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**F. No. 14/21/2014-DGAD
Government of India
Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti-Dumping & Allied Duties
Jeevan Tara Building, New Delhi-110001**

Dated the 10th March 2016

**NOTIFICATION
(Final Findings)**

Subject: Anti-dumping duty to be imposed on the imports of Measuring Tapes originating in or exported from Chinese Taipei, Malaysia, Thailand & Vietnam.

No. 14/21/2014-DGAD: Having regard to the Customs Tariff Act, 1975 as amended from time to time (hereinafter also referred to as the Act) and the Customs Tariff (Identification, Assessment and Collection of Anti-Dumping Duty on Dumped Articles and for Determination of injury) Rules, 1995 as amended from time to time (hereinafter also referred to as the AD Rules or the Rules).

BACKGROUND OF THE CASE

1. The Designated Authority (herein after referred to as the Authority), received a written application from M/s FMI Limited (hereinafter also referred to as the petitioner) on behalf of the domestic producer producing Measuring Tapes [(hereinafter referred to as the subject goods or the product under consideration (PUC)] in India, alleging dumping of the subject goods from Chinese Taipei, Malaysia, Thailand & Vietnam (hereinafter referred to as the subject countries) and consequent injury to them and requesting for initiation of an Antidumping investigation in accordance with the rules.
2. The Authority on the basis of sufficient evidence submitted by the applicants on behalf of the domestic industry, issued an Initiation Notification dated 27th July 2015, published in the Gazette of India, Extraordinary, initiating anti-dumping investigation concerning imports of the subject goods, originating in or exported from the subject countries, in accordance with the sub-Rule 6(1) of the Rules, to determine the existence, degree and effect of alleged dumping and to consider recommendation of the anti-dumping duty, if any.

PROCEDURE

3. The procedure described below has been followed in this investigation:
 - (i) The Authority notified the Embassy of the subject countries in India about the receipt of application alleging dumping of the subject goods originating in or exported from the subject countries before proceeding to initiate the investigation in accordance with the Anti-dumping Rules.
 - (ii) The Authority issued a public notice No. 14/21/2014-DGAD dated 27th July, 2015 published in the Gazette of India, Extraordinary, initiating anti-dumping investigations

concerning imports of the subject goods, originating in or exported from the subject countries.

(iii) The Authority forwarded a letter along with copy of the Initiation Notification to all the known exporters and other interested parties/industry associations (whose details were made available by the domestic industry) and gave them opportunity to make their views known in writing within the prescribed time limits in accordance with the anti-dumping rules.

(iv) The Authority provided a copy of the non-confidential version of the application to the known exporters of the subject countries in accordance with the Anti-dumping Rules. A copy of the application was also made available to other interested parties, upon request.

(v) Copies of the letter and the exporter questionnaires sent to the exporters/producers in the subject countries were also sent to the embassy of the subject countries in India along with a list of known exporters /producers with a request to advise the known exporters / producers from the subject countries as also other exporters / producers from the subject countries to respond to the questionnaires within the prescribed time limits.

(vi) The Authority sent exporter's questionnaires to elicit relevant information to the following known exporters in the subject countries in accordance with the Anti-dumping Rules:

- a. Indy Hand Tools Co. Ltd., Thailand
- b. T& J Thailand Trading, Bangkok
- c. Midas Hardware And Engineering SDN BHD, Malaysia
- d. Khunsanchai, Thailand
- e. Milestone Ventures Part Ltd., Bangkok
- f. Zaxco Enterprise, Malaysia
- g. GPI Engineering & Construction Supply, Malaysia
- h. PRYM Consumer Malaysia SDN BHD, Malaysia
- i. KING JIM (Vietnam) Co. Ltd., Vietnam
- j. ANH Tu Trading And Production Company Ltd., Vietnam
- k. TAN Khang LAC LVS, Vietnam
- l. Sunlife Medic SDN BHD, Malaysia
- m. 2S Packaging SDN BHD, Malaysia
- n. Deti Co. Ltd., Vietnam
- o. Vietnam Polu Bag Import Export., JSC, Vietnam
- p. Vietgo Company Ltd., Vietnam
- q. WOEI Shing Co. Ltd., Taiwan
- r. Golden Root Company Ltd., Taiwan
- s. Round Light Industry Co. Ltd., Taiwan
- t. Fortuntek Industrial Co., Ltd., Taiwan
- u. Emery Machinery Corp., Taiwan
- v. Evain Manufacture Co. Ltd., Taiwan

(vii) However, none of the exporters filed response to the exporter's questionnaire or made any other submissions.

(viii) The Authority forwarded a copy of the Initiation Notification to the following known importers/users/user associations (whose names and addresses were made available to the authority) of subject goods in India and advised them to make their views known in writing within the time limit prescribed by the Authority in accordance with the Rule 6(4):

- a) Lohia Trade Concern, Delhi
- b) Vinay Brothers, Mumbai

- c) VK International, Mumbai
- d) Fahad Enterprises, Mumbai
- e) GhanshyamDass& Sons (Veekay Industries), Mumbai
- f) New Wave Industries, Jalandhar
- g) Ashiana Exports Inc.,Mumbai
- h) SK Enterprises, Mumbai
- i) Sterling Enterprises,Mumbai
- j) Freemans Measures Ltd, Ludhiana
- k) Klas Tape Co, Mumbai
- l) Venus Industrial Corp, Ludhiana
- m) Ambika Overseas, Jalandhar
- n) New Wave Industries India, Jhalandhar

(ix)None of the importers/users filed any responses or made any other submissions.

(x) The Period of Investigation (POI) determined by the Authority is from April 2014 to March 2015. The injury investigation period will, however, cover the periods 2011-12, 2012-13, 2013-14 and the Period of Investigation.

(xi)The domestic industry had submitted the transaction wise data sourced from the secondary source IBIS, Mumbai. The Authority procured the same from the Directorate General of Commercial Intelligence and Statistics (DGCI&S) as well for comparison. The Authority found that the import volume reported in the IBIS data in the POI was significantly higher than reported in the DGCIS data and, therefore, the Authority has relied upon the IBIS data for the injury analysis in present investigation as has been done by the Authority in various previous investigations in such situations. In the instant case, the IBIS data captured the import items according to the descriptions as opposed to tariff classifications captured by the DGCI&S data. Hence, the data reported by the IBIS data is significantly higher.

