

**ADC No. 29/2012/NTC/PIA**  
**National Tariff Commission**  
**Government of Pakistan**

**Notice of Preliminary Determination in Anti-dumping Investigation against dumping of Pegylated Interferon Alpha-2a, into Pakistan Originating in and/or Exported from the Swiss Confederation (Switzerland)**

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on December 14, 2012 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") after establishing that the application lodged by M/s Getz Pharma (Pvt) Limited, Karachi (the "Applicant"), on behalf of domestic industry producing Pegylated Interferon Alpha-2a was in accordance with Section 20 and 24 of the Ordinance. The investigation concerns dumping of Pegylated Interferon Alpha-2a, originating in and/or exported from Switzerland into Pakistan and material injury caused therefrom to the domestic industry producing Pegylated Interferon Alpha-2a. In accordance with Section 37, the preliminary determination has to be made within 180 days from the date of initiation. However, the composition of the Commission was incomplete from May 24, 2013 to July 8, 2013 and the Commission was not properly constituted during this period in light of decision of the Honorable Supreme Court of Pakistan dated October 29, 2009 in Civil Petitions 1608, 1654, 1686-1687, 1706-1708/2009. Therefore, the Commission has adjusted the timeline for making preliminary determination accordingly. 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:

**Exporter and Foreign Producer:** The Applicant identified one exporter/foreign producer, F. Hoffmann-La Roche, involved in dumping of Pegylated Interferon Alpha-2a from Switzerland.

**Product under Investigation:** The product being dumped into Pakistan is Pegylated Interferon Alpha-2a, commercially marketed as 'Pegasys' originating in and/or exported from Switzerland and is classified under Pakistan Customs Tariff classification number. 3002.2090(the "investigated product").

**Determination of Dumping:** The normal value and export price of Pegylated Interferon Alpha-2a has been determined on the basis of best information available in terms of Section 32 of the Ordinance and Schedule of the Ordinance, as the exporter/foreign producer did not provide the requisite information to the Commission in response to Exporter's Questionnaire within given timelines and prescribed legal manner as explained in paragraph 14 of the subject report.

**Dumping Margin:** The Commission has determined dumping margin by comparing the normal value of investigated product calculated on the basis of best information available with actual weighted average export price at which the investigated product was sold to an independent buyer in Pakistan by Roche Pakistan Limited (a related importer of F.Hoffmann-La Roche, Switzerland). Dumping margin works out to be 27.58 percent of C&F export price.

**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 due to dumping on account of increase in volume of dumped imports, price depression, losses and decline in return on investment, negative affects on inventories and cash flows. However, the Commission is of view that level of injury is not so significant to cause material injury to the domestic industry during the course of this investigation in terms of Section 43 of the Ordinance. Therefore, no provisional anti-dumping duty is being imposed.

**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.

**Further Information:** A non-confidential version of the report on preliminary determination has been placed on public file established and maintained by the Commission. It has also been posted on the Commission's website: [www.ntc.gov.pk](http://www.ntc.gov.pk). The public file shall be available to the interested parties, registered with the Commission for the purposes of this investigation, for review and copying, from Monday to Thursday (except public holidays) between 1100 hrs to 1300 hrs.

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

(Muhammad Shahid)  
Secretary  
July 27, 2013