

ADHYATAN



APRIL 2025

In this Edition

- An insight into the decision by the High Court upholding the authority of the government to invoke quality control standards under the BIS Act.
 - A snapshot of the decision by the High Court finding that the transition provisions under Clause 1.05 of FTP do not apply to safeguard measures in the form of quantitative restrictions.
 - An analysis into the legality and impact of the tariff measures being imposed by the USA.
 - An update regarding measures invoked by the USA during the month.
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Key Highlights

Indian Updates

Petitions filed before the High Court challenging orders of the CESTAT against certain Office Memorandums dismissed as infructuous (13 Feb)

Recently, the Hon'ble Delhi High Court disposed of multiple writ petitions filed by the Union of India, considering them infructuous. These petitions were filed by the Union of India, challenging orders issued by the CESTAT, whereby the CESTAT had set aside certain Office Memorandums and directed the Ministry of Finance to reconsider the recommendations made by the DGTR in respective cases. However, subsequently, various domestic industries wrote to the Ministry of Finance, withdrawing their rights arising from the respective Final Findings and corresponding CESTAT orders.

The Court noted that the Hon'ble Supreme Court had treated similar matters as infructuous, after the domestic industry relinquished its rights and claims. In view of the same, and having regard to the decision of domestic industries to forgo their rights, the High Court found it appropriate to take the same view. However, the Court kept the question of law raised by the Union of India open, regarding whether CESTAT has jurisdiction to set aside an Office Memorandum.

Amendment to the Customs Rules pertaining to Rules of Origin notified (18 Mar)

The Ministry of Finance, vide Notification No. 14/2025-Customs (N.T.), dated 18th March 2025, has amended the Customs (Administration of Rules of Origin under Trade Agreements) Rules, 2020. Pursuant to the amendment, the term 'certificate of origin' has been replaced by the term 'proof of origin'. As a result, the importers would now be required to provide an acceptable proof of origin, instead of the erstwhile certificate of origin to claim lower import duties under various trade agreements.

High Court finds that transition provisions under Clause 1.05 of the Foreign Trade Policy do not apply to quantitative restrictions imposed pursuant to safeguard investigations (28 Mar)

Some importers and traders of Low Ash Metallurgical Coke (Met Coke) challenged Notification No. 44/2024-25 issued by the DGFT, before the Hon'ble Delhi High Court, which imposed safeguard measures in form of quantitative restrictions (QR) on imports of Met Coke from 1st January to 30th June 2025. The petitioners argued that imports under ICLCs opened before the notification should be allowed. In this regard, the petitioners relied on Clause 1.05 of the Foreign Trade Policy, which states that if an import policy is shifted from 'free' to 'restricted,' imports made on or after the date of such restriction will still be permitted for importers who have a commitment through an ICLC opened before the imposition of restrictions. However, the Government and producers of Met Coke contended that the restrictions were imposed under Section 9A of the Foreign Trade (Development & Regulation) Act, 1992, which operates independently of transitional provisions under the Foreign Trade Policy.

The Court found that the transition provisions of Clause 1.05 applied in case of any such prohibition/restriction/regulation imposed by way of a notification under Section 3 of the Foreign Trade (Development & Regulation) Act, which enables immediate trade restrictions to be imposed. Section 9A of the Act is different in its scope, and contemplates imposition of restrictions after a detailed investigation by the Government concerning increased imports, causing serious injury to the domestic industry. Therefore, measures under Section 9A is a product of an elaborate quasi-judicial exercise, in contrast with the restrictions under Section 3. The Court also noted that subjecting a safeguard action to transition provisions under Clause 1.05 would completely defeat the purpose of the measures.

Updates concerning Measures by and against the USA

Executive Order issued by the USA to address threat to its national security from imports of Timber and Lumber products (01 Mar)

On 1st March 2025, the U.S. President issued an Executive Order, directing an investigation into whether imports of timber, lumber and their derivatives threaten the national security of USA. The Executive Order directs the Secretary of Commerce to initiate an investigation under Section 232 of the Trade

Expansion Act, to determine the effects of imports of timber, lumber and their derivative products on the national security of the USA. Thereafter, the Secretary will issue a report within 270 days after consulting with the Secretary of Defense and heads of other relevant executive departments to assess the national security risks associated with the import dependency of timber, lumber and their derivative products.

The Executive Order indicated that although the USA has sufficient timber resources, the country has been a net importer of the raw material since 2016. The concern is that the import of timber, lumber and their derivative products are creating vulnerabilities in the supply chain and these materials are a critical part of the manufacturing industry, essential to the national security, economic strength and industrial resilience of the USA.

Executive Order issued by the USA to impose additional tariffs on countries importing Venezuelan Oil (24 Mar)

On 24th March 2025, the U.S. President issued an Executive Order, imposing additional tariffs of 25%, on all goods imported into the USA from any country that imports Venezuelan oil, whether directly from Venezuela or indirectly through third parties. These tariffs are in addition to the duties on imports already imposed under the International Emergency Economic Powers Act (IEEPA). The Order is effective from 2nd April.

The Executive Order provides that ongoing destabilizing actions of Venezuela, including its support for illicit activities and the policies of the regime of Nicolas Maduro continue to pose an unusual and extraordinary threat, necessitating economic measures to protect national security of the USA.

Proclamation issued for imposition of additional tariffs on imports of automobiles and automobile parts (26 Mar)

On 26th March 2025, the U.S. President signed a presidential proclamation imposing additional 25% tariffs on imports of automobiles (sedans, sports utility vehicles, crossover utility vehicles, minivans, cargo vans and light trucks) and certain automobile parts (engines, transmissions, powertrain parts, and electrical components) pursuant to the authority granted by Section 232 of the Trade Expansion Act, 1962. The tariffs on automobiles will be effective on 3rd April

2025 and the effective date for tariffs on automobile parts would be notified later, by 3rd May 2025.

The proclamation provides that the importers of automobiles under the United States-Mexico-Canada Agreement (USMCA) will be given an opportunity to certify their US content. Further, a system would be implemented so that the 25% additional tariffs will only apply to the value of their non-US content. The decision has been taken to protect and strengthen the automotive sector in the USA.

Global Updates

WTO members consider regional trade agreements (RTAs) involving Australia, Cambodia, China, India and Nicaragua at the Committee on RTAs meeting (18 Mar)

WTO members considered RTAs involving Australia, Cambodia, China, India and Nicaragua, including the India-Australia Economic Cooperation and Trade Agreement, at the Committee on RTAs meeting. The India-Australia Agreement was enforced on 29th December 2022 and allows Australia to eliminate customs duties on 98.3% of its tariff line by 2026, while India agreed to eliminate tariffs on 69.8% tariff lines by 2031. Further, both the parties agreed to enhance sectoral commitments beyond GATS, for trade in services.

The Committee also noted that there are 30 RTAs involving only WTO members and 38 involving non-members. Lastly, Ambassador Jose Valencia of Ecuador was elected as the new Committee Chair replacing Ambassador Eheth.

Ethiopia resumes its WTO accession negotiations (19 Mar)

On 19th March 2025, the Ethiopian delegation undertook that the accession process would be concluded by the 14th Ministerial Conference, which is to be held in Cameroon in March 2026. The talks regarding accession resumed after the 4th meeting of the Working Party on 30th January 2020. Under the Home-Grown Economic Reform Agenda, Ethiopia has undertaken reforms with respect to its foreign exchange system, the establishment of a securities exchange system and the creation of an investment holding for state-owned enterprises to boost liberalization and to ensure that its regulatory regime is compliant with the WTO Rules. Ethiopia stated that with respect to trade in goods, the country is committed

to bound rates and would ensure maximum tariffs to be lower than the benchmark established for least developed countries concerning the agricultural sector.

Trade Policy Review of Australia, Cambodia and Ukraine concluded

The WTO Trade Policy Review Body conducted the trade policy reviews for Australia, Cambodia and Ukraine. This was the ninth trade policy review for Australia, third for Cambodia and second for Ukraine.

