

SUSPENDING THE IMPOSITION OF DEFINITIVE ANTI-DUMPING DUTIES ON COLD ROLLED COILS AND SHEETS FROM RUSSIA

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Attached is the letter dated January 10, 2000 of Atty. Alexander B. Arcilla, Director, Bureau of Import Services furnishing this Bureau a copy of the Order implementing the definitive findings of the Tariff Commission on the anti-dumping case against the importations of Cold Rolled Coils (CRC) and Sheets from Russia.

The Tariff Commission has ruled that the elements constituting dumping have been established. However, following an ocular inspection revealing the non-operation of NSC, the Commission orders the suspension of the imposition of the prescribed definitive duties until such time that NSC can show that its CRC Division is already on a normal operation status.

Pursuant to paragraph (I), Section 301 of the Tariff Code as amended by RA 8752 the Department of Trade and Industry issued an Order suspending the imposition of the definitive anti-dumping duties on cold rolled coils (CRC) and sheets from Russia as prescribed by the Tariff Commission.

For your information and guidance.

Adopted: 13 Jan. 2000

(SGD.) JULITA S. MANAHAN
Deputy Commissioner

Internal Administration Group 10 January 2000

COMMISSIONER RAMON FAROLAN
Bureau of Customs
Port Area, Manila

Dear Commissioner Farolan:

We are furnishing you a copy of the Order implementing the definitive findings of the Tariff Commission on the anti-Dumping case against the importations of Cold Rolled Coils (CRC) and Sheets from Russia.

The Tariff Commission has ruled that the elements constituting dumping have been established. However, following an ocular inspection revealing the non-operation of NSC, the Commission orders the suspension of the imposition of the prescribed definitive duties until such time that NSC can show that its CRC Division is already on a normal operations status.

Pursuant to paragraph (I), Section 301 of the Tariff Code as amended by RA 8752, the Department of Trade and Industry issued an Order suspending the imposition of the definitive anti-Dumping duties on cold rolled coils (CRC) and sheets from Russia as prescribed by the Tariff Commission.

Thank you very much.

Very truly yours,

(SGD.) ATTY. ALEXANDER B. ARCILLA

Director

Anti-Dumping Case No. 98

IN THE MATTER OF PROTEST AGAINST THE IMPORTATION OF COLD ROLLED STEEL COILS (CRC)
AND SHEETS FROM RUSSIA

NATIONAL STEEL CORPORATION, Protestant

ORDER

Before the Department of Trade and Industry is the Tariff Commission's Report on Findings on the Anti-Dumping Protest Against the Importation of Cold Rolled, Coils/Sheets originating from Russia classified under HS Heading 72.09, except H.S. No. 7209.1800, described as flat-rolled products of iron or non-alloy steel, of width of 600 mm up to 1220 mm, of nominal thickness of 0.2 mm up to 1.6 mm, not clad plated or coated, whether annealed or unannealed, of general use or commercial drawing quality conforming to PNS 127 Class 1 or its equivalent in other national standards.

The Commission's investigation showed positive price differences between the normal values and export prices of CRC from Russia and concluded that dumping has caused material injury to the domestic industry. The volume of dumped imports at 12.25% of the total Philippine imports satisfied the de minimis requirement of 3%. Injury to NSC were reflected in the actual decline in output, sales, market share capacity utilization, profits and employment. The Commission also found that a host of factors other than dumping did exacerbate NSC's injury to the point of a significant overall impairment in the position of the domestic industry.

In view of the foregoing, the elements constituting dumping having been established, the Commission has ordered the imposition of definitive anti-dumping duties on Cold Rolled Coils and Sheets originating from Russia.

The corresponding anti-dumping duty shall be imposed on the herein name exporters as follows:

Exporter(s)

(US\$/MT)

(% of Export Price)

Magnitogorsk

5.87

2 .06

Metalsrussia

0

0

MetalsAsia (Europe) Ltd.

41.37

15.00

Duferco SA.

23.18

7.96

Balli Trading

43.19

16.65

Industrial Steels, Ltd.

33.07

11.87

Cargill Int'l Trading

55.29

21.10

United Metal Supply

46.98

17.57

Voest-Alpie Intertrading

64.28

25.75

Midland Resources, Inc.

70.40

28.54

MMK Metal (HK) Ltd

27.12

9.80

TCI Trans Commodities AG

12.59

4.39

All Other Exporters

7.89

2.67

However, following an ocular inspection conducted on 08 November 1999 revealing the non-operation of NSC, the Commission orders the suspension of the imposition of the prescribed definitive anti-Dumping duties until such time that NSC can, that its CRC Division is already on a normal operations status.

Pursuant to the provisions of paragraph (I), Section 301 of the Tariff and Customs Code, as amended by Republic Act 8752 (Anti-Dumping Act of 1999), which provides that "the Secretary shall, within ten (10) days from receipt of the affirmative final determination by the Commission, issue an Order imposing an anti-dumping duty on the imported product, commodity, or article, unless he has earlier accepted a price undertaking from the exporter or foreign producer, the Department of Trade and Industry (DTI), hereby issues an Order suspending the imposition of the prescribed definitive anti-dumping duties on Cold Rolled Steel Coils (CRC) and Sheets from Russia, until such time that NSC can show proof that its CRC Division is already on a normal operations status.

Let copies of this Order be published immediately in two (2) newspapers of general circulation.

This Order shall take effect immediately.

(SGD.) JOSE TRINIDAD PARDO
Secretary

By Authority of the Secretary:

(SGD.) JOSE TRINIDAD PARDO
Secretary

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