(xii) Exporters, producers and other interested parties who have neither responded to the Authority, nor supplied information relevant to this investigation have been treated as non-cooperating interested parties.

(xiii) The Authority made available non-confidential version of the evidence presented by interested parties in the form of a public file kept open for inspection by the interested parties as per Rule6 (7).

(xiv) The Authority has examined the information furnished by the domestic producer to the extent possible on the basis of guidelines laid down in Annexure III to work out the cost of production and the non-injurious price of the subject goods in India so as to ascertain if anti-dumping duty lower than the dumping margin would be sufficient to remove injury to the domestic industry.

(xv) In accordance with Rule 6(6) of the Rules, the Authority provided opportunity to all interested parties to present their views orally in a public hearing held on 2nd December, 2015. Only the domestic industry along with its legal counsel presented their views in the oral hearing and was requested to file written submissions of the views expressed orally.

(xvi) The submissions made by the domestic industry during the course of the investigation and considered relevant by the Authority have been examined and addressed in this investigation.

(xvii) On the spot verification of the information and data submitted by the domestic industry was carried out to the extent deemed necessary.

(xviii) Information provided by the interested parties on confidential basis was examined by the Authority with regard to sufficiency of the confidentiality claim. On being satisfied, the Authority has accepted the confidentiality claims, wherever warranted, and such information has been considered confidential and not disclosed. Wherever possible, the interested parties were directed to provide sufficient non-confidential version of the information filed on confidential basis.

(xix) Wherever an interested party has refused access to, or has otherwise not provided necessary information during the course of the present investigation, or has significantly impeded the investigation, the Authority has recorded these essential facts on the basis of the 'facts available' and treated such parties as non-cooperative.

(xx) *** in this Final Findings Statement represents information furnished by an interested party on confidential basis and so considered by the Authority under the Rules.

(xxi) The exchange rate adopted for the POI is 1 US \$ =61.69.

SCOPE OF PRODUCT UNDER CONSIDERATION AND LIKE ARTICLE

Submissions by the Domestic Industry

4. The product being dumped in the Indian market is Measuring Tapes. All type of steel measuring tapes and fibre glass measuring tapes are the subject matter of the present petition.
5. The goods produced by the domestic industry are like article to the subject goods imported in India.

Submissions made by the producers/exporters/other interested parties

6. None of the other interested parties has responded or raised any issues with respect to the product under consideration and like article.

Examination by the Authority

7. The product under consideration is "Measuring Tapes". All type of steel measuring tapes and fibre glass measuring tapes are the subject matter of the present petition. These are generally used for measuring the length, breadth etc. of an object. These are mostly used by foreman, mason, carpenter, forestry departments and tailors etc. Measuring Tapes are manufactured from tempered high quality carbon steel blade, phosphate and coated with special enamel to withstand corrosion and rust. Measuring tapes are used for:-
 - a. High precision professional jobs;
 - b. Measuring depth, width or length of an object;
 - c. Contraction and surveys.
8. In technical terms, measuring tapes are defined in terms of length and width of a raw material used, i.e., steel or fibre glass, and finally precision with which dimensions are marked on the tape.
9. Measuring tapes are classified under Chapter 90 of the Customs Tariff Act under sub-headings 9017, 9017.80, 9017.8010, 9017.90. The petitioner has stated that subject goods are being imported under sub-headings such as 90171000, 90173010, 90173029, 90178010,

90178090, 90189099 etc. The classification is, however, indicative only and in no way binding on the scope of the present investigation.

10. Further, the applicant submitted that the product manufactured by the domestic industry and the subject goods imported into India from the subject countries are like articles within the meaning of the Anti-dumping Rules; that there is no known difference between the subject goods imported from the subject countries and that produced by the domestic industry; that the subject goods produced by the domestic industry and imported from the subject countries are comparable in terms of essential product characteristics such as physical & chemical characteristics, manufacturing process & technology, functions & uses, product specifications, pricing, distribution & marketing and tariff classification of the goods; that the consumers can use and are using the two interchangeably and that the two are technically and commercially substitutable. After examination, the Authority concludes that the subject goods produced by the domestic industry are like article to that imported from the subject countries.

SCOPE OF DOMESTIC INDUSTRY AND STANDING

Submissions made by the Domestic Industry

11. The Domestic Industry has made the following submissions with respect to the scope of domestic industry and standing:

- (i) The petition has been filed by M/s FMI Limited.
- (ii) The production of the petitioner alone constitutes a major proportion of Indian production(which is 1681 MT in POI) of the like article and upon examination, it is concluded that, the petitioner has sufficient standing to file the present petition on behalf of the Indian domestic industry for the product concerned. Further, petitioner constitutes domestic industry within the meaning of the Rules.

Submissions made by the producers/exporters/other interested parties

12. None of the other interested parties has responded or raised any issues with respect to the scope of the domestic industry and standing.

Examination by the Authority

13. The Authority notes that Rule 2(b) of the Anti-dumping Rules provides as follows:

“(b) “domestic industry” means the domestic producers as a whole engaged in the manufacture of the like article and any activity connected therewith or those whose collective output of the said article constitutes a major proportion of the total domestic production of that article except when such producers are relate to the exporters or importers of the alleged dumped article or are themselves importers thereof in such case the term ‘domestic industry’ may be construed as referring to the rest of the producers”

14. The Authority notes that the application has been filed by M/s FMI Limited. The Authority further notes that apart from the applicant, M/s. Freemans Measures Limited, M/s. Klas Tape Co., M/s. Venus Industrial Corpn., M/s. Ambika Overseas and M/s. New Wave Industries manufacture the like article in India. All these producers of the subject goods have supported the application.

15. The Authority forwarded a copy of the public notice to these known domestic producers of subject goods in India along with prescribed proforma and advised them to

provide relevant information for injury determination and make their views known in writing the prescribed time limit. While these companies have supported the petition, these companies have not provided information relevant to injury determination, except that the supporters M/s Freemans Measures Pvt. Ltd., M/s Ambika Overseas, M/s Venus Industrial Corporation(Unit II) , Klas Tape Co. have provided limited data relating to its capacity, production and sales.

