

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 24th March, 2000

FINAL FINDINGS

Subject: Anti-Dumping investigations concerning import of Acrylic Fibre from Turkey, Hungary and EU.

No. 34/1/98-DGAD-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 subsequent to the preliminary findings:
 - a. The Designated Authority (hereinafter also referred to as the Authority) notified Preliminary Findings vide notification dated 13/10/99 with regard to anti-dumping investigations concerning imports of Acrylic Fibre from Turkey, Hungary and EU and requested the interested parties to make their views known in writing within forty days from the date of its publication;
 - b. 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 said findings within forty days from the date of the letter;
 - c. The Authority provided an opportunity to all interested parties to present their views orally on 22/11/99. All parties presenting 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 rejoinders, if any. The petitioners were present at the oral hearing. The exporter from Turkey filed written submissions for the purpose of the oral hearing which they could not attend;
 - d. The Authority made available the public file to all interested parties containing non-confidential version of all evidence submitted and arguments made by various interested parties;
 - e. The arguments raised by the petitioners and other interested parties have been appropriately dealt with in the preliminary findings and /or these findings.
 - f. A team of officers visited the premises of the co-operating exporter from Turkey viz., M/s. AK-PA Tekstil Ihract Pazarlama A.S. Miralay Sefik Bey Sok, AK-ian No. 15-17, Kat 1-280090 Gumussdya, Taksim/Istanbul, to verify the information submitted by them and to obtain further information to the extent considered necessary.
 - g. In accordance with Rule 16, supra, the essential facts/basis considered for these findings were disclosed to known interested parties and comments received on the same, have been duly considered in these findings;
 - h. **** in this information represents information furnished by an interested party on confidential basis and so considered by the Authority under the Rules.

B. ON INITIATION

2. On the basis of sufficient evidence submitted by the Authority initiated these investigations vide Public Notice dated 26th March, 1999, against dumped imports of acrylic fibre originating in or exported from Turkey, Hungary and EU.

As stated against para 1 (xiv) of the preliminary findings, the EU stands excluded from the scope of these investigations for the reasons cited thereunder.

In the course of the investigations it was noted that Hungary has effected physical shipments of acrylic fibre to India at the time of finalisation of these provisional findings during April to December'98. DGCIS data has since reflected both the value and quantity of these imports which are Rs.3,29,1690/ and 8990 kgs. respectively. The Authority notes that these imports constitute only 0.03% of the total quantum of imports of acrylic fibre during the period of investigation and are hence de-minimis. Imports from Hungary have therefore been excluded from the scope of these investigations.

C. ON PRICE UNDERTAKING

3. Having responded to the questionnaire, the exporter from Turkey had also indicated his willingness to execute a price undertaking under Rule 15 of the anti-dumping Rules under the Customs Tariff Act. Under the said rule, no undertaking as regards price increase shall be accepted from any exporter unless the Designated Authority has made a preliminary determination of dumping and injury. A provisional determination of normal value was therefore made on the basis of the information furnished by the exporter and the preliminary findings were notified by the Authority on 13.10.99
4. **Arguments raised by the Domestic industry:-**

With regard to price undertaking, it is submitted that the same can be admitted only if (he Designated Authority has proceeded with determination of dumping margin based on the information provided by the exporter Since in the instant case the information filed by the exporter is grossly inadequate to determine normal value, the question o. accepting price undertaking does not arise. In any event, the Designated Authority is requested to kindly provide the domestic industry with a copy of the price undertaking offered by me exporters and the prices that which the exporter has undertaken to offer in the price undertaking. _ It is submitted that no undertaking can be accepted unless the same is acceptable to the petitioners with regard to commercial terms and conditions.

Examination by Authority

5. It has been clearly brought out in the Disclosure statement that the concerned exporter in this investigation has cooperated with the Authority to the extent possible. information initially lacking in the questionnaire response was provided by them during the verification conducted by the Authority in their premises, details of which were brought out at Annexure 2 of the Disclosure Statement. To state therefore, that shy information riled by the exporter is grossly inadequate' to determine normal value is factually incorrect.

The exporter has not provided the Authority with any copy of the price undertaking They had only expressed their willingness to execute the same. It is generally understood and therefore needles to state that no undertaking can by accepted unless the price therein is commercially acceptable to the Domestic Industry

The Authority has carefully considered the exporter's request for acceptance of a price undertaking. " However it is felt that it would not be feasible or practical to accept an undertaking at this stage.

