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No.65/1/2001- DGAD
Government of India
Ministry of Commerce

New Delhi, the 24th January 2002

INITIATION NOTIFICATION

Subject: Initiation of anti-dumping investigations concerning import of Vitamin A Palmitate originating in or exported from European Union, Singapore and Georgia.

M/s Nicholas Piramal India Ltd., Vitamin & Fine Chemicals Division, Mumbai have filed a petition before the Designated Authority (hereinafter referred to as the Authority) 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 alleging dumping of Vitamin A Palmitate originating in or exported from the European Union, Singapore and Georgia and have requested for initiation of anti-dumping investigations and levy of anti-dumping duties.

1. Product Involved: The product under investigation in the present case is Vitamin A Palmitate. It is an orange yellow to yellowish red oily liquid, which may crystallize below 20 C. It contains a mixture of Vitamin A Palmitate and Vitamin A Acetate, having a content of not less than 90% Vitamin A Palmitate and not more than 10% Vitamin A Acetate. Vitamin A Acetate is present on account of the chemical process of manufacture. It contains BHA and BHT as anti oxidants.

Vitamin A Palmitate is used in pharmaceutical preparations.

Vitamin A Palmitate is normally produced by the petitioner in the following two strengths:

- Vitamin A Palmitate 1.0 MIU/g
- Vitamin A Palmitate 1.7 MIU/g

Since Vitamin A Palmitate of various strengths have the same end use, the present investigations shall cover the subject goods in all its strengths and forms.

Vitamin A Palmitate is classified under Customs sub-heading no. 2936.21 of the Customs Tariff Act, 1975. The classification is however indicative only and in no way binding on the scope of the present investigations.

2. Domestic Industry Standing: M/s Nicholas Piramal India Ltd., Mumbai is the only manufacturer of Vitamin A Palmitate in the country.

The petitioner therefore satisfies the standing to file the present petition.

3. Country(ies)/ Territory Involved: The countries/territory involved in the present investigations are the European Union, Singapore and Georgia (referred to as subject countries/territory hereinafter).

4. Like Goods: The petitioner has claimed that goods produced by it are like articles to the goods originating in or exported from European Union, Singapore and Georgia. 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:

Normal Value: The petitioner has claimed normal value in European Union, Singapore and Georgia on the basis of constructed cost of production of Vitamin A Palmitate.

Export price: The petitioner has claimed export price based on the data published by secondary sources. Considering the normal value and export price the dumping margins are significantly higher than the de-minimis limit.

There is sufficient evidence that the normal values of the product under consideration in European Union, Singapore and Georgia are significantly higher than the prices at which it has been exported to India, indicating, prima facie, that the subject goods are being dumped by the exporters from European Union, Singapore and Georgia.

6. Injury and Causal Link: The various economic indicators relating to domestic industry such as production, sales, profit/loss etc. collectively and cumulatively, indicates that the domestic industry has suffered injury. There is sufficient prima facie evidence that the imports of the product under consideration have caused material injury to the domestic industry.

7. Initiation of Anti-Dumping Investigation: In view of the foregoing paragraph, the Designated Authority initiates anti-dumping investigations to determine the

existence, degree and effect of alleged dumping of the subject goods originating in or exported from the subject countries.

8. Period of Investigation: The period of investigation for the purpose of the present investigations is 1st January 2001 to 30th September 2001 (9months).

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, Directorate of Anti-Dumping, 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.

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. Anti-dumping investigations being a time bound exercise, the Designated Authority may record its findings on the basis of facts available on record in accordance with the Rules supra, if no response is received within the time stipulated or the information is incomplete in any respect.

12. 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.

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 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