

# MINISTRY OF COMEMRCE

## (Initiation Notification)

New Delhi, the 19th February, 1998

**Subject:-** Initiation of anti dumping investigation concerning import of Ortho Chloro Benzaldehyde from China PR.

**No. 26/1/97-ADD-** M/s. Benzo Petro International 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 to Ortho Chloro Benzaldehyde from the People's Republic of China (referred to as China PR hereinafter) and requested for anti dumping investigations and levy of anti dumping duties.

**1. Product Involved:** The product involved in the present petition is Ortho Chloro Benzaldehyde (referred to as OCB also hereinafter) originating in or exported from China PR.

Ortho Chloro Benzaldehyde is classified under customs sub-heading No, 291300 of the Customs Tariff Act. The classification is, however indicative only and in no way binding on the present investigation

**2. Standing :** The petition ahs claimed that it is the majority producer of the subject goods. The petitioner has stated that there are three companies producing these goods in India and the position is as under:

### Capacity MT

The Petitioner	420
Sonar Chemicals	30
Benzo Chemicals Industries	30

The petitioner has claimed that it is majority producer of OCB in India and, therefore satisfy the stranding to file the present petition, on behalf of the domestic industry.

**3. Country(ies) Involved:** The country involved in the present investigation is China PR.

4. **Like Goods:** The petitioner has claimed that goods produced by it are like articles to the goods exported, originating in or exported from China PR. Goods produced by the petitioner are being treated as like articles to the goods exported from China PR 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 OCB in China PR.

There is sufficient prima facie evidence with regard to normal value of OCB in China PR.

- b. Export Price: The company has furnished importer wise details of imports made in India, which shown ann average per kg. Price of Rs. 103.2 (1995-96), 114.83 (1996-97) and 113.78 (1997-98). The petitioner has claimed adjustment on account of ocean freight and other charges.

There is sufficient prima facie evidence with regard to export price of OCB.

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

There is sufficient prima facie evidence that the normal value of the product under consideration in China PR is significantly 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 China PR.

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

7. **Initiation of Anti-Dumping Investigation:** The 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 country.

8. **Period of Investigation:** The period of investigation for the purpose of the present investigation is 1st April, 1996 to 30th June, 1997 (15 months).

**9. Submission of Information:** The exporters in China PR 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, 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 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.

**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