

MINISTRY OF COMMERCE AND INDUSTRY
(DEPARTMENT OF COMMERCE)
(DIRECTORATE GENERAL OF ANTI-DUMPING AND
ALLIED DUTIES)

NEW SHIPPER REVIEW INITIATION NOTIFICATION

New Delhi, the 27th August ,2002

SUB: - Initiation of New Shipper Review of Anti-Dumping duty imposed on imports of Lead Acid Batteries requested by M/s. Yuasa Battery (Guangdong) Co. Ltd., China.

No.14/30/2002-DGAD: - M/s. Yuasa Battery (Guangdong) Co. Ltd., China has filed a petition in accordance with the Customs Tariff Act, 1975 as amended in 1995 and Customs Tariff(Identification, Assessment and Collection of Anti- Dumping duty on Dumped Articles and for Determination of Injury)Rules, 1995 before the Designated Authority (hereinafter referred to as the Authority) requesting for a review of the Anti-Dumping duty recommended by the Designated Authority on all exports of lead acid batteries(hereinafter referred to as subject goods) from China PR in the earlier case of Anti-Dumping investigation where Government has notified the Anti-Dumping duty vide Notification No. 1/2002 – Customs dated 2.1.2002 falling under Chapter-85 of Customs Tariff Act. The Authority had notified the preliminary findings vide Notification No.67/1/2000-DGAD dated 21st March,2001 and final findings vide Notification No.67/1/2000-DGAD dated 7th December,2001. Anti-Dumping duty were imposed by the Central Government on the preliminary findings vide Notification No.41/2001-Customs dated 9th April,2001 and in respect of the final findings vide Notification No.1/2002-Customs dated 2.1.2002.

EXPORTER INVOLVED:

2. The present investigations relate to exports of Lead Acid Batteries by M/s. Yuasa Battery (Guangdong) Co. Ltd., China (hereinafter also referred to as the Petitioner)to India.

INITIATION OF REVIEW IN RESPECT OF NEW EXPORTER:

3. The Customs Tariff(Amendment) Act, 1995 and the Rules made there under require the Authority to review for the purpose of determining individual

margin of dumping for any exporter or producer in the exporting country in question who has not exported to India the subject goods during the period of investigation of the earlier case of Anti-Dumping investigation against import of Lead Acid Batteries from China, PR, Korea, Japan and Bangladesh where Anti-Dumping duty has been notified vide Notification No. 1/2002 – Customs Dated 2.1.2002. The petitioner has furnished prima facie evidence that it satisfies the conditions prescribed under Rule-22 of Anti-Dumping duty Rules, and has requested for determination of separate dumping margin.

4. The Authority having been satisfied with the conditions as prescribed under Rule 22 of Anti-Dumping Rules, decides to review the Anti-Dumping duty imposed by the Central Government in pursuance of the recommendations made by the Authority vide Notification No. 67/1/2000-DGAD dated 7th December, 2001, as requested by M/s. M/s. Yuasa Battery (Guangdong) Co. Ltd., China.
5. Having decided to review the final findings notified vide Notification No.67/1/2000-DGAD dated 7th December,2001 needs to be reviewed with regard to import of Lead Acid Batteries originating in or exported from China PR, Japan, Korea and Bangladesh, the Authority hereby initiates investigations to determine separate dumping margin in respect of M/s. Yuasa Battery (Guangdong) Co. Ltd., China in accordance with the Rules Supra.
6. The Authority recommends provisional assessment of levy of Anti- Dumping duties on all exports made by M/s. Yuasa Battery (Guangdong) Co. Ltd., China of subject goods, till this review is completed, in accordance with the residual category of imports as indicated in Customs Notification No.1/2002-Customs dt. 2.1.2002 as per Rule 22 of the Rules Supra.

PERIOD OF INVESTIGATION:

7. The period of investigation for the purpose of the present review is 1st September 2002 to 28th February 2003.

SUBMISSION OF INFORMATION:

8. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority, Directorate General of Anti Dumping & Allied Duties, Department of Commerce, Ministry of Commerce and Industry, Government of India, Udyog Bhavan, New Delhi-110011. Any other interested party may also make its submissions relevant to the investigation to the above Authority in the prescribed form and manner within the time limit set out below.

TIME LIMIT

9. All information relating to this review should be sent in writing so as to reach the Authority at the above address *not later than thirty days* from the date of completion of period of investigation. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record its findings on the basis of the facts available before the Authority in accordance with the Rules Supra.

INSPECTION OF PUBLIC FILE

10. In terms of Rule 6(7) of Anti-Dumping Rules, any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.
11. All interested parties shall provide a Confidential summary in terms of Rule 7(2), for the Confidential information provided as per Rule 7(1) of the Rules Supra.
12. In case where an interested party refuses access to, or otherwise does not provide necessary information within a reasonable period, or significantly impedes the investigation, the Authority may record its findings on the basis of the facts available to it and such recommendations to the Central Government as deemed fit.

(L.V.SAPTHARISHI)
DESIGNATED AUTHORITY