Following the review for Australia, it was observed that the economy of the country witnessed a quick recovery post-Covid, when compared to other similar sized economies. Australia maintained a healthy GDP growth rate. It continues to be a major exporter of raw materials and importer of finished products. Australia entered into many new regional agreements and multiparty agreements with several WTO members. While Australia was a major user of trade remedial measures prior to 2020, its use of such measures declined in the years following 2020, coinciding with the COVID-19 pandemic and the resulting interruption to international supply chains.

With respect to Cambodia, it was noted that despite being a least developed country (LDC), Cambodia emerged as one of the fastest growing economies in the region following its WTO membership. Cambodia has committed to graduating from its LDC status by 2029, and has also set the goal of achieving high-income status by 2050. The country achieved an increase in its GDP, at a rate of 5%, since its last review. In addition to regional trade agreements within the ASEAN framework, Cambodia signed three new bilateral agreements with China, South Korea and the United Arab Emirates. Cambodia recently established the National Committee on Trade Remedies, which would be in charge of conducting trade remedial investigation.

With respect to Ukraine, it was observed that while the county was one of the largest in Europe, the ongoing conflict has resulted in significant economic losses and decrease in the GDP. Ukraine reported the lowest GDP among the 15 emerging and developing economies in Europe. It was noted that due to the continued conflict, international trade relations of Ukraine witnessed a sharp downturn, despite efforts to revive the economy.

From the Court Room

- *The Government is empowered to set higher quality standards under public policy, in order to protect human, animal or plant health safety of the environment or prevention of unfair practices or national security.*
- *Establishment of a basic level of quality standard for certain products, irrespective of whether domestically manufactured or imported, is not inconsistent with the Agreement on Technical Barriers to Trade (TBT).*
- *Since quality control standards apply to both domestic and imported goods, they do not benefit the interests of domestic producers.*
- *Joint Secretary to the Government of India, under the Department of Chemicals and Petrochemicals is competent for directing compulsory use of standard mark in order to protect human, animal or plants health, safety of the environment on prevention of unfair trade practices or national security.*
- *The Executive has the expertise and is entitled to make policies, including those with regard to quality control standards. Unless the decision-making is arbitrary, High Court shall not interfere with such policy decisions under Article 226 of the Constitution.*

The present dispute arose pursuant to challenge by Century Plyboards Limited and Cent Ply against the decision of the Union of India (UOI) to bring two raw materials namely ‘Phenol’ and ‘Melamine’ under mandatory BIS certification. These recommendations were made pursuant to an Expert Committee Meeting held on 22nd April 2019 under the BIS Act, 2016. The petitioners argued that the measures were an abuse of power by the Government, and should be terminated.

In summary, the petitioners argued as under.

1. While the Agreement on Technical Barriers to Trade (TBT Agreement) permits protection of legitimate regulatory policy objectives, it cannot be used to create unnecessary obstacles to international trade. The TBT Agreement allows technical barriers to be invoked to mitigate the risks to human and plant health, and curb deceptive trade practices.

2. There was no study conducted, or report issued with respect to matters of public health, safety and environment before fixation of measures.
3. The product was not being used by consumers, but by industrial users.
4. Contrary to the observations made, phenol or melamine of industrial grade were not being used for pharmaceutical or medical or human consumption purposes. Further, there was no risk to national security because of imports thereof.
5. The measures could potentially lead to price fixation, by impacting free competition, to the detriment of the users. The measures would benefit the private interests of domestic producers.
6. The Joint Secretary, Department of Chemicals and Petrochemicals, lacked the authority to enforce mandatory BIS certification. Instead, the petitioners contended that the Secretary, Ministry of Commerce is the appropriate authority for such matters.

The Court noted that the BIS Act has two objectives, namely to safeguard consumers against substandard products and to promote standardization and quality control in domestic and export markets. The provisions of the Act make it clear that the Central Government may issue directions to the Bureau to invoke technical barriers, if it is of the opinion that it is necessary or in the public interest or for the protection of human, animal or plant health, safety of the environment or prevention of unfair trade practices or national security. On such direction, a draft form of the Standard would be prepared and circulated for comments. Pursuant to receipt of comments, the Standard may be notified.

The Court examined the evidence submitted by the Union of India and observed that the evidence indicates the hazardous impact of these raw materials having higher impurities than the permissible level. Phenol is widely used in pharmaceuticals, cosmetics, and mouthwash production, where impurity levels must be strictly controlled. Similarly, Melamine foam is used for insulation, soundproofing, and cleaning products like Magic Erasers. However, Melamine has also been illegally added to food products to falsely boost protein content, posing significant health hazards. Given these risks, the Court found that the Government is empowered to set higher quality standards under public policy, in order to protect human, animal or plant health safety of the environment or prevention of unfair practices or national security.

The Court also noted that adequate opportunity was provided to all stakeholders through stakeholder consultation meeting and by notifying the draft Order on the WTO website.

Further, on the applicability of TBT Agreement, the Court found that establishing minimum quality standards for products, regardless of whether they are domestically manufactured or imported, serves the larger public interest. Therefore, the decision to make BIS certification mandatory does not violate the TBT Agreement, and in fact, was permissible under the GATT.

The Court also noted that the decisions relating to BIS standards are purely "policy decision" of the Government. The Court cannot usurp the jurisdiction of decision makers in the garb of judicial review, particularly since the Court does not have the expertise and domain knowledge to make policies or amend them, which the executive has. Unless the policy decision is completely arbitrary or irrational, the decisions should not be interfered with.

The Court also found that the measures could not be construed to benefit private interests of domestic producers, as they equally applied to domestically manufactured and imported goods.

Lastly, the Court found that the Joint Secretary of the Department of Chemicals and Petrochemicals, Ministry of Chemicals & Fertilizers is indeed competent to direct the compulsory use of BIS standard mark.

In view of the above, the Court did not find any illegality, or arbitrariness in the decision-making process for making BIS standards mandatory and dismissed the writ petition filed.

Tariffs Imposed by the USA: Legality and Impact

- *Through a spate of executive decisions, the USA has imposed additional tariffs on imports from Canada, Mexico and China. Further, the application of additional tariffs on imports of steel and aluminium articles has been extended.*
- *The tariffs have been imposed under the IEEPA, which empowers the President to declare a national emergency, and thereafter exercise discretionary and arbitrary authority.*
- *The tariffs imposed have been called into question as violative of the WTO agreements, with regard to non-discriminatory treatment to imports from different countries.*
- *While certain members previously challenged the additional tariffs before the WTO Dispute Settlement Body, the USA appealed the same before the Appellate Body. Since the Appellate Body is presently defunct, the appeals meant that the members would not be able to enforce the ruling.*
- *Imposition of tariffs on steel and aluminium products is likely to severely impact Indian exports. In case India imposes retaliatory measures, such measures are speculated to likely impact the agriculture and technology sector in the USA.*

The first three months of 2025 have seen significant upheaval in international trade due to a spate of executive decisions signed by the US President. The executive orders imposing additional tariffs on imports from Canada, Mexico and China and on imports of steel, aluminium, and other goods, have sparked a debate both domestically and internationally. The tariffs draw authority from the broad and unilateral powers granted to the President under the International Emergency Economic Powers Act (IEEPA), which allows for the declaration of a national emergency in response to perceived threats to national security, foreign policy, or the economy. However, the lack of a clear definition of what constitutes a ‘national emergency’ under this framework leaves room for broad and potentially arbitrary interpretations, which may be cause of concern for trade relations.

Moreover, the compatibility of these additional tariffs with the provisions of the WTO also remains a contentious issue. While the WTO allows its members the authority to restrict trade in goods to protect members' interest on grounds of national security; the use of this justification by the USA to impose tariffs on steel, aluminium, and other goods has already been challenged by several WTO members. Various WTO members have highlighted that such measures are a potentially trade protectionist in nature.. However, since the Appellate Body of WTO is presently defunct, the enforcement of any decision remains complicated.

