

MINISTRY OF COMMERCE

INITIATION NOTIFICATION

New Delhi, the 8th March, 1999

Subject : Initiation of anti-dumping investigation concerning import of Sodium Cyanide from United States of America, Federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative.

No.8/1/99-ADD—M/s. Cyanides & Chemical Company (Prop: Hindustan Development Corporation Ltd.) had a 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) alleging dumping of Sodium Cyanide from the United States of America, Federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative and requested for anti dumping investigations and levy of anti dumping duties.

1. **Product Involved :** The product involved in the present petition is Sodium Cyanide (also referred as subject goods hereinafter) originating in or exported from United States of America, Federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative.

Sodium Cyanide is classified under custom sub-heading No. 2837.11 of the Customs Tariff Act, 1975. The classification is, however, indicative only and in no way binding on the present investigations.

2. **Domestic Industry Standing :** The petition is filed by M/s Cyanide & Chemicals Company (Prop. Hindustan Development Corporation Ltd.) 65- Free Press House 215, Free Press Journal Road, Nariman Point, Bombay-400 021. It is claimed by petitioner that there are two producers of Sodium Cyanide in India. Besides the petitioner, M/s. Gujarat Alkalies and Chemical Limited is the other producer, who has also supported the petition. The petitioner claims that they account for about 78% of the total production of Sodium Cyanide. Thus the petitioner has a standing to file the present petition on behalf of the domestic industry under the rules.
3. **Country(ies) involved:** The countries involved in the present investigation are United States of America, Federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative (also referred to as subject countries hereinafter).

4. **Like Goods** : The petitioner has claimed that goods produced by it are like articles to the goods exported, originating in or exported from United States of America, Federal Republic of Germany, Czechoslovakia , Korea RP and European Union Cumulative. Goods produced by the petitioner are being treated as Like Articles of the goods imported from the subject countries within the meaning of the Rules.
5. **Dumping and Dumping Margin:**
 - a. Normal Value: The petitioner has claimed normal value based on the constructed value of Sodium Cyanide in United States of America, Federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative. There is sufficient prime facie evidence with regard to Normal value of sodium cyanide in the countries under reference.
 - b. Export Price: The company has claimed the export price from the subject countries based on the Secondary Data sources. The petitioner has claimed adjustments on account of ocean freight, insurance and commission to arrive at the ex-factory price.
 - c. Considering the normal value and export price as detailed above, the dumping margin is significantly higher than the de-minimus limits.

The prima facie indicates that the subject goods are being dumped in India by the exporters from United States of America, federal Republic of Germany, Czechoslovakia, Korea RP and European Union Cumulative.

6. **Injury & Causal Link**: The various economic indicators relating to domestic industry such as production, sales, market share, profit/loss etc. Collectively and cumulatively, indicate that the domestic industry has suffered injury. There is sufficient evidence that the imports of the product under consideration have caused injury to the domestic industry.
7. **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 countries.
8. The period of investigation for the purpose of present investigations is 1st April, 1998 to 31st December, 1998 (9 months)
9. **Submission of Information**: The exporters in the subject countries and the 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-110 011. 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 Rules 6(7) any interested party may inspect the public file containing non-confidential version of 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 make such recommendations to the Central Government as deemed fit.

RATHI VINAY JHA,
Designated Authority..