

**GOVERNMENT OF INDIA  
MINISTRY OF COMMERCE**

**NOTIFICATION**

**FINAL FINDINGS**

New Delhi, the 12th July 1999

**Subject:** Anti dumping investigation concerning imports of Hard Ferrite Ring Magnets (HFRM) from China PR - Final Findings.

**12/1/98/ADD** - Having regard to the Customs Tariff Act 1975 as amended in 1995 and the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, thereof-

**A. PROCEDURE**

1 The Procedure described below has been followed:

- i. The Designated Authority (hereinafter also referred to as the Authority) notified preliminary findings vide notification dated the 1st April, 1999 and requested the interested parties to make their views known in writing within forty days from the date of its publication:
- ii. The Authority forwarded a copy of the preliminary findings to the known interested parties, who were requested to furnish their views, if any, on the preliminary findings within forty days of the date of the letter,
- iii. The Authority also forwarded a copy of the preliminary findings to the Embassy of the People's Republic of China (hereinafter referred to as China PR) in New Delhi with a request that the exporters and other interested parties may be advised to furnish their views on the preliminary findings;
- iv. The Authority provided opportunity to domestic industry and the other interested parties separately to present their views orally. All parties presenting their views orally were requested to file written submissions of the views expressed orally. The parties were advised to collect copies of the views expressed by the opposing parties and offer rebuttals, if any. The hearing was attended by petitioner and Magnet Users Association.
- v. The Authority made available the public file to all interested parties containing non-confidential version of all evidence submitted by various interested parties, for inspection, upon request;

- vi. Argument raised by interested parties before announcing of preliminary findings, which have been brought out in the preliminary findings notified earlier have not been repealed herein for sake of brevity. However, arguments raised by the interested parties have been appropriately dealt in the preliminary findings and/or these findings;
- vii. In accordance with Rule 16 of the Rules supra, the essential facts/basis considered for these findings were disclosed to known interested parties and comments received on the same have also been duly considered in these findings.

## **B. VIEWS OF PETITIONERS. EXPORTERS. IMPORTERS AND OTHER INTERESTED PARTIES AND EXAMINATION BY AUTHORITY**

2. None of the exporters from China PR and importers in India have offered any comments. The arguments raised by the petitioners and the Magnet Users Association have been examined, considered and, wherever appropriate, dealt in the relevant paras herein below.

## **C. PRODUCT UNDER CONSIDERATION:**

3. The product considered in the present Notification is Hard Ferrite Ring Magnets (HFRM). These are manufactured in the form of Rings and find application in the manufacture of Loud Speakers, Public Address Systems, Magnetic Assemblies etc. The HFRM are produced from Barium Carbonate as well as Strontium Carbonate. The Ring Magnets are of varying sizes in terms of outer diameter ranging from 22 mm to 280 mm and the inner diameter from 12 mm to 180 mm and having a thickness of 4 mm to 30 mm depending upon required use of the Ring Magnets. HFRM are classified under Custom Code 8505 of the schedule I of the Custom Tariff Act, 1975. The custom classification, functions and uses of HFRM are, however, indicative only and in no way binding on the scope of the present investigation.

## **4. ARGUMENTS BY PETITIONER:**

The petition of the Hard Ferrite Ring Manufacturers was directed towards imposition of Anti-Dumping Duty on Ring Magnets of specified dimensions and material grade. The magnets used for automobile refrigerator, motor applications etc. are not ring magnets and consequently do not come under the purview of the petition.

## **5. ARGUMENT BY MAGNET USERS ASSOCIATION:**

- i. The product under consideration is stated as Hard Ferrite Ring Magnets both Barium and Strontium. The Barium and Strontium magnets have significant differences in terms of raw materials composition, price and cost structure.
- ii. Hard Ferrite Magnets -can be classified as speaker magnets made from barium Speaker Grade magnets made from Strontium, Refrigerator magnets, Automobiles grade Magnets, Magnets for motors and Alnico magnets for KWH meters.
- iii. The various above magnets differ in terms of their raw material composition, functions and uses, cost of production etc. It would be erroneous to conclude that all these magnets are same and can be averaged for the purpose of present investigation.

