



ANTIDUMPING & SUBSIDIES COMMISSION
24 Trafalgar Road ~ Kingston 10 ~ OR ~ P.O. Box 494 ~ Kingston 5 ~ JAMAICA
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NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION

KINGSTON, JAMAICA
FEBRUARY 04, 2002

REF. NO. AD-01-2001

In Respect of the Dumping in Jamaica of Certain Inorganic Fertilizers Originating in or Exported from the Dominican Republic

On November 05, 2001, the Commission initiated an investigation pursuant to section 22, of the Customs Duties (Dumping and Subsidies) Act, 1999 (hereinafter known as "the Act") in respect of the above. The investigation was initiated in response to a complaint filed by Antilles Chemical Company LLC of Kingston, Jamaica.

The Commission has made an affirmative Preliminary Determination pursuant to section 27 of the Customs Duties (Dumping and Subsidies) Act, in respect of the dumping in Jamaica of certain Inorganic Fertilizers originating in, or exported from the Dominican Republic and finds that the goods under consideration have been dumped and that the dumping of these goods have caused and is likely to cause material injury to the domestic industry. Material injury to the domestic industry has been reflected in price suppression, negative volume effects and a decline in: market share, profit, return on investment, sales, productivity and wages, and output and capacity utilization.

Pursuant to Section 15 of the Customs Duties (Dumping and Subsidies) Act, the Commission has decided to impose a provisional duty in the amount of 22.09% on all goods that are of the same description as those to which the Affirmative Preliminary Determination applies. The duties will take effect from February 03, 2002 and will terminate on the date that the Commission: accepts an undertaking; suspends or terminates the investigation or makes a Final Determination.

The Commission has determined that the importer in Jamaica of the goods that are the subject of this investigation is Agri-Chemicals (Jamaica) Limited, of 9 Marescaux Road, Kingston 5, and the Exporter is Premium Fertilizer Limited (Dominican Republic), of Suite 4A Avenue Abraham Lincoln. ESQ, Jose Amado Soler, Santo Domingo, Dominican Republic.



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NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION CONTINUED

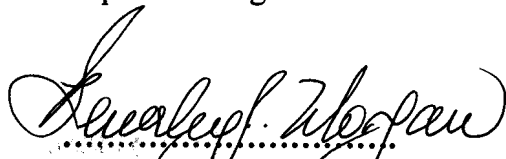
At the Commission's request Jamaica Customs will collect a provisional duty on all goods imported into Jamaica that are of the same description as those to which the Affirmative Preliminary Determination applies, which are released after February 03, 2002, regardless of the importer of said goods.

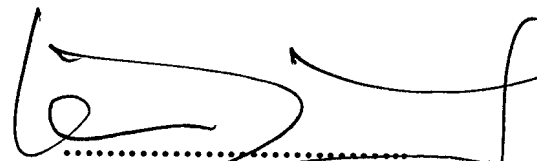
Additionally, pursuant to section 13 of the Customs Duties (Dumping and Subsidies) Act, 1999 the Commission has made an Affirmative Preliminary Determination concerning the imposition of definitive anti-dumping duties retroactively to the date of initiation, which is November 5, 2001.

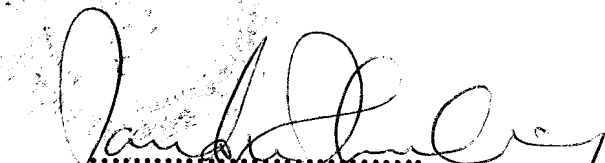
A Statement of Reasons explaining this decision has been provided to persons directly interested in these proceedings. A copy may be obtained by contacting the Commission, or from the Commission's website at www.mct.gov.jm/Antidumping.htm.


INFORMATION

Interested parties are invited to file written submissions presenting facts, arguments, and evidence, which they feel are relevant to this investigation. Written submissions should be forwarded to the Commission at the address indicated above. To be given consideration in this phase of the investigation, all such information should be received by the Commission within thirty (30) days of the date of the Preliminary Determination. Any information submitted to the Commission by interested parties concerning this investigation is deemed to be public information unless clearly marked confidential. Interested persons should contact the Commission for information on the procedures with respect to filing submissions


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Beverley Morgan (Mrs)
CHAIRMAN


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Cecil Goodridge (Dr.)
COMMISSIONER


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Sandra Shirley (Miss)
COMMISSIONER


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David Wildish (Dr.)
COMMISSIONER