

# MINISTRY OF COMMERCE

## INITIATION NOTIFICATION

New Delhi, the 28th July, 1999

**Subject :-** Initiation of anti-dumping investigations concerning imports of Acrylic Fibre originating in or exported from Taiwan.

**No. 27/1/99/DGAD-** M/s. Indian Acrylics Ltd., Chandigarh, Pasupati Acrylon Ltd., New-Delhi and Consolidated Fibres and Chemicals Ltd., Calcutta have filed a petition in accordance with the 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 originating in or exported from Taiwan and have requested for anti-dumping investigations and levy of anti dumping duties.

### 1. PRODUCT INVOLVED

The product under investigation in the present case is Acrylic Fibre (referred to as subject goods hereinafter) originating in or exported from Taiwan. The product Acrylic Fibre is in the form of Acrylic Staple Fibre, Acrylic Tow or Acrylic Top. The Acrylic Staple Fibre, Acrylic Tow and Acrylic Top are known as Acrylic Fibre in commercial parlance. Acrylic Fibre is classified under Customs sub-heading no. 5501 and 5503 of the Customs Tariff Act, 1975. The classification is however indicative only and in no way binding on the scope of the present investigations.

### 2. DOMESTIC INDUSTRY STANDING

The petitioner has stated that the following companies are the producers of Acrylic Fibre in India:-

- a. Indian Acrylics Ltd
- b. Pasupati Acrylon Ltd.
- c. Consolidated Fibre and Chemicals Ltd.
- d. J.K.Synthetics Ltd.
- e. Indian Petrochemical Corpn.

The petition has been filed by the Forum of Acrylic Fibre Manufacturers representing M/s. Indian Acrylics Ltd., M/s: Pasupati Acrylon Ltd and M/s. Consolidated Fibres and Chemicals Ltd. The petitioner has claimed that M/s. J.K Synthetics Ltd. has not produced the subject goods in the last two years. The petitioners account for 74% of the total domestic production. The petitioners, therefore, satisfy the standing to file the present petition on' behalf of the domestic industry.

### 3. COUNTRY(IES) INVOLVED

The country involved in the present investigations is Taiwan (referred to as subject country hereinafter).

#### **4. LIKE GOODS**

The petitioner has claimed that goods produced by it are like articles to the goods originating in or exported from Taiwan. Goods produced by the petitioner are being treated as Like Articles to the goods imported from the subject countries within the meaning of the Rules.

#### **5. DUMPING AND DUMPING MARGIN**

##### **a. NORMAL VALUE:**

The petitioner has claimed normal value based on constructed cost of production of Acrylic Fibre in Taiwan. There is sufficient prima facie evidence with regard to normal value of Acrylic Fibre in the subject country.

##### **b. EXPORT PRICE**

The petitioner has claimed export price based on DGCI&S data. The petitioner has claimed adjustments on account of ocean freight, marine insurance, commission, inland freight and port handling to arrive at the ex-factory price.

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

There is sufficient prima facie evidence that the normal value of the product under consideration in Taiwan is significantly higher than the price at which it has been exported to India, indicating, prima facie, that the subject goods are being dumped from the subject country.

#### **6. INJURY AND CAUSAL LINK:**

The various economic indicators relating to domestic industry. such as declining profitability, the declining sales realisation, the increased levels of inventories etc. collectively and cumulatively, indicate that the domestic industry has suffered injury. There is sufficient prima facie evidence that the imports of the product under consideration have caused material injury to the domestic industry.

#### **7. INITIATION OF ANTI-DUMPING INVESTIGATION**

In view of the foregoing paragraph, the Designated Authority initiates anti-dumping investigations to determine the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject countries.

#### **8. PERIOD OF INVESTIGATION:**

The period of investigation for the purpose of the present investigations is 1st April, 1998, to 31st March, 1999 (12 months).

#### **9. SUBMISSION OF INFORMATION**

The exporters in the subject countries 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, Directorate of Anti-Dumping, 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.

#### **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. Anti-dumping investigations being a time bound exercise, the Designated Authority may record its findings on the basis of facts available on record in accordance with the Rules supra, if no response is received within the time stipulated or the information is incomplete in any respect.

#### **12. 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.

13. 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..