## **6. AUTHORITY POSITION**

The Authority observes that the product under consideration is HFRM. The magnets are in the form of Rings and are of varying dimensions. The Ring Magnets finds application in Loud Speakers, public Address System ect. The magnets used in other applications like Automobiles, Refrigerator etc are not ring magnets. Therefore, the Ferrite Magnets other then Ring Magnets of specified dimensions, are not the subject matter of the present investigation and have not been considered as such by the Designated Authority while announcing its Preliminary Findings vide Notificated dated 1st April, 1999.

## **D. LIKE ARTICLES**

7 In the Preliminary Findings the Authority held that the HFRM produced and sold by the Domestic Industry and those imported from China P.R. are being used interchangeably by customers in India. The process and technology for manufacturing the product ail over world is similar in terms of machinery, raw materials, manufacturing process except for minor differences such as additives, automation in material handling ate. None of the interested party had disputed the claims, made by the petitioner. In view of the same, the Authority held that HFRM being produced by the domestic industry and those being imported from China P.R. can be used interchangeably and thus are commercially and technically substitutable and therefore, are like articles within the meaning of the rules.

## **8. ARGUMENTS BY PETITIONER:**

It is true that the Chemical composition of Strontium and Barium varieties of magnets is different. However, the higher cost of Strontium carbonate vis-a-vis barium carbonate is extremely insignificant portion of various factors. Ail the same time,

there is an inter changeability between barium and strontium variety of magnets. The Hard Ferrite Ring Magnets imported from China and produced by the petitioners are like articles.

#### **9. ARGUMENTS BY MAGNET USERS ASSOCIATION:**

The petitioner have claimed that the Ferrite Magnets being produced by them and those being imported from China are like articles as the two are being used by the consumer interchangeably. This fact is not disputed. The Speaker grade magnets can never be used in automobile applications and it is not feasible to use automobile grade magnets in place of speaker magnets, it would be erroneous to combine all types of magnets as like articles. For the purpose of fair comparison different types of magnets cannot be clubbed together and comparison has to be on a like to like basis.

#### **10. AUTHORITY POSITION**

The Authority agrees with Magnet Users Association to the extent that the speaker grade magnets cannot be used in the Automobile application and it is not feasible to use automobile grade magnets in place of Speaker Magnets. However, as confirmed by the Authority in para relating to product under consideration, the ring magnets used in speakers, public address systems etc. are the subject matter of the present investigation. The Authority has not considered automobile and refrigerator magnets as like articles to the speaker grade ring magnets. The ring magnets are made of Barium Carbonate and Strontium Carbonate. The raw material composition of Barium and Strontium magnets are different. However, they have similar manufacturing process and find application and Public Address systems. Both these grades of magnets are used interchangeably end service. HFRM being Purpose and are technically substitutable. The fact HFRM being produced by domestic industry and those being export from China P.R. to India are technically and economically substitutable and are being used interchangeably by various user industries has not been disputed by any of the interested parties. In view of the same, the Authority holds that HFRM (both Barium and Strontium grade) being produced by petitioner and those being imported from China P.R. are like Articles within the meaning of the relevant Rules.

### **E. DOMESTIC INDUSTRY**

11. It was held in the Preliminary Findings that the Petitioners Companies represents the following producers of HFRM in India:-

- a. M/s. Magnetix (India) Ltd., Bhubaneshwar.
- b. M/s G.P. Electronics Ltd., Bombay.

- c. M/s Permanent Magnets Ltd., Jalagaon.
- d. M/s Ferro Magnets & Allied Product Ltd., Dharamapur,. T.N
- e. M/s D.G.P. Hinoday Ltd.. Pune.

