

MINISTRY OF COMMERCE

INITIATION NOTIFICATION

New Delhi, the 26th March, 1999

Subject: Initiation of anti-dumping Investigations concerning imports of Acrylic Fibre originating in or exported from Turkey, Hungary and European Union.

No. 34/1/98-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 Fiber originating in or exported from Turkey, Hungary and the European Union 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 Turkey, Hungary and European Union.

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 Acrylic Fibre is being produced in India by the following:
 - a. Indian Acrylics Ltd..
 - b. Pasupati acrylon UA.
 - c. Consolidated Fibre and Chemicals Ltd.
 - d. J.K. Synthetics Ltd.
 - e. Indian Petrochemical Corpn.

Further the Forum of Acrylic Fibre Manufacturers has supported the petition. The petitioner has claimed that J.K. Synthetics Ltd., is presently not in operation. The petitioner accounts for 73.7% of the total Indian production. The petitioners, therefore, satisfy the standing to file the present petition on behalf of the domestic industry.

1. **Country(ies) Involved:** The Countries involved in the present investigations are Turkey, Hungary and the European Union (referred to as subject countries hereinafter).
2. **Like Goods:** The petitioner has claimed that goods produced by it are like articles to the goods originating in or exported from Turkey, Hungary and the European Union. Goods produced by the petitioner are being treated as Like Articles to the goods imported from the subject within the meaning of the Rules.
5. **Dumping and Dumping Margin:**

- a. Normal Value: The petitioner has claimed normal value based on (i) invoice raised for sale in the domestic markets; (ii) the dumping margins arrived at by the Authority in the earlier case of the subject goods involving imports from Spain, Portugal, Japan and Italy, and (iii) constructed value of Acrylic Fibre. There is sufficient prima facie evidence with regard to normal value of Acrylic Fibre in the subject countries.
- b. Export Price: The petitioner has claimed export price from DGCIS date. The petitioner has claimed adjustments on account of ocean freight, marine insurance and commission 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 Turkey, Hungary, and the European Union is significantly higher than the price at which it has been exported to India, indicating prima facie, that the subject goods are being dumped/shall be dumped by the exporters from Turkey, Hungary and European Union.

6. **Injury and Casual Link**: The various economic indicators relating to domestic industry such as production, sales, market share, profit/loss 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 December, 1998 (9 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 view 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 submission relevant to the investigation 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 importer 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 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 VINAU JHA...
Designated Authority