

MINISTRY OF COMMERCE
(Directorate General of Anti-Dumping and Allied Duties)

INITIATION NOTIFICATION

New Delhi, the 22nd January, 1999

Subject: Initiation of anti-dumping investigation concerning import of Polytetrafluoroethylene (PTFE) from Russia.

No.24/1/98-DGAD - M/s. Hindustan Fluorocarbons Ltd., Hyderabad, have filed a 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 PTFE from Russia and requested for anti-dumping investigations and levy of anti-dumping duties.

1. Product Involved and Scope of Investigation:- The product under investigation in the present case is Poly Tetra Fluoro ethylene (PTFE) in all forms, originating in or exported from Russia. PTFE is an engineering polymer with unique properties and it is claimed that there is no substitute to this product.

PTFE is classified under Heading No. 3904.61, Chapter 39 of the Customs Tariff Act. The custom classification is, however indicative only and in no way binding on the scope of the present investigations.

2 Standing: M/s Hindustan Fluorocarbons Ltd., is the only manufacturer of this product in India. The petition can, therefore, be considered to have been filed by or on behalf of the domestic industry and the Petitioner constitutes domestic industry within the meaning of the Rules.

3. Country(ies) Involved: The country involved in the present investigations is Russia.

4. Like Goods: The petitioner has claimed that goods produced by it are like articles to the goods imported from or originating in Russia. Goods produced by the Petitioner may be treated as like articles to the goods imported from Russia within the meaning of the Rules.

5. Dumping and Dumping Margin:-

- a. Normal value: The Petitioner has stated that it is impossible to obtain local sales invoices for determination of the normal value in the domestic market in Russia. The normal value has been constructed on the basis of the cost of production in the country of origin compiled by the Petitioner after data collection and interaction with industries in the US and other international manufacturers.
- b. Export price:- The Petitioner has stated that it is impossible to obtain an exact export price from the subject country allegedly dumping the product. The export price has been worked out on the basis of data published by DGCIS, Calcutta for the period April 1997- June 98 which indicate the average cif rate. There is sufficient prima facie evidence with regard to export price of the subject goods from Russia.
- c. Dumping Margin:- Considering the normal value and export price as detailed above, the dumping margin is significantly higher than the de-minimus limits. There is sufficient prima facie evidence that the normal value of the product under consideration in Russia is significantly higher than the price at which it has been exported to India, indicating, prima facie, that the subject goods are being dumped by the exporters from Russia.

6. Injury and Causal Link:- The various economic indicators relating to domestic industry such as production, sales, market share, profit/loss etc., collectively and cumulatively, prima facie, indicate that the domestic industry has suffered injury. There is sufficient prima facie 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, therefore, initiates anti-dumping investigations into the existence, degree and effect of alleged dumping of the subject goods originating in or exported from the said country.

8. Period of Review:- The period of investigation for the purpose of the present investigations is 1st April, 1997 to 30th June, 1998 (15 months). ‘

9. Submission of information:- The exporter in Russia 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. General of Anti-Dumping and Allied Duties, Udyog Bhavan, Block-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 investigation should be sent in writing so-as to reach the Designated Authority at the address mentioned above not

later than forty days from the date of publication of this notification. The known exporter 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. **nspection 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.

RATHI VINAY JHA,
Designated Authority