D. PRODUCT UNDER CONSIDERATION

6. The product under consideration in the present investigation is Acrylic Fibre in both shrinkable and non-shrinkable forms. Acrylic fibre is a synthetic polymer composed of at least 85 percent by weight of Acrylonitrile (ACN), a colourless liquid from petroleum bi-product. The balance components are comonomers, which are required to improve dyeability, moisture absorption etc. The term acrylic fibre includes Staple, Tow and Top. The range of acrylic fibre is stated to extend from 1.5 Denier to 8.0 Denier.

Acrylic fibre is classified under Chapter 55 of the Customs Tariff Act, 1975, under tariff classification H.S Code No. 5501, 5503. The classification is however indicative only and in no way binding on the scope of the present investigations.

Arguments raised by Domestic Industry

7. It is requested to include Acrylic Fibre of 1.2 Denier in the scope of duties as there is hardly any difference in the acrylic fibres of 1.2 Denier and 1.5 Denier . The two are almost identical products and can be substituted easily. Duty should be imposed on 1.2 Denier also.

Examination by Authority

8. The request of Domestic Industry to include acrylic fibre of 1.2 Denier in the scope of duty was not made by them at the time of filing the petition and therefore the Authority is unable to accommodate the said request at this penultimate stage of the investigations.

E. LIKE ARTICLES

9. 9. As stated at para 6 of the Preliminary Findings, Acrylic Fibre is produced and sold in various specification/grades, which depict the properties of the fibre and may result in varying end uses There is however no significant difference in terms of process, equipment or technology for the production of different varieties of acrylic fibre. Each range of fibre (denier) enters broadly to different market segments and is substitutable with one another.

The petitioners have the capacity to produce all types of fibre in their plants and possess both the technologies that are in use worldover. The domestic industry is producing acrylic fibre under collaboration with world leaders such as Dupont (USA), Exlan (Japan) and Snea

(Italy). In order to establish that the acrylic fibre produced by the domestic industry is a like article to the fibre exported from the subject countries, characteristics such as technical specifications, manufacturing process, plant and equipment, technology, functions and uses, marketing and customer perception and tariff classification have been considered.

Acrylic fibre (staple, tow and tops) is produced and sold in different deniers ranging from 1.5, 2.0, 3.0 to 8.0 and consist of both shrinkable and non-shrinkable forms. Acrylic fibre is produced either through wet spun or dry spun technology and the process of manufacture is broadly similar throughout the world. Acrylonitrile is the basic raw material that goes into the production of acrylic fibre.

Acrylic fibre is soft and fluffy, light weight and warm and is an economical substitute of wool which is more expensive. It is used in making apparel and has household and industrial applications too. It is preferred in view of its low maintenance cost, high resistance to abrasion, easy dye ability, high lustre and better resistance to sunlight and chemicals etc. In India however, the uses are limited due to lack of R&D facilities.

There is no argument disputing that acrylic fibre produced by the domestic industry in various deniers has characteristics closely resembling the imported fibre and is substitutable by the acrylic fibre imported from the subject country both commercially and technically.

Acrylic fibre produced by domestic industry has been treated as like article to the product exported from Turkey and Hungary, within the meaning of Rule 2(d)

Argument raised by Domestic Industry

10. It is reiterated that the acrylic produced by the Domestic industry is commercially and technically substitutable to acrylic fibre exported by the exporters from the subject countries and the two are like articles under the rules.

Examination by the Authority

11. The Authority confirms the preliminary findings on Like Article.

F. DOMESTIC INDUSTRY:-

12. M/s Indian Acrylics Ltd., Chandigarh, Pasupati Acylon Ltd., New Delhi and Consolidated Fibre and Chemicals Ltd., Calcutta have jointly filed the petition. It is stated by the petitioner that Indian Petrochemical Corporation Ltd., at Vadodara is the other company producing acrylic fibre and the fifth company M/s. J.K. Synthetics Ltd., is presently closed. It is also stated that these five units have a combined capacity of 108,000 MT. The total production of acrylic fibre in 1998-1999 (April-December) was 60,328 MT. The production of the petitioner companies was 44,648 MT.

The Forum of Acrylic Fibre Manufacturers wherein all the petitioner companies are members has supported the petition. Thus the petitioner accounts for more than 25% of domestic

production and therefore has the required standing to file the petition on behalf of domestic industry under the rules.

The Authority confirms the stated position on domestic industry as given at para 7 of the preliminary findings.

