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UNITED STATES TARIFF COMMISSION
Washington, D.C.

[AA1921-26]

TC Publication 88

April 19, 1963

TECHNICAL VANILLIN FROM CANADA

Determination of No Injury or Likelihood Thereof

On January 21, 1963, the United States Tariff Commission was advised by the Acting Assistant Secretary of the Treasury that technical vanillin from Canada is being, or is likely to be, sold in the United States at less than fair value within the meaning of the Antidumping Act, 1921, as amended. In accordance with the requirements of section 201(a) of the Antidumping Act (19 U.S.C. 160(a)), the Tariff Commission instituted an investigation to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

Notice of the institution of the investigation was published in the Federal Register (28 F.R. 882). No public hearing in connection with the investigation was ordered by the Commission, but interested parties were referred to section 208.4 of the Commission's Rules of Practice and Procedure (27 F.R. 12117) which provides that interested parties may, within 15 days after the date of publication of the Commission's notice of investigation in the Federal Register, request that a public hearing be held, stating reasons for the request. No request for a hearing was made.

In arriving at a determination in this case, due consideration was given by the Tariff Commission to all written submissions from interested parties and all factual information obtained by the Commission's staff.

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On the basis of the investigation, the Commission has unanimously determined that an industry in the United States is not being, and is not likely to be, injured, or prevented from being established, by reason of the importation of technical vanillin from Canada, sold at less than fair value within the meaning of the Antidumping Act, 1921, as amended.

Statement of Reasons

The importation of an article sold "at less than fair value" is not ipso facto injurious. The sole exporter of Canadian technical vanillin has sold its product either directly, or through exclusive commissioned distributors, to U.S. consumers at delivered prices equal to or higher than the delivered (or their equivalent) prices offered by the predominant U.S. producer of technical vanillin. That producer offered no evidence of injury or likelihood thereof and the Commission found none. The importation of Canadian technical vanillin under such circumstances cannot be considered as injurious or likely to injure an industry in the United States.

This determination and statement of reasons are published pursuant to section 201(c) of the Antidumping Act, 1921, as amended.

By the Commission:



DONN N. BENT
Secretary