

MINISTRY OF COMMERCE & INDUSTRY
(Department of Commerce)
Directorate General of Anti Dumping & Allied Duties

New Delhi, the 15th February, 2002

INITIATION NOTIFICATION

Subject: - Initiation of anti-dumping investigation concerning import of Sodium Tripoly Phosphate (STPP) from People's Republic of China and Chinese Taipei (Taiwan).

No. 14/1/2002-DGAD- M/s Albright & Wilson Chemicals India Limited, Mumbai on behalf of the domestic industry 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 (herein after referred to as the Authority) alleging dumping of Sodium Tripoly Phosphate (STPP) from China and Chinese Taipei (Taiwan) (herein after referred to as subject countries) and requested for anti dumping investigations and levy of anti dumping duties.

1. Product involved: The product involved in the present petition is Sodium Tripoly Phosphate (also referred as subject goods hereinafter) originating in or exported from the subject countries and classified under Chapter 28 of the Custom Tariff Act (Custom Head 2835.31). STPP in its regular form is a powdery product and is used in the detergent and ceramic industry. In detergents, it improves detergency by chelation of Ca⁺⁺ and Mg⁺⁺ thereby softening the water and preventing them from re-deposition on the fabric. In ceramics industry, STPP is primarily used for deflocculation of the Ball Clay, which is the raw material for manufacture of ceramic tiles. STPP is made from phosphoric acid neutralizing it with sodium carbonate or caustic soda form orthophosphate.

The production process involves purification of phosphoric acid, drying and calcination. There are two other methods of production STPP viz. yellow phosphorous route and solvent extraction process.

The product is also available in various types and grades. The present investigation covers all forms and types of STPP. The classification, is, however, indicative only and is in no way binding on the scope of the present investigation.

2. Domestic Industry Standing: The petition has been filed by M/s Albright & Wilson Chemicals India Limited, Mumbai. The other manufacturer is M/s Hind Lever Chemicals Ltd. (M/s HLCL) which is the group company of Hindustan Lever. However M/s HLCL sells STPP only within the group and its sales do not enter the merchant market. Therefore the petitioner accounts for more than 25% of the total Indian production and therefore satisfies the standing to file petition as per Rule 5(a) and (b) and also represents the domestic industry as per Rule 2(b).

3. Country(ies) involved: The countries involved in present investigation is People's Republic of China and Chinese Taipei (hereinafter referred to as subject countries)

4. Like Articles: The petitioner has claimed that goods produced by them are like articles to the goods produced, originating in or exported from the subject countries as they are technically and commercially substitutable with the domestic goods and are being used interchangeably. Accordingly, 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. Normal Value: In accordance with the amended Anti-Dumping Rules as notified vide Notification No. 44/99-CUS(NT) dated 15-7-99 and Notification No.28/2001(N.T.) dated 31st May, 2001 and Notification dated 4th January, 2002, the petitioners have claimed Normal Value for China PR and Chinese Taipei based on the basis of cost of production data of the subject goods appropriately adjusted which has been considered by the Authority as a prima facie evidence for Normal Value of subject goods in China PR and Chinese Taipei.

6. Export Price: The petitioner has provided the CIF prices in China PR and Chinese Taipei for the period 1998-99, 1999-2000 and 1.4.2000 to 30.6.2001 on the basis of statistics published by Directorate General of Commercial Intelligence & Statistics (DGCI&S). The petitioner has claimed adjustments on account of ocean freight, marine insurance, inland freight, port expenses and commission to arrive at the ex-factory price. The Authority has determined the ex-factory price on the basis of export price as evidenced by DGCI&S and adjusted appropriately to arrive at ex-factory export price.

7. Dumping Margin: The petitioner has submitted that there is sufficient prima-facie evidence that the normal value of the subject country is higher than the price at which it has been exported to India indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries.

8. Injury and Causal Link: The Authority notes that the price undercutting by the subject goods exported from the subject countries has led to loss in profitability

thereby prima-facie indicating that domestic industry has suffered material injury on account of alleged dumping. The disposable capacities in subject countries also indicate imminent threat of injury.

9. Initiation of Anti-Dumping Investigation: The Designated Authority, in view of the foregoing paragraph, 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.

10. Period of Investigation: The period of investigation for the purpose of present investigation is 1st April, 2000 to 30th June, 2001 .

11. Submission of Information: The exporters in the subject countries/territory 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 at the following address:-

Designated Authority

Ministry of Commerce & Industry
Department of Commerce
Directorate General of Anti Dumping
& Allied Duties
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.

12. 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.

13. Non-confidential summary: All interested parties must provide a non-confidential summary of any information provided on a confidential basis in terms of Anti-Dumping Rule 7(2). This information will be subject to acceptance in terms of Rules 7(1) and 7(2)

14. 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.

15. 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. SATHARISHI)
DESIGNATED AUTHORITY