Another company, M/s. Aagola Magneitics Pvt. Ltd., producing HFRM in India has a production to the extent of 500 MT during 1996-97. M/s. Aagola Magnetics Ltd., have neither supported nor opposed the present petition for Anti-Dumping investigations. The petitioner companies represent more than 94% of the total production of Ring Magnets in India. The fact that the petitioner companies have the requisite standing to represent domestic industry has not been disputed by any of the interested parties. In view of the same, the Authority confirms its preliminary findings that petitioner fulfils the criteria of having the requisite standing to represent domestic industry, as required under the Rules.

## **F. DUMPING:**

12. The Rules relating to dumping and claims of domestic industry and exporters have already been discussed in the Preliminary Findings. The Authority notes that none of exporters or importers from China P.R. has furnished any information or disputed the dumping margin as calculated by the Authority in the Preliminary Findings.

The submissions made by petitioners and other interested parties with regards to Normal Value, Export Price and Dumping Margin and its examination by the Authority is discussed, herein under-

## **G. NORMAL VALUE:**

### **13. AGUMENT BY THE PETITIONER**

- i. The normal value has been calculated based on the best available information about the constructed cost of production in China and same has been worked out under best working conditions.
- ii. A reasonable profit should be added to the constructed cost to arrive at the normal value in China Accordingly, the normal value needs revision.
- iii. There is no relevance in the linkage of constructed normal value for dff China with the fair selling price of Indian domestic industry as the later is calculated only with the purpose of applying lesser Duty Rules and provide minimum protection to domestic industry
- iv. The adjustment of 25% in the constructed cost of production in China P.R. has already been made and an additional reduction of 25% in the constructed cost in China P.R would not be justified.

#### **14. ARGUMENTS RAISED BY MAGNETS USERS ASSOCIATION:**

- i. There are different types of magnets with different uses and determination of one normal value and one export price based on the average cost of production for different grades of ring magnets would lead to highly distorted picture of normal value.
- ii. The cost of production in China P.R. and in India have been assumed at the same level whereas petitioners had themselves admitted 25% cost advantage for the Chinese producers in its petition.

### **H. EXAMINATION BY THE AUTHORITY**

#### **15. NORMAL VALUE:**

- i. The Authority notes that a reference was made to exporters from China PR. for relevant information for the purpose of Normal Value. None of the exporters from China P.R. responded to the reference from the Authority. None of the exporters from the subject country has disputed the assessment of Normal Value by the Authority as per Preliminary Findings.
- ii. The Authority had considered Normal Value in China P.R. based on best available information. Accordingly, Normal Value was determination based on optimum working conditions as would be relevant for Domestic Industry. While claiming normal value, the petitioner had claimed that for normal value the cost of production of domestic industry has to be adjusted for the reasonable cost advantage for Chinese manufacturers arising out of automation, cheap labour and power cost, higher productivity and economics of scale. Accordingly, a cost advantage of 25% was considered. In the petition filed by domestic industry, the Normal Value was constructed based on two different alternatives i.e. based on yield factor from raw material and based on cost of production for domestic industry. In the case of constructed cost for Chinese Industry based on first alternative, the petitioner had constructed normal value on an estimation basis. The Normal Value through this alternative was estimated by petitioners at Rs.63/- per Kg. Therefore from the estimation of constructed cost of HFRM in China P.R., a deduction of 25% was considered for cost advantage to Chinese industry stated above. Based on this alternative, constructed cost was estimated at Rs.47.40 per Kg. However the constructed cost based on the second alternative i.e. based on the cost of production for domestic industry, was Rs.39/-. After allowing for a reasonable profit, the constructed cost in China P.R. would be Rs. 41.70 per Kg. The Authority notes that in this alternative, no cost advantage as admitted by the domestic industry was allowed. In view of the explicit admission by petitioners, of a cost

