

ADC No. 28/2012/NTC/PA
National Tariff Commission
Government of Pakistan

Notice of Preliminary Determination on dumped Imports of Phthalic Anhydride Into Pakistan Originating in and/or Exported From The Italian Republic, Islamic Republic of Iran and Kingdom of Thailand.

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on August 17, 2012 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") after establishing that the application lodged by Nimir Chemicals Pakistan Limited (the "Applicant"), on behalf of domestic industry producing Phthalic Anhydride ("PA") was in accordance with Section 20 and 24 of the Ordinance. The investigation concerns dumping of PA, originating in and/or exported from the Italian Republic, Islamic Republic of Iran and Kingdom of Thailand (hereinafter referred to as the "Exporting Countries") into Pakistan and material injury caused therefrom to the domestic industry producing PA. In accordance with provisions of the Ordinance and Anti-Dumping Duties Rules 2001 (the "Rules"), the Commission has, after investigation, determined the following on preliminary basis:

Product under Investigation: The product being dumped into Pakistan is Phthalic Anhydride (the "investigated product") originating in and/or exported from Exporting Countries and is classified under Pakistan Customs Tariff classification number. 2917.3500.

Period of Investigation (POI): For determination of dumping and injury, the POI is fixed as follows:

For determination of dumping:	From April 1, 2011 to June 30, 2012
For determination of injury:	From April 1, 2009 to June 30, 2012

Determination of Dumping: The normal value and export price of the PA has been determined on the basis of best information available in terms of Section 32 and Schedule of the Ordinance, as none of the exporter/foreign producer provided the requisite information to the Commission. Dumping margins expressed as percentage of weighted average C&F price for exporters/producers from the Exporting Countries are given below:

Exporting Countries	Provisional Antidumping Duty
Italy	13.69%
Iran	8.37%
Thailand	10.62%

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Ordinance. The Commission has on preliminary basis established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price suppression, decline in market share, decline in sales, negative effect on inventories, negative effect on cash flows. However, the Commission is of view that level of injury is not such that provisional measures should be levied.

Injury Factors other than Dumped Imports: The Commission has also examined factors other than dumped imports under Section 18(2) and Section 18 (3) of the Ordinance, which could at the same time cause injury to the domestic industry. Analysis showed that the domestic industry has not been suffered due to others factors.

Conclusion: In reaching this preliminary determination, the Commission is satisfied that the PA has been imported at dumped prices. The Commission is of view that level of injury is not

adequate to justify imposition of provisional measures. Therefore, no provisional measures are recommended

Hearing: Any party registered as an interested party in this case may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 30 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9202839, Fax No.+92-51-9221205.

Final Determination: In terms of Section 39 of the Ordinance, the Commission is required to make final determination within 180 days of publication of notice of Preliminary Determination.

Authority under Law: This notice is published pursuant to Section 37 of the Ordinance by order of the Commission.

(Muhammad Shahid)
Secretary
February 7, 2013