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MINISTRY OF COMMERCE AND INDUSTRY
(Department of Commerce)

INITIATION NOTIFICATION

New Delhi, the 28th August, 2001

Subject: Initiation of Anti-dumping investigation concerning import of Acrylic Fibre (below 1.5 denier) from Italy into India.

No. 43/1/2001-DGAD- M/s Indian Acrylic Ltd., Chandigarh, M/s Consolidated Fibre and Chemicals Ltd., Calcutta, M/s Pasupati Acrylon Ltd., New Delhi and the Forum of Acrylic Fibre, New Delhi have 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 (hereinafter referred to as the Authority) alleging dumping of Acrylic Fibre (below 1.5 denier) originating in or exported from Italy and requested for Anti Dumping investigations and levy of anti dumping duties.

PRODUCT INVOLVED

2. The product under consideration in the present petition is Acrylic Fibre below 1.5 denier (1.65 DX). Acrylic Fibre is a long chain of synthetic polymer composed of at least 90% by weight of Acrylonitrile units. Acrylic fibre can be acrylic staple fibre, acrylic tow or acrylic top. Acrylic staple fibre, acrylic tow and acrylic top are known as acrylic fibre in the commercial parlance.

Acrylic Fibre is produced in various grades, which are defined in terms of its Denier (DX), however, below 1.5 denier (1.65 DX) is the product under consideration in the present petition as 1.50 denier to 8.00 are already attracting Anti Dumping Duty.

Denier is the international system to differentiate one Fibre type to another and is used in describing acrylic Fibre, silk and man-made filament yarn.

Acrylic Fibre is an economical substitute for expensive wool. Acrylic Fibre has application in day-to-day human life use. Acrylic Fibre has a variety of applications in apparel, household and industrial areas.

Acrylic Fibre (which includes tow, top, staple) is classified under Chapter 55 of the Custom Tariff Act under subheads 5501.3000, 5503.3000. Custom classifications are however indicative only and are in no way binding on the scope of the present investigation.

DOMESTIC INDUSTRY

3. The petition has been filed by Forum of Acrylic Fibre Manufacturers, New Delhi M/s Indian Acrylic Ltd., Chandigarh, M/s Consolidated Fibre and Chemicals Ltd., Calcutta and M/s Pasupati Acrylon Ltd., New Delhi. The petitioners' account for more than 25% proportion of total Indian production, thus, satisfy the standing to file the petition in terms of Rule 5(3) (a) of the Rules supra.

COUNTRY INVOLVED

4. The country involved in the present investigation is Italy (hereinafter referred to as the subject country).

LIKE ARTICLE

5. The petitioners have claimed that the goods produced by them is like articles to the goods produced, originating in or exported from Italy. Therefore, for the purpose of the present investigation, the goods produced by the petitioners are being treated as 'like article' of the product involved i.e. Acrylic Fibre (below 1.5 denier) (hereinafter referred to as subject goods) imported from the subject country within the meaning of the Rules supra.

NORMAL VALUE

6. The petitioners have claimed Normal Value based on the basis of prices of Acrylic Fibre in the domestic market of Italy.

EXPORT PRICE

7. The petitioners have produced prima facie evidence as regards the export price of the subject goods. The petitioners have based the export price on the published data of DGCI&S in respect of the subject goods. Adjustments have been claimed on account of ocean freight, insurance, commission, port expenses and inland freight to arrive at the Export Price at ex-factory level.

DUMPING MARGIN

8. There is sufficient prima-facie evidence that Normal Value of the subject goods in the subject country is significantly higher than the net export price indicating prima-facie that the subject goods are being dumped by exporters from the Italy..

INJURY AND CAUSAL LINK

9. Various parameters relating to injury, prima-facie indicate collectively and cumulatively that the Domestic Industry has suffered material injury on account of dumping from Italy.

INITIATION OF ANTI-DUMPING INVESTIGATIONS

10. The Designated Authority, in view of the foregoing paragraphs, initiates anti-dumping investigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the Italy.

PERIOD OF INVESTIGATION (POI)

11. The period of investigation for the purpose of present investigation is 1st April 2000 to 31st March 2001.

SUBMISSION OF INFORMATION

12. The exporters in Italy and the importers in India known to be concerned with this investigation are being addressed separately to submit relevant information in the form and manner prescribed and to make their views known to the Designated Authority, Directorate General of Anti Dumping & Allied Duties, Department of Commerce, Ministry of Commerce and Industry, Government of India, 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.

TIME LIMIT

13. 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 the letter addressed to them separately.

INSPECTION OF PUBLIC FILE

14. 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.

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.