



## **THE ANTI-DUMPING AND SUBSIDIES COMMISSION**

**The Roswind ~ 25 Windsor Avenue ~ Kingston 5 ~ JAMAICA**

**Telephone: 927-8665, 978-1800 ~ Fax: 978-1093**

**Email: [antidump@jadsc.gov.jm](mailto:antidump@jadsc.gov.jm)**

### **NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION**

**KINGSTON, JAMAICA**

**Date: April 8, 2010**

**REF. NO. AD-01-2009**

**IN THE MATTER OF** the Preliminary Determination by the Anti-Dumping and Subsidies Commission (“the Commission”), pursuant to Section 27 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 and Portland Blast Furnace Slag Blended Cement originating in or exported from the United States of America (“USA”).

On November 26, 2009, pursuant to Sections 22 and 23 of the Act, the Commission initiated an investigation in respect of the alleged injurious dumping into Jamaica of the aforementioned goods, originating in or exported from the United States of America.

The Commission has made an affirmative Preliminary Determination pursuant to Section 27 of the Act, in respect of the dumping in Jamaica of Portland Blast Furnace Slag Blended Cement only, originating in or exported from the USA. The Commission finds that the goods under consideration have been dumped. The estimated margin of dumping is at least 15.13%. The dumping is likely to cause material injury to the domestic industry i.e. continued and increased importation of the goods under consideration at dumped prices poses a threat of material injury to the domestic industry that is clearly foreseen and imminent.

Pursuant to Section 15 of the Act, the Commission does not find that the imposition of provisional measures is necessary to prevent injury being caused to the domestic industry during the investigation. The Commission therefore declines to impose a provisional duty on the goods under consideration.

The Commission has determined that the importer in Jamaica of the goods that are the subject of this investigation is Tank-Weld Metals, of 27 Seaward Drive, Kingston 11, and the Exporter and Producer is Vulcan Materials Company of 1200 Urban Center Drive, Birmingham, Alabama 35242 and affiliated company, Florida Cement Inc. of 1200 Urban Center Drive, Birmingham, Alabama 35242, a wholly owned subsidiary of Vulcan Materials Company.

Copies of the Statement of Reasons for this decision have been provided to persons directly interested in these proceedings and a copy may be obtained by contacting the Commission or from the Commission’s website at [www.jadsc.gov.jm](http://www.jadsc.gov.jm). The Commission is statutorily mandated to make a Final Determination in the matter within ninety (90) days of making this Preliminary Determination.

NOTICE OF AFFIRMATIVE PRELIMINARY DETERMINATION CONTINUED

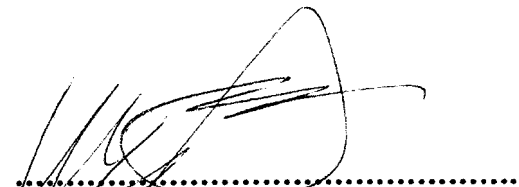
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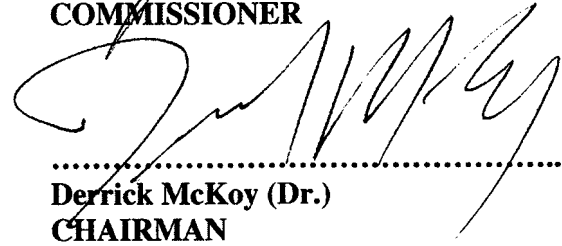
INFORMATION

Interested parties are invited to file written submissions presenting facts, arguments, and evidence relevant to this investigation with the Commission, at the address indicated on this Notice. In order to be given consideration in the final phase of the investigation, all information should be received by the Commission from interested parties **within thirty (30) days of the date of this Preliminary Determination**. Any information submitted to the Commission concerning this investigation is deemed to be **public information** unless clearly marked **“Confidential”** when submitted, and filed according to the procedures for filing Confidential information as instructed by the Commission. Persons interested in submitting information to the Commission in this case are requested to contact the Commission for instructions.

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

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

  
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**Sandra Shirley (Miss)**  
**COMMISSIONER**

  
.....  
**Derrick McKoy (Dr.)**  
**CHAIRMAN**  
**DISSENTING AS TO**  
**THREAT OF MATERIAL INJURY**