



ANTI-DUMPING AND SUBSIDIES COMMISSION
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Kingston, Jamaica
Friday, June 29, 2001

Investigation # AD-01-2000

CLARIFICATION OF PUBLIC NOTICE

IN THE MATTER OF a complaint, under Sections 22 and 23 of the *Customs Duties (Dumping and Subsidies) Act 1999* made by the Caribbean Cement Company Limited., to the Anti-Dumping and Subsidies Commission;

IN THE MATTER OF a Final Determination by the Anti-Dumping and Subsidies Commission under *Section 30 of the Customs Duties (Dumping and Subsidies) Act 1999*

RESPECTING the dumping in Jamaica of Ordinary Portland Grey Cement, Harmonized Tariff System heading 2523.29, originating in or exported from, the Kingdom of Thailand

On June 11, 2001, the Anti-Dumping and Subsidies Commission announced that "Pursuant to Section 11 of the Act, the Commission concludes that the imposition of Anti-Dumping Duties is necessary, in view of the clearly foreseeable and imminent threat of material injury. Pursuant to section 16 (1) of the Act, the Anti-Dumping Duties of 87.91% shall be imposed in respect of the subject goods originating in the Kingdom of Thailand and imported by Mainland International from Harricrete Limited as regional distributor/freight consolidator. The Anti-Dumping Duty of 87.91% shall apply for a period not exceeding five years, commencing as of June 11, 2001. Imposition of these duties may be reviewed by the Commission before the expiration of five years, should circumstances warrant".

The scope of the investigation and the Anti-Dumping Duty Order of this same date covered all Ordinary Portland Grey Cement originating in or exported from the Kingdom of Thailand and imported to Jamaica by Mainland International from Harricrete Limited.

The Commission's finding resulted in an imposition of duties on the subject goods, regardless of the channels of distribution as long as the named parties are involved in the transaction. The record evidence points to the existence of an exclusive arrangement for the regional distribution of goods originating in or exported from Thailand by Harricrete Limited. The Commission was cognizant of and took into account the existence of an exclusive distributorship relationship and the possibility that cement would continue to be imported through this source. The Commission's intent was to ensure that all future imports to Jamaica, which fall within the scope aforementioned, would attract the duties imposed.

The Commission strongly cautions that all attempts to circumvent the Anti-Dumping Duty Order will be addressed in a manner prescribed by the law.

The importing public and other interested parties should contact the Legal Manager, Anti-Dumping and Subsidies Commission at (876) 920-1493 for information relating to this Notice.

COMMISSIONERS:


Deika Morrison, Chairman


Beverley Morgan, Commissioner


Sandra Shirley, Commissioner