

MINISTRY OF COMMERCE

INITIATION NOTIFICATION

New Delhi, the 9th December, 1998

Subject:- Initiation of Anti Dumping concerning import of Low carbon Ferro Chrome from China P.R., South Africa and Macedonia.

No. 9/2/98-ADD.- M/s. Ferro Alloys Corpn. Ltd., 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 Low Carbon Ferro Chrome the China P.R., South Africa and Macedonia and requested for anti-dumping investigation and levy of anti dumping duties.

1. **Product Involved:** The product involved in the present petition is Low Carbon Ferro Chrome (referred In as LCFC also hereinafter) originating in or exported from China PR . South Africa and Macedonia.

Low Carbon Ferro Chrome is classified under custom sub-heading No. 7202.49 of the Customs Tariff Act, 1975 in the 'others category' The classification is, however indicative only and in no way binding on the present investigations.

2. **Domestic Industry Standing:** The petitioner has claimed that it is the only producer of the subject goods and therefore, satisfies the standing to file the present petition, on behalf of the domestic industry.
3. **Country(ies) Involved:** The countries involved In the present investigation are China PR , South Africa and Macedonia.
4. **Like Goods:** The petitioner has claimed that goods produced by it are like articles to the goods exported, originating in or exported fro in China PR, South Africa and Macedonia. Goods produced by the petitioner are being treated as like articles to the goods exported from the subject countries within -the meaning of the Rules
5. **Dumping and Dumping Margin:**
 - a. Normal Value: The petitioner has claimed normal value based on the constructed value of LCFC In China PR, South Africa and Macedonia. There is sufficient prima facie evidence with regard to normal value of LCFC in the countries under reference.

- b. Export Price: The company has corned the export price from the subject countries based on the Secondary Data sources as well as on the basis of some of the invoices relating to the imports of LCFC into India from the subject countries. The petitioner has claimed adjustments on account of ocean freight, insurance packing and other charges etc..

There is sufficient prime facie evident with regard to export price of LCFC in India.

- c. Considering the normal value and export price as detailed, the dumping margin is significantly higher than the de-minimus limits.

This Prima facie indicates that the subject goods are being dumped by the exporters from China P.R., South Africa and Macedonia.

6. **Injury** : The various economic indicators relating to domestic industry such as production, sales, market share, profit/loss etc. collectively and cumulatively, indicate that the domestic industry has suffered injury. There is sufficient evidence that the imports of the product under consideration have caused injury to the domestic industry.
7. **Initiation of Anti Dumping Investigation**: The Authority in view of the foregoing paragraph initiates anti-dumping instigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the said countries.
8. **Period of Investigation**: The period of investigation for the purpose of the present investigations is 1st April, 1997 to 30th September, 1998 (18 months)
9. **Submission of Information**: The exporter in the subject countries and the importers in Indian 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, Anti Dumping Division, Udyog Bhawan, New Delhi-110 011. 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 dale of publication of this notification. The known exporters a no 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.
11. **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.

12. 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