

MINISTRY OF COMMERCE

Initiation Notification

New Delhi, the 19th February 1998

Subject: Initiation of anti dumping investigation concerning import of P-Tert Butyl Catechol from France.

No. 19/1/97-ADD. - M/s. K.K. Poonja & Sons has filed a petition in accordance with the Customs Tariff (Amendment) Act, 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) alleging dumping of P-Tert Butyl Catechol from France and requested for anti dumping investigations and levy of anti dumping duties.

1. **Product Involved:** The product involved in the present petition is P-Tert Butyl Catechol (PTBC) originating in or exported from France. P-Tert Butyl Catechol is classified under custom sub-heading no. 291539 of the Customs Tariff Act. The classification is, however indicative only and in no way bindings on the present investigations.

2. **Standing:** There are two producers of PTBC in India (Percynic Chemicals is the other producer). Petitioner, however, accounts for approx.90% of the Indian production and therefore satisfies the standings to file the petition, on behalf of the domestic industry.

3. **Country(ies) Involved:** The country involved in the present investigation is France.

4. **Like Goods:** The petitioner has claimed that goods produced by it are like articles to the goods exported, originating in or exported from France. Goods produced by the petitioner may be treated as like articles to the goods imported from France within the meaning of the Rules.

5. **Dumping and Dumping Margin:**

- a. Normal Value: The petitioner has claimed normal value based on the prices of PTBC in the domestic market in France. The petitioner has produced a copy of a quotation to establish normal value of PTBC in France. The petitioner has supplemented its claim of normal value on the basis of a quotation to a customer in USA.

There is sufficient prima facie evidence with regard to normal value of PTBC in France.

- b. Export price: The petitioner has claimed export price on the basis of the bid made. The petitioner has further submitted an evidence showing imports as US \$ 5.5 per kg. (CIF Mumbai).

There is sufficient prima facie evidence with regard to export price of PTBC from France.

- c. Considering the normal value and export price, as detailed above, the dumping margin is significantly higher than the de-minimus limits.

There is sufficient prima facie evidence that the normal value of the product under consideration in France 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 France.

6. **Injury**: The various economic indicators relating to domestic industry such as production, sales, market share, profit/loss etc. also collectively and cumulatively, prima facie, indicate that the domestic industry has suffered injury. There is sufficient prima facie evidence that the imports of the product under consideration have caused injury to the domestic industry.

7. **Initiation of Anti-Dumping Investigation**: The Authority, therefore, initiates anti-dumping investigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the said country.

8. **Period of Investigation**: The period of investigation for the purpose of the present investigations is 1st Oct, 1996 to 30th Sept., 1997 (12 months).

9. **Submission of Information**: The exporters in France and importers in 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, Anti Dumping Division, Udyog Bhavan, New Delhi-110011. Any other interested party may also make its submissions relevant to the investigation in the prescribed form and manner within the time limit set out below.

10. **Time Limit**: Any information relating to the present investigations 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.

11. 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.

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 make such recommendations to the Central Government as deemed fit.

RATHI VINAY JHA...
Designated Authority.