

[redacted – name of the Counsel]
 [redacted – e-mail address of the Counsel]

Crowell & Moring LLP
 7, Rue Joseph Stevens
 B-1000 Brussels
 Belgium
 [redacted – telephone number of the Counsel]
 [redacted – fax number of the Counsel]

Our ref [redacted – our reference number]

Your ref TS0023

15 July 2022

NON-CONFIDENTIAL VERSION FOR TRADE REMEDIES AUTHORITY (TRA)

Dear Members of the Case Team,

Re: Case TS0023 – Cover letter to replies to Notice of deficiency regarding pre-sampling questionnaire – NON-CONFIDENTIAL VERSION

On behalf of our client, Viraj Profiles Private Limited (“Viraj” or “VPPL”), please find enclosed our replies to the TRA’s Notice of deficiency regarding the pre-sampling questionnaire of 8 July 2022.

The present letter and the amended pre-sampling forms were uploaded through the online Trade Remedies Service as requested.

The below table includes the replies to the identified deficiencies.

REFERENCE	DEFICIENCY	REQUEST
Non-confidential version, section A1	<p>The non-confidential ranges you have provided for the redacted figures are wider than we generally accept.</p> <p>In the non-confidential version, the phrase “CUSTOMER-SPECIFIC REQUIREMENTS” has been cut off because the answer box is slightly too small. This could make it difficult for other stakeholders to read.</p>	<p>Thank you for providing non-confidential ranges of the redacted figures. We generally ask that the lower and upper bounds of each non-confidential range be within 15% of the confidential figure. Please consider tightening the ranges. (Please see the TRA’s public guidance for further information on how to prepare a non-confidential version.)</p> <p>If possible, please make the answer box slightly larger so that the phrase “CUSTOMER-SPECIFIC REQUIREMENTS” is easier to read.</p>
<p>RESPONSE: The identified deficiency was addressed according to the TRA’s instructions and the answer box in Section A1 was adjusted accordingly. Specifically, Viraj submits that the information</p>		

[redacted – sensitive information about the legal firm, including its legal form, registration number, bank details, names of the Partners]

<p>in Section A1 can be treated as non-confidential as it is publicly available. Viraj therefore redacted both confidential and non-confidential version of the pre-sampling questionnaire to reflect the changes. The amended confidential and non-confidential version of the pre-sampling questionnaire are attached to the present submission.</p>		
<p>Non-confidential version, section B1</p>	<p>The non-confidential ranges you have provided for the redacted figures are wider than we generally accept.</p>	<p>Thank you for providing non-confidential ranges of the redacted figures. We generally ask that the lower and upper bounds of each non-confidential range be within 15% of the confidential figure. Please consider tightening the ranges. (Please see the TRA's public guidance for further information on how to prepare a non-confidential version.)</p>
<p>RESPONSE: The identified deficiency was addressed according to the TRA's instructions. The confidentiality ranges in Section B1 were redacted as requested. The amended confidential and non-confidential version of the pre-sampling questionnaire are attached to the present submission.</p>		
<p>Non-confidential version, section B2</p>	<p>The non-confidential ranges you have provided for the redacted figures are wider than we generally accept.</p> <p>The non-confidential range [redacted - 710k – 925k] does not cover the confidential figure [redacted - 710k – 925k].</p>	<p>Thank you for providing non-confidential ranges of the redacted figures. We generally ask that the lower and upper bounds of each non-confidential range be within 15% of the confidential figure. Please consider tightening the ranges. (Please see the TRA's public guidance for further information on how to prepare a non-confidential version.)</p> <p>Please ensure that all your non-confidential ranges cover the redacted figure.</p>
<p>RESPONSE: The identified deficiency was addressed according to the TRA's instructions. The confidentiality ranges in Section B1 were redacted as requested. The amended confidential and non-confidential version of the pre-sampling questionnaire are attached to the present submission.</p>		
<p>Section B3</p>	<p>The commodity codes you have listed do not match any of the six commodity codes in the scope definition for this review (72 22 20 21, 72 22 20 29, 72 22 20 31, 72 22 20 39, 72 22 20 81, 72 22 20 89).</p>	<p>Thank you for providing details of the commodity codes under which you export the goods subject to review to the UK. If possible, please provide commodity codes according to the UK Integrated Online Tariff system. (Alternatively, please give a description of the</p>

		product details for the goods subject to review that your export to the UK.)
<p>RESPONSE: Viraj would like to note that Section B3 instructs to “provide details of the commodity code(s) under which you export the goods subject to review to the UK” (our emphasis), i.e. the export customs classification. Typically, this is the HS classification in accordance with the applicable schedule of the country of origin. Accordingly, in the pre-sampling questionnaire Viraj provided the classification of commodity codes in accordance with the applicable Indian schedule. For purposes of the investigation, and as per TRA’s instructions, Viraj hereby attaches as Annex 1 a non-confidential version of the conversion table where it indicated the UK commodity codes and their equivalents as per the Indian classification schedule.</p>		
Section D	Request for further clarification.	If possible, could you please clarify how the details you provided for “6. Export Credit Scheme (ECS)” relate to the bullet points in the question?
<p>RESPONSE: In relation to this point, Viraj submits that it does not benefit from the Export Credit Scheme (“ECS”), and thus is not familiar with the functioning of the system. In the narrative explanation of the originally filed pre-sampling form, Viraj has merely provided general information on lending rates according to the practice of the Reserve Bank of India. Viraj is unable to confirm whether such general explanation would be applicable to ECS too, from which Viraj does not benefit.</p>		

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for Crowell & Moring LLP

Counsel to Viraj Profiles Private Limited

Yours faithfully,

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