

Ministry of Commerce of the People's Republic of China
Notice no. 40 (2018)

On 30 August 2017, the Ministry of Commerce published the Notice No. 45 of the year, and decided to initiate an anti-dumping investigation on import of Halogenated Butyl Rubber originating from the USA, the EU, and Singapore.

The Ministry of Commerce performed an investigation of dumping and dumping margin as well as injury and the level of injury. In accordance with the provision of Article 24 of the Anti-Dumping Regulation of the People's Republic of China, the Ministry of Commerce, on 19 April 2018, the Ministry of Commerce issued the preliminary determination and decided that there exists dumping of the investigated products; substantial injury has been caused to the Chinese Halogenated Butyl Rubber industry; and at the same time there exists a causal relationship between the dumping and the substantial injury.

After the preliminary determination, the Ministry of Commerce made further investigation on the dumping, and dumping margin, injury and the level of injury, as well as the causal relationship between the dumping and the substantial injury. The investigation has been finalized. According to the Article 25 of the Anti-Dumping Regulation of the People's Republic of China, the Ministry of Commerce made final determination (see annex).

Notice is hereby made of relevant details as follows:

1 Final determination

The Ministry of Commerce finally determines that: there exists dumping of the investigated products; substantial injury has been caused to the Chinese industry; and there exists a causal relationship between the dumping and the substantial injury.

2 Collection of cash guarantees

According to the provisions of Articles 38 of the Anti-Dumping Regulation of the People's Republic of China, and according to the suggestions of the investigation authority, the Tariff Committee of the State Council decides to impose anti-dumping tariff to the importing Halogenated Butyl Rubber originating from the USA, the EU, and Singapore.

Investigation scope: imported Halogenated Butyl Rubber originating from the USA, the EU, and Singapore

Subject merchandise: Halogenated Butyl Rubber (Chlorobutyl Rubber, Bromobutyl Rubber)

It is listed under codes of 40023910, 40023990 in the *Customs Import and Export Tariff of the People's Republic of China*.

Margins at which anti-dumping margins are to be collected for each company are as follows:

A. USA companies

- | | |
|-----------------------------|-------|
| i. Exxon Mobil Corporation | 75.5% |
| ii. All other USA companies | 75.5% |

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B. EU companies		
i.	ExxonMobil Chemical Limited	71.9%
ii.	ARLANXEO Belgium NV	27.4%
iii.	All other EU companies	71.9%
C. Singapore companies		
i.	ARLANXEO SINGAPORE PTE. LTD	23.1%
ii.	All other Japan companies	45.2%

3 Method of imposition of anti-dumping duties

As of 20 August 2018, importers who import Halogenated Butyl Rubber originating from the USA, the EU, and Singapore should pay the applicable anti-dumping duties to the Customs of the People's Republic of China. Anti-dumping duties shall be assessed ad valorem, with the taxable value being the price CIF on the basis of the transaction price examined and ratified by the Customs; the formula for imposition is: level of anti-dumping duty = customs dutiable value x rate of anti-dumping duty. Sectoral import VAT shall be assessed ad valorem, with the taxable value being the price CIF (on the basis of the transaction price examined and ratified by the Customs) plus duties and anti-dumping duties.

4 Retroactive application of anti-dumping duties

For the cash guarantees provided to the Customs of the People's Republic of China according to the preliminary determination by applicable importers from 20 April 2018 to 19 August 2018, duties shall be levied and converted into anti-dumping duties according to the range of products subject to anti-dumping duties and anti-dumping duty rates specified by this decision, and sectoral import VAT shall be assessed as applicable according to the level of anti-dumping duty. As for the parts of the cash guarantee provided by applicable importers during that period which exceed the anti-dumping duty and the sectoral import VAT applicable thereto, the Customs shall make reimbursement, with the parts not in excess not being subjected to additional imposition.

No further retroactive application of anti-dumping duties shall be made for imports of Halogenated Butyl Rubber originating from the USA, the EU, and Singapore made before the date of the notice of application of provisional anti-dumping duties.

5 Term of imposition of anti-dumping duties

The term of application of anti-dumping duties on imports of Halogenated Butyl Rubber originating from the USA, the EU, and Singapore shall be 5 years as of 20 August 2018.

6 New exporter reviews

For new exporters from USA, EU and Singapore, which have not exported the product under investigation to the People's Republic of China during the period of investigation, where the conditions are fulfilled, application may be made in writing to the Ministry of Commerce for

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a new exporter review on the basis of the provisions of Article 47 of the Anti-Dumping Regulation of the People's Republic of China.

7 Interim review

During the term of application of anti-dumping duties, relevant interested parties may make application in writing to the Ministry of Commerce for an interim review on the basis of the provisions of Article 49 of the Anti-Dumping Regulation of the People's Republic of China.

8 Administrative review and administrative litigation

Those who do not accept the final determination decision in this case and the decision to impose anti-dumping duties may lawfully apply for administrative review in accordance with the provisions of Article 53 of the Anti-Dumping Regulation of the People's Republic of China, and may also lawfully lodge a case with the People's Court.

Notice is hereby made

Ministry of Commerce of the People's
Republic of China
10 August 2018

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