16. However, as per the records available with the Authority, the applicant alone accounts for major share in Indian production in the POI (61.08%). In view of the above position and having regard to the Anti-dumping Rules, the Authority determines that M/s FMI Limited constitutes domestic industry within the meaning of Rule 2(b) of the Anti-dumping Rules, and the petition satisfies the criteria of standing in terms of Rule 5 of the Rules.

NORMAL VALUE, EXPORT PRICE AND DUMPING MARGIN

Submissions by the domestic industry

17. Following are the submissions made by the domestic industry with regard to normal value, export and dumping margin:

- a) Chinese Taipei, Malaysia, Thailand and Vietnam (“subject countries”) are market economy countries.

Efforts were made to get any information about the price at which material is being traded in the domestic markets of Chinese Taipei, Malaysia, Thailand and Vietnam. Efforts were also made to get any other reasonable evidence of price prevailing in the subject countries. Evidence of selling prices of the product under consideration in the domestic markets of subject countries were not found. Therefore, there emerged a constraint to adopt constructed normal value approach for determination of normal value. Petitioner has determined normal value on the basis of cost of production in India, duly adjusted. The normal value has been determined for Steel and Fibre Glass Tapes separately owing to significant cost and price difference between the two types. Further, the major raw material used for production of the two types is also different.

- b) None of the producers/ exporters from the subject countries responded to the exporters’ questionnaire.
- c) The export price has been determined considering the volume and value of imports for the period of investigation as per data released by secondary source, IBIS. The export price has been adjusted for the expenses that may have been incurred by the exporter for exporting the material to India to determine ex-factory export price.

Submissions made by the producers/exporters/other interested parties

18. None of the producers/exporters has filed any questionnaire response or legal submission, or has otherwise provided necessary information with respect to normal value, export price or dumping margin.

Determination of Normal Value

19. Under section 9A (1) (c), normal value in relation to an article means:

- (i) *the comparable price, in the ordinary course of trade, for the like article when meant for consumption in the exporting country or territory as determined in accordance with the rules made under sub-section (6); or*
- (ii) *when there are no sales of the like article in the ordinary course of trade in the domestic market of the exporting country or territory, or when because of the particular market situation or low volume of the sales in the domestic market of the exporting country or territory, such sales do not permit a proper comparison, the normal value shall be either-*
 - (a) *comparable representative price of the like article when exported from the exporting country or territory or an appropriate third country as determined in accordance with the rules made under sub-section (6); or*
 - (b) *the cost of production of the said article in the country of origin along with reasonable addition for administrative, selling and general costs, and for profits, as determined in accordance with the rules made under sub-section (6):*

Provided that in the case of import of the article from a country other than the country of origin and where the article has been merely transshipped through the country of export or such article is not produced in the country of export or there is no comparable price in the country of export, the normal value shall be determined with reference to its price in the country of origin.

20. At the stage of initiation, the Authority advised the known producers/exporters in the subject countries as well as their respective embassies in India to respond to the notice of initiation and provide information relevant to determination of their market economy status. The Authority also requested Government of the respective subject countries to advise the producers/exporters in their country to provide the relevant information. However, none of the producers/exporters has filed any response.
21. In view of the fact that none of the producers/exporters from the subject countries have filed any exporters questionnaire, the Authority has, therefore, determined the normal value in respect of the subject countries in the absence of cooperation from producers/exporters, in terms of Rule 6 (8) of AD Rules read with Article 6.8 of the Agreement.
22. Accordingly, the ex-works Normal Value of the product under consideration for all exporters have been constructed based on facts available and the Authority has proposed to determine the normal value in respect of the subject countries on other reasonable basis, in terms of Rule 6 (8) of AD Rules read with Article 6.8 of the Agreement.

Methodology adopted for constructing Normal Value in the present case

23. The Authority has constructed the Normal value in respect to all the four countries following the producers as stated under : –
 - a) Prices of Steel Strip have been adopted from World Trade Atlas data of the respective Country. Steel Strip price for Vietnam has been adopted from Malaysia as Vietnam is not a member country of WTA. For other Raw Materials, procurement price of the domestic industry has been adopted.
 - b) Optimum consumption of raw materials and conversion costs has been adopted on the basis of information/data of the domestic industry.
 - c) Electricity tariff of respective countries have been adopted for working out the cost of utility.
 - d) Selling, general & administrative costs have been taken on the basis of information/data of the domestic industry.

e) Profit has been taken @ 5% of ex-factory cost excluding interest.

24. For the purposes of arriving at the exact value, separate normal value has been calculated for Steel and Fibre Glass Tapes. Accordingly, the proposed constructed normal value determined by the Authority in respect of subject countries for Steel Tapes and Fibre Glass Tapes is as indicated in the dumping margin table below.

25. As various varieties of Steel and Fibre Glass Tapes are produced by the Domestic Industry, hence to unify the cost per unit of production, number of tapes covered per Kg is worked out for each size of Tapes. It is estimated that irrespective of the length of tape per Kg cost almost remains same. It is verified that a 3meter length Tape has a weight of 98gm and the weight of a 5 meter tape is 176gm, etc. As the cost per kg remains same hence the cost per kg is divided by the numbers of tape contained in 1kg to get the cost of one tape and the export price of same size of tape is compared on a like to like basis. The same procedure was followed in Sunset Review of dumping of Measuring Tapes against China PR and found to be most appropriate.

Determination of Export Price

26. Since none of the exporters from subject countries has responded to the Authority, the Authority has determined Export Price in respect of imports from subject countries on the basis of best information available in accordance with Rule 6(8) of the AD Rules. The applicant has determined export price on the basis of imports of the product under consideration in India, as reported by IBIS, the data supplying agency. The Designated Authority has received transaction wise import data from the DGCIS during the course of the investigations as well. It is seen that the volumes of imports reported by IBIS is significantly higher as compared to DGCI&S and, therefore, the Authority has considered the data received from IBIS and determined the export price considering all imports of the product under consideration in India. In the instant case, the IBIS data captured the import items according to the descriptions as opposed to tariff classifications captured by the DGCI&S data. Hence, the data reported by the IBIS data is significantly higher. Price adjustments have been made on the basis of claims made by applicant domestic industry in view of non-cooperation by the exporters. Export price has been determined at ex-factory level after adjusting for ocean freight, marine insurance, commission, bank charges, port and inland freight charges.

The following procedure has been adopted for working out export price for all the four subject countries:

If the import data describe the goods as 'Steel Tape' or 'Fibre Glass Tape', the corresponding value is taken, as it is. However in case of other description, segregation is made on the basis of length of the tape to work out the corresponding value.

