia Malaysia & Thailand	Thailand	Any	5% ^s

* For Serial No. 1 to 7 above, the amount of countervailing duty to be imposed is equivalent to the difference between the quantum of countervailing duty mentioned in Col No.7 and antidumping duty payable, if any.

For Serial No. 8 to 10, the quantum of countervailing duty to be imposed is in addition to the anti-dumping duty payable, if any, as recommended subsidy and dumping margins are less than the injury margin.

⁵For Serial No. 11 to 13, the quantum of countervailing duty to be imposed shall be the Countervailing duty mentioned in Col No.7 minus antidumping duty payable, if any. If the differential amount is negative, no countervailing duty shall be collected in such case.

2. The countervailing duty imposed under this notification shall be levied for a period of five years (unless revoked, superseded or amended earlier) from the date of publication of this notification in the Official Gazette and shall be payable in Indian currency.

Explanation: – For the purposes of this notification,

- (a) the rate of exchange applicable for the purposes of calculation of such countervailing duty shall be the rate which is specified in the notification of the Government of India, in the Ministry of Finance (Department of Revenue), issued from time to time, in exercise of the powers conferred by section 14 of the Customs Act, 1962 (52 of 1962), and the relevant date for the determination of the rate of exchange shall be the date of presentation of the bill of entry under section 46 of the said Act.
- (b) “CIF value” means the assessable value as determined under section 14 of the Customs Act, 1962 (52 of 1962).

[F. No. CBIC-190354/58/2023-TRU Section-CBEC]

(Nitish Karnatak)
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