

**MINISTRY OF COMMERCE AND INDUSTRY**  
**Department of Commerce**  
**Directorate General of Anti-dumping & Allied Duties**

**INITIATION NOTIFICATION**

New Delhi, the 27th August, 2002

**Subject:** Initiation of Anti-dumping investigation concerning import of Para Cresol from China PR.

**No.14/29/2002-DGAD** - M/s. Atul Ltd., Gujarat 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 (hereinafter referred to as the Authority) alleging dumping of Para Cresol originating in or exported from China and requested for Anti Dumping investigations and levy of anti dumping duties.

**PRODUCT INVOLVED**

2. The product involved in the present petition is Para Cresol (hereinafter referred to as subject goods). It is classified under ITC HS code 290712 01 and under sub-heading 2907.12 of Customs Tariff Classification. The product finds major uses in Dyes and pigments, perfumery and drug intermediates, optical brightener, surfactants, synthetic food flavour, ultra violet light absorbers, anti-oxidants and stabilizers for lubricants The Custom classification is however, indicative only and is in no way binding on the scope of the present investigation.

**DOMESTIC INDUSTRY**

3. The petition has been filed by M/s. Atul Ltd., Gujarat. They are the only producer of Para Cresol in India. Therefore, the petitioner accounts for 100% of the domestic production of subject goods and therefore, the petitioners satisfy the criteria of standing as domestic industry 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 Peoples' Republic of China (hereinafter referred to as the subject country).

## **LIKE ARTICLE**

5. The petitioners have claimed that there is no difference between the products manufactured by them and the subject goods being imported from subject country. Therefore, for the purpose of the present investigation, the goods produced by the petitioners are being treated as 'like articles' to that imported from the subject country within the meaning of the Rules supra.

## **NORMAL VALUE**

6. The petitioners have claimed Normal Value in respect of exports of subject goods from China on the basis of constructed cost of production treating China as Non-market economy. The Authority proposes to examine the claim of the petitioner in the light of para 7 and 8 of Annexure 1 of the Anti Dumping Rules as amended. The Authority has prima facie considered the Normal value of subject goods in PR China on the basis of constructed cost of production as made available by the petitioner.

## **EXPORT PRICE**

7. The petitioners have determined export price for subject countries on the basis of import figures collected from secondary sources. Adjustments have been claimed on account of ocean freight, marine insurance, inland transportation in the country of export, port handling and port charges to arrive at the Export Price at ex-factory level.

## **DUMPING MARGIN**

8. There is sufficient 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 subject country.

## **INJURY AND CAUSAL LINK**

9. Petitioners have furnished information on various parameters relating to injury. Parameters such as increase in volume of imports, low return on investment, increased inventory, price under-selling, losses in the production and sale of subject goods and negative return on investments in the manufacturing of subject goods prima-facie indicate collectively and cumulatively that the Domestic Industry has suffered material injury on account of dumping.

## **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 subject country.

## **PERIOD OF INVESTIGATION (POI)**

11. The period of investigation for the purpose of present investigation is 1st April 2001 – 31st March 2002.

## **SUBMISSION OF INFORMATION**

12. The exporters in the subject country 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