

**TO BE PUBLISHED IN PART I SECTION 1 OF THE GAZETTE OF INDIA,
EXTRAORDINARY**

**MINISTRY OF COMMERCE & INDUSTRY
(DIRECTORATE GENERAL OF ANTI-DUMPING AND
ALLIED DUTIES)**

INITIATION NOTIFICATION

NEW DELHI, THE 30TH MAY, 2001

Subject:- Initiation of Anti-dumping investigations concerning imports of BIAXALLY ORIENTED POLY PROPYLENE FILM (BOPP) from Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand.

No.21/1/2001-DGAD. – The Directorate General of Anti-dumping and Allied Duties has received a petition for initiation of anti-dumping investigations against alleged dumping of BOPP Film imported from Taiwan, China PR, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand . BOPP Film Producers Association have filed a petition in accordance with 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 BOPP Film from Taiwan, China PR, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand (also hereinafter referred to as subject countries) and requested for initiation of anti-dumping investigation and levy of anti-dumping duty.

2. Domestic Industry:- The petition has been filed by M/s. BOPP Film Producers Association New Delhi, on behalf of the domestic industry. The petitioners have claimed that participating units namely M/s Flex Industries Ltd, Delhi and M/s Gujrat Propack, Limited , Baroda accounts for majority of the production during the period of investigation. Petitioner have stated that M/s Kabra Plastics Limited, which is a producer of BOPP film, is a leading importer of the subject goods as well as related to one of the leading importers of the subject goods. The participating companies, therefore, constitute domestic industry within the meaning of Indian Anti dumping Rules and satisfy the standing to file the petition on behalf of the domestic industry under aforesaid Rules.

3. Product involved: The product involved in the petition is BOPP originating in or exported from Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand. The product is classified under Customs Tariff heading 3920.20. The classification is

however, indicative only and in no way binding on present investigation. BOPP film is a high performance biaxially oriented, special film made from poly propylene. BOPP film is produced in a wide variety of forms and types, which are employed for a large range of end-use applications. BOPP film is produced on various types of production lines, which are differentiated by a number of technical features including the film thickness and width, the feeding process and the formula of filters, the production environment conditions as well as certain specific capabilities such as in-line coating or company-extrusion. Mainly depending on the combination of line capabilities. BOPP film can be produced as commodity-type and specialty type.

4. Country Involved: The country involved in the present investigation is Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand. Though the petitioner had requested to proceed against alleged dumping from China PR, Authority notes that the import volume from China PR during period of investigation is de minimus and hence no action initiated against that country .

5. Like Article:-The petitioner has claimed that goods produced by it are like articles to the goods produced, originating in or exported from the subject countries. Goods produced by the petitioner are being treated as like articles to the goods imported from the subject countries within the meaning of the Rules.

6. Normal Value:- The petitioner claims that it is difficult for them to obtain normal value prevailing in Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand and Taiwan in view of the market condition in those countries. Some countries are trading countries, where no production facilities exists. The normal value for subject countries has been constructed on the basis of estimates of cost of production of subject goods duly adjusted to include selling, general and administrative expenses and a reasonable profit margin.

7. Export Price: The petitioners have provided the export price as per Directorate General of Commercial Intelligence and Statistics (DGCI&S), Calcutta Thus there is sufficient prime facie evidence with regard to prevailing export prices to India from the said countries.

8. Dumping Margin: There is sufficient prime facie evidence that export price to India from subject countries were lower than the normal value in the said countries. Thus, there is sufficient evidence that the product under consideration is being dumped into India from Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand.

9. Injury and Causal Link: The various parameters relating to injury such as quantum of imports, market share, import price from subject countries and various

indicators affecting domestic industry such as production, capacity utilisation, profitability, price undercutting etc. collectively and cumulatively prime facie indicates that the domestic industry has suffered material injury on account of dumping.

10. Initiation of Anti Dumping Investigation: The Designated Authority, therefore, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of BOPP film originating in or exported from Taiwan, Hong Kong, Indonesia , Oman, UAE, Singapore and Thailand .

11. Period of Investigation: The period of investigation for the purposes of present investigation is 1st April,1999 to 30th September, 2000(18 months).

12. Submission of Information: The exporters in the subject countries and importers in India known to be concerned are being addressed to submit relevant information in the form and manner prescribed and to make their views known to **Shri L.V.Saptharishi, Designated Authority and Additional Secretary to Government of India, Ministry of Commerce, 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.

13. Time Limit:- Any information relating to the present investigation may be sent in writing so as to reach the Designated 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. Inspection of Public File:- In terms of Rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by the other interested parties after the expiry of time limit thus 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 or the information is incomplete in any respect, 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.

(L.V. SAPTHARISHI)
Designated Authority