



THE ANTI-DUMPING AND SUBSIDIES COMMISSION
JAMPRO Trade & Invest (JTI) Bldg. ~ 18 Trafalgar Road ~ Kingston 10 ~ JAMAICA
Telephone: 927-8665, 978-1800 ~ Fax: 978-1093
Email: antidump@jadsc.gov.jm

NOTICE OF NEGATIVE FINAL DETERMINATION

KINGSTON, JAMAICA

Date: December 9, 2010

REF. NO. AD-01-2010

IN THE MATTER OF the Final Determination by the Anti-Dumping and Subsidies Commission, pursuant to Section 30 of the Customs Duties (Dumping and Subsidies) Act, 1999, (“the Act”) initiated pursuant to Sections 22 and 23 of the Act, on behalf of the Jamaican Cement Industry;

IN RESPECT OF the dumping in Jamaica of Ordinary Portland (Grey) Cement originating in or exported from the Dominican Republic, usually, though not exclusively, classified under Harmonized Tariff Code 2523.291.

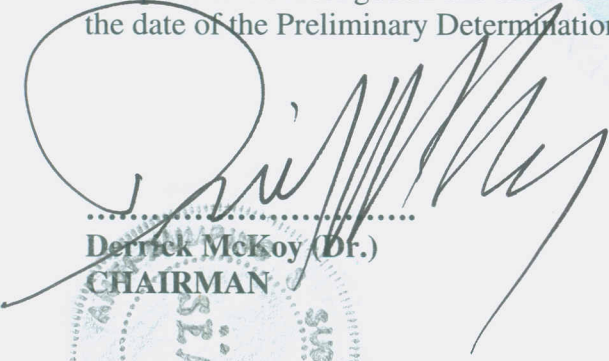
On April 30, 2010, pursuant to Section 22 of the Customs Duties (Dumping and Subsidies) Act 1999, (“the Act”) the Anti-Dumping and Subsidies Commission (“the Commission”), initiated an investigation in respect of the alleged injurious dumping into Jamaica of the aforementioned goods, originating in or exported from the Dominican Republic.

Pursuant to Section 27 of the Act, the Commission made an affirmative Preliminary Determination on September 9, 2010, in respect of the dumping in Jamaica of Ordinary Portland Grey Cement originating in, or exported from the Dominican Republic. The Commission determined preliminarily that the goods under consideration had been dumped and estimated a margin of dumping of eighty four point six nine per cent (84.69 %). The Commission found by majority that the Domestic Industry had experienced some injury from the presence of the dumped imports on the Jamaican market however, the Commission’s determination was inconclusive as to whether the injury was “material”. The Commission, by majority, found that the dumping was likely to cause material injury. The Commission did not find, pursuant to Section 15 of the Act, that the imposition of provisional measures was necessary to prevent injury being caused to the domestic industry during the investigation and therefore, declined to impose a provisional duty on the goods under consideration.

In accordance with section 30 of the Act, the Commission has made a negative Final Determination within ninety (90) days after completing the Preliminary Determination, in respect of the dumping in Jamaica of Ordinary Portland Grey Cement originating in, or exported from the Dominican Republic. The Commission determines that the goods under consideration have been dumped; that the margin of dumping is eighty one per cent (81%); that it is not *de minimis*; and that the volume of dumped goods is not negligible. The Commission examined the evidence offered on the record of material injury to the domestic industry and assessed the potential for material injury to the domestic industry. The Commission found that the dumping has not caused, is not causing and is not likely to cause material injury to the domestic industry within the meaning of the Act. Accordingly, the Commission makes a negative determination in the matter and closes the investigation.

The Commission has determined that the importer in Jamaica of the goods that are the subject of this investigation is Buying House Cement Limited, of 6 Wellington Place, Wellington Glades, Kingston 6, and the Exporter is DOMICEM of Av. Abraham Lincoln 295 casi esquina Av. José Contreras Edf. Caribalico 2do. piso, Santo Domingo, República Dominicana.

Copies of the Statement of Reasons explaining this decision have been provided to persons directly interested in these proceedings. A copy may also be obtained by contacting the Commission, or from the Commission's website at www.jadsc.gov.jm. The Commission is statutorily mandated to complete this investigation and make a Final Determination in the matter within ninety (90) days from the date of the Preliminary Determination.



.....
Derrick McKoy (Dr.)
CHAIRMAN



.....
Leslie Campbell (Mr.)
COMMISSIONER



.....
Sandra Shirley (Miss)
COMMISSIONER



.....
Velma Brown-Hamilton (Dr.)
COMMISSIONER