Ocean freight @**USD, Marine Insurance @ **% to **%, Bank charges@**%, Port expenses @**%, handling charges@**% and commission @**% is reduced for working out the Net Export Price.

Accordingly, the proposed export price determined by the Authority in respect of the subject countries for Steel Tapes and Fibre Glass Tapes is as indicated in the dumping margin table below.

Dumping Margin

27. Considering the normal value and export price as determined above, the proposed dumping margin has been determined as follows. It is seen that the dumping margins are

more than de minimis and significant.

Dumping Margin

Dumping Margin	Steel tapes				
Country	Unit	Taiwan	Thailand	Vietnam	Malaysia
Constructed Normal Value	US\$/kg	***	***	***	***
Export Price	US\$/kg	***	***	***	***
Dumping Margin	US\$/kg	***	***	***	***
Dumping Margin %	%	***	***	***	***
DM % Range		230-240	250-260	200-210	180-190
Dumping Margin	Fibre Glass Tapes				
Country	Unit	Taiwan	Thailand	Vietnam	Malaysia
Constructed Normal Value	US\$/kg	***	***	***	***
Export Price	US\$/kg	***	***	***	***
Dumping Margin	US\$/kg	***	***	***	***
Dumping Margin %	%	***	***	***	***
DM % Range		270-280	500-510	80-90	245-255

METHODOLOGY FOR INJURY DETERMINATION AND EXAMINATION OF INJURY AND CAUSAL LINK

Submissions by the Domestic Industry

28. The Domestic Industry has made the following submissions with regard to the injury and causal link:
- a) Imports of the product under consideration increased significantly in absolute terms.
 - b) Imports in relation to production and consumption in India have increased over the injury period.
 - c) Market share of the subject countries has increased sharply over the injury period from 21% in 2011-12 to 42% in the POI which is almost the double in percentage. On the other hand, market share of domestic industry has declined from 33% in 2011-12 to 28% in the POI.
 - d) Imported goods have been undercutting the prices of the domestic industry. Price undercutting in respect of the product under consideration is significant from the subject countries.
 - e) The domestic industry has been forced to reduce the prices too steeply and too frequently.

- f) Inventories with the domestic industry increased till 2013-14, but thereafter declined during the POI.
- g) Performance of the domestic industry has deteriorated in terms of profits, return on investments and cash profits to a very significant throughout the injury period.

Submissions made by the producers/exporters/other interested parties

29. No submissions have been made by any producer/exporter/other interested parties with regard to the injury and causal link.

Examination by the Authority

30. In consideration of the various submissions made by the domestic industry in this regard, the Authority proceeds to examine the current injury, if any, to the domestic industry before proceeding to examine the injury on account of imports from the subject country.

31. Rule 11 of Antidumping Rules read with Annexure–II provides that an injury determination shall involve examination of factors that may indicate injury to the domestic industry, “.... taking into account all relevant facts, including the volume of dumped imports, their effect on prices in the domestic market for like articles and the consequent effect of such imports on domestic producers of such articles....” In considering the effect of the dumped imports on prices, it is considered necessary to examine whether there has been a significant price undercutting by the dumped imports as compared with the price of the like article in India, or whether the effect of such imports is otherwise to depress prices to a significant degree or prevent price increases, which otherwise would have occurred, to a significant degree.

32. Article 3.1 of the WTO Agreement and Annexure-II of the AD Rules provide for an objective examination of both, (a) the volume of dumped imports and the effect of the dumped imports on prices, in the domestic market, for the like products; and (b) the consequent impact of these imports on domestic producers of such products. With regard to the volume effect of the dumped imports, the Authority is required to examine whether there has been a significant increase in dumped imports, either in absolute term or relative to production or consumption in India. With regard to the price effect of the dumped imports, the Authority is required to examine whether there has been significant price undercutting by the dumped imports as compared to the price of the like product in India, or whether the effect of such imports is otherwise to depress the prices to a significant degree, or prevent price increases, which would have otherwise occurred to a significant degree.

33. For the examination of the impact of the dumped imports on the domestic industry in India, indices having a bearing on the state of the industry such as production, capacity utilization, sales volume, stock, profitability, net sales realization, the magnitude and margin of dumping, etc. have been considered in accordance with Annexure II of the rules supra.

34. For the purpose of injury analysis, the Authority has examined the volume and price effects of dumped imports of the subject goods on the domestic industry and its effect on the prices and profitability to examine the existence of injury and causal link between the dumping and injury, if any. The Authority has examined injury to the domestic industry by considering information relating to M/s FMI Ltd., constituting domestic industry under the Rules. Accordingly, the volume and price effect of dumped imports have been examined as follows:

Cumulative Assessment

35. Annexure II (iii) of the Anti-Dumping Rules provides that in case imports of a product from more than one country are being simultaneously subjected to anti-dumping investigations, the Designated Authority will cumulatively assess the effect of such imports, in case it determines that: -

- a) *the margin of dumping established in relation to the imports from each country/ territory is more than two percent expressed as percentage of export price and the volume of the imports from each country is three percent of the imports of the like article or where the export of the individual countries is less than three percent, the imports cumulatively accounts for more than seven percent of the imports of like article, and;*
- b) *Cumulative assessment of the effect of imports is appropriate in light of the conditions of competition between the imported article and the like domestic articles.*

36. In the present case

- a) The margin of dumping from each of the subject countries is more than the limits prescribed above;
- b) The volume of imports from each of the subject countries is more than the limits prescribed above; and
- c) Cumulative assessment of the effects of imports is appropriate since the exports from the subject countries directly compete inter se and with the like goods offered by the domestic industry in the Indian market. It is noted that there is no submission made by any interested party disputing cumulative assessment in the present case.

37. In view of the above, the Authority considers it appropriate to cumulatively assess the effects of dumped imports from the subject countries.

a) Demand and Market Share

38. The Authority has determined demand or apparent consumption of the product in the Country as the sum of domestic sales of the Indian producers and imports of the subject goods in India from all sources. The demand so assessed can be seen in the table below. It is noted that demand for the product under consideration has increased throughout the injury period and market share of subject countries has also increased throughout the injury period whereas the market share of other countries has declined. Market share of domestic industry has also declined.

