

MINISTRY OF COMMERCE & INDUSTRY
(Department of Commerce)
Directorate General of Anti Dumping & Allied Duties

New Delhi, the 11th December, 2001

INITIATION NOTIFICATION

Subject: - Initiation of anti-dumping investigation concerning import of Hydrofluoric Acid from People's Republic of China.

No. 62/1/2001-DGAD - M/s All India Hydrofluoric Acid Manufacturers (AHF) Association on behalf of the domestic industry has 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 (herein after referred to as the Authority) alleging dumping of Hydrofluoric Acid from People's Republic of China (herein after referred to as subject country) and requested for anti dumping investigations and levy of anti dumping duties.

1. Product involved: The product involved in the present petition is Hydrofluoric Acid (also referred as subject goods hereinafter) originating in or exported from the subject country and classified under Customs Sub-heading 281111 of the Customs Tariff Act, 1975. Hydrofluoric Acid could be Anhydrous Hydrofluoric Acid or dilute. It is an inorganic chemical classified under Chapter 28 of the Customs Tariff Act under Customs Sub-heading 281111 of the Customs Tariff Act, 1975 and is used as a catalyst for gasoline Alkylation manufacture of Inorganic Fluorides, Fluorinated Hydrocarbon Compounds, Refrigerants. It is also used as a pickling agent for descaling stainless strips and high silicon sheets, glass etching and also for production of misc. fluorides. The product is also available in various forms and purities. The classification, is, however, indicative only and is in no way binding on the scope of the present investigation.

2. Domestic Industry Standing: The petition has been filed by the M/s All India Hydrofluoric Acid Manufacturers (AHF) Association, Cuddalore. The petition is supported by M/s Tanfac Industries Ltd and M/s Navin Fluorine Ltd. M/s Shriram Fibres Ltd. and M/s Gujarat Fluorine Chemicals Ltd., the other two producers consume Hydrofluoric Acid captively. On the basis of the production of M/s Tanfac Industries Ltd and M/s Navin Fluorine Ltd. for merchant purposes, the petitioners satisfy the standing to file petition as per Rule 5(a) and (b) and also represent the domestic industry as per Rule 2(b).

3. Country(ies) involved: The country involved in present investigation is People's Republic of China (hereinafter referred to as to as China PR or subject country)

4. Like Articles: The petitioner has claimed that goods produced by them are like articles to the goods produced, originating in or exported from the subject country as they are technically and commercially substitutable. Accordingly, goods produced by the petitioner are being treated as like articles to the goods imported from the subject country within the meaning of the Rules.

5. Normal Value: In accordance with the amended Anti-Dumping Rules as notified vide Notification No. 44/99-CUS(NT) dated 15-7-99 and Notification No.28/2001(N.T.) dated 31st May, 2001, the petitioners have claimed Normal Value for China PR based on the basis of Constructed Normal Value of the subject goods in India which has been considered by the Authority as a prima facie evidence for Normal Value of subject goods in China PR.

6. Export Price: The petitioner has claimed that Import Statistics are available through DGCI&S, Calcutta for the period April, 2001 to June, 2001 and secondary sources from July-September, 2001. The petitioner has claimed adjustments on account of ocean freight, marine insurance, inland freight, port expenses and commission to arrive at the ex-factory price.

7. Dumping Margin: There is sufficient prima-facie evidence that the normal value of the subject country is higher than the price at which it has been exported to India indicating prima-facie that the subject goods are being dumped by the exporters from the subject country.

8. Injury and Causal Link: Various parameters relating to injury such as suppressed domestic price, loss of orders etc. prima-facie indicate that domestic industry has suffered material injury on account of dumping. Demand is prima facie not a cause of injury.

9. 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 country.

10. Period of Investigation: The period of investigation for the purpose of present investigation is 1st April, 2001 to 30th September, 2001.

11. Submission of Information: The exporters in the subject countries/territory 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 at the following address:-

Designated Authority

Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti Dumping
& Allied Duties
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.

12. **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.

13. **Non-confidential summary:** All interested parties must provide a non-confidential summary of any information provided on a confidential basis in terms of Anti-Dumping Rule 7(2). This information will be subject to acceptance in terms of Rules 7(1) and 7(2)

14. **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.

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.

(L.V. SAPTHARISHI)
DESIGNATED AUTHORITY