Validity under the laws of USA

On 1st February 2025, the U.S. President signed three executive orders imposing 25% additional tariffs on imports from Canada and Mexico and a 10% additional tariff on imports from China. The Orders stated that the action was necessitated on grounds of national emergency; to hold Mexico, Canada and China accountable for illegal immigration and for stopping poisonous fentanyl and other drugs from flowing into the USA. After being suspended initially, the tariffs have finally come into force on 12th March 2025.

Thereafter, on 10th February 2025, U.S. President signed two proclamations. Pursuant to the proclamations, the 25% additional tariffs on imports of steel were extended to derivative products of steel. Further, the 10% additional tariffs on aluminium was increased to 25%, and such tariffs were extended to derivative products of aluminium. The proclamations also extended the application of the additional tariffs on steel and aluminium to all countries, which were previously exempted due to bilateral treaties or agreements. The USA and India had earlier reached an agreement to suspend additional tariffs imposed by both countries.

The U.S. President also unveiled the “Fair and Reciprocal Plan” on trade to restore fairness in trade relationships for USA and counter non-reciprocal trade agreements. A Section 232 investigation under the Trade Expansion Act, 1962 was also initiated to investigate the threat to national security and economic stability caused by imports of copper and imports of timber and lumber

The aforementioned proclamations and consequent orders have been issued under the aegis of the IEEPA. The scope of the authority spelled out in IEEPA is broad and allows the President to declare a national emergency under the National Emergencies Act (NEA) and thereafter, exercise discretionary authority under IEEPA.

However, it is to be seen as to what constitutes a ‘national emergency’. The IEEPA and the NEA do not define and specify what a ‘national emergency’ entail. These vast and arbitrary powers permit the President to announce a national emergency, while also controlling how to manage numerous international economic activities. In the absence of a specified definition, the USA has justified the imposition of the recent tariff orders on Mexico, Canada and China by asserting that the imports of fentanyl and illegal immigration are a ‘national emergency’.

Validity under the provisions of the World Trade Organization

One of the foundational principles of the WTO, of which the USA is a member, is non-discrimination amongst the WTO members and the prohibition of discriminatory trade practices. In particular, Article I of GATT provides for the most-favoured nation clause, that requires countries to treat all trading partners equally. The imposition of tariffs by the USA raises several concerns about their validity with respect to their obligations under GATT, particularly with regard to non-discriminatory treatment of goods from different countries.

The WTO allows for exceptions under certain circumstances, including threat to national security. However, the use of the national security exception as a reason for imposition of additional tariffs on steel and aluminium imports has already faced backlash and challenges at the WTO. Several member states of the WTO, including the European Union and China, challenged the additional tariffs on steel and aluminium imports before the WTO dispute settlement system, arguing that the national security exception was only an excuse for protectionist tariffs.

In 2019, the WTO Panel ruled that the additional tariffs imposed by the USA on steel and aluminium imports violated the international trade rules. The Panel considered that an ‘emergency in international relations’ under the provisions of the GATT refers to a situation of a certain gravity or severity and international tensions that are critical or serious nature in terms of their impact on the conduct of the international relations. However, the Panel did not find that the tariffs at issue were ‘taken in time of war or other emergency in international relations’ within the meaning of the provisions of the GATT.

Nevertheless, the decision of the WTO Panel did not compel the USA to remove the tariffs. On 26th January 2023, the USA notified the Dispute Settlement Body of its decision to appeal to the Appellate Body. However, the WTO Appellate

Body is currently not functional, due to non-appointment of members since 2019, which have been blocked by the USA.

Pursuant to the imposition of additional tariffs on all imports from China and Canada, both the members have filed a complaint before the WTO. However, the fact is that even if a WTO Panel decides against such measures, the USA can appeal to the Appellate Body, being an appeal into the void and the complaining parties will not be able to enforce the ruling.

Impact on trade relations between India and USA

The USA has historically used tariffs to address trade imbalances, protect domestic industries, and assert economic strength. While these tariffs were politically motivated, they have led to disruptions in global supply chains, increased consumer prices and retaliatory tariffs. Retaliatory tariffs are tariffs that a country may impose in response to tariffs by another. For example, if the USA imposes tariffs on Indian steel, India might retaliate by taxing American products.

The additional tariffs on Indian exports of steel and aluminium, are likely to significantly affect the trade dynamics for India. In 2024-25, India exported \$450 million worth steel and \$984 million worth of aluminium to the USA. These sectors are vital for Indian export economy. Further, if India imposes retaliatory measures on major American exports such as agricultural exports, the effects would ripple across both economies. American industries like agriculture and technology are likely to be directly impacted by retaliatory tariffs. Products like almonds, apples and wine would likely face reduced demand in India, harming the exporters.

To sum up, the additional tariffs imposed by the USA present significant challenges for India. While the immediate economic impact may be manageable, the long-term effects will depend on India's ability to negotiate favourable trade terms, implement effective domestic policies, and diversify its international trade relationships. In the long term, the response by India will shape not only its relationship with the USA but also its position within the global trade order, testing the resilience of international trade law in the face of unilateral actions by major economic powers.

- Kriti Khatri, Associate

Foreign Trade Policy

Fixation of new Standard Input Output Norms (SIONs) under 'Chemical and Allied Product' group (03 Mar)

The Directorate General of Foreign Trade has notified the following new SION under the 'Chemical and Allied Product' group:

Export Product	Quantity	SI. No.	Import Item	Quantity allowed
Metronidazole Gel USP 1% 55 gm pack	1 Number	1	Metronidazole (Micronized) USP	0.561 gm/pack
Metronidazole Gel USP 1% 60 gm tube	1 Number	2	Metronidazole (Micronized) USP	0.612 gm/pack

Amendment in the Handbook of Procedures with regards to Procedure for General Authorization for Export after Repair (10 Mar)

The Directorate General of Foreign Trade has revised the Handbook of Procedures to allow General Authorization for Export after Repair (GAER). The revised provisions streamline the procedures for multiple re-exports of SCOMET items to related entities and authorized vendors/OEMs after repair in India under a one-time authorization with quarterly post-reporting instead of requiring fresh approvals for each shipment. For further details kindly refer to the [link](#) herein.

Amendment in import policy condition of Urea (18 Mar)

The Directorate General of Foreign Trade has extended the State Trading Enterprise (STE) status of Indian Potash Limited (IPL) for imports of Urea imports from 31st March 2025 to 31st March 2026.

Extension of the last date for filing Annual RoDTEP Return for Financial Year 2023-24 (19 Mar)

The Directorate General of Foreign Trade has extended the last date for filing Annual RoDTEP Return (ARR) for the financial year 2023-24 from 31st March

2025 to 30th June 2025. Accordingly, the applicable grace period is also extended from 30th June 2025 to 30th September 2025.

Extension of RoDTEP for Advance Authorizations (AAs) holders, Special Economic Zones (SEZs), and Export-Oriented Units (EOUs) (20 Mar)

The Directorate General of Foreign Trade notified that Remission of Duties and Taxes on Exported Products (RoDTEP) scheme was available for export of products manufactured by Advance Authorizations (AAs) holders, Special Economic Zones (SEZs), and Export-Oriented Units (EOUs) only up to 5th February 2025.

SIONs pertaining to Automobile Tyres under review (20 Mar)

The Directorate General of Foreign Trade has initiated the process to review the existing SIONs of Automobile Tyres. Accordingly, all the concerned EPCs, Exporters, Trade bodies and other stakeholders, who are availing the SIONs, have been invited to examine the existing SIONs and provide necessary comments / suggestions on why and how such SIONs require modification, if any, latest by 04th May 2025. The suggestions for such modification should be accompanied by detailed justification, along with production and consumption data, wastage norms duly certified by Chartered engineer and other relevant documents.

