

ADC No. 24/2010/NTC/SA
National Tariff Commission
Government of Pakistan

**Notice of Initiation of Anti-dumping Investigation against Alleged Dumping
of Soda Ash into Pakistan Originating in and / or Exported From Kenya**

The National Tariff Commission (the “Commission”) received an application under Sections 20 and 24 of the Anti-Dumping Duties Ordinance, 2000 (the “Ordinance”) on December 09, 2010 from ICI Pakistan Limited, Lahore, (the “Applicant”), a domestic producer of soda ash. The Applicant has alleged that soda ash is being exported to Pakistan at dumped prices from the Republic of Kenya (“Kenya”), which has caused, is causing and has a threat of injury to the domestic industry producing domestic like product.

After assessing accuracy and adequacy of the evidence and information provided in application in accordance with Section 23 of the Ordinance, the Commission initiated an investigation on January 21, 2011. Initiation of the investigation in this case was challenged in the Lahore High Court , Lahore (“LHC”) through a writ Petition No. 16038 of 2011. In an order dated August 23, 2011, the LHC has directed the Commission that the application dated 09.12.2010 filed by the Applicant shall be taken up afresh. Therefore, in light of the LHC directions the Commission has re-examined accuracy and adequacy of the evidence and information provided in application in accordance with Section 23 of the Ordinance and has decided to re-initiate investigation against alleged dumping of soda ash into Pakistan originating in and/or exported from Kenya.

Product under Investigation

The product allegedly being dumped into Pakistan is Sodium Carbonate (N_2CO_3) commonly known as soda ash originating in and/or exported from Kenya and is classified under Pakistan Customs Tariff classification number. 2836.2000 (the “investigated product”). Soda ash is used in the manufacture of detergents, glass, paper, sodium silicate and industrial chemicals in Pakistan and all over the world. It is also used in textiles, metallurgical industries, desalination plants, water purification, soaps and cleaning compounds etc.

Application

The Applicant has alleged dumping of the investigated product into Pakistan by the exporters from Kenya. It is further alleged that the imports of investigated product into Pakistan has caused, is causing and is threatened to cause injury to the domestic industry, mainly, by way of: volume of alleged dumped imports, price undercutting; price suppression, decline in market share; negative effect on sales, decline in profits, negative effect on capacity utilization; negative effect on growth, negative effect on investment and ability to raise capital, negative effect on inventory, negative effect on cash flow, negative effect on return on investment and negative effects on employment.

Initiation of Investigation

The Commission hereby initiates an investigation pursuant to Section 23 of the Ordinance. The investigation will determine whether the investigated product originating in and/or exported from Kenya is being dumped into Pakistan and whether such dumping has caused, is causing and /or is threatening to cause injury to the domestic industry. The Commission may also, during the course of this investigation, call for any further information/ data deemed necessary for the purposes of this investigation.

Period of Investigation (POI)

For determination of dumping and injury, the POI is fixed as follows:

For determination of dumping	From October 01, 2009 to September 30, 2010
For determination of Injury	From October 01, 2007 to September 30, 2010

Investigation Schedule

Date of initiation of investigation:	The date of publication of this notice in the press in Pakistan
Date of preliminary determination:	Not earlier than 60 days and not later than 180 days from the date of initiation of the investigation
Date of final determination:	Within 180 days of the date of publication of notice of preliminary determination in the press in Pakistan

Interested Parties

Interested parties, as defined in Section 2(j) of the Ordinance, are requested to identify themselves to the Secretary, National Tariff Commission, State Life Building No. 5, Blue Area, Islamabad, Tel: +9251-9202839 Fax: +9251-9221205 not later than 10 days after publication of this notice. An interested party applying for registration with the Commission in this investigation should submit; the name of the company, its line of business, name of authorized person, address, telephone number and fax number. All interested parties are invited to make their views/comments known to the Commission, and to submit information and documents (if any) not later than 45 days of the date of publication of this notice in the press in Pakistan. All data and information regarding this investigation should be submitted to the Secretary of the Commission.

Public File

In accordance with Rule 7 of the Anti-dumping Duties Rules, 2001, a public files has been established and maintained at its office of the Commission in this case, which shall be available to interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours (except public holidays) throughout the investigation.

Further Information

For further information please contact, Director, National Tariff Commission, Tel: +9251-9218961, Fax: +9251-9221205. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk.

By the order of the Commission.

(Muhammad Shahid)
Secretary
September 26, 2011