G. DUMPING

13. Arguments raised by Exporter :-

M/s AK-PA Tekstil ihracar Pazarlama A.S. Istanbul, Turkey, co-operated and responded to the information sought by the Authority;

The examination of the response to the questionnaire by AK-PA Tekstil, Turkey before the notification of the preliminary findings showed that information against Appendices 3 A, B and C, which concerns price structures and sales arrangements for both domestic sales and for exports had not been filed. Consequently, details on unit prices charged for like goods sold on domestic and export markets indicating the details of the nature and amount of each charge beyond ex-factory level were not available. Copies of price lists or domestic invoices showing Domestic sales prices had not been submitted. Information on licensed/installed capacity, production and sales as per Appendix 4A and cost of production/unit cost to make and sell and profit in domestic and export markets as per Appendices 4B,C and D were not furnished. Some general information on cost of production, which was not supported by relevant data, had been provided.

A team of officer visited the premises of the above-named exporters in February 2000 to verify the claims with respect to normal value and export price and obtain further information against the appendices referred to above. In the course of the visit it was also brought to the knowledge of the Authority that M/s. Yalova Elayef is the second producer of acrylic fibre in Turkey with its plant located in Yalova having a production capacity of 32,000 tps. The company is understood to be in financial losses.

(A) Normal Value - M/s. AK-PA Teksim.

i. Argument raised by exporter

AK-PA Tekstil, the exporter/company which responded to the authority's questionnaire belongs to the Akkok Group of companies. AK-PA is the Akkok groups exporting company that has established itself as a major player in the area of textiles export since its inception. AKSA is their sister company which is the producer/manufacturer of acrylic fibre in Turkey. With a production capacity of 230,000 tons per annum, AKSA is the world's second largest acrylic fibre producer. Thus acrylic fibre manufactured by AKSA was exported to India by AK-PA.

AKSA has stated that domestic sales are all at ex-factory price. Consequently there are no charges after ex-factory. Inland freight is borne by the customer. There are no storage charges or charges on account of excise. Prices vary on account of rapid changes in acrylic fibre prices, The difference in the range of unit prices between acrylic dyed tow (USD ***- ***),

staple fibre (USD ***) and acrylic raw white staple fibre (USD ***-***) and raw white tow (USD ***-***) is on account of the cost involved in the dyeing process.

The payment for domestic sales is at ex-factory price for all customers. However the details of interest charges (***-***% in Turkey) are not reflected in their invoices for domestic sales. As per negotiations between Aksa and domestic buyers, the latter have the flexibility to pay after a period of 6 months from the date of domestic sale, However as the TL is a continuously depreciating currency, the customer is provided with the options of payment of exchange rate difference after a period of *** months from the date of the invoice; or payment of interest rate @*** over and above the invoice value from the date of the invoice; or on the spot payment thereby avoiding the aforesaid options.

For the period ***-*** 1998, and ***-*** 1998, the customer was provided with different payment terms failing which he would attract the option of payment of either exchange rate difference or interest at the rate stated above.

ii. Argument raised by Domestic Industry

The disclosure statement makes it evident that vital information such a sales price structure for exports to India, sales in the home market and exports to other countries, have not been provided. Further the cost of production information on production, capacity, etc. has not been provided. It is also evident from the disclosure statement that the company is under financial losses. The information provided is therefore grossly inadequate to determine normal value in accordance with the rules. Such being the case, the information Filed by the exporters deserves to be ignored.

14. Authority's Position

Annexure 2, para 2 of the disclosure statement has brought out the information against appendices cited there under which had not been filed earlier by the exporter at the time of response to the questionnaire. The relevant information was obtained by the Authority at the time of spot verification in the premises of the co-operating exporter in Turkey viz, M/s AP-PA Tekstil. The details thereof are clearly stated at para 2.1(Normal Value.) which have been reproduced at Para 13 (A) (I) of these finding Para 2 of the disclosure statement may also unambiguously stated that the second producer in Turkey, namely. M/s. Yalova Elayef is reported to be in financial losses. This statement is therefore specific to M/s. Yalova Flay of and is not applicable to M/S AK-PA/AKSA who have cooperated with the. Authority.