Demand and Market Share in India

Particulars	Unit	2011-12	2012-13	2013-14	POI
Demand	MT	2,774	3,659	3,698	5,082
Subject Countries - Import	MT	678	1,159	1,292	2,159
Imports from Other Countries	MT	117	114	22	147
Sales of domestic industries	MT	1,057	1,267	1,312	1,467
Sales of Other Indian producers	MT	923	1,120	1,071	1,309
Sales of Indian producers	MT	1,979	2,387	2,384	2,776
Market share in Demand					0
Taiwan	%	4.70	11.96	8.89	18.25

Thailand	%	3.76	5.90	9.94	8.09
Vietnam	%	15.38	13.27	14.99	14.59
Malaysia	%	0.60	0.53	1.13	1.56
Subject Countries	%	24.44	31.66	34.94	42.49
Other Countries	%	4.22	3.12	0.56	2.88
Sales of domestic industry	%	38.09	34.61	35.49	28.87
Sales of Other Indian producer	%	33.25	30.61	28.98	25.75

**POI – April 2014 - March 2015*

b) Import volumes and market shares

39. With regard to the volume of the dumped imports, the Authority is required to consider whether there has been a significant increase in dumped imports, either in absolute terms or relative to production or consumption in India. For the purpose of injury analysis, the Authority has relied on the import data procured from DGCI&S. The volume of imports of the subject goods from the subject countries has been analyzed as under:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Imports					
Taiwan	MT	130	438	329	928
Thailand	MT	104	216	367	411
Vietnam	MT	427	486	554	741
Malaysian	MT	17	19	42	79
Subject Countries	MT	678	1,159	1,292	2,159
Country attracting ADD	MT	32	18	21	146
Other Countries	MT	85	96	1	1
Total Imports	MT	795	1,273	1,314	2,306

40. It is noted that volume of imports from subject countries as a whole has increased significantly in absolute terms. Total volume of imports from subject countries has increased more than twice since 2011-12.

Price Effect of the Dumped imports and impact on the Domestic Industry

41. The impact on the prices of the domestic industry on account of imports of the subject goods from the subject countries have been examined with reference to price undercutting, price underselling, price suppression and price depression. For the purpose of this analysis the cost of production, net sales realization (NSR) and the non-injurious price (NIP) of subject goods of the domestic industry have been compared with landed value of imports from the subject countries. A comparison for subject goods during the period of investigation was made between the landed value of dumped imports and the domestic selling price in the domestic market. In determining the net sales realization of the domestic industry, taxes, rebates, discounts and commission offered by the domestic industry have been adjusted. The price underselling is an important indicator of assessment of injury. Thus, the Authority has worked out a non-injurious price and compared the same with the landed value to arrive at the extent of price underselling. The non-injurious price has been evaluated for the domestic industry by appropriately considering the cost of production for the product under consideration during the POI. The position is as follows:

a) Price Undercutting and Price Underselling

42. The price undercutting/underselling effects are examined below:

Steel Measuring Tapes (Taiwan)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	182.71	113.64	98.25	87.68
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	103	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	30-40	55-65	60-70	70-80

Fibre Glass Measuring Tapes (Taiwan)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	103.74	128.91	133.16	78.66
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	107	107	109
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	55-65	50-60	50-60	70-80

Measuring Tapes (Steel and Fibre Glass) Taiwan

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	108.88	128.09	113.87	87.55
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	104	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	55-65	55-65	55-65	70-80

Steel Measuring Tapes (Thailand)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	29.73	78.40	77.11	77.20
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	103	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	85-95	70-80	70-80	75-85

Fibre Glass Measuring Tapes (Thailand)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	67.65	88.49	151.26	45.80
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	107	107	109
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	75-85	70-80	50-60	80-90

Measuring Tapes (Steel and Fibre Glass) Thailand

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	45.63	80.93	81.41	73.67
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	104	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	80-90	70-80	70-80	70-80

Steel Measuring Tapes (Vietnam)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	63.65	87.25	107.45	90.01
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	103	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	70-80	70-80	60-70	70-80

Fibre Glass Measuring Tapes (Vietnam)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	96.61	118.21	120.92	140.24
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	107	107	109
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	55-65	60-70	60-70	50-60

Measuring Tapes (Steel and Fibre Glass) Vietnam

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	82.31	104.24	112.31	90.54
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	104	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	70-80	60-70	60-70	65-75

Steel Measuring Tapes (Malasiya)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	37.82	732.68	98.34	107.90
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	103	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	80-90	140-150	60-70	60-70

Fibre Glass Measuring Tapes (Malasiya)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	47.72	115.73	76.40	37.81
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	107	107	109
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	80-90	60-70	70-80	80-90

Measuring Tapes (Steel and Fibre Glass (Malasiya)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	46.46	115.82	88.18	60.45
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	104	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	80-90	60-70	70-80	75-85

Steel Measuring Tapes (Subject Countries)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	57.99	85.55	92.19	83.19
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	103	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	75-85	70-80	65-75	65-75

Fibre Glass Measuring Tapes (Subject Countries)

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	92.16	116.92	121.00	51.81
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	107	107	109
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	60-70	60-70	55-65	80-90

Measuring Tapes (Steel and Fibre Glass) Subject countries

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Landed Price	Rs./KG	78.68	103.56	99.46	81.39
Selling Price of DI	Rs./KG	***	***	***	***
Trend		100	104	106	108
Price Undercutting	Rs./KG	***	***	***	***
Price Undercutting	%	***	***	***	***
Price Undercutting	Range%	70-80	55-65	70-80	70-80

Price Underselling

Injury Margin	Steel tapes				
Country	Units	Taiwan	Thailand	Vietnam	Malasiya
NIP	Rs /Kg	***	***	***	***
Landed Price	Rs /Kg	87.68	77.20	90.01	107.90
Price underselling	Rs /Kg	***	***	***	***
Price underselling	%	***	***	***	***
Price underselling	Range%	220-230	260-270	210-220	160-170
Injury Margin	Fiber tapes				
Country	Units	Taiwan	Thailand	Vietnam	Malaysia
NIP	Rs /Kg	***	***	***	***
Landed Price	Rs /Kg	78.66	45.80	140.24	37.81
Price underselling	Rs /Kg	***	***	***	***
Price underselling	%	***	***	***	***
Price underselling	Range%	220-230	455-465	80-90	570-580

43. The Authority notes that, the landed price of imports is far below the selling price of the domestic industry, thus resulting in significant price undercutting. Further, the landed price of imports is substantially lower than the non-injurious price of the domestic industry, thereby, resulting in significant price underselling effect.

b) Price Suppression and Depression

44. To examine the price suppression and depression effects of the dumped imports on the domestic prices, the trend of net sales realization of the domestic industry has been compared with the cost of sales. The given data shows that whereas both the cost of sales and the selling price of domestic industry increased over the injury period, the increase in selling price was lower than the increase in the cost of Sales, signifying existence of price suppression effect. The applicant has claimed that the cost increased as a result of increase in input cost and the domestic industry was unable to increase its prices in proportion to increase in cost due to effect of dumped imports .