- advantage for Chinese industry vis-a-vis domestic manufacturers, the Authority has considered normal value after allowing 25% cost advantage for Chinese industry. Accordingly, the normal value is considered as Rs.31/- per Kg.
- iii. The Authority has considered a reasonable return on cost of production to arrive at Normal Value. Since, the other type of magnets are outside the purview of present investigations, Normal Value based on cost of production for the domestic industry only in respect of Ring Magnets has been considered by the Authority.
  - iv. The non-injurious selling price in respect of domestic industry is determined by the Designated Authority for the purpose of applying the lesser duty Rule, to determine the minimum amount of duty as would be sufficient to remove the injury to domestic industry. The Authority considers that any comparison of the non-injurious price for domestic industry with Normal Value would be irrelevant.
  - v. In view of the above, the Authority has considered a normal value of Ra 31/- per Kg. for purpose of final determination.

## **I EXPORT PRICE:**

### **16. ARGUMENTS BY PETITIONER:**

- i. None of the interested party had responded to the questionnaire issued by the Designated Authority calling for the requisite information, within the time limit prescribed. The additional information submitted by the Magnet Users Association is beyond the prescribed time limit and hence should be ignored.
- ii. The Magnet Users Association have submitted evidence in the form of bill of entry on selective transaction and such selective, inadequate and defective information cannot be taken into account at any stage of Investigation.
- iii. The Magnet Users Association have submitted import data stated to have been procured from published sources and is marked confidential without giving any justifiable reasons.
- iv. The export price from China P.R. to India is the average GIF price and needs to be adjusted for the inland Transport, Insurance etc.

### **17. ARGUMENT RAISED BY MAGNET USERS ASSOCAITION:**

- i. The petitioner have furnished grossly incomplete information to the Designated Authority which had led to lower export price from China.
- ii. The Association has compiled export statistics from a reputed agency and have submitted other evidence with regards to imports at different prices during the

period of investigation. The same may also be considered by the Designated Authority for export price.

- iii. The import statistics are available only for one importer in a period of two months. No efforts seems to have been made by the Designated Authority to direct the petitioner to provide information for whole of the investigation period.
- iv. No reason has been accorded either by the petitioner or by the Designated Authority for adopting the information only on the basis of imports in two months only.

#### **18. EXAMINATION BY THE AUTHORITY:**

- i. The Authority observes that none of the Chinese exporters of HFRM have responded to the information solicited by the Designated Authority. However, subsequent to the Preliminary Findings, none of the exporters from the subject country has furnished information called for by the Designated Authority with regards to export prices. Similarly, no response has been received from any of the Importers of HFRM. The Authority has therefore considered the exporters and importers from China P.R. as non co-operative and proceeded to determine the export price on the basis of the best available information.
- ii. It is observed by the Authority in para 14 of its Preliminary Findings that the export price has been worked out on the basis of information furnished by petitioners. The petitioners had furnished the export price based on information compiled by a private agency M/s. Bureau of Commercial Intelligence and Statistics. The information furnished by petitioner contained a number of transactions pertaining to various types of magnets. The information was furnished for a period of three months i.e. November, 1996 to January, 1997. The transactions, based on secondary sources contained details of quantity of magnets in various measurement like No. of Pieces, MTs, Sets etc In the absence of any uniformity in measurement units, the Authority had considered the best information available with regards to export price Accordingly, the transactions for which the quantity in terms of Kg. or MT was specified and it was classified as speaker grade magnets, have been considered by the Authority. Based on these transactions from secondary sources, the export price of Ring Magnets of Rs.17.76/- Kg. was considered by the Designated Authority based on the best available information. The export price considered by the Designated Authority was not disputed by any of the interested parties, prior to Preliminary Findings.
- iii. Subsequent to the Preliminary Findings, the Magnet Users Association had claimed that petitioners had furnished grossly Incomplete information with regards to export price The Association represented that the information

compiled by it from another Private Agency also be considered for the purpose of the export price. The Association also submitted, additional evidence with regards to export of specific grade of magnet by selected parties during the period of investigation. This was evidenced with other documents like Bill of Entry. Invoices Packing list etc. The Association further requested that these additional evidence on export price also be considered by the Designated Authority in its final determination of duty