Proposal to make GST E-Invoices received through GSTN to DGFT BO portal mandatory for claiming Deemed Export Benefits (25 Mar)

In light of the ongoing integration process between the Directorate General of Foreign Trade and the Goods and Services Tax Network, the Directorate invited comments from all stakeholders on a proposal to make GST e-invoices received from GSTN on DGFT Back Office portal mandatory for claiming deemed export benefits under the Foreign Trade Policy.

Trade Agreements

Indian Updates

India and New Zealand initiate negotiations for a comprehensive trade agreement

India and New Zealand announced the initiation of trade negotiations for a Comprehensive Free Trade Agreement. The negotiations aim to focus on enhancing supply chain integration and improve market access. New Zealand and India previously entered into negotiations for a free trade agreement in April 2010. However, these bilateral negotiations were not concluded, as the two sides joined multilateral negotiations for the Regional Comprehensive Economic Partnership (RCEP). The fresh negotiations are expected to discuss contentious issues such as trade of agricultural and dairy products.

India and the USA move forward to finalise Bilateral Trade Agreement

India has approached the USA for discussions on a bilateral agreement for trade in goods, in response to the decision by the latter to impose reciprocal tariffs. The discussions focus on mutual interests, wherein the USA has sought greater market access in industrial goods, automobiles, wines, petrochemicals, and agriculture; while India is seeking lower tariffs for its products produced by labour-intensive sectors. The two countries have finalised Terms of Reference (ToR) outlining the framework of a bilateral trade agreement.

Global Updates

Hong Kong and Bahrain sign the Investment Promotion and Protection Agreement

The Investment Promotion and Protection Agreement between Hong Kong and Bahrain was signed on 03rd March 2025. The Agreement provides for a fair and non-discriminatory treatment and greater market access for investments. The Agreement will be enforced after ratification by both the parties.

Non-Tariff Measures

Indian Updates

Amendment to Quality Control Orders for certain chemicals (11 Mar)

The Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals) has amended the following Quality Control Orders. Pursuant to the amendment, the Orders shall come into force on 12th September 2025.

- Ethylene Dichloride (Quality Control) Order, 2021.
- Vinyl Chloride Monomer (Quality Control) Order, 2021.
- Polycarbonate (Quality Control) Order, 2021.

Amendment to Quality Control Orders for p-Xylene and Polyurethanes (19 Mar)

The Ministry of Chemicals and Fertilizers (Department of Chemicals and Petrochemicals) has issued an amendment to the p-Xylene (Quality Control) Order, 2021 and Polyurethanes (Quality Control) Order, 2021. The Orders shall now come into force on 19th December 2025.

Notification of Quality Control Order for Hinges (24 Mar)

The Ministry of Commerce and Industry (Department for Promotion of Industry and Internal Trade) has issued an order, superseding the Hinges (Quality Control) Order, 2024. This order may be called the Hinges (Quality Control) Order, 2025. The Order shall come into force on 01st July 2025. However, the Order shall not apply to imports of goods which are in 200 numbers and are imported for the purpose of research and development. Further, such imported goods shall not be sold commercially, but can be disposed of as scrap.

Global Updates

China

National Standards issued for Protective Gloves against thermal risks

The State Administration for Market Regulation (Standardization Administration of the P.R.C.), China, has issued a national standard for protective gloves against thermal risks. The document outlines product specifications, including technical

requirements, labelling, and testing methods. It also covers guidelines for inspection rules, manufacturer-provided information, and protection against various thermal injuries such as flame, contact heat, convective heat, radiant heat, and molten metal splashes. The date of adoption is yet to be determined, and the standard will take effect 12 months after approval. Feedback on the draft is invited within 60 days from the notification date.

National Standards issued for Minimum allowable values of energy efficiency and energy efficiency grades for electric vehicle charging piles

The State Administration for Market Regulation (Standardization Administration of the P.R.C.), China, has issued a national standard for electric vehicle charging piles. The document outlines energy efficiency grades, minimum allowable energy efficiency values, and testing methods. It applies to off-board conductive power supply equipment with current and/or voltage control, including both DC and AC power supply devices with specified voltage limits. Certain types of equipment, such as devices without dedicated charging functions, are excluded. Feedback on the draft is invited within 60 days, with the adoption and implementation dates yet to be determined.

Total Number of Non-Tariff Barriers (NTBs) notified by WTO: 760

The number of Technical Barriers to Trade (TBTs) notified by WTO: 515

For a full list of Non-Tariff Barriers (NTBs) along with the reporting country, please refer the [link](#) herein.

Bureau of Indian Standards

Substitution of Standards for Copper Nitrate and Sodium Fluoride (07 Mar)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 22nd February 2025. However, the previous unamended Standard shall remain in force concurrently till 22nd August 2025. For a full list of products, please refer to the [link](#) herein.

- IS 10895: 2025 Copper Nitrate - Specification (First Revision)
- IS 10904: 2025 Sodium Fluoride, Technical - Specification (First Revision)

Substitution of Standards for certain chemicals (19 Mar)

The Bureau of Indian Standards has notified substitution of certain Standards, including the following, with effect from 05th March 2025. However, the previous unamended Standard shall remain in force concurrently till 05th September 2025. For a full list of products, please refer to the [link](#) herein.

- IS 5288: 2025 Barium Chloride - Specification (Second Revision)
- IS 5877: 2025 Barium Sulphide, Technical (Black Ash) - Specification (First Revision)
- IS 9398: 2025 Silicon Tetrachloride, Technical - Specification (Second Revision)

Substitution of Standards for PET Bottles (19 Mar)

The Bureau of Indian Standards has notified substitution of certain Standards, including IS 14537: 2025 Poly (Ethylene Terephthalate) (PET) Bottles for Packaging of Alcoholic Beverages - Specification (First Revision), with effect from 22nd February 2025. However, the previous unamended Standard IS 14537: 1998 Polyethylene Terephthalate (PET) Bottles for Packaging of Alcoholic Liquors - Specification shall remain in force concurrently till 22nd August 2025. For a full list of products, please refer to the [link](#) herein.

Trade Remedial Actions

Indian Updates

Chapter 27 – Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes

Initiation of anti-dumping investigation into imports of Low Ash Metallurgical Coke from Australia, China, Colombia, Indonesia, Japan and Russia. (29 Mar)

The DGTR initiated an anti-dumping investigation into imports of Low Ash Metallurgical Coke, pursuant to an application filed by the Indian Metallurgical Coke Manufacturer's Association. The Authority has noted that there is prima facie evidence of dumping as well as injury. The imports increased significantly over the injury period and were undercutting the prices of the domestic industry. The performance of the domestic industry had been adversely impacted in respect of profitability, return on investment and market share.

Chapter 28 – Inorganic Chemicals

Final Findings issued in the anti-dumping investigation into imports of Insoluble Sulphur from China and Japan. (07 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Insoluble Sulphur from China and Japan, recommending imposition of anti-dumping duty. The Authority found that the volume of dumped imports from the subject countries has increased, taking away the market share of the domestic industry. The domestic industry has not been able to utilise its full capacities due to dumping of imports into India and suffered a decline in profitability. Therefore, imposition of duty was necessary in view of the dumping and consequent material injury to the domestic industry.

Chapter 29 – Organic Chemicals

Imposition of anti-dumping duty on imports of Trichloro Isocyanuric Acid from China and Japan. (07 Mar)

The Central Government, on 07th March 2025, imposed anti-dumping duties on imports of Trichloro Isocyanuric Acid from China and Japan pursuant to

recommendations made by the DGTR vide Final Findings Notification No. 6/20/2023-DGTR, dated 10th December 2024. The duty imposed is in the range of USD 276 – 986 per MT.