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Cost of sales	Rs./Kg	***	***	***	***
Indexed	Trend	100	111	114	117
Selling price	Rs./Kg	***	***	***	***
Indexed	Trend	100	104	106	108
Landed Price	Rs./Kg	87	115	110	90
Indexed	Trend	100	132	126	103

Impact on Economic Parameters of the Domestic Industry

45. Annexure II to the Anti-dumping Rules requires that the determination of injury shall involve an objective examination of the consequent impact of these imports on domestic producers of such products. With regard to consequent impact of these imports on domestic producers of such products, the Anti-dumping Rules further provide that the examination

of the impact of the dumped imports on the domestic industry should include an objective and unbiased evaluation of all relevant economic factors and indices having a bearing on the state of the industry, including actual and potential decline in sales, profits, output, market share, productivity, return on investments or utilization of capacity; factors affecting domestic prices, the magnitude of the margin of dumping; actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital investments etc. The various injury parameters relating to the domestic industry are discussed herein below.

a) Capacity, Production, Capacity Utilization and Sales

46. Information on capacity, production, capacity utilization and sales volumes of the domestic industry is as under.

Particulars	Unit	2011-12	2012-13	2013-14	2014-15 POI
Capacity	MT	2,400	2,400	2,400	2,400
Production	MT	1,235	1,521	1,412	1,681
Capacity Utilization	%	51%	63%	58.85%	70%
Domestic	MT	***	***	***	***
Exports	MT	***	***	***	***
Total Sales	MT	1,243	1,468	1,460	1,676

47. The Authority notes that there is no change in the capacity of the domestic industry over the injury period. However, the domestic industry continued to face under-utilized capacities throughout the injury period.

b) Market Share

It is noted that the market share of subject countries has also increased throughout the injury period whereas the market share of other countries including countries which are attracting anti-dumping duty has declined. Market share of domestic industry has increased till 2013-14 and thereafter it declined sharply

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Subject Countries	%	24.44	31.66	34.94	42.49
Other Countries	%	4.22	3.12	0.56	2.88
Sales of domestic industry	%	38.09	34.61	35.49	28.87
Sales of Other Indian producer	%	33.25	30.61	28.98	25.75

c) Profits, Return on Capital Employed and Cash Profit

48. The profits, return on investment and cash profit of the domestic industry have been examined as under:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Profit/(Loss) per unit	Rs./Kg	***	***	***	***
Indexed	Trend	100	31	26	17
Profit/(Loss) - total	Rs. Lacs	***	***	***	***
Indexed	Trend	100	37	32	23

Depreciation	Rs. Lacs	***	***	***	***
Indexed	Trend	100	111	145	129
Cash Profit	Rs. Lacs	***	***	***	***
Indexed	Trend	100	50	52	42
Return on Capital Employed-NFA	%	***	***	***	***
Indexed	Trend	100	40	23	20

49. The Authority notes from the above as under:

- i) Profit per unit and cash profits have declined significantly over the injury period.
- ii) The return on capital employed has also seen a severe decline over the injury period and is only 7% in the POI.
- iii) The severe decline in profitability is due to the fact that domestic industry is unable to increase selling prices in proportion to increase in cost of sales. Resultantly, the domestic industry has incurred negligible profits in the POI.
- iv) The domestic industry is forced to keep selling prices disproportionately low due to presence of dumped subject imports in the market.
- v) This decline in profitability is despite increase in production and sales volumes of domestic industry.
- vi) It shows that the increase in production and sales volumes is only because domestic industry tried to combat the price injury they were suffering by increasing sales, even if they were selling at suppressed prices.
- vii) Thus, it is apparent that the domestic industry has been able to maintain sales volume and market share only by accepting decline in profitability.
- viii) The landed price of subject imports has been below the cost of sales and net sales realization of the domestic industry throughout the injury period.

d) Employment and Wages

50. The employment and wages have increased over the injury period as can be seen from the table below:

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Employment	Nos.	***	***	***	***
Indexed	Trend	100	112	111	115
Wages	Rs.	***	***	***	***
Indexed	Trend	100	158	143	180

e) Productivity

The productivity of the domestic industry is given in the following table.

Description	Unit	2011-12	2012-13	2013-14	2014-15
Productivity Per Employee	MT	***	***	***	***
Indexed	Trend	100	110	103	119

Productivity Per Day	MT	***	***	***	***
Indexed	Trend	100	129	114	136

51. The Authority notes that the productivity per employee and productivity per day have increased up to 2012-13 and then declined in the POI in lines with the trend of production over the period.

f) Inventories

52. The Authority has examined the inventory level of the domestic industry which is given in the following table.

Description	Unit	2011-12	2012-13	2013-14	2014-15
Average Stock	MT	***	***	***	***
Indexed	Trend	100	189	199	115

53. It is noted from the above table that the inventory with the domestic industry has increased substantially over the injury period.

g) Magnitude of Dumping

54. Magnitude of dumping is an indicator of the extent to which the dumped imports can cause injury to the domestic industry shows that the dumping margin determined by the Authority against the subject countries is above *de minimis* and significant.

h) Ability to raise capital

55. The applicant has argued that given the current state of affairs where the product is consistently not performing well because of persistent dumping, any fresh investment is not envisaged.

i) Growth

56. The domestic industry has registered a negative growth in terms of Selling price, Profitability and Return on Investment. Domestic Industry claimed that in order to reduce losses they are forced to produce more to reduce cost of production. Due to proportionately higher increase in cost of production compared to sales price, the profitability growth became negative during the entire period of Investigation. The major growth parameters are shown in the table below:-

