

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

INITIATION NOTIFICATION

New Delhi, the 4th November, 1999

Subject: Initiation of Anti dumping investigation concerning imports of Sodium Nitrite from China PR.

No. 39/1/99-DGAD. - The Directorate General of Anti dumping and Allied Duties has received a petition for initiation of anti-dumping investigations against alleged dumping of Sodium Nitrite imported from China PR. M/s. Deepak Nitrite Ltd., Nandesari, Baroda 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 Sodium Nitrite from China PR (also hereinafter referred to as subject country) and requested for initiation of anti-dumping investigation and levy of anti dumping duties.

2. Domestic Industry: The petition has been filed by M/s. Deepak Nitrite Ltd., Nandesari, on behalf of the domestic industry. The petitioner accounts for around 64% of the production during the period of investigation and, therefore, has the standing to file the petition on behalf of the domestic industry under the aforesaid Rules.. M/s.Punjab Chemicals and Pharmaceuticals Ltd., National Fertilizers Ltd. and Rashtriya Chemicals and Fertilizers Ltd., are other producers of product under consideration. .

3. Product involved: The product involved in the petition is Sodium Nitrite originating in or exported from China. The product is classified under Customs Tariff heading 2834.10. The classification is, however, indicative only and in no way binding on present investigations. The petitioner has stated that the product is under OGL category as per the import policy and is an oxidizing as also a reducing agent. It is a white crystal powder mostly used in pharmaceutical industries, dye industry, lubricants, construction chemicals, meat processing, textiles etc.

4. Country involved: The country involved in the present investigation is only China PR.

5. **Like Articles:** The petitioner has claimed that goods produced by it are like articles to the goods produced, originating in or exported from the subject countries. 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. .

6. **Normal Value:** The petition claims that it is not feasible for them to obtain the normal value prevailing in China in view of the market condition in that country. The normal value has been constructed on the basis of cost of production in the country of origin.

7. **Export Price:** The petitioner has provided the export price as per the Directorate General of Anti dumping and Allied Duties General of Commercial intelligence and Statistics (DGCI&S), Calcutta for the period 1997-98 and also as per the Chemical Intelligence Trade Magazine for the period 1998-99. Thus, there is sufficient evidence with regard to prevailing export price to India from the said country.

8. **Dumping Margin:** There is sufficient prime facie evidence that the export price to India from China PR was lower than the normal value in the said country. Thus there is sufficient evidence that the product under consideration is being dumped into India from China PR.

9. **Injury and Causal Link:** The various parameters relating to injury such as quantum of imports, import volume in absolute terms, market share, import price from China PR and various indicators affecting domestic industry such as production capacity utilisation, price suppression etc. collectively and cumulatively prima facie indicates that the domestic industry has suffered material injury on account of dumping.

10. **Initiation of Anti Dumping Investigation:** The Designated Authority, therefore, initiates anti dumping investigation into the existence, degree and effect of alleged dumping of Sodium Nitrite originating in or exported from China PR.

12. **Submission of Information:** The exporters in the subject country and importers in India known to be. concerned are being addressed to submit relevant information in the form and manner prescribed and to make their views known to Smt. Rathi Vinay Jha, Designated Authority and Additional Secretary to Government of India, Ministry of Commerce, Udvog 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.

13. **Time Limit:** Any information relating to the present investigation may be sent in writing so as to reach the Designated Authority at the address mentioned above not

later than 40 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 40 days from the date of letter addressed to them separately.

14. **Inspection of Public File:** In terms of Rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by the other interested parties after the expiry of time limit thus set out.

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 or the information is incomplete in any respect, 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