

To be published in Part –I Section I of the Gazette of India Extraordinary

F. No. 24/1/2001- DGAD
Government of India
MINISTRY OF COMMERCE AND INDUSTRY
(Department of Commerce)

New-Delhi, the 21st August, 2001

INITIATION NOTIFICATION

Subject: Initiation of anti-dumping investigations concerning import of Cold Rolled Flat Products of Stainless Steel originating in or exported from European Union, Japan, Canada and USA.

No. 24/1/2001-DGAD - M/s Jindal Strips Ltd., Hisar, have filed a petition before the Designated Authority (hereinafter referred to as the Authority) 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 alleging dumping of Cold Rolled Flat Products of stainless steel originating in or exported from European Union, Japan, Canada and USA and have requested for initiation of anti-dumping investigations and levy of anti-dumping duties.

1. Product Involved: The product under investigation in the present case is Stainless Steel Coils, Sheets and Plates of the following description:-

"Cold rolled Flat Products of stainless steel, of a width of 600mm or more, whether further processed or not of all grades/series."

The subject goods described as Cold rolled Flat Products of stainless steel, are classified under Customs sub-heading nos. 7219.31, 7219.32, 7219.33, 7219.34, 7219.35 and 7219.90 of Chapter 72 of the Customs Tariff Act, 1975. The classification is however indicative only and in no way binding on the scope of the present investigations.

2. Domestic Industry Standing: The petitioner has stated that the following companies are the producers of the subject goods in India:-

- a. M/s Jindal Strips Ltd., Hisar;
- b. M/s Salem Steel Plant, Salem.

M/s Jindal Strips Ltd., Hisar, has filed the petition and is hereinafter referred to as the petitioner. The petitioner accounts for 65.99% of the total domestic production and therefore satisfies the standing to file the present petition.

3. Country(ies) Involved: The countries/territory involved in the present investigations are European Union, Japan, Canada and USA (referred to as subject countries/territory hereinafter).

4. Like Goods: The petitioner has claimed that goods produced by it are like articles to the goods originating in or exported from European Union, Japan, Canada and USA. Goods produced by the petitioner are being treated as Like Articles to the goods imported from the subject countries/territory within the meaning of the Rules.

5. Dumping and Dumping Margin:

Normal Value:

- a. European Union:- The petition states that in all countries that are a part of the European Union, goods are freely tradable between the member countries of the European Union. Therefore, as per the consistent practice of the Designated Authority, the domestic prices in the entire European Union have been treated as the same for the purpose of initiation. It has also been stated in the petition that Germany is the hub for the steel market and their domestic selling prices can be accepted as domestic prices of other member countries also.

The calculation of normal value during April-December 2000 (period of investigation) is based on information available in Weekly Fax Service of HEINZ H. PARISER & Co. the leading market research firm in International Stainless and Alloy Metals Sector.

- b. Japan: - The normal value in Japan is based on information from "The Tex Report", a leading publication indicating the prices prevailing in the Tokyo Mart in the period of investigation.
- c. Canada:- The petitioners have stated that they were not able to get direct documentary evidence with regard to the prices prevailing in the domestic market in Canada. However with the advent of NAFTA, the prices in the US market should also be considered sufficient evidence for normal value in Canada. Accordingly, the normal value in Canada for the period of investigation has been estimated taking into consideration the prevalent MFN rate of 4% on imports of the subject goods into Canada.

- d. USA:- The normal value for the subject goods in USA is based on price history as available with Website www.amm.com, a leading website on Metal Alloys in USA during April-December 2000 (period of investigation).

Export price:

The petitioner has stated that the subject countries are exporting the subject products into India at prices which are significantly lower than their normal values. The average cif prices are based on data published by DGCI&S and have been adjusted to arrive at the ex-works price. Considering the normal value and export prices the dumping margins are significantly higher than the de-minimis limit.

There is sufficient evidence that the normal values of the product under consideration in European Union, Japan, Canada and USA are significantly higher than the prices at which it has been exported to India, indicating, prima facie, that the subject goods are being dumped by the exporters from European Union, Japan, Canada and USA.

6. Injury and Causal Link: The various economic indicators relating to domestic industry such as production, sales, profit/loss etc. collectively and cumulatively, indicates that the domestic industry has suffered injury. There is sufficient prima facie evidence that the imports of the product under consideration have caused material injury to the domestic industry.

7. Initiation of Anti-Dumping Investigation: In view of the foregoing paragraph, the Designated Authority initiates anti-dumping investigations to determine the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject country.

8. Period of Investigation: The period of investigation for the purpose of the present investigations is 1st April 2000 to 31st December, 2000 (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, Directorate of Anti-Dumping, 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.

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. It may kindly be noted that no requests whatsoever shall be entertained for extension of the above-stated time limit for submission of the required information.

11. Anti-dumping investigations being a time bound exercise, the Designated 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.

12. Inspection of Public File: In terms of Rule 6(7), any interested party may inspect the public file containing non-confidential version of the evidence submitted by other interested parties.

13. 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.

(L.V.SAPTHARISHI)
DESIGNATED AUTHORITY