- iv. The Authority notes that the additional evidence is based on the data compiled by M/s. Impex Data Services. The data pertains to financial year, 1996-97 and 1997-98. The information from secondary source also relates to various types of magnets, which are not the subject matter of present investigation Besides, the quantity of imports is stated in various measurements like No. of units, Kgs, Sets, etc The Magnet Users Association requested that the information in respect of which specific details are available may be considered by the Designated Authority. In this regard, a few specific transactions have been cited by the Association, as needs to be considered The Authority notes that these specific transactions have not been classified as the Ring Magnets used in speaker application. Moreover, after excluding the specific magnets, which are not subject matters of present investigation, export price based on secondary sources submitted by Magnet Users Association are more or less identical to the one considered by the Designated Authority in its preliminary findings.
- v. The Magnet Users Association has also furnished copies of invoices and the Bills of entry in support of the evidence of imports of the subject goods during the period of investigation. The Authority notes that the Bills of entry and the shipping documents pertains to a few selected importers. Besides, the documents indicates imports of specific grade of magnets. The specific importers, to whom these shipping documents relates have not furnished the complete details on imports solicited by the Designated Authority in the prescribed proforma Therefore, the Authority considers these importers as non-co-operative. In view of non-cooperation of the exporters in the process of investigation and the fact that information with regards to imports has been furnished on a selective basis in respect of specific imports and not complete details on the imports by the individual importers, information provided by the Magnet Users Association from specific importers has been dis-regarded by the Authority.
- vi. It has been claimed by petitioners that Export Price is CIF price and needs to be adjusted for inland freight, insurance, ocean freight etc However, the Authority notes that the petitioner had not claimed any adjustments from the export price. No evidence has been submitted by the petitioners to substantiate its claims with regard to actual cost on inland freight, insurance, overseas freight etc. There has also been no response from either exporters or importers. The

additional claims of petitioner on account of inland freight, insurance and overseas freight is only on an estimation basis and is not substantiated with evidence. In view of same, the Authority has not considered the claims of the petitioner for adjustments in the export price to work out the export price at Ex-works level. In the absence of requisite details from any of the interested parties, the Authority has considered the export price as at Ex-works level.

- vii. In view of the above, the Authority confirms its Preliminary Findings with regards to the export price.
- viii. Keeping in view, normal value and export price, as discussed above, the Dumping Margin for export of HFRM from China P.R. has been considered at 76%.

## **J. INJURY AND CAUSAL LINK**

### **19. ARGUMENT BY PETITIONERS:**

- i. There has been a decline in the profitability of M/s. DGP Hinoday from operations for the product under consideration. DGP Hinoday is a multi product company and profits in the balance sheet is a summation of the profits from all the products. The speaker magnets contributes only 30% in terms of sales value in view of the higher realisation from other products.
- ii. The Hard Ferrite Ring Magnets forms very large volume in terms of output but very low realisation in term of sales. Some of the companies are multi product companies and have other sources of income also. But, this fact has been ignored by the Magnet Users Association.
- iii. The profitability of M/s. G P. Electronics has also declined during the period of investigation. M/s. G P. Electronics is also a multi product company. Its profitability from operations both in respect of subject goods as well as overall performance has declined significantly since 1995-96.
- iv. The closure of three major producers of Hard Ferrite Ring Magnets within a period of 15 months is a clear indication of material injury to the domestic industry.

### **20. ARGUMENTS BY MAGNETS USERS ASSOCIATION:**

- i. An analysis of expenditure in respect of some of the companies based on balance sheet reveals that expenditure in respect of certain elements like power & fuel, raw material, employees salary, rent paid are excessive. Some of these companies are doing other business activities also. In case some of these expenses pertains to other activities, the same needs to be suitably adjusted.

