

**GOVERNMENT OF INDIA**  
**MINISTRY OF COMMERCE & INDUSTRY**  
**DEPARTMENT OF COMMERCE**

New Delhi: the 2nd July 2001.

**INITIATION NOTIFICATION**

**Subject:** - Initiation of Anti-Dumping investigation concerning imports of Vitamin AB2D3K originating in or exported from European Union, USA, Thailand and Singapore

**No.19/1/2001-DGAD** -M/s. Nicholas Piramal India Limited, Mumbai 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 (hereinafter referred to as the Authority) alleging dumping of Vitamin AB2D3K (in single strength and triple strength) forms originating in or exported from European Union, USA, Thailand and Singapore and requested for Anti Dumping investigations and levy of anti dumping duties.

**Product under consideration:**

2. The product under consideration in the present petition is Vitamin AB2D3K being imported in single strength and triple strength forms (also referred as subject goods hereinafter) originating in or exported from European Union, USA, Thailand and Singapore. Vitamin AB2D3K is a loose, brownish – yellow coloured powder, containing Vitamin A, B2, D3 and K. Groundnut meal is the carrier.

It is normally produced in fine granular powder form.

EACH GRAM OF VITAMIN AB2D3K CONTAINS	SINGLE STRENGTH		TRIPLE STRENGTH	
VITAMIN A	82,500	IU	247500	IU
VITAMIN B2	50	MG	150	MG
VITAMIN D3	12,000	IU	36000	IU
VITAMIN K	10	MG	30	MG

The composition of triple strength is three times the composition of single strength.

Vitamin AB2D3K is a poultry feed supplement consisting of Vitamin A, B2, D3, and K. It is an essential component of Poultry feed as it is used to provide required

Vitamin Level in Poultry feed for better nutrition. Vitamin AB2D3K single strength and triple strength are used interchangeably by the Poultry feed mills and other users. The mixing rate is 100 gms of Vitamin AB2D3K single strength with one metric ton of feed and one-third i.e. 33.33 gms of Vitamin AB2D3K triple strength with one metric ton of feed.

Vitamin AB2D3K is presently imported under Chapter 23 of the Custom Tariff Act under sub heading 2309.90. The product has not been categorized precisely under single dedicated custom heading, but it has been covered under the category of other preparations of a kind used in animal feeding, The present petition is against imports of Vitamin AB2D3K single strength and Vitamin AB2D3K triple strength. The custom sub heading has been described in custom tariff classification as under: -

Hdg./ Sub hdg. No.	Item Description
23	Residues and waste from the food industries; prepared animal fodder.
23.09	Preparations of a kind used in animal feeding.
2309.90	Other

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

## **Domestic Industry:**

3. The petition has been filed by M/s. Nicholas Piramal India Limited, Mumbai. The Petitioner has claimed that they are the only manufacturer of Vitamin AB2D3K in India from Basic Stage. Besides, M/s. Nicholas Piramal India Limited, a few other companies also manufacture Vitamin AB2D3K. However, the petitioner is the major producer of Vitamin AB2D3K in India and accounts for about 62% of the total Indian Production of Vitamin AB2D3K. Thus, the Petitioner has the standing to file the petition as per the Rules.

## **COUNTRies involved:**

4. The petitioner has provided evidence of dumping of the product under consideration from the exporters of European Union (EU), USA, Thailand and Singapore. As there is no customs boundary in the EU between various member countries, it has been argued that for the purpose of this investigation EU should be treated as a territory subject to investigation. The submissions of the petitioner have been accepted and therefore, the present investigation is against European Union (all member countries), USA, Thailand and Singapore (hereinafter referred to as the subject countries).

## **Like Articles:**

5. The petitioner has claimed that goods produced by them are like articles to the goods produced, originating in or exported from the subject countries. For the purposes of the investigation, the goods produced by the petitioner are being treated as 'like article' of Vitamin AB2D3K imported from the subject countries within the meaning of the Rules.

## **Normal Value:**

6. The petitioner has claimed Normal Value based on the basis of constructed cost of production of the subject goods in the respective country of origin with reasonable addition for administrative, selling cost and for profits. Prima facie evidence has been produced to the Designated Authority with regard to the Normal Value of Vitamin AB2D3K.

## **Export Price:**

7. Vitamin AB2D3K has not been categorized precisely under single dedicated Custom sub-heading, but it has been covered under the category of others preparations of a kind used in animal feeding. Moreover the data available from DGCI&S, Calcutta gives combined data for all Vitamins imported into the country in terms of Volume and Value. Since the petition seeks to cover only Vitamin AB2D3K, the petitioner has established the Export price from the secondary sources (private data compiling agencies namely M/s Informant and M/s International Publishing House from the Customs daily list of Imports). Necessary evidence to that effect has been produced.

Adjustments have been claimed on account of Ocean Freight, Marine Insurance, Commission, Inland Transportation and Port Expenses to arrive at the Ex-factory prices.

## **Dumping Margin:**

8. There is sufficient prima-facie evidence that Normal Value of the subject goods in the subject countries is significantly higher than the net Export price (at ex-factory level) indicating prima-facie that the subject goods are being dumped by exporters from the subject countries.

## **Injury and Causal Link:**

9. Various parameters relating to injury such as the decline in market share, decline in export price, decline in the sales realization, losses to the Domestic Industry in respect of the subject goods and failure of Domestic Industry to realise fair and reasonable price from sale of the subject goods, prima-facie indicate collectively and cumulatively that the Domestic Industry has suffered material injury on account of dumping.

### **Initiation of Anti-Dumping Investigation:**

10. The Designated Authority, in view of the foregoing paragraphs, initiates anti-dumping investigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject countries.

### **Period of INVESTIGATION (POI):**

11. The period of investigation for the purpose of present investigation is **1st April, 2000 to 31st December, 2000 (9 Months)**.

### **Submission of Information:**

12. 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, (Directorate General of Anti-Dumping & Allied Duties), Department of Commerce, Ministry of Commerce & Industry, Government of India, Udyog Bhawan, 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.

### **Time Limit:**

13. Any information relating to the present investigation 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.

### **Inspection of Public File:**

14. 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. Saptharishi)**  
DESIGNATED AUTHORITY