Final Findings issued in the anti-dumping investigation into imports of Vitamin-A Palmitate from China, European Union and Switzerland. (10 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Vitamin-A Palmitate from China, European Union and Switzerland. The Authority concluded that the imports have increased significantly in absolute and relative terms. The landed price of imports was below the selling price as well as the cost of sales of the domestic industry. The profitability, cash profits and return on capital employed of the domestic industry has been adversely impacted due to dumping of the subject goods from the subject countries. Thus, the Authority has recommended imposition of anti-dumping duty on imports of subject goods from the subject countries.

Final Findings issued in the anti-dumping investigation into imports of Pretilachlor in any of its form & its intermediate – 2,6-Diethyl-n-(2-propoxy ethyl) Aniline (also known as PEDA) from China. (21 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Pretilachlor in any of its form & its intermediate – 2,6-Diethyl-n-(2-propoxy ethyl) Aniline (also known as PEDA) from China. The Authority recommended imposition of anti-dumping duty on imports of subject goods from the subject country as dumping of the product under consideration has caused material injury to the domestic industry in India. The subject imports are undercutting the prices of the domestic industry. While the capacity utilization of the domestic industry is at a significant low level, the inventories of the domestic industry have increased. The profitability of the domestic industry deteriorated over the period.

Final Findings issued in the anti-dumping investigation into imports of Acetonitrile from China, Russia and Taiwan. (21 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Acetonitrile from China, Russia and Taiwan. After conducting detailed investigation, the Authority found that the dumping of subject goods had caused material injury to the domestic industry. The volume of subject imports increased significantly over the injury period, at prices below the selling price of the domestic industry. Due to this, the selling price of the domestic industry has declined more than the decline in cost of sales. While the domestic industry has

invested ₹ 150 crores for setting up a new plant, its market share has declined. The profitability of the domestic industry has declined and it has suffered financial losses. The Authority has, thus, recommended imposition of anti-dumping duty on imports of subject goods from the subject countries.

Initiation of anti-dumping investigation into imports of Ethylene Diamine from China, European Union, Saudi Arabia and Taiwan. (25 Mar)

The DGTR initiated an anti-dumping investigation into imports of Ethylene Diamine, pursuant to an application filed by Balaji Specialty Chemicals Limited. While there is one other producer of the subject goods in India, it is not undertaking any production. The product under consideration is an essential ingredient in various industrial processes. The Authority noted that there is prima facie evidence with respect to injury due to dumping of subject imports in India. The subject imports have increased at prices below the selling price of the domestic industry. This has adversely impacted the market share, production and domestic sales of the domestic industry. The domestic industry has suffered severe losses and cash losses.

Final Findings issued in the anti-dumping investigation into imports of Potassium Tertiary Butoxide (KTB) from China and United States of America; and imports of Sodium Tertiary Butoxide (STB) from China. (25 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Potassium Tertiary Butoxide (KTB) from China and the United States of America; and imports of Sodium Tertiary Butoxide (STB) from China. The Authority noted that the subject imports have increased significantly over the injury period. The subject imports were undercutting the prices of the domestic industry. Due to this, the profitability of the domestic industry has declined and the domestic industry has incurred financial losses in the period of investigation. The Authority, therefore, recommended imposition of anti-dumping duty on imports of the subject goods from the subject countries.

Initiation of anti-dumping investigation into imports of Beta Naphthol from China. (29 Mar)

The DGTR initiated an anti-dumping investigation into imports of Beta Naphthol from China, pursuant to an application filed by Bodal Chemicals Limited. The Authority has noted that there is prima facie evidence with respect to injury to the domestic industry due to dumping of subject imports in India. The subject imports have suppressed the prices of the domestic industry due to which the cash profits,

financial profits and the return on capital employed of the domestic industry has declined.

Chapter 32 – Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments; paints and varnishes; putty and other mastics; inks

Final Findings issued in the anti-dumping investigation into imports of Azo Pigment from China. (12 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Azo Pigment from China. The Authority held that material injury has been caused to the domestic industry due to dumping of the product under consideration into India. The subject imports were priced below the selling price and cost of sales of the domestic industry. The profitability of the domestic industry has declined due to low priced imports from the subject country. The Authority has, thus, recommended imposition of anti-dumping duty on imports of subject goods from the subject country.

Final Findings issued in the anti-subsidy investigation into imports of Effect Pearlescent Pigments from China. (28 Mar)

The DGTR issued final findings in the anti-subsidy investigation into imports of Effect Pearlescent Pigments or Mica Pearlescent Pigments, excluding Effect Pigments for automotive applications from China. The Authority held that material injury has been caused to the domestic industry due to imports of subsidized subject goods from the subject country. The subject goods are undercutting the prices of the domestic industry and has suppressed its prices. The domestic industry has suffered financial losses, cash losses and recorded a negative return on capital employed. Accordingly, the Authority has recommended imposition of anti-subsidy duty on imports of subject goods from the subject country.

Chapter 35 - Albuminoidal substances; modified starches; glues

Imposition of anti-dumping duty on imports of Acrylic Solid Surfaces from China. (25 Mar)

The Central Government, on 25th March 2025, imposed anti-dumping duties on imports of Acrylic Solid Surfaces from China pursuant to recommendations made by the DGTR vide Final Findings Notification No. 06/06/2023-DGTR, dated the

26th December 2024. The duty imposed is USD 0.18 per Kg for non-cooperative producers.

Chapter 38 – Miscellaneous Chemical Products

Final Findings issued in the anti-dumping investigation into imports of Linear Alkyl Benzene (LAB) from Iran and Qatar. (26 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Linear Alkyl Benzene from Iran and Qatar. The Authority held that the volume of subject imports has increased. As a result, the production, sales and capacity utilization of the domestic industry declined. The subject imports were undercutting the price of the domestic industry, due to which the profitability of domestic industry declined by 103%. The Authority, thus, recommended imposition of anti-dumping duty on imports of subject goods from the subject countries.

Initiation of anti-dumping investigation into imports of N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (also known as PX-13) from China, European Union, Thailand and South Korea. (28 Mar)

The DGTR initiated an anti-dumping investigation into imports of N-(1,3-dimethylbutyl)-N'-phenyl-p-phenylenediamine (also known as PX-13) from China, European Union, Thailand, South Korea. The product under consideration is used in the rubber industry. The application was filed by NOCIL Limited. The Authority noted that there was prima facie evidence of dumping and material injury to the domestic industry as the subject imports have increased over the injury period. While the domestic industry had enough capacity to fulfil the Indian demand, the market share and domestic sales of the domestic industry declined. The positive price undercutting impacted the profitability of the domestic industry.

Chapter 39 – Plastics and articles thereof

Initiation of anti-dumping investigation into imports of Flexible Slabstock Polyol from China and Thailand. (18 Mar)

The DGTR has initiated an anti-dumping investigation into imports of Flexible Slabstock Polyol from China and Thailand. The Authority noted that there was prima facie evidence of dumping in India which was causing material injury to the domestic industry. The subject imports into India increased and were priced

below the raw material cost of the domestic industry. The production, sales, and capacity utilization of the domestic industry declined, and it has incurred financial losses and cash losses during the period of investigation.

Initiation of sunset review of anti-dumping duty on imports of Flexible Slabstock Polyol from Saudi Arabia. (18 Mar)

The DGTR has initiated a sunset review of anti-dumping duty on imports of Flexible Slabstock Polyol from Saudi Arabia pursuant to an application filed by Manali Petrochemicals Limited. The applicant provided prima facie evidence substantiating the likelihood of continuation of dumping and injury due to imports from the subject country. The exporters from the subject country have continued to dump the subject goods in India, due to which the performance of the domestic industry has been adversely impacted.

Imposition of anti-dumping duty on imports of Poly Vinyl Chloride Paste Resin from China, Malaysia, Norway, South Korea, Taiwan and Thailand. (21 Mar)

The Central Government, on 21st March 2025, imposed anti-dumping duties on imports of Poly Vinyl Chloride Paste Resin from China, Malaysia, Norway, South Korea, Taiwan and Thailand pursuant to recommendations made by the DGTR vide Final Findings Notification No. 6/17/2023-DGTR, dated 24th December 2024. The duty imposed was upto USD 707 per MT. Further, one of the producers from the subject countries had filed a price undertaking, which had been accepted by the Authority.