- ii. Out of the five petitioner companies three companies have shown losses in their balance sheet whereas the other two companies have shown profit. The reasons for losses in case of loss making companies can not be attributed to dumped imports. One of the company suffering losses has significant portion of other activities. Another company M/s. Magnetix had been in losses even earlier to the alleged dumping from China It has been held by the Authority that the profitability of the domestic industry had remained fairly constant till 1996-97. This being the case, the losses, if any, cannot be attributed to dumping.
- iii. 85% of the domestic industry has made significantly high profits. This is contrary to the claim of the petitioners that they have suffered losses. It has been held by the Designated Authority in its Preliminary Findings that the HFRM constitutes, a significant portion of the overall activities of the petitioner companies, in view of the same, it cannot be concluded that only the HFRM business has incurred losses and remaining small component of the other activities have contributed to the losses, it could be seen that 75% of the production of the petitioner was of the subject goods and therefore it could not be argued that the balance 25% production resulted in profits as indicated in the balance sheet.
- iv. The Preliminary Findings of the Designated Authority does not indicate the decline in the sales realisation in absolute terms. The decline in the sales realisation of the petitioner could be as a result of change in the product mix of the domestic industry which produces all types of magnets.

## **21. EXAMINATION BY THE AUTHORITY-**

The Authority notes that arguments have been raised that the companies have multi product operations. The HFRM business constitutes, a significant component of the overall activities and it would not be appropriate to conclude that the decline in the profitability is on account of HFRM only. It has also been claimed by the interested parties that in view of multi.-publicity of the operations of the petitioner companies, the expenses of the common nature needs to be adjusted appropriately, before assessment of injury from the operations for the product under consideration.

In the assessment of injury to domestic industry from dumped imports, the Designated Authority makes an evaluation of all the relevant economic parameters, having a bearing on the state of domestic industry. In case of the multi-product companies, the assessment is made by the Authority only in respect of the impact of the operations of the product under consideration on the domestic industry. The profitability of the domestic industry may be an important parameter in the assessment of injury to domestic industry. However, the profitability alone has not been considered by the Designated Authority as the only criteria in assessment of injury.

The Authority in its findings had held that there has been a decline in the profitability of the domestic industry in the first half of 1997-98. The HFRM constitutes a major component of the operations. There has been a decline in the sales realisation of the petitioner companies without a corresponding decline in the cost of production. The average sales realisation of the petitioner companies in the month of April, 1996 was Rs.51/- per Kg.. 'It has declined to Rs.35/- per Kg. in the month of Sept., 1997. Thus, the HFRM operations have contributed to the decline in the profits of the petitioners. It has been admitted by the other interested parties also that subsequent to the imports of the subject goods from China P.P., the prices of the HFRM have declined in the domestic market. This is further evident from the decline in the sales realisation of the domestic industry while the volume of sales of the domestic industry have increased.

It is admitted that some of the companies are multi-product and the HFRM constitutes a significant component of the volume of production of the petitioner companies. However, the Authority notes that the sales realisation per unit in case of magnets, other than the product under consideration is significantly higher. Therefore, it would be erroneous to conclude that the other activities represents only 25% of the activities of multi-product companies. An analysis of the operations of one of the multi-product company reveals that for the financial year 1996-97, sales from other activities represents, as much as 80% of sales. Besides, the incomes of the multi-product companies includes the non-operating profits.

The decline in the sales realisation of the domestic industry without any corresponding decline in the cost of production, the declining level of capacity utilisation and the declining profitability of the petitioner companies have been considered by the Designated Authority as sufficient evidence of material injury to the domestic industry from the dumped imports. In view of the above, the Authority confirms its preliminary findings that the domestic industry has suffered injury due to the dumped imports from China P.R.

