

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

INITIATION NOTIFICATION

New Delhi, the 27th August, 1999

Subject: Initiation of anti-dumping investigation concerning import of Black & White photographic paper including both Resin/Fibre coated from U.K., France and Hungary.

F No. 19/1/99-DGAD - M/s. The New India Industries Limited (NII) and M/s. Hindustan Photo Films Manufacturing Company Limited (HPF), have filed a petition, on behalf of the domestic industry, 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 Duty) Rules, 1995 before the Designated Authority (hereinafter referred to as the Authority) alleging dumping of Black & White photographic paper including both Resin/ Fibre coated, from UK, France, Hungary and Czech Republic and have requested for Anti-dumping investigation and levy of anti-dumping duties.

2. Domestic industry standing: The petition has been filed by M/s The New India Industries Limited (NII) and M/s - Hindustan Photo Films Manufacturing Company Limited (HPF) having registered office at Jetalpur Road, Post Box No. 2511, Bwo&-394045 and Post Bag No. 1, Indu Nagar, Ootacamund-643005 respectively. Authority learns that M/s Allied Photographic India Limited (APIL) is the distributor for M/s NIL M/s APIL is also an importer of the subject goods as indicated in _ para 3. The Authority on the basis of evidence on linkages between M/s NII and M/s APIL through common management, brand name and share holding pattern notes that M/s NII and M/s APIL appear to be related. However, the Authority also notices that exclusion of M/s NII does not affect the standing of the petition since even in the event of exclusion of M/s NII from the scope of domestic industry, Ws, HPF the other producer represents the domestic industry in totality. The Authority, therefore, considers it appropriate to include M/s NII in the scope of investigation for the purposes of determination of injury to the domestic industry.

3. Product involved: The product involved in the present investigation is Black & White photographic paper including both Resin/Fibre coated (hereinafter referred to as subject goods) from UK, France and Hungary originating in or exported from the subject countries as indicated -in para 4 and classified under Custom Sub-headings 3703.10-and 3703.90 restively of the Customs Tariff Act, 1975. The classification is

however, indicative only and is in no way binding on the scope of present investigation.

4. Countries involved: The petitioner has alleged dumping of Black & White photographic paper including both Resin/Fibre coated from UK, France, Hungary and Czech Republic. However, the Authority excludes Czech Republic from the scope of pest won as imports from Czech Republic during the period of investigation as indicated in papa 11, appear to be de-minimus. The countries involved in the present investigation ate, therefore, UK, France and Hungary (hereinafter also referred to are subject countries).

5. Like Articles The petitioner has claimed that the goods produced by them and as classed by Custom Tariff under sub-head 3703.10 & 3703.90 have no viable subs. The petitioner has further mentioned that there is no significant difference in their product and those exported by the subject countries. The two are sir in terms of physical characteristics, manufacturing process/technology, functions and uses, product specifications, pricing, distribution and marketing and tariff ration and, therefore, be treated as like articles to the goods imported from the subject countries within the mead of the rules.

6. Normal value: The petitioner has claimed normal value based on secondary sources of information which give information based on the market sources, regarding domestic prices of the subject goods in the subject countries.

7. Export Price: The petitioner has claimed Export price based on secondary sources, which provide information on export price of subject goods to India, and import price of subject goods in India.

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

9. Injury: Various parameters relating to injury such as suppressed domestic prices, sales below the cost of production resulting in per unit losses, decline in capacity utilization etc., prima-facie dumping indicate collectively and cumulatively that domestic industry has suffered material injury on account of dumping.

10. Initiation of Anti-dumping investigation: The Authority in view of the foregoing paragraphs initiates anti-damping investigation into the existence; degree and effect of alleged dumping of the subject goods originating in or exported from subject countries.

11. Period of investigation: The period of investigation for the purpose of present investigation is 1.4.98 to 30.6.993.

12. Submission of information: The exporters in the said countries and importers in India known to be concerned are being addressed separately to submit relevant information in the form and manner proscribed and make their views known to Mrs. Rathi Vinay Jha, Designated Authority & Additional Secretary Government of India, Ministry of Commerce 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.

13. 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 40 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 40 days from the date of letter addressed to them separately.

14. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties after expiry of time limit set out.

15. 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