

MINISTRY OF COMMERCE
(Directorate General of Anti Dumping & Allied Duties)

INITIATION NOTIFICATION

New Delhi the 16th November, 1999

NO.29/1/99/DGAD - M/s Thirumalai Chemicals Ltd., Ranipet and M/s Herdillia Chemicals Ltd., Mumbai on behalf of the domestic industry have 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 dumping on Phthalic Anhydride (PAN) from Indonesia and requested for Anti dumping investigations and levy of anti dumping duties.

1. Product Involved: The product involved in the present petition is Phthalic Anhydride (PAN) (also variously referred to as Phthalic Anhydride Flakes, Phthalic Anhydride (98% min.), Phthalic Acid Anhydrous etc.) (also referred as subject goods hereinafter) originating in or exported from the ' Indonesia and classified under Customs Sub-heading 2917.35 00 of the Customs Tariff Act, 1975. .The classification is, however indicative only and is in no way binding on the scope of the present investigation.

2. Domestic Industry Standing: The petition has been filed by the M/s. Thirumalai Chemicals Ltd., Ranipet and M/s Herdillia Chemicals Ltd., Mumbai. It is claimed by petitioners that there are six producers of Phthalic Anhydride in India. Besides the petitioner, M/s Asian Paints, M/s Mysore Petrochemicals, M/s Indian Dyestuff Industries and M/s I. G. Petrochemicals are the other producers. The petitioners claims that M/s I. G. Petrochemicals is a 100% Export Oriented Unit (EOU) company, hence not the part of the domestic industry. From rest of the five producers they account for about 63% of the total production of Phthalic Anhydride in India and therefore, the petitioners satisfy the standing to file the petition on behalf of the domestic industry.

3. Country involved: The country involved in present investigation is Indonesia (also referred to as subject country hereinafter).

4. Like Articles: The petitioners have claimed that goods produced by it are like articles to the goods produced, originating in or exported from the subject country.

Goods produced . by the petitioner are being treated as like articles to the goods imported from the subject country within the meaning of the Rules.

Normal value: The Authority has sufficient evidence, indicating the prevailing domestic price of Phthalic Anhydride in Indonesia.

6. **Export price:** The petitioners have claimed the export price based on data compiled by the International Business Information Services from 01.04.98 to 31.12.98 .The petitioners have claimed adjustments on account of ocean freight, Marine insurance, insurance, loading unloading etc. to arrive at the ex-factory price.

7. **Dumping Margin:** There is sufficient prima-facie evidence that the normal value of the subject goods in the subject country is significantly higher than the price at which it has been exported to India indicating prima-facie that the subject goods are being dumped by the exporters from the subject country.

8. **Injury :** Various parameters relating to injury such as suppressed domestic prices, declining profits, increased imports etc. prima-facie indicate collectively and cumulatively that domestic industry has suffered material injury on account of dumping.

9. **Initiation of Anti-Dumping Investigation :** The Designated Authority, in view of the foregoing paragraph, initiates anti-dumping investigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject country.

10. **Period of Investigation :** The period of investigation for the purpose of present investigation is 1st April, 1998 to 31st March, 1999 (12 months)

11. **Submission of Information :** The exporters in the subject country and the importers of India known to be concerned are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority, Ministry of Commerce, Directorate General of Anti Duties Udyog Bhavan, New Delhi-110011. Any other interested party may also make its submission relevant to the investigation in the prescribed form and manner within the time limit set out below.

12. **Time Limit :** Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not later than forty days from the date of publication of this notification. The known exporters and importers, who are being addressed separately, are, however, required to submit the information within forty days from the date of letter addressed to them separately.

13. Inspection of Public File : In terms of Rule 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

14. 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 make such recommendations to the Central Government as deemed fit.

Rathi Vinay Jha...
Designated Authority