## **K. OTHER ISSUES:**

### **22. ARGUMENT BY PETITIONERS:**

Under the Anti-Dumping Rules the Magnet Users Association cannot' be termed as a interested party. As per Rule 2(c) of the Anti-Dumping Rules, an interested party can be :

- i. an exporter or a foreign producer or the importer of an article subject to investigation for being dumped In India, or a trade or business association a

- majority of the members of which are producers, exporters or importers of such an article;
- ii. the government of the exporting country; and
  - iii. a producer of (he like article in India or a trade and business association a majority of the members of which produce the like article in India.

It has been stated by the petitioner that the Magnet Users Association does not fall in the category of exporters, importers or producers. The Association represents a number of importers, who had not co-operated with the Designated Authority. Hence, they have no locus standi to be considered as an interested party.

#### **23. EXAMINATION BY THE AUTHORITY:**

The Authority notes that as per Rule 6(5) of the Anti-Dumping Rules, the Designated Authority shall also provide an opportunity to the industrial users of the articles under investigation. The Authority has no evidence to conclude that the Magnet Users Association represent importers of the subject goods.

#### **24. VIEWS OF THE MAGNETS USERS ASSOCIATION**

Some of the petitioner companies have resorted to monopolistic attitude in the past. The prices used to be increased twice a year. The profitability of the petitioner companies seems to have declined from extra-ordinary profits to reasonable profits.

#### **25. EXAMINATION BY THE AUTHORITY**

The argument is generic in nature and is not relevant to the present investigation. The Designated Authority has carried out the investigation in accordance with the Anti-Dumping Rules. The very fact that there are five different producers of the subject goods and the admission by the Magnet Users Association that profitability of domestic producers has declined from extraordinary profits to reasonable profits, is contradictory to claims of monopolistic behaviors of petitioner.

#### **26. VIEWS OF THE MAGNET USERS ASSOCIATION:**

The petition filed By the domestic industry is deficient as no information has been filed with regard to OOP Hindoy which is the largest producer in the domestic industry.

#### **27. EXAMINATION BY THE AUTHORITY**

As per Anti-Dumping Rules, the Authority initiates an investigation into allegation of dumping on a written application filed on behalf of the domestic industry furnishing prima facie evidence of dumping, injury and causal link. Since, the petitioner had furnished the requisite information to initiate the investigation, the Authority on being satisfied, had initiated the investigation in accordance with the Rules. The Authority, therefore holds that the investigation initiated is valid and as per Rules.

#### **28. VIEWS OF MAGNET USERS ASSOCIATION:**

One of the party had assured to manufacture and supply the magnets at a price of Rs.16/- per Kg. This indicates the actual cost of production of ring magnets in India.

#### **29. EXAMINATION BY THE AUTHORITY:**

No evidence has been produced before the Authority regarding the actual production and sale of the subject goods at a price of Rs 16/- per Kg.

### **L FINAL FINDINGS:**

30. The Authority, after considering the foregoing, concludes that:

- a. Hard Ferrite Ring Magnets originating in or exported from China PR has been exported to India below its normal value;
- b. the domestic industry has suffered material injury;
- c. the injury has been caused to the domestic industry by the dumping of the subject goods originating in or exported from China PR.

31. The Authority confirms the preliminary findings with regard to imposition of anti-dumping duty and recommends imposition of definitive anti-dumping duty on all imports of Hard Ferrite Ring Magnets falling under chapter 85 originating in or exported from the People's Republic of China. The anti-dumping duty shall be the difference between Rs.36/-(Rupees: Thirty Six Only) per kg. and the landed price of imports per kg.

32. Landed value of imports for the purpose shall be the assessable value as determined by the customs under the Customs Act 1962 and all duties of customs except duties levied under Section 3, 3A, 8B, 9 or 9A, as the case may be, of the Customs Tariff Act. 1975

33. Subject to above, the Authority confirms the preliminary findings dated 01.04.1999.

34. An appeal against this order shall lie to the Customs, Excise and Gold (Control) Appellate Tribunal in accordance with the Act supra.

**RATHI VINAY JHA...**  
DESIGNATED AUTHORITY