

ADC No. 32/2015/NTC/SB
Government of Pakistan
National Tariff Commission

**Notice of Preliminary Determination
of Anti-dumping Investigation against Dumped imports of Sorbitol 70% Solution into Pakistan
Originating in and/or Exported from the Republic of India.**

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on March 29, 2015, under Section 23 of the Anti-Dumping Duties Ordinance, 2015 (the "Ordinance") after establishing that the application lodged by Habib ADM Pvt Limited (the "Applicant"), on behalf of domestic industry producing Sorbitol 70% Solution ("Sorbitol") was in accordance with Section 20 and 24 of the Ordinance. The investigation concerns dumping of Sorbitol, originating in and/or exported from the Republic of India ("India") into Pakistan and material injury caused therefrom to the domestic industry producing Sorbitol. 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 Sorbitol originating in and/or exported from India and is classified under Pakistan Customs Tariff Heading Nos. 2905.4400 and 3824.6000 (the "investigated product").

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

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

Determination of Dumping: The normal value and export price of the Sorbitol has been determined on the basis of best information available in terms of Section 32 and Schedule of the Ordinance, as no exporter/foreign producer provided the requisite information to the Commission. Dumping margin expressed as percentage of weighted average C&F price for all exporters/producers from India is 16.97%:

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 production, sales, market share, negative effect on capacity utilization, profitability, productivity, salaries and wages per MT and growth.

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.

Imposition of Provisional Anti-Dumping Duty: In reaching this preliminary determination, the Commission is satisfied that the Sorbitol has been imported at dumped prices. The Commission is of the view that level of injury is adequate to justify imposition of provisional measures. As no exporter/foreign producer from India cooperated with the Commission during the investigation, a residual dumping margin and antidumping duty rate for all the exporters/producers from India is determined on the basis of best available information in terms of Section 32 of the Ordinance.

In order to prevent material injury during the course of this investigation, the Commission, pursuant to the powers conferred upon it under Section 43 of the Ordinance, has decided to impose provisional anti-dumping duty at the rate of 16.97% of C&F value in *ad val.* terms on the all imports of the Sorbitol classified under PCT heading No. 2905.4400 and 3824.6000 importable from India for a period of four months effective from August 25, 2015.

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

August 25, 2015