Particulars	Unit	2011-12	2012-13	2013-14	2014-15
Production	%		23.13	(7.12)	19.05
Capacity utilization	%		0.22	(0.07)	0.19
Sales volume	%		19.85	3.63	11.81
cost of sales	%		11.38	2.47	2.61
Selling price	%		4.23	2.00	1.77
Profit./loss	%		(69.18)	(15.53)	(35.92)
ROI	%		(0.60)	(0.44)	(0.03)
Market	%		(3.48)	0.88	(6.62)

j) Factors Affecting Domestic Prices

57. The examination of the import prices from the subject countries and other countries, change in the cost structure, competition in the domestic market, factors other than

dumped imports that might be affecting the prices of the domestic industry in the domestic market shows that, the landed value of imported material from the subject countries is below the selling price and the non-injurious price of the domestic industry, causing significant price undercutting as well as price underselling, in the Indian market. It is also noted that the demand for the subject goods was showing significant increase over the injury period, and, therefore it could not have been a factor affecting domestic prices. Thus, the principal factor affecting the domestic prices is the lower landed value of subject goods from the subject countries and other dumping countries.

Other Known Factors and Causal Link

58. The Authority has examined whether other known factors could have caused injury to the domestic industry as follows:

(a) Volume and Prices of imports not sold at dumped prices

59. It is noted that imports of product under consideration from other countries are either negligible in terms of volume or are attracting anti-dumping duties.

(b) Contraction in demand and / or change in the pattern of consumption

60.. The Authority notes that, the demand of the product under consideration has shown positive growth. Contraction in demand is not a possible reason, which could have contributed to injury to the domestic industry. Further, the Authority has found no evidence of a change in the pattern of consumption of the product.

(c) Trade restrictive practices of and competition between foreign and domestic producers

61. The Authority notes that the subject goods are freely importable and there are no trade restrictive practices in the domestic market. Further there is no perceptible competition among the domestic producers, except that is obvious of a market economy, which could have been a cause of injury to the domestic industry. It is noted that there is a single market for the subject goods where dumped imports from the subject countries compete directly with the subject goods supplied by the domestic industry. It is also noted that the imported subject goods and domestically produced goods are like articles and are used for similar applications/end uses. There is no evidence of trade restrictive practices of and competition between the foreign producers and domestic producers causing injury to the domestic industry.

(d)Developments in Technology

62. The Authority notes that there are no developments in technology with respect to the product or its manufacture that could have resulted in the injury caused to the domestic industry.

(e)Export performance

63. The Authority notes that the domestic industry does export the product. However, information relating to injury has been examined separately for domestic operations to the extent possible. Any deterioration in the export performance of the domestic industry is, therefore, not a possible cause of the injury determined.

(f) Productivity of the domestic industry

64. The Authority notes that productivity of the domestic industry has increased in accordance with the increase in production. Hence, a decline in productivity cannot be a cause for the injury determined.

(f) Performance of other products

65. The Authority notes that the performance of other products being produced and sold by the domestic industry is not a possible cause of the injury found, since all parameters were examined with respect to the like article in this investigation.

66. The Authority notes that while the known other factors listed above do not appear to have caused the injury determined, the following parameters show that injury to the domestic industry is likely from dumped imports from the subject countries.

a) The imports of the subject goods from the subject countries were significantly undercutting the prices of the domestic industry in the market.

b) The domestic industry was prevented from increasing its prices. The price suppression suffered by the domestic industry is because of dumping of the product by the subject countries.

c) The domestic industry is forced to sell at prices even below the cost of production which is resulting into significant financial losses. The price suppression caused by the imports thus results in financial losses in the POI.

d) Performance of the domestic industry with regard to profits, cash flow and return on investments is negative as a result of price suppression and price undercutting. Thus, dumping of the product has led to deterioration in performance of the domestic industry in terms of profits, cash flow and return on investments.

e) Despite imposition of anti-dumping duty on other countries, the domestic industry is incurring losses in the POI because of the presence of dumped imports from the subject countries

Conclusion on Injury and Causation

67. The Authority notes that the volume of dumped imports from the subject countries has increased. Production and sales of the domestic industry have declined progressively. Profit-related parameters have all been shown significant deterioration over the injury period. Profits, cash flow and return on investment have declined significantly. Inventories have increased substantially in the period of investigation. The Authority notes that the domestic industry has suffered injury due to dumped imports.

Magnitude of injury and injury margin

68. The Authority has determined non-injurious price for the domestic industry, taking into consideration the cost of production of the domestic industry. This non-injurious price of the domestic industry has been compared with the landed value of the subject imports from the subject countries to determine injury margin. The injury margin has been worked out as follows:

Injury Margin Table

Injury Margin	Steel tapes				
Country	Unit	Taiwan	Thailand	Vietnam	Malaysia
NIP	Rs./kg	***	***	***	***
Landed value	Rs./kg	***	***	***	***
Injury Margin	Rs./kg	***	***	***	***
Injury Margin %	%	***	***	***	***
IM Range		215-225	260-270	210-220	155-165

Injury Margin	Fibre Glass Tapes				
Country	Unit	Taiwan	Thailand	Vietnam	Malaysia
NIP	Rs./kg	***	***	***	***
Landed value	Rs./kg	***	***	***	***
Injury Margin	Rs./kg	***	***	***	***
Injury Margin %	%	***	***	***	***
IM Range		220-230	450-460	80-90	570-580

69. It is evident from the above Table that the level of injury margin is significantly higher.

INDIAN INDUSTRY'S INTEREST:

70. The purpose of anti-dumping duties in general is to eliminate dumping which is causing injury to the domestic industry and to re-establish a situation of open and fair competition in the Indian market, which is in the general interest of the country. The Authority recognizes that the imposition of anti-dumping duties might affect the price levels of the products manufactured by using the subject goods and consequently might have some influence on relative competitiveness of these products. However, fair competition on the Indian market will not be reduced by the anti-dumping measures. On the contrary, imposition of anti-dumping measures would remove the unfair advantages gained by dumping practices, would prevent the decline of the domestic industry and help maintain availability of wider choice to the consumers of subject goods. The Authority notes that the imposition of anti-dumping measures would not restrict imports from the subject countries in any way, and therefore, would not affect the availability of the product to the consumers. The consumers could still maintain two or even more sources of supply.

