

ADC No. 34/2015/NTC/HP
Government of Pakistan
National Tariff Commission

Notice of Preliminary Determination
in Anti-dumping Investigation against Dumped Imports of Hydrogen Peroxide into Pakistan
Originating in and/or Exported from the Peoples' Republic of Bangladesh

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on April 28, 2015, under Section 23 of the Anti-Dumping Duties Ordinance, 2015 (now enacted as Anti-Dumping Duties Act, 2015) after establishing that the application lodged by Sitara Peroxide Limited, Faisalabad and Descon Oxychem Limited, Lahore (the "Applicants"), on behalf of domestic industry producing Hydrogen Peroxide ("HP") was in accordance with Section 20 and 24 of the Ordinance. The investigation concerns dumping of HP, originating in and/or exported from Bangladesh into Pakistan and material injury caused therefrom to the domestic industry producing HP. In accordance with provisions of the Anti-Dumping Duties Act, 2015 (the "Act") 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 HP originating in and/or exported from Bangladesh and is classified under Pakistan Customs Tariff Heading No. 2847.0000 (the "investigated product").

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

For determination of dumping:	From January 1, 2014 to December 31, 2014
For determination of injury:	From January 1, 2012 to December 31, 2014

Exporters and Foreign Producers: The Applicants identified three exporters/producers involved in the dumping of HP from Bangladesh, however, two exporters/producers responded to the Commission's request for information/data and furnished partial information for the purposes of this investigation.

Determination of Dumping: Individual dumping margins in this preliminary determination are determined for two exporters/producers of HP from Bangladesh on the basis of the information provided by them and by using best information available, under Section 32 of the Act, where it was needed. However, residual dumping margin/duty rate has been determined, by taking the highest dumping margin of the partially cooperated exporter. Dumping margins determined are given below:

Exporter/Foreign Producer	Dumping Margin as %age of Export Price	Dumping Margin as %age of C&F Price
Tasnim Chemical Complex Limited	25.63	23.86
Samuda Chemical Complex Limited	22.80	21.08
All others	25.63	23.86

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. 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 depression, price suppression, decline in profits, productivity, return on investment and negative effect on cash flow, growth and ability to raise capital.

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 Act, which could at the same time cause injury to the domestic industry. Analysis showed that the domestic industry has not suffered material injury due to others factors.

Imposition of Provisional Anti-Dumping Duty: In reaching this preliminary determination, the Commission is satisfied that the HP has been imported from Bangladesh at dumped prices. The Commission is of the view that level of injury is adequate to justify imposition of provisional measures. However, for the purpose of imposition of lesser duty in terms of Section 43 (1) of the Act, the Commission has calculated injury margin to ascertain whether a lower duty would be adequate to remove injury being suffered by the domestic industry due to dumped imports of investigated product from Bangladesh. Injury margin works out to 19.32 percent which is lower than the dumping margins ranging between 21.08 percent to 23.86, therefore, in terms of Section 43 (1) of the Act, lesser duty would be adequate to remove injury to the domestic industry.

In terms of Section 43 of the Act, provisional antidumping duty @ 19.32 percent is hereby imposed on the dumped imports of the investigated product importable from Bangladesh for a period of four months effective from October 16, 2015. The provisional antidumping duty rate is determined on C&F value in *ad val.* terms, however, it would not be levied in terms of Section 51(1) (e) of the Act on imports that are to be used as inputs in products destined solely for exports.

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 Act, 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 Act by order of the Commission.

(Muhammad Shahid)
Secretary
October 16, 2015