In the questionnaire response, the exporter had only indicated the range of prices for acrylic dyed staple fibre and tow and for raw white staple fibre and tow. Thereafter the producer of the subject goods provided the required information to the Authority at the time of verification The Authority notes that invoices made for domestic sales in Turkey have only reflected the ex-factory price of the subject goods. There is no supporting documentation regarding the payment of exchange rate difference or interest against domestic sales. The Authority has a Slowed adjustment on account of interest against domestic sales but has not allowed exchange rate gains which is a non-cost adjustment and is not known art the time of sales. The weighted average ex-factory normal value of acrylic fibre exported through M/s AK-PA by the producer M/s AK-SA comes to USD ***/kg.

(B) Export Price

i. Argument by exporter

Invoices are negotiated by the marketing company, AK-PA wherein the name of the producer AKSA is also reflected. A commission of***% is paid by AKSA to AK-PA for their services in the export sector. A commission of***% is paid by AK-PA to their. Indian agent . All charges after ex-factory and after fob are borne by AKSA which is the producer of the subject goods and not by AK-PA. All shipments are generally against *** days payment period after the B/L date; some are at sight while others are after*** days or *** days as per negotiations with customers. A single consignment was at *** days payment period. As informed by the exporter, the interest rate against payments on exports is ****% per annum. This is not supported by any documentary evidence.

The charges after ex-factory and before fob include the charges (per container) on account of packing (or container charge) *** USD and inland freight ***TL or USD***. There are no charges on account of storage or taxes. Each container can hold 19,000 - 20,000 kgs.

Charges after fob include overseas freight_*** USD; Shipping charges (or B/L charges)-*** TL or USD*** and other (Commission to local shipping agent)-***%.

(1USD =275,481.17 TL which is the average of April'98 - December'98 exchange rates according to the Turkish Central Bank).

ii. Argument raised by Domestic Industry

With regard to export price, it is submitted that M/S AK-PA and AKSA are related company. The export price should, therefore, be determined considering this vital fact.

15. Authority's Position

The exporter had indicated the range of export prices for Acrylic dyed staple fibre and tow and raw white staple fibre and tow. They have subsequently provided the Authority with the nature of each charge after ex-factory before and after fob on account of commissions, packing, inland freight, overseas freight, shipping charges and interest. The weighted average ex-factory export price for Acrylic Fibre produced by M/s AKSA and exported by M/S AK-PA. corn PR to USD ***/kg.

The dumping margins for the co-operating producer/exporter M/s AKSA/AX-PA and for the non-cooperating producer M/s Yalova Elayefare as under: -

Producer	Normal Value	Export Price	Dumping Margin (%)
AKSA	***	***	22.34
M/s. Yalova Elayef and any other producer	***	***	48.7

H. INJURY

16. Argument raised by domestic industry

The Petitioners have claimed injury from the dumped imports on the basis of the following factors:

- a. Increase in actual imports from the subject countries.
- b. Increase in market share of imports
- c. Sales of the domestic industry would have declined had the domestic industry not reduced the selling price to prevent dumped imports.
- d. Due to tremendous pressure on margins, the petitioners have been forced to reduced manpower to the extent possible. It is stated that as on 31.3.98 the manpower strength was 608 while as on 31.12.98 the strength was reduced to 593 employees.
- e. The industry is finding it difficult to expand in view of severe financial constraints arising out o sustained dumping resulting in losses and poor market conditions.
- f. The Petitioners are unable to fund research and development efforts directed towards finding new areas of use of acrylic fibre.
- g. Investments in the domestic acrylic fiber industry are to the extent of Rs. 1000 crores. The imports from the subject countries have caused significant price depression in the market and price have not increased to the extent they should have considering the investments made.
- h. The marginal profit earned by the domestic industry in 1997-98 vanished in the current year and losses were to the extent of Rs. 19 crores in the first nine months of the current year.

17. Arguments raised by exporter

- a. Prices vary on account of rapid changes in acrylic prices. ACN and acrylic fibre are commodities. Their prices fluctuate in accordance with supply and demand of world producers and consumers. The petitioner has stated that there is a slow down in the Indian domestic market. However, production figures all over the world has been low.
- b. As a general rule, a big purchaser pays less. Aksa is the world's biggest ACN buyer. Therefore purchases by Aksa are cheaper than the average.
- c. Aksa is tile most economical fibre producer in the world with a plant capacity of 230,000 .MT. It purchases its steam and electricity from its sister company, which is a power plant. Aksa's location by the sea and its own port facilities provide it with a competitive logistics advantage.
- d. A market price, whether domestic or overseas, is determined by market demand. Turkey is the world's, second biggest acrylic market next to China. Turkey is also one of the lowest priced markets in the world.
- e. The minimum export price to India has been *** USD which is the price of raw white tow. The price negotiated by AK-PA with domestic industry in India is USD *** for raw white tow. World prices of acrylic fibre are in the range of USD ***-***. AK-PA's export prices are in the range of ***-***/**USD. ACN prices are currently around USD ***/ton. The exporter has also stated that India is not one of their major markets and at present they have no exports to India.

