



**ANTIDUMPING & SUBSIDIES COMMISSION**

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**NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION**

**KINGSTON, JAMAICA  
APRIL 03, 2002**

**REF. NO. AD-01-2002**

**In Respect of the Dumping in Jamaica of Ordinary Portland Grey Cement  
Originating in or Exported from Indonesia**

On January 03, 2002, 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 Caribbean Cement Company Limited, 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 Ordinary Portland Grey Cement originating in, or exported from Indonesia, and finds that the goods under consideration have been dumped and the dumping is likely to cause material injury to the domestic industry, i.e. there is a threat of material injury to the domestic industry which is evidenced by the exporter's potential to increase the volume of dumped imports, its capacity and potential for product shifting and as a result of the Complainant's declining market share, its diminished ability to supply its product to the market and remain competitive. All of which constitute a threat to the viability of the domestic industry as the negative impact of the dumped imports on the local industry could only be further exacerbated by continued dumped imports.

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 56.21% on all goods that are of the same description as those to which this Affirmative Preliminary Determination applies. The duties will take effect from April 03, 2002 and will terminate on the date that the Commission either 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 Mainland International Limited, of 8 March Pen Road, Spanish Town, St. Catherine, and the Exporter is PT Semen Cibinong TBK, of Bida Kara Building, 10<sup>th</sup> Floor, Jalan Jendral Gatort Soebroto, Kav 71-73, Jakarta 12870, Indonesia.



## ANTIDUMPING & SUBSIDIES COMMISSION


### NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION CONTINUED

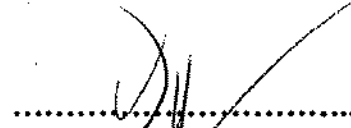
At the Commission's request Jamaica Customs will collect a provisional duty on all goods imported into Jamaica that are of the same description as those to which this Affirmative Preliminary Determination applies, which are released after April 03, 2002, regardless of the importer of said goods.

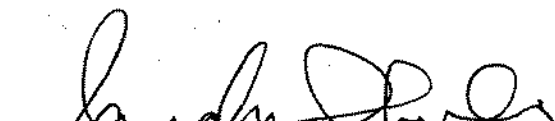
A Statement of Reasons explaining this decision has been provided to persons directly interested in these proceedings. A copy may be obtained by contacting the Commission, or from the Commission's website at [www.mct.gov.jm/Antidumping.htm](http://www.mct.gov.jm/Antidumping.htm). The Commission is statutorily mandated to complete the next stage of this investigation by July 3, 2002.


### INFORMATION

Interested parties are invited to file written submissions presenting facts, arguments, and evidence, which they feel are relevant in support of or in opposition to the Commission's findings in this preliminary determination. 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 by May 3, 2002. 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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Lloyd Goodleigh (Mr.)  
COMMISSIONER

  
.....  
Sandra Shirley (Miss)  
COMMISSIONER

  
..... (Dissenting)  
Cecil Goodridge (Dr.)  
COMMISSIONER