

MINISTRY OF COMMERCE

INITIATION NOTIFICATION

New Delhi, the 9th March, 1999

Subject:- Initiation of anti-dumping investigation concerning import of Thermal Sensitive Paper(TSP) from Japan, Finland, Germany and E.U.

No. 25/1/98/ADD:- M/s. Shree Krishna Paper Mills & Industries Limited, 4830/24, Prahlad Street, Ansari Road, Darya Ganj, New Delhi-110 002 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 Thermal Sensitive Paper(TSP) from Japan, Finland Germany and E.U. and requested for anti dumping investigations and levy of and dumping duties.

1. Product Involved: The product involved in the present petition is Thermal Sensitive Paper (also referred as subject goods hereinafter) originating in or exported from Japan, Finland, Germany and E.U. Thermal Sensitive Paper is primarily used in Fax Machines, ECG Machines, CAD/CAM Machines, NCR Machines, Cash Registers etc.

Thermal Sensitive Paper (TSP) is classified under custom sub-heading No.4809.10 of the Customs Tariff Act 1975 in the "Carbon or Similar Copying Paper" category. It is further classified under ITC Classification for Exports and Imports under heading 48091009.10 as "Thermal Paper for Fax Machines". The classification is, however indicative only and in no way binding on the present investigations.

2. Domestic Industry Standing : The petitioner has claimed that it is the only producer of the subject goods and therefore, satisfies the standing to file the present petition, on behalf of the domestic industry.

3. Country(ies) involved: The countries involved in the present investigation are Japan, Finland, Germany and E.U (also referred as subject countries, herein after).

4. Like Goods: The petitioner has claimed that goods produced by it are like articles to the goods exported, originating in or exported from Japan, Finland, Germany and E.U. 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. Dumping and Dumping Margin:

- a. Normal value: The petitioner has claimed normal value based on the constructed value of Thermal Sensitive Paper (TSP) in Japan, Finland, Germany and E.U.
- b. Export price: The company has claimed the export price from the subject countries based on the Secondary Data sources. The petitioner has claimed adjustments on account of ocean freight, insurance and commission to arrive at the ex-factory price.

There is prime facie evidence with regard to export price of Thermal. Sensitive Paper (TSP) in India.

- c. Considering the normal value and export price as detailed above, the dumping margin is significantly higher than the de-minimus limits.

This prima facie indicates that the subject goods are being dumped by the exporters from Japan, Finland, Germany and E.U.

6. Injury & Causal link : The various economic indicators relating to domestic industry such as low level of .capacity utilisation lower sales realisation and increased losses per MT etc. collectively and cumulatively, indicate that the domestic industry has suffered injury, There is sufficient evidence that the imports of the product under consideration have caused injury to the domestic industry.

7. 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 countries.

8. The period of investigation for the purpose of 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 views known to the Designated Authority, Ministry of Commerce, Anti Dumping Division, 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.

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 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.

11. **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.

12. 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 VINAY JHA.
Designated Authority