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**Government of India
Department of Commerce
Ministry of Commerce & Industry
(Directorate General of Anti-Dumping & Allied Duties)
Udyog Bhawan, New Delhi**

Dated the 26th August 2010

INITIATION NOTIFICATION

Sub:- Initiation of anti-dumping investigation concerning imports of Opal Glassware originating in or exported from China PR and UAE.

No.14/24/2010-DGAD – M/s TPM Consultants & Solicitors, on behalf of M/s La Opala Rg Ltd., has filed an application before the Designated Authority (herein after referred to as the Authority) 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 (herein after referred to as Rules) for initiation of anti dumping investigation concerning alleged dumping of Opal Glassware (hereinafter referred to as subject goods) originating in or exported from China PR and UAE (hereinafter referred to as subject countries) .

2. AND WHEREAS, the Authority finds that sufficient prima facie evidence of dumping of subject goods by the subject countries, injury to the domestic industry and causal link between the dumping and injury exist, the Authority hereby initiates an investigation into the alleged dumping, and consequential injury to the domestic industry in terms of the Rules 5 of the said Rules, to determine the existence, degree and effect of alleged dumping and to recommend the amount of antidumping duty, which if levied would be adequate to remove the injury to the domestic industry.

Domestic Industry

3. The application has been filed on behalf of M/s La Opala Rg Ltd. This producer has provided information relevant to the present investigation. The production of the applicant company constitutes more than 50 % of total Indian production. The Authority has determined that (a) production of the applicant company constitutes a major proportion in Indian production and ; (b) the application has been made by or on behalf of the domestic industry.

4. The Authority after examining the above, prima facie determines that the petitioner constitutes domestic Industry within the meaning of the rule 2(b) read with 2(d) and the application satisfies the criteria of standing in terms of Rule 5 of the Rules .

Product under consideration

5. The product under consideration in the present petition is Opal Glassware of all types. Opal Glass is a milky white glass, widely used in lighting fixtures and tableware. It has a property of diffusing light, which makes Opal Glassware attractive. Sand/ Quartz, Lime, Dolomite, Trona, Orthoclase, Borax, Albite are used to produce opal glass for manufacturing opal glassware. The product under consideration is used for general serving including serving of tea, coffee, soup, and snacks.

6. Opal Glassware is classified under Custom Sub Heading No. 7013 under the Custom Tariff Act, 1975.

Like Articles

7. The applicant has claimed that the goods produced by them are “like articles” to the goods originating in or exported from the subject countries. The subject goods produced by the domestic industry and imports from subject countries are comparable, technically and commercially substitutable in terms of physical, technical specifications, functions or end-uses. Therefore, for the purpose of investigation, the opal glassware produced by the applicant are being treated as like articles of opal glassware imported from subject countries within the meaning of the Anti Dumping Rules.

Countries involved

8. The countries involved in the present investigation are China PR and UAE.

Dumping

Normal Value

Petitioner has claimed China as a non market economy country and has claimed normal value in accordance with Para-7, Annexure-I to the Rules. Petitioner has claimed normal value on the basis of estimates of cost of production, including selling, general & administrative overhead and reasonable profit. Constructed normal value thus claimed is considered as prima facie evidence of normal value for China for the purpose of initiation. In respect of UAE normal value is also constructed by the Petitioner which is considered as the prima facie evidence of normal value for UAE. For the purpose of initiation, the Authority has prima-facie considered the normal value of subject goods in subject countries as claimed by the petitioner.

Export price

Export price has been claimed considering volume and value of imports for the proposed period of investigation as per transaction wise data released by IBIS. The relevant import transactions have been converted into weight by the petitioner. Import price has been determined by considering all known imports of the product under consideration. Adjustments are claimed towards ocean freight, marine insurance, commission, port handling, inland transportation and bank commission to arrive at the ex-factory export

price. The Authority notes that there is sufficient prima facie evidence of the net export price for the subject goods from the subject countries.

Dumping Margin

13. There is sufficient evidence that the normal values of the subject goods in the subject countries are significantly higher than the net export prices indicating prima-facie that the subject goods are being dumped by the exporters from the subject countries. Normal value and export price have been compared at ex-factory level which shows significant dumping margin in respect of subject countries.

Injury and Causal Link

14. The petitioner has furnished information on various parameters relating to material injury. The applicant has furnished evidence regarding the injury having taken place as a result of the alleged dumping in the form of fall in capacity utilization, return on capital employed and profitability. Further prima-facie evidence is available indicating price undercutting and price suppression effects of dumped imports from subject countries. There is sufficient prima-facie evidence of the material injury being suffered by the domestic industry and the same being caused by dumped imports from subject countries.

Period of Investigation

15. The period of investigation in this case is 1st April 2009 -31st March 2010. For the purpose of injury determination, Preceding three years i.e. 2006-07, 2007-08 and 2008-09 will be considered.

Submission of information

16. The exporters and importers known to be concerned and domestic industry are being informed separately to enable them to file all information relevant in the form and manner prescribed. Any other party interested to participate in the present investigation may write to:

**The Designated Authority
(Directorate General of Anti-Dumping & Allied Duties)
Government of India
Ministry of Commerce & Industry
Department of Commerce
Udyog Bhavan, New Delhi-110011.**

Time limit

17. Any information relating to this investigation should be sent in writing so as to reach the Authority at the above address not later than 40 days from the date of publication of this notification. If no information is received within the prescribed time limit or the information received is incomplete, the Authority may record their findings on the basis of the facts available on record in accordance with the Rules supra.

INSPECTION OF PUBLIC FILE

18. In terms of rule 6(7) any interested party may inspect the public file containing non-confidential versions of the evidence submitted by other interested parties.

19. All interested parties shall provide a confidential and non-confidential summary in terms of Rule 7 (2), for the confidential information provided as per Rule 7 (1) of the Rules supra.

20. In case any interested party refuses access to and 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 Governments as deemed fit.

(P.K. Chaudhery)
The Designated Authority