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

NOTIFICATION

New Delhi, the 15th February, 2002

Subject: Anti-dumping investigations concerning imports of Vinyl Acetate Monomer from Singapore and Iran into India – Termination of investigation.

No. 58/1/2001-DGAD - Having regard to the Customs Tariff Act, 1975 and the Customs Tariff (Identification, Assessment and Collection of Anti Dumping Duty on Dumped Articles and for Determination of Injury) Rules, 1995, thereof:

(A) PROCEDURE

1. The procedure given below has been followed with regard to the investigations:

- i. The Designated Authority (hereinafter referred to as Authority), under the above Rules, received a written petition from M/s. Vam Organic Chemicals limited, Noida (presently known as M/s. Jubilant Organosys Ltd.) alleging dumping of Vinyl Acetate Monomer originating in or exported from Singapore and Iran (hereinafter referred to as subject countries)
- ii. The preliminary scrutiny of the application revealed certain deficiencies, which were subsequently rectified by the petitioner. The petition was thereafter considered as properly documented.
- iii. The Authority on the basis of sufficient evidence submitted by the petitioner decided to initiate investigations against alleged dumping of imports of Vinyl Acetate Monomer originating in or exported from Singapore and Iran. The Authority notified the Embassies of the subject countries about the receipt of dumping allegation before proceeding to initiate investigations in accordance with sub-rule 5(5) of the Rules.
- iv. The Authority issued a Public Notice dated 13th November, 2001, published in the Gazette of India Extraordinary initiating Anti-dumping investigations concerning imports of Vinyl Acetate Monomer classified under sub-heading 291532 of Schedule I of the Customs Tariff Act, 1975 originating in or exported from the subject countries.

- v. The Authority forwarded a copy of the Public Notice to the known exporters, whose details were made available by the petitioner, and gave them an opportunity to make their views known in writing within forty days from the date of the letter.
- vi. The Authority forwarded a copy of the Public Notice to the known importers, whose details were made available by the petitioner, and advised them to make their views known in writing within forty days from the date of the letter.
- vii. Request was made to the Central Board of Excise and Customs (CBEC) to arrange details of imports of subject goods from subject countries.
- viii. The Authority provided copies of the non-confidential petition to the known exporters and the Embassies of the subject countries in accordance with Rule 6(3) supra.
- ix. The Authority sent a questionnaire, to elicit relevant information to the following known exporters in the subject countries in accordance with Rule 6(4):
 - a. **M/s. Celanese Pte Ltd.**
501, Orchard Road,
11-01, Wheelock Place,
Singapore – 238 880.
 - b. **M/s. Celanese Ltd.**
Chemicals Division,
1601, West LBJ Freeway,
P.O. Box 819005,
Dallas, TX 75381-9005,
United States of America.
 - c. **M/s. Millenium Chemicals,**
11530, Northlake Drive,
Cincinnati, OH 45249,
United States of America.
 - d. **M/s. Petrochemicals Commercial Company,**
No. 1339, Valisar Ave, Vanak SQ,
Tehran Iran, Post Code 19693,
P.O. Box 19395/4619,
Iran.

The Embassies of the subject countries were informed about the initiation of the investigation in accordance with Rule 6(2) with a request to advise the exporters/producers from their countries to respond to the questionnaire within the prescribed time. A copy of the letter, non-confidential petition, and questionnaire sent

to the exporters was also sent to the concerned Embassies along with the name and addresses of the exporters.

Response was filed by the following exporters:

- a. M/s. Celanese Pte Ltd.
 - b. M/s. Celanese Singapore Pte Ltd.
 - c. M/s. Petrochemicals Commercial Company, Iran.
- x. A questionnaire was sent to the following known importers of subject goods in India calling for necessary information in accordance with Rule 6(4):
- a. **M/s. Vinyl Chemicals (India) Ltd.,**
Ramkrishna Mandir Road,
M. VasANJI Road,
Andheri (East),
Mumbai – 400 059.
 - b. **M/s. Visen Organic Industries Ltd.,**
102/A, Virwani Ind. Estate,
Goregaon (E),
Mumbai – 400 063.
 - c. **M/s. Mafatlal Dyes & Chemicals Ltd.,**
Lal Bahadur Shastri Marg,
Mulund,
Mumbai – 400 080.
 - d. **M/s. Innoventive Chemplast Pvt. Ltd.,**
221, Himalya House,
79, Palton Road,
Mumbai.