18. Authority's Position

The Authority has taken into account all indices regarding injury while doing the final determination This involves all relevant principles for determination of injury as specified under Annexure II of the anti-dumping rules viz., the volume of dumped imports, their effect on price in the domestic market and its effect on the production, capacity utilisation, sales, profits, market share etc of domestic industry While determining the non-injurious price for the like article for the domestic industry, the Authority has used the actual cost of production of the subject goods during the period of investigation to determine optimum cost of

production for the domestic industry which has taken into account the normated best consumption norms and the actual price of the raw materials which are consumed for the production of the subject goods during the period of investigation. For calculation of injury margin, the ex-factory non-injurious price of the domestic industry has been compared with the landed value of the imported goods. The quantum of imports, sales and market share, closing stocks and prices were as given below.

a. Quantum of Imports

As noted against para 13 (a) of the preliminary findings, the total imports of acrylic fibre were 21,114 Mt., 26,422 Mt and 45837.310 Mt during 96-97, 97-98 and 98-99 (as available from official statistics upto Oct 98). Thus the increase was 25.13% in 1997-98 over 96-97 and 73.48% in 98-99 over 97-98. The increase was 117% in 98-99 over 96-97. Thus the quantum of imports have gone up significantly during the period of investigation.

The quantum of imports from Turkey were 199,949 Mt, 119.505 Mt and 5395.390 Mt during 1996-97, 97-98 and 98-99 (as available in official statistics upto Oct'98) respectively. Thus imports declined by 40.23% in 97-98 over 96-97 and increased by 4414.7% in 98-99 over 97-98. The increase was 2598.38% in 98-99 over 96-97. Thus the quantum of imports from Turkey have gone up significantly during the period of investigation.

Exports of AKSA to India since 1995 to 1999, as provided by the marketing company AK-PA were 47,297kg in 1995; nil in 1996; 119,505 kg in 1997; 2,292,864 kg in 1998 and 566,508 kg in 1999. It was stated that India is not one of their major markets and that currently there were no exports from AKSA to India.

The quantum of imports from other countries was 21114 Mt, 26422 Mt, and 45837.310 Mt. In 96-97, 97-98 and 98-99 (as available in official statistics upto Oct'98) respectively. The share of Turkey in total imports was 0.9%, 0.45% and 11.77% in 96-97, 97-98 and 98.99 respectively.

b. **Sales and Market Share**

As observed by the Authority at para 13 (c) of the preliminary findings, the demand of acrylic fibre was 75511, 81047 Mt and 88261 MT in 96-97, 97-98 and 98-99 respectively (import figures are available till October'98 only as per DGCIS data). The share of imports in total demand was 28%, 33% and 51.9% in 96-97, 97-98 and 98-99, respectively. The share of the petitioner companies was 72%, 70% and 48% respectively in 96-97, 97-98 and 98-99 respectively. Thus the share of imports are rising in the total demand whereas the share of Indian industry has been declining. Sale of acrylic fibre has resulted in loss of profit to the petitioner. The selling price in Rs. Per kg. Were ***, ***, and *** respectively in 96-97, 97-98 and the POI (Apr' 98- Dec'98).

c. **Closing Stock**

As stated at para 13 (d) of the preliminary findings, the closing stocks of the petitioner were 1785 MT, 3402 Mt and 4150 Mt in 96-97, 97-98 and 98-99 (POI) respectively. Closing stocks went up by 90% in 97-98 over that of 96-97 and by 15.8% in 98-99 (POI) over that 97-98. It is observed that out of 4150 MT of closing stock, 995 MT was held by Pasupati Acrylon, 2820 MT by Indian Acrylic and 335 MT by Consolidated Fibres. The process of

manufacturing acrylic fibre involves a short cycle time, which is typically less than a week. The average stock carried by the petitioner companies amounts to 25.92 days production.