Chapter 40 – Rubber and articles thereof

Initiation of anti-dumping investigation into imports of Emulsion Styrene Butadiene Rubber of 1500 series from European Union, Japan, Russia, South Korea and Thailand. (28 Mar)

The DGTR has initiated an anti-dumping investigation into imports of Emulsion Styrene Butadiene Rubber of 1500 series from European Union, Japan, Russia, South Korea and Thailand. The Authority noted that there is prima facie evidence of dumping in India, which is causing material injury to the domestic industry and that there is threat of further injury. The subject imports had increased in India and were undercutting the prices of the domestic industry. As a result, the profitability of the domestic industry had declined.

Chapter 48 - Paper and paperboard; articles of paper pulp, of paper or of paperboard

Final Findings issued in the mid-term review of anti-dumping duty on imports of Decor Paper from China. (25 Mar)

The DGTR issued final findings in the mid-term review of anti-dumping duty on imports of Decor Paper from China. With regard the request for amendment to product scope, the Authority noted that the phrase “ready-to-use” can be interpreted in a subjective manner and does not add any value to the preciseness of the exclusion. The Authority, thus, excluded such phrase from the definition of the product under consideration. With regard to change in quantum of duty, the Authority noted that the changed circumstances identified by the exporter/importer at the time of initiation did not exist and hence, there was no need for re-quantification of anti-dumping duty. The imports from Kingdecor (Zhejiang) Co., Ltd., which were subject to individual duties have been subjected to residual duties, due to suppression of information by the said producer.

Chapter 53 – Other vegetable textile fibres; paper yarn and woven fabrics of paper yarn

Initiation of sunset review of anti-dumping duty on imports of Woven Fabric from China and Hong Kong. (29 Mar)

The DGTR has initiated an anti-dumping investigation into imports of Woven Fabric (having more than 50% Flax content), commonly known as Flax Fabric from China and Hong Kong. The application had been filed by Grasim Industries Limited – Jaya Shree Textiles. The Authority noted that there was prima facie evidence of likelihood of continuation of injury in case of cessation of anti-dumping duty. The subject imports were undercutting the prices of the domestic industry, which was preventing the domestic industry from recovering its full cost and achieving a reasonable return on capital employed.

Chapter 54 – Man-made filaments; strip and the like of man-made textile materials

Initiation of anti-dumping investigation into imports of Elastomeric Filament Yarns from China and Vietnam. (28 Mar)

The DGTR has initiated an anti-dumping investigation into imports of Elastomeric Filament Yarn from China and Vietnam. The product under

consideration is known as Spandex or Elastane in the market parlance and is majorly used for manufacturing of garments. The application had been filed by Indorama India Private Limited. The Authority noted that there was prima facie evidence of material injury to the domestic industry, due to dumping of subject goods from the subject countries and there was threat of further injury.

Initiation of anti-dumping investigation into imports of Viscose Rayon Filament Yarns from China. (28 Mar)

The DGTR has initiated an anti-dumping investigation into imports of Viscose Rayon Filament Yarns above 75 deniers from China. The application for initiation of anti-dumping investigation was filed by Association of Man-Made Fibre Industry of India. The Authority noted that there was prima facie evidence of injury to the domestic industry as the volume of imports increased and subject imports suppressed the prices of the domestic industry. Resultantly, the domestic industry incurred huge losses, cash losses and recorded a negative return on capital employed.

Chapter 70 – Glass and Glassware

Initiation of sunset review of anti-dumping duty on imports of Clear Float Glass from Malaysia. (27 Mar)

The DGTR has initiated a sunset review of anti-dumping duty on imports of Clear Float Glass from Malaysia. The application for initiation of sunset review had been filed by Asahi India Glass Limited, Gold Plus Glass Industry Limited, Gold Plus Float Glass Private Limited and Saint Gobain India Private Limited. The Authority noted that there was prima facie evidence of continuation of injury to the domestic industry as the subject imports were undercutting the prices of the domestic industry. As a consequence, the profitability of the domestic industry had been adversely impacted. The exporters in the subject country were export oriented and had surplus capacities.

Chapter 72 – Iron and Steel

Preliminary findings issued in the safeguard investigation into imports of Non-Alloy and Alloy Steel Flat Products into India. (18 Mar)

The DGTR has issued preliminary findings in the safeguard investigation into imports of Non-Alloy and Alloy Steel Flat Products into India. The Authority held that that there has been a recent, sudden and sharp increase in imports of the

product under consideration into India. The reason for surge in imports is trade diversion due to measures imposed by the USA on imports of steel. Further, a number of countries have introduced trade barriers on imports of steel including European Union, Canada, Morocco, United Kingdom, South Africa, Turkey, Vietnam, GCC, Malaysia and Tunisia. The increase in imports of subject goods has caused serious injury to the domestic industry and therefore, the Authority has recommended imposition of provisional measures.

Chapter 73 - Articles of iron or steel

Imposition of anti-dumping duty on imports of Roller Chains from China. (24 Mar)

The Central Government, on 24th March 2025, imposed anti-dumping duties on imports of Roller Chains from China, pursuant to recommendations by the DGTR vide Final Findings Notification No. 06/26/2023-DGTR, dated the 26th December 2024. The duty imposed is 6.34% of CIF price for non-cooperative producers.

Chapter 76 - Aluminium and articles thereof

Imposition of provisional anti-dumping duty on imports of Aluminium Foil upto 80 micron from China. (17 Mar)

The Central Government, on 17th March 2025, imposed provisional anti-dumping duties on imports of Aluminium foil upto 80 micron from China pursuant to recommendations made by the DGTR vide Preliminary Findings Notification No. 6/35/2023-DGTR, dated 28th August 2024. The provisional anti-dumping duty imposed is in the range of USD 619 – 873 per MT.

Final Findings issued in the anti-dumping investigation into imports of Aluminium Foil upto 80 micron from China. (20 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Aluminium Foil upto 80 micron from China. The Authority noted that the subject goods had been exported to India from the subject country at price below the normal value. The volume of imports increased in absolute terms and account for majority of imports into India. While the domestic industry had sufficient capacity to cater to total demand in India, the imports from the subject country had captured 30% of the market share. The subject imports were undercutting the prices of the domestic industry, and had depressed its prices. The domestic industry had suffered losses in the period of investigation. In view of the same,

the Authority recommended imposition of anti-dumping duty on imports of the subject goods from the subject country.

Final Findings issued in the mid-term review of anti-dumping duty on imports of Aluminium Foil upto 80 micron from Thailand. (26 Mar)

The DGTR issued final findings, terminating the mid-term review of anti-dumping duty on imports of Aluminium Foil upto 80 micron from Thailand. The Authority held that change in circumstances identified had not been established in the present investigation. While there was a minor shift in product profile exported by the foreign producers, 80% of the exports were of the same product types that were being exported in the original period of investigation. Due to increase in raw material cost, both non-injurious price and import price of the domestic industry had increased. The change in production profile of the domestic industry was similar to change in import trend. Therefore, there was no need for re-quantification of duties.

Final Findings issued in the anti-subsidy investigation into imports of Digital Offset Printing Plates from China and Taiwan. (28 Mar)

The DGTR has issued final findings in the anti-subsidy investigation into imports of Digital Offset Printing Plates from China and Taiwan. The product under consideration includes thermal plates, violet plates and UV CtP Plates. The Authority noted that the Governments of China and Taiwan are providing subsidies to the producers of the product under consideration in form of grants, tax benefits and provision of goods and services at less than adequate remuneration. Due to subsidized imports of subject goods in India, the domestic industry in India suffered material injury. Accordingly, the Authority has recommended imposition of anti-subsidy duty on imports of subject goods from the subject countries.