Response was filed by the following:

- a. M/s. Vinyl Chemicals (India) Ltd., Mumbai.
 - b. M/s. Visen Organic Industries Ltd., Mumbai.
- xi. The Authority made available the non-confidential version of the evidence presented by various parties in the form of a public file kept open for inspection by the interested parties.
- xii. Cost investigations were conducted to work-out optimum cost of production and cost to make and sell the subject goods in India on the basis of Generally Accepted Accounting Principles (GAAP) on the information furnished by the

- petitioners so as to ascertain if anti-dumping duty lower than the dumping margin would be sufficient to remove injury to the domestic industry.
- xiii. Some of the interested parties requested for extension in time to file their responses to the exporters questionnaire which was granted upon due cause shown. The response filed by M/s. Petrochemicals Commercial Company, Iran was received on 29.1.2002 which was after expiry of the stipulated time for submission of response and no request for extension of time to consider the delayed response was made by the exporter.
 - xiv. Investigations were carried out for the period 1st April 2001 to 30th September 2001.

(B) PRODUCT UNDER CONSIDERATION:

2. The product involved in the present petition is Vinyl Acetate Monomer (hereinafter referred as subject goods). Vinyl Acetate Monomer is an organic compound. Vinyl Acetate Monomer is a clear colourless liquid. Its chemical formula is $C_4H_6NO_2$. It is used for production of Polymers, water-based paints, adhesives, paper coating and emulsion polymerization process. Vinyl Acetate Monomer is classified under Chapter 29 of schedule 1 of the Customs Tariff Act under sub heading 291532. This Custom classification is however, indicative only and is in no way binding on the scope of the present investigation.

(C) DOMESTIC INDUSTRY

3. The petition has been filed by M/s. Vam Organic Chemicals limited (presently known as M/s. Jubilant Organosys Ltd.), Noida. Besides the petitioner, Vinyl Acetate Monomer is produced in India by another company viz. M/s. Vinyl Chemicals (India) Limited. However, M/s Vinyl Chemicals (India) Limited is an importer of the subject goods. The production of subject goods by the petitioner constitutes a major proportion of the total domestic production. Therefore, the Authority notes that the petitioner represents the domestic industry and the petitioner satisfies the criteria of standing to file the petition in terms of Rule 5(3) (a) of the Rules supra.

(D) LIKE ARTICLE

4. The petitioners have claimed that the goods produced by them are like articles to the goods produced, originating in or exported from Singapore and Iran. None of the exporters or the importers have made any argument disputing that Vinyl Acetate Monomer produced by the domestic industry is like article to the Vinyl Acetate Monomer produced, originating in or exported from the subject countries. Therefore, for the purpose of the present investigation, the Authority considers the goods

produced by the petitioners as 'like articles' to that imported from the subject countries within the meaning of the Rules supra.

(E) REQUEST FOR WITHDRAWAL OF INVESTIGATIONS

5. The petitioner domestic industry vide their letter dated 5.2.2002 has requested the Designated Authority to treat the petition filed by them for Anti-dumping investigations against Vinyl Acetate Monomer originating in or exported from Singapore and Iran as withdrawn. The petitioner has further requested the Authority to terminate the investigation under Rule 14 supra.

(F) CONCLUSION

6. Therefore, under the provisions of Rule 14(a) of Rules supra, the Designated Authority hereby terminates this investigation which was initiated vide notification No. 58/1/2001-DGAD dated 13th November, 2001 against imports of Vinyl Acetate Monomer originating in or exported from Singapore and Iran.

L.V. SAPTHARISHI
Designated Authority