

# MINISTRY OF COMMERCE

## INITIATION NOTIFICATION

New Delhi, the 30th September, 1996

**SUBJECT:** Initiation of anti dumping investigations concerning import of Graphite Electrodes from USA, People's Republic of China, Germany, Belgium, Austria, France, Spain and Italy.

**No. ADD/IW/43.-M/s.** Indian Graphite Manufacturers Association 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 NPG Graphite Electrodes from the People's republic of China and UHP Grade Graphite Electrodes from the United States of America (USA), Germany, Belgium, Austria, France, Spain and Italy and requested for anti dumping investigation and levy of anti-dumping duty.

(2) **Domestic Industry:** The petition has been filed by M/s Indian Graphite Manufacturers Association, PHD House, Opp. Asian Games Village, New Delhi-110 016. The petition is supported individually by M/s. HEG Ltd., M/s. Graphite India Ltd., and M/s. Carbon Everflow Ltd. The petitioner account for majority production in India and has a standing to file a written request on behalf of domestic industry under the rules aforesaid.

(3) **Products Involved:** The two products involved in the present investigation are:

- a. Ultra High Power Grade Graphite Electrodes (referred to as UHP),
- b. Normal Power Grade Graphite Electrodes (referred to as NPG).

The NPG and UHP are separate and distinct goods within the meaning of the Rules for the purpose of the present investigation.

(4) **Countries involved:** The country (ies) involved are:

- a. NPG : The Countries involved is the People's Republic of China and has been referred to as the said Countries.
- b. UHP : The Countries involved are the United States of America (USA), the Federal Republic of Germany (Germany), Belgium, Austria, France, Spain and Italy, and have been referred to as the said Countries.

(5) Graphite electrodes are classified under custom code 854519 of the Customs Tariff Act. The classification, is, however, indicative only and is in no way binding on the present investigations.

**Dumping:**

(6) **Normal Value:** The petitioner has provided evidence showing domestic prices in USA and Europe, based on the price list of the producer/exporter. The petitioner has pleaded to consider the same Normal Value for all the Countries in Europe. The petitioner has requested to consider constructed value for China RP. The petitioner has supplemented its claim with regard to Normal Value for which it has furnished evidence showing export prices from the said Countries to third Countries.

There is sufficient *prima facie* evidence with regard to the normal Value prevailing in the domestic market of the said countries.

(7) **Export Price:** The petitioner has worked out export price as per statistics compiled by World trade centre, Bombay. It has furnished additional evidence on Export price, based on statistics compiled by Carbon Data Bank.

There is sufficient *prima facie* evidence with regard to the Export price prevailing in the domestic market of the said countries.

(8) 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, and therefore, the subject goods are being dumped by the exporters from the said Countries.

(9) **Injury:** The various parameters relating to injury 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.

(10) There is *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.

(11) **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.

(12) The period of investigation for the purpose of present investigations is 1 April, 1995 to 31 August, 1996.

(13) **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 prescribed and make their views known to Shri T. S. Vijayaraghavan, Designated Authority, Ministry of Commerce, Room, No. 134-A, Udyog Bhawan, New Delhi-110011.

(14) 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.

(15) **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 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.

(16) Anti-Dumping investigations being a time bound exercise, the Authority may record its findings on the basis of facts available on record, in accordance with the rules supra, if no response is received within the time stipulated or the information is incomplete in any respect.

**T. S. VIJAYARAGHAVAN,**  
Designated Authority and Addl. Secy.