

MINISTRY OF COMMERCE

INITIATION NOTIFICATION

New Delhi, the 7th April, 1998

Subject : Initiation of anti dumping investigation concerning import of Styrene Butdiene Rubber (SBR) from Japan, Korea, Turkey, Taiwan, U.S.A., Germany and France

30/1/97 A.D.D.-M/s Synthetics and Chemicals Ltd. filed a petition, on behalf of the domestic industry, in accordance with the Customs Tariff (Amendment) Act, 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 (hereinafter referred to as the Authority) alleging dumping of Styrene Butadiene Rubber (SBR) from Japan, Korea, Turkey, Taiwan, U.S.A., Germany and France (hereinafter referred to as subject countries) and requested for anti dumping investigation and levy of anti dumping duties.

1. Domestic Industry Standing :-The petition has been filed by M/s Synthetics and Chemicals Ltd. Oriental House, 7, J. Tata Rad, Churchgate, Bombay-400020. The petitioner account for approx. 85% of the total domestic production. Therefore, the petitioner satisfy the standing to file the petition on behalf of the domestic industry.

2. Product Involved : The product involved in the present investigation is Styrene Butadiene Rubber (SBR) originating in or exported from said countries classified under custom sub-heading 4002.19 of the Customs Tariff Act. The classification is, however, indicative only and in no way binding on the scope of the present investigation.

3. Like Articles : The petitioner has claimed that the goods exported from said countries and the goods produced by the petitioner are being consumed interchangeably and therefore, he treated as like articles to the goods imported from said countries within the meaning of the Rules.

4. Normal Value :

- a. Japan, Turkey, Korea : The petitioner has claimed Normal value based on local prices of SBR as made available to them by the Embassy of respective country.
- b. Germany and France : The petitioner has claimed the Normal value on the basis of quotation from Spain who is a Member of European Union.

- c. U.S.A. and Taiwan : The petitioner has claimed the Normal Value on the basis of price of exports to their countries.

5. Export Price : The petitioner has claimed export price on the basis of data from DGCI & S Calcutta.

6. Dumping Margin : There is sufficient prima facie evidence that the normal value of SBR in the subject countries are significantly higher than the price at which this has been exported to India, indicating , prima facie that the goods are being dumped by the exporters from the Subjected countries.

7. Injury : The petitioner has alleged that imports of SBR to India from teh subject countries have increased and stated that they are incurring losses and inventories have gone up. The imports of SBR are entering in India at such a price so as to have a significant depressing effect on the domestic price of SBR in India. Various economic parameters relating to domestic industry indicate collectively and cumulatively that domestic industry has suffered material injury and the same also pose a threat of material injury.

8. Initiation of Anti dumping investigation : The Authority, in view of the foregoing paragraphs, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from said countries.

9. Period of investigation : The period of investigation for the purpose of present investigation is 1st April, 1996 to 31st August, 1997.

10. Submission of Information : The exporters in the said countries and importers in India known to be concerned are being addressed separately to submit relevant information in the form and manner prescribed and make their views known to the Designated Authority and Additional Secretary, Government of India, Ministry of Commerce, Udyog Bhavan, New Delhi-110001. 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.

11. Time Limit : Any information relating to the present investigation should be sent in writing so as to reach the Authority at the address mentioned above not late 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.

12. In terms of Rule 6(7), any interested party may inspect the public file containing non-confidential versions 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 of the basis of the facts available to it and make such recommendations to the Central Government as deemed fit.

Rathi Vinay Jha...
Designated Authority