

No. 10/1/97-ADD
Government of India
Ministry of Commerce

New Delhi, the 26th May, 1997

Initiation Notification

Subject:- Initiation of anti dumping investigation concerning import of Vitamin-C from Japan and China

M/s. Ambalal Sarabhai Enterprises Ltd on behalf of the domestic industry have filed petition 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 Vitamin-C from China and Japan and requested for anti-dumping investigation and levy of anti-dumping duties.

2. Petitioners and Domestic Industry: The petition has been filed by M/s. Ambalal Sarabhai Enterprises Ltd., on behalf of the domestic industry. The petitioner accounts for 49.60% of the share of production and therefore has the standing to file the petition on behalf of the domestic industry.

3. Product Involved: The product involved in the petition is Vitamin-C/Ascorbic Acid originating in or exported from China and Japan. The product is classified under Customs Tariff Heading 2936.2700 of the Customs Tariff Act. The classification is, however, indicative only and is in no way binding on the present investigations.

4. Like Article: The article manufactures by the domestic industry is a like article to the product involved for the purpose of these investigations in terms of definition of "Like Article" under Rules 2(d) of the rules supra.

5. Normal Value: The petitioner has submitted a letter from CGI, Osaka indicating the prevailing domestic price of Vitamin-C. It has been claimed that the Normal Value may be taken on this basis of the prevailing prices in the domestic market of Japan. The petitioner has claimed that it is not feasible for them to obtain the normal value prevailing in China and, in view of the peculiar market condition in China, the same may be constructed on the basis of the best of production in the country of origin.

6. **Export Price:** The petitioner have provided export prices as per statistics compiled by Chemical Weekly for the period 30.4.1996 to 17.12.1996 showing the average cif value during the period April-December 1996 in case of imports from China and Japan. Thus, there is sufficient evidence with regard to the prevailing export prices to Indian from the said countries during the period of investigation.

7. **Dumping:** There is sufficient prima facie evidence that export prices to India from China as well as Japan were lower than the normal value in the said countries. Thus, there is sufficient evidence that the product under consideration is being dumped into India.

8. **Injury:** The various parameters relating to injury such as quantum of imports in absolute terms, market share, import price from the alleged countries and various indicators affecting domestic industry such as production, sales, stocks, profit and loss, collectively and cumulatively prima facie indicate that the domestic industry has suffered material injury.

There is prima facie evidence that imports of Vitamin-C originating from the said countries are causing material injury to the domestic industry.

9. **Initiation of Anti-Dumping Investigation:** The Designated Authority, therefore, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of the products involved originating in or exported from the said countries.

10. **Period .of Investigation:** The period of investigation for the purpose of present investigation is April 1996 to December, 1996.

11. **Submission of information:** All the known interested parties are being addressed separately to submit relevant information and manner prescribed and make their views known to Shri Dipak Chatterjee,. Designated Authority, Ministry of Commerce, Room No. 243, Udyog Bhawan, New Delhi-110 011. 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 investigation should be sent in writing so as to reach the Authority at the address mentioned above into alter than forty days from the date of publication of this notification. The known interested parties, who are being addressed separately, are however, required to submit the information within the forty days from the date of dispatch of the letter addressed to them separately.

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 Designated 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.

(Dipak Chatterjee)
Designated Authority