Chapter 84 – Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

Final Findings issued in the anti-dumping investigation into imports of Plastic Processing Machines from China and Taiwan. (27 Mar)

The DGTR issued final findings in the anti-dumping investigation into imports of Plastic Processing Machines from China and Taiwan. The product under consideration is Plastic Processing Machinery having clamping force not less than 40 tonnes and not more than 1500 tonnes. The Authority found that it was

not necessary that the same is imported in fully assembled form, and can also be imported in form of CKD, SKD and sub-assemblies. The Authority noted that the volume of imports of the product under consideration had increased at prices below the selling price of the domestic industry. Due to this, the production and capacity utilization of the domestic industry had declined in the period of investigation. The profitability of the domestic industry had also declined significant. Thus, there was a need for imposition of anti-dumping duty on imports of subject goods from the subject countries.

Chapter 85 - Electrical machinery and equipment and parts thereof; sound recorders and reproducers, television image and sound recorders and reproducers, and parts and accessories of such articles

Imposition of anti-dumping duty on imports of Soft Ferrite Cores from China. (18 Mar)

The Central Government, on 18th March 2025, imposed anti-dumping duties on imports of Soft Ferrite Cores from China pursuant to recommendations made by the DGTR vide Final Findings Notification No. 6/22/2023-DGTR, dated 23rd December 2024. The duty imposed is in the range of 31-35% of CIF value of imports.

Chapter 96 - Miscellaneous manufactured articles

Imposition of anti-dumping duty on imports of Vacuum Insulated Flask and other Vacuum Vessels, of stainless steel from China. (17 Mar)

The Central Government, on 17th March 2025, imposed anti-dumping duties on imports of Vacuum insulated flask and other vacuum vessels, of stainless steel from China pursuant to recommendation made by DGTR vide Final Findings Notification No. 06/10/2023-DGTR, dated 19th December 2024. The duty imposed is USD 1,732 per MT on all producers from the subject country.

Global Updates

Chapter 3 – Fish and crustaceans, molluscs and other aquatic invertebrates

United States of America

- Initiation of sunset review of anti-subsidy duty on imports of Frozen Warmwater Shrimp from Ecuador. (06 Mar)

Chapter 17 – Sugars and sugar confectionery

United States of America

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Sugar from Mexico. (03 Mar)

Chapter 27 – Mineral fuels, mineral oils and products of their distillation; bituminous substances; mineral waxes

Canada

- Initiation of anti-dumping and anti-subsidy investigations into imports of Renewable Diesel from USA. (06 Mar)

United Kingdom

- Initiation of anti-dumping and anti-subsidy investigations into imports of Hydrotreated Vegetable Oil from USA. (17 Mar)

Chapter 28 – Inorganic Chemicals

European Union

- Initiation of anti-dumping investigation into imports of Phosphorous Acid from China. (19 Mar)

South Africa

- Initiation of sunset review of anti-dumping duty on imports of Soda Ash from USA. (07 Mar)

Chapter 29 – Organic Chemicals

Trade remedial actions against India

United States of America

Preliminary affirmative determination issued by the USDOC in the anti-subsidy investigation into imports of Hexamethylenetetramine from India and China. (07 Mar)

The USDOC has preliminary determined that Indian producers of the subject merchandise received countervailable subsidies during the period of investigation, that is 01st April 2023 to 31st March 2024. A preliminary subsidy rate of 2.32% was determined for Kanoria Chemicals and Industries Limited. A

subsidy rate of 139.55% was determined for non-cooperating exporters, and a rate of 2.32% was determined for all other companies. A subsidy rate of 420.53% has been determined for all Chinese exporters.

Other trade remedial actions

China

- Continuation of anti-dumping duty on imports of Resorcinol from Japan. (22 Mar)

European Union

- Initiation of anti-dumping investigation into imports of Adipic Acid from China. (14 Mar)
- Preliminary affirmative determination issued in the anti-dumping investigation into imports of Glyoxylic Acid from China. (24 Mar)

United States of America

- Affirmative determination issued by the USDOC in the sunset review of anti-dumping duty on imports of Acetone from Belgium, Singapore, South Africa, South Korea and Spain. (07 Mar)
- Initiation of anti-dumping investigation into imports of Methylene Diphenyl Diisocyanate from China. (11 Mar)
- Final affirmative determination issued by the USDOC in the anti-dumping investigation into imports of Dioctyl Terephthalate from Poland, Malaysia, Taiwan and Türkiye. (28 Mar)

Chapter 31 – Fertilisers

United Kingdom

- Initiation of transition review of anti-dumping duty on imports of Ammonium Nitrate from Russia. (19 Mar)

Chapter 32 - Tanning or dyeing extracts; tannins and their derivatives; dyes, pigments; paints and varnishes; and other products

United States of America

- Continuation of anti-dumping duty on imports of Stilbenic Optical Brightening Agents from China and Taiwan. (07 Mar)

Chapter 39 – Plastics and articles thereof

Canada

- Initiation of anti-dumping investigation into imports of Polyethylene Terephthalate (PET) Resin from China and Pakistan. (19 Mar)

Chapter 44 – Wood and articles of wood; wood charcoal

European Union

- Initiation of anti-dumping investigation into imports of Softwood Plywood from Brazil. (06 Mar)

Chapter 48 – Paper and paperboard; articles of paper pulp, of paper or of paperboard

United States of America

- Preliminary affirmative determination issued by the USDOC in the anti-subsidy investigation into imports of Thermoformed Molded Fiber Products from China and Vietnam. (14 Mar)
- Imposition of anti-dumping and anti-subsidy duties on imports of certain Paper Plates from China, Thailand and Vietnam. (20 Mar)
- Preliminary affirmative determination issued by the USDOC in the anti-subsidy investigation into imports of Paper File Folders from Cambodia. (28 Mar)

Chapter 54 – Man-made filaments; strip and the like of man-made textile materials

Trade remedial actions against India

United States of America

Preliminary negative determination issued by USDOC in the administrative review of anti-dumping duty on imports of Polyester Textured Yarn from India . (28 Mar)

The USDOC has preliminarily determined that AYM Syntex Limited did not export the subject goods to USA at dumped prices, during the period of review, that is 01st January 2023 to 31st December 2023. Accordingly, a dumping margin of 0% was determined for the exporter.

Chapter 69 – Ceramic Products

Trade remedial actions against India

GCC

Initiation of sunset review of anti-dumping duty on imports of Ceramic and Porcelain Tiles from China and India. (03 Mar)

The TSAIP initiated the sunset review of anti-dumping duties imposed. The period of investigation for the sunset review would be 1st January 2024 to 31st December 2024. The request for initiation of review was filed by The Saudi Ceramic Company, Exa and El- Khayyat Ceramic and Porcelain Co. The duties were originally imposed on 30th April 2020. The Indian exporters are currently subject to duties in the range of 17.6% to 106%.