POST DISCLOSURE STATEMENT SUBMISSIONS BY THE INTERESTED PARTIES

Post Disclosure Statement submissions by the opposing Interested Parties

71. None of the exporters/importers/users and other opposing interested parties has made any post Disclosure Statement submissions.

Post Disclosure Statement submissions by the Domestic Industry

72. Following are in brief the post Disclosure Statement submissions made by the domestic industry:

- a. The product under consideration in the present petition is Measuring Tapes. The product under consideration is classified under a number of sub-headings Chapter 90 of the Customs Tariff Act, 1975; and the customs classifications are indicative only and in no way binding on the scope of the present investigation. Therefore, the Designated Authority may kindly specify in duty table that the product under consideration should attract duty regardless of these grades/ concentrations/ purity levels used by the importers. Further, since the product under consideration does not have dedicated customs code, the authority may kindly specify in duty table that the customs classification is indicative only.
- b. The information on record clearly establishes that the production of the petitioner constitutes a major proportion in total Indian production.
- c. There has been a significant increase in the dumped imports, both in absolute terms and relative to production or consumption in India.
- d. The effect of dumped imports was to suppress prices to a significant degree and prevent price increases which otherwise would have occurred to a significant degree, thus, causing significant losses to the domestic industry.
- e. Consequent impact of the dumped imports on the domestic industry was adverse as established by collective and cumulative assessment of various relevant economic factors and indices. Growth of the domestic industry is adverse in terms of a number of parameters.
- f. Performance of the domestic industry has steeply deteriorated in terms of inventories, market share, profits, return on investments and cash flow.
- g. Though production and sale volumes of the domestic industry have increased, yet the domestic industry continued to face under-utilized capacities throughout the injury period.
- h. The factors affecting the prices of the domestic industry are import prices from the dumped sources. Thus, the price suppression is due to dumping of the product in the market.
- i. Dumping margin is significant and positive in case of each of the subject countries.
- j. Petitioner notes that the Authority has proposed to determine the normal value on the basis of best information available as none of the producers from the subject countries have responded.

- k. The domestic industry has suffered material injury as a result of dumping from the subject countries. Imposition of definitive anti-dumping duty is necessary to combat injury being suffered by the domestic industry. Duty may be recommended on fixed amount basis in US\$ term.

Examination by the Authority

73. The Authority has reached to the conclusion that the above arguments of the domestic industry are repetitive and have already been dealt with by the Authority in the Disclosure Statement earlier and have also been dealt with again in the Final Findings Notification under appropriate headings.

CONCLUSION

74. The Authority notes that none of exporters from subject countries and importers/users and other opposing interested parties in India participated in the investigation, i.e., they neither submitted post initiation responses nor participated in the Oral Hearing or made any post Disclosure Statement submissions. Having regard to the contentions raised, information provided and submissions made by the domestic industry and facts available before the Authority and on the basis of above analysis of injury and post Disclosure Statement submissions made by the Domestic Industry, the Authority concludes that:

- a. There is dumping of the product under consideration from subject countries.
- b. Dumped imports are causing injury to the domestic industry.

RECOMMENDATION

75. Having concluded as above, the Authority is of the view that the anti-dumping measure is required to be recommended to offset dumping of the subject goods originating in or exported from the subject countries and its consequential injury to the domestic industry.
76. Having regard to the lesser duty rule followed by the Authority, the Authority recommends imposition of anti-dumping duty on the imports of the subject goods originating in or exported from the subject countries equal to the lesser of the margin of dumping and the margin of injury so as to remove the injury to the domestic industry. Accordingly, anti-dumping duty equal to the amount indicated in the table below is recommended to be imposed concerning all imports of the subject goods, originating in or exported from the subject countries, by the Central Government.

DUTY TABLE

S. No.	Heading/Su bheading	Description of goods	Specification	Country of origin	Country of Exports	Producer	Exporter	Duty Amount	Unit	Currency
1.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Malaysia	Malaysia	Any	Any	2.60	Kg	US\$
2.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Malaysia	Any	Any	Any	2.60	KG	US\$
3.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Any	Malaysia	Any	Any	2.60	Kg	US\$
4.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Malaysia	Malaysia	Any	Any	2.79	Kg	US\$
5.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Malaysia	Any	Any	Any	2.79	KG	US\$
6.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Any	Malaysia	Any	Any	2.79	Kg	US\$
7.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Taiwan	Taiwan	Any	Any	2.84	Kg	US\$
8.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Taiwan	Any	Any	Any	2.84	KG	US\$
9.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Any	Taiwan	Any	Any	2.84	Kg	US\$
10.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Taiwan	Taiwan	Any	Any	2.86	Kg	US\$
11.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Taiwan	Any	Any	Any	2.86	KG	US\$
12.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass tapes	Any	Taiwan	Any	Any	2.86	Kg	US\$
13.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel tapes	Thailand	Thailand	Any	Any	2.96	Kg	US\$
14.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Thailand	Any	Any	Any	2.96	KG	US\$

15.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Any	Thailand	Any	Any	2.96	Kg	US\$
16.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Thailand	Thailand	Any	Any	3.27	Kg	US\$
17.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre glass Tapes	Thailand	Any	Any	Any	3.27	KG	US\$
18.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Any	Thailand	Any	Any	3.27	Kg	US\$
19.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Vietnam	Vietnam	Any	Any	2.77	Kg	US\$
20.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Vietnam	Any	Any	Any	2.77	KG	US\$
21.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Steel Tapes	Any	Vietnam	Any	Any	2.77	Kg	US\$
22.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Vietnam	Vietnam	Any	Any	1.87	Kg	US\$
23.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Vietnam	Any	Any	Any	1.87	KG	US\$
24.	90171000, 90173010, 90173029, 90178010, 90178090	Measuring Tapes	Fibre Glass Tapes	Any	Vietnam	Any	Any	1.87	KG	US\$

77. Landed value of imports for the purpose of this Notification shall be the assessable value as determined by the Customs under the Customs Act, 1962 (52 of 1962) and includes all duties of customs except duties under sections 3, 3A, 8B, 9 and 9A of the said Act.

78. An appeal against the order of the Central Government shall lie before the Customs, Excise and Service Tax Appellate Tribunal in accordance with the Customs Tariff Act.

(A.K. Bhalla)
Designated Authority