d. Price undercutting and price depression

As noted at para 13 (e) of the preliminary findings, the petitioner companies have stated that imports from the subject countries have been undercutting the prices of the fibre being so id by the domestic producers' The petitioners have been constantly forced to offer discounts in view of the threat posed by the dumped imports. The dumped imports from the subject countries have suppressed the prices of the fibre in the Indian market and caused losses to the petitioners. The average realisation per kg of acrylic fibre in 1996-97 was *** per kg, which dropped to Rs. *** per kg; in 97-98 and to *** during the POL It is also shown that the losses of the petitioner companies were Rs. 39.62 crores and 13.33 crores during 95-96 and 96-97. In 97-98, the petitioner companies earned a meagre profit of 4.06 crores whereas it is stated that industry should have made a minimum profit of above RA 100 crores in 97-98. During the POI (Aprit'98-Dec'98) the petitioner companies incurred losses of Rs 16.08 crores. However it is observed that different producers are charging different selling prices and profit/loss of the different companies vary. The selling prices charged were Rs. *** per kg, Rs*** per kg and Rs *** per kg by Pasupati Acrylon, Consolidated Fibres and Indian Acrylics respectively. At this price level, Pasupati Acrylon incurred a loss ofRs.3.59 crores, Consolidated Fibres incurred a loss of Rs 8.68 crores and Indian Acrylics incurred a loss of Rs.3.81 crores during the period of investigation.

I. CONCLUSION ON INJURY

19. The Authority confirms conclusion on injury as indicated at para M 14 of the preliminary findings and reiterates that:-

- a. the quantum of imports from Turkey has increased in absolute term;
- b. the market share of the petitioner companies has gone down;
- c. the domestic industry has been forced to sell at prices that have resulted in losses or low returns on investment.
- d. imports undercutting the prices of the domestic industry;
- e. closing stock of the domestic industry has gone up;

The Authority therefore concludes that the domestic industry has suffered material injury.

CASUAL LINK

20. In establishing that the material injury to the domestic industry has been caused by the imports from the subject country, the Authority hold that the increase in market share of import from Turkey resulted in decline in the market share of the petitioner. These imports undercut the prices of the domestic product forcing the domestic industry to sell at unremunerative prices. Resultantly, the domestic industry incurred losses. The material injury to the domestic industry was, therefore, caused by the dumped imports from the said country.

21. **Anti-Dumping duty imposed**

The Authority has carefully evaluated the injury caused to the domestic industry on account of dumping of Acrylic Fibre from Turkey and has decided that the amount of anti-dumping duty would be based on the injury margin, since only at that level, the domestic industry would be compensated for the injury suffered by it.

22. Landed Value

Landed value of imports is proposed to be determined after charging the actual level of all custom duties prevalent and one percent towards landing charges and two percent handling charges.

23. Assessment of Non-cooperating exporters

For the non-cooperating exporters, the normal value, the export price and the landed value have been referenced, on the basis of the information furnished by the cooperating exporters and DGC1&S data. No adjustments on normal value has been allowed to the non-cooperating exporter, viz. M/S Yalova Elayef . The anti-dumping duty recommended is based on the dumping margin.

24. FINAL FINDING

The Authority after considering the foregoing, concludes that:

- a. Acrylic Fibre originating in or exported from Turkey has been exported to India below normal value, resulting in dumping;
- b. the domestic industry' has suffered injury;
- c. injury has been caused by imports from the subject country.

25. The Authority recommends imposition of definitive Anti-dumping duty on all imports of Acrylic Fibre falling under customs sub-heading nos.5501, 5503. of the Customs Tariff Act as specified under the para relating to product under consideration originating in or exported from Turkey . Exports made by M/S AK-PA Tekstil Ihracat Pazarlama Corp., Miralay Sefik Bey Sok, Ak-Han No. 15-17, Kat: 1-2, 80090 - Gumussuyu, Taksim, Istanbul, Turkey of Acrylic Fibre manufactured by M/S AKSA Akrilik Kimya Sanayi Corp.. P.K. 115 Yal ova/Turkey, is also subjected to the anti-dumping duty set out below, The anti-dumping duty shai! be amount mentioned in Col. 3.

Country	Nameof the Producer/exporter	Amount (Rs.)
Turkey	1. M/S AKSA Akrilik Kimva Sanayi Corp.	9.6
P.K. 115Yalova	2. M/S Yalova Elayef	16.41

and any other producer/exporter

26. Subject to the above, the Authority confirms the preliminary findings dated 9th June 1999.
27. An appeal against this order shall lie before the Customs, Excise and Gold (Control) Appellate Tribunal in accordance with the Act, supra.

RATHI VINAY JHA...
Designated Authority