

MINISTRY OF COMMERCE

NOTIFICATION

New Delhi, the 20th December, 1996

Subject : Initiation of anti dumping investigation concerning import of Purified Terephthalic Acid (PTA) from the Republic of Korea, Thailand and the Republic of Indonesia.

14/1/96/ADD—M/s. The Bombay Dyeing & Manufacturing Company Ltd. and M/s. Reliance Industries Ltd. have filed petitions 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 Purified Terephthalic Acid (hereinafter referred to as PTA) and requested for anti dumping investigation and levy of anti-dumping duty.

- 2. Petitioners and Domestic Industry :** The petitions have been filed separately by M/s. The Bombay Dying & Manufacturing Company Ltd., Neville House, J.N. Heredia Marg, Ballard Estate, Mumbai - 400 038 and M/s. Reliance Industries Ltd., Meridien Commercial Tower, 5th Floor, Windsor Place, Janpath, New Delhi 110001. M/s. Indian Petrochemicals Corporation Ltd. (IPCL) and SVC Superchem Ltd. have also supported the request for imposition of Anti-dumping duty. The petitioners account for majority production in India and have a standing to file a written request on behalf of domestic industry under the rules aforesaid.

Reliance Industries Ltd., is however, an importer of PTA from Thailand, Korea RP and is therefore, excluded from the definition of Domestic Industry in accordance with rule 2(b) of the rules supra.

- 3. Products Involved :** The product involved in the present investigation is Purified Terephthalic Acid, widely known as PTA, originating in or exported from the Republic of Korea, Thailand, and the Republic of Indonesia. PTA is classified under custom code 291736 of the Customs Tariff Act, The classification is, however, indicative only is in no way binding on the present investigations.
- 4. Like Article :** DMT/PTA are considered to be like articles to the product involved for the purpose of these investigation in terms of definition of "like article" under rule 2(d) of the rules supra.

5. **Normal Value :** The petitioners have provided sufficient prima facie evidence showing domestic prices in the subject countries, based on the prices published in leading journals. It has been pleaded that these prices should be considered as Normal Value prevailing in the said countries.
6. **Export Price :** The petitioners have provided export prices as per statistics compiled by DGCI&S, Calcutta for imports upto 1995-96 and on the basis of Customs Daily Lists thereafter. Thus there is sufficient indication evidence with regard to the prevailing Export Prices to India from the said countries during the period of investigation.
7. **Dumping :** There is sufficient prima facie evidence that Export Price to India from the said countries was lower than the Normal Value in the said countries. The subject goods are, prima facie, being dumped by the exporters from the said Countries.
8. **Injury :** The various parameters relating to injury to the Domestic Industry such as quantum of imports in absolute terms market share, import price from the said countries and various indicators affecting domestic industry such as production, sales, selling prices, stocks, profit and loss, collectively and cumulatively, prima facie, indicate that the domestic industry has suffered material injury.

There is sufficient prima facie evidence that the imports of the subject goods originating in or exported from the said countries are causing material injury to the domestic industry.

9. **Initiation of Anti Dumping Investigation :** The Designated Authority, therefore, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the said Countries.
10. **Period of investigation :** The period of investigation for the present investigations is April, 1996 to Oct., 1996.
11. **Submission of information :** All the known interested parties are being addressed separately to submit relevant information in the form and manner prescribed and make their views known to Shri Dipak Chatterjee, Designated Authority, Ministry of Commerce, Room No.243, 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.
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 interested parties, who are being addressed separately, are, however,

required to submit the information within forty days from the date of despatch of the letter addressed to them separately.

13. In a 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 Designated 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.

DIPAK CHATTERJEE,
Designated Authority