Other trade remedial actions

Columbia

- Initiation of sunset review of anti-dumping duty on imports of Crockery, Pieces of Earthenware, Tableware and other products from China. (21 Mar)

Chapter 70 – Glass and Glassware

Australia

- Termination of anti-dumping investigation into imports of Clear Laminate Glass from China and Thailand. (17 Mar)

European Union

- Final affirmative determination issued in the anti-dumping investigation into imports of Glass Fibre Yarns from China. (19 Mar)

South Africa

- Initiation of anti-circumvention investigation concerning anti-dumping duty on imports of Windscreens for Vehicles from China, by imports of Windscreens classified under tariff item 8708.22.10 from China, and imports of Windscreens from Malaysia. (07 Mar)

United Kingdom

- Initiation of transition review of anti-subsidy duty on imports of Continuous Filament Glass Fibre Products from Egypt. (18 Mar)

Chapter 72 – Iron and steel

Brazil

- Preliminary affirmative determination issued in the anti-dumping investigation into imports of Cold-Rolled Flat-Rolled Cables from China. (17 Mar)

Canada

- Revocation of anti-dumping duty on imports of Hot-rolled Carbon Steel Plate from Bulgaria, Czech Republic and Romania. (20 Mar)

Mexico

- Initiation of anti-dumping investigation into imports of Hot-rolled Steel Products from China and Vietnam. (03 Mar)

South Africa

- Initiation of anti-dumping investigation into imports of certain Flat Rolled Products of Iron or Non-alloy Steel from China. (20 Mar)

South Korea

- Initiation of anti-dumping investigation into imports of Carbon Steel and other Alloy Steel Hot-Rolled Products from Japan and China. (11 Mar)

United States of America

- Final affirmative determination issued by the USITC in the sunset review of anti-dumping duty on imports of Diffusion-Annealed, Nickel-Plated Flat-Rolled Steel Products from Japan. (25 Mar)
- Final affirmative determination issued by the USDOC in the anti-dumping and anti-subsidy investigations into imports of Ferrosilicon from Brazil, Kazakhstan and Malaysia. (28 Mar)

Chapter 73 – Articles of iron and steel

Trade remedial actions against India

United States of America

Affirmative determination issued by the USDOC in the sunset review of anti-dumping duty on imports of Carbon and Alloy Steel Threaded Rods from India,

Taiwan and Thailand, and anti-subsidy duty on imports from India and China.
(11 Mar)

The USDOC has determined that revocation of duties on imports of subject merchandise from India and other subject countries would likely lead to continuation of dumping of imports, and continued provision of countervailable subsidies as identified in the original investigation. Subsidy rate in the range of 6% to 211% and a dumping margin in the range of 2.75% to 28%, determined for the Indian exporters, is likely to continue. The duties were originally imposed in 2020.

Other trade remedial measures

Australia

- Preliminary affirmative determination issued in the anti-dumping investigation into imports of certain Interchangeable Bolted Clipping System Brackets from China. (12 Mar)

South Africa

- Preliminary affirmative determination issued in the anti-dumping investigation into imports of Screws and Other Bolts with Hexagon Heads from China. (25 Feb)

Türkiye

- Initiation of safeguard investigation into imports of Grinding Balls and similar articles for mills. (13 Mar)

United States of America

- Affirmative determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of Circular Welded Austenitic Stainless Pressure Pipes from China. (07 Mar)
- Affirmative determination issued by the USDOC in the sunset review of anti-dumping duty on imports of certain Malleable Cast Iron Pipe Fittings from China. (07 Mar)
- Affirmative determination issued by the USDOC in the sunset review of anti-dumping duty on imports of Welded Stainless Steel Pressure Pipes from Malaysia, Thailand and Vietnam. (11 Mar)
- Continuation of anti-dumping and anti-subsidy duties into imports of certain Steel Wheels having diameter of 12 to 16.5 inches from China. (26 Mar)

Chapter 76 – Aluminium and articles thereof

Australia

- Final affirmative determination issued in the sunset review of anti-dumping and anti-subsidy duties on imports of Aluminium Extrusions from China. (17 Mar)

Canada

- Continuation of anti-dumping and anti-subsidy duties in imports of Unitized Wall Modules from China. (19 Mar)

United States of America

- Affirmative determination issued by the USDOC in the sunset review of anti-dumping and anti-subsidy duties on imports of Aluminum Wires and Cables from China. (11 Mar)
- Final affirmative determination issued by the USDOC in the anti-dumping and anti-subsidy investigations into imports of Disposable Aluminum Containers, Pans, Trays and Lids from China. (11 Mar)

Chapter 84 – Nuclear reactors, boilers, machinery and mechanical appliances; parts thereof

Argentina

- Initiation of sunset review of anti-dumping duty on imports of Boilers from Italy. (19 Mar)

Chapter 85 – Electrical machinery and equipment and parts thereof; sound recorders and reproducers, and other articles

United States of America

- Initiation of sunset review of anti-dumping duty on imports of Small Diameter Graphite Electrodes from China. (03 Mar)

Chapter 87 – Vehicles other than railway or tramway rolling-stock, and parts and accessories thereof

European Union

- Initiation of sunset review of anti-dumping duty on imports of Steel Road Wheels from China. (03 Mar)

- Final affirmative determination issued in the anti-subsidy investigation into imports of certain Aluminium Road Wheels from Morocco. (14 Mar)

United States of America

- Initiation of anti-dumping investigation into imports of certain Chassis and Subassemblies thereof from Mexico, Thailand and Vietnam, and anti-subsidy investigation on imports from Mexico and Thailand. (24 Mar)

Chapter 90 – Optical, photographic, cinematographic, measuring, checking, precision, medical or surgical instruments and apparatus

Brazil

- Preliminary affirmative determination issued in the anti-dumping investigation into imports of Optical Fiber Cables from China. (17 Mar)
- Preliminary affirmative determination issued in the anti-dumping investigation into imports of Hypodermic Needles from China. (18 Mar)

China

- Initiation of anti-circumvention investigation concerning anti-dumping duty on imports of Non-dispersion-shifted Single-mode Optical Fibers from USA, by imports of certain Cut-off Shifted Single-mode Optical Fiber. (04 Mar)

South Korea

- Initiation of anti-dumping investigation into imports of Single-Mode Optical Fibers from China. (07 Mar)

Chapter 94 – Furniture; bedding, mattresses, mattress supports, cushions and similar stuffed furnishing; *luminaires and lighting fittings, not elsewhere specified or included; illuminated signs, illuminated name-plates and the like; prefabricated building

United States of America

- Initiation of sunset review of anti-dumping and anti-subsidy duties on imports of Wooden Cabinets, Vanities and Components thereof from China. (03 Mar)

- Affirmative determination issued by the USDOC in the sunset review of anti-subsidy duty on imports of Vertical Metal File Cabinets from China. (05 Mar)
- Continuation of anti-dumping and anti-subsidy duties on imports of Steel Racks and parts thereof from China. (11 Mar)

Chapter 96 – Miscellaneous manufactured articles

Trade remedial actions against India

United States of America

Preliminary affirmative determination issued in the anti-subsidy investigation into imports of Hard Empty Capsules from Brazil, China, India and Vietnam. (31 Mar)

The USDOC has preliminarily determined that the Indian exporters and exporters from other subject countries received countervailable subsidies during the period of investigation, that is 01st April 2023 and 31st March 2024. The USDOC determined a subsidy rate 9.95% for the Indian exporters.

About Us

TPM was founded in 1999 at a time when the practice of trade remedies in India was in its infancy and there were only a handful of firms practicing in the field. TPM was the first firm to deal exclusively in the domain of trade remedies. Today, we have completed our journey of 26 years. TPM began its journey with a staff of merely 2 professionals. Today, it has a team of more than 50 professionals including Cost Accountants, Chartered Accountants, Company Secretaries, Lawyers, Engineers and MBAs.

In its first two decades, TPM was primarily focused on assisting domestic producers suffering due to cheap and unfair imports into India and in other countries to avail the necessary protection under the umbrella of the WTO Agreements. TPM also represents exporters and importers facing trade remedial investigations in India or other countries. TPM has assisted exporters facing investigations in a number of jurisdictions such as Argentina, Brazil, Canada, China, Egypt, the European Union, the Gulf Cooperation Council, Indonesia, Mexico, South Korea, Taiwan, Türkiye and the United States of America.

In the last few years, TPM's reputation has grown in other fields of non-tariff barriers, policy advocacy matters, foreign trade policy, business consulting and litigation. Its vast experience with industry leaders in various sectors puts it in a unique position to effectively and efficiently handle matters relating to policy advocacy before various government forums. This has enabled the TPM team to help industry find innovative solutions to complex problems.

For more details about the contents of this newsletter, kindly contact aastha@tpm.in.

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