

**ADC No. 07/2005/NTC/PFY**  
**National Tariff Commission**  
**Government of Pakistan**

**Notice of Initiation of Antidumping Investigation against Alleged Dumping of Polyester Filament Yarn from the Republic of Indonesia, the Republic of Korea, Malaysia and the Kingdom of Thailand.**

The National Tariff Commission (the "Commission") received an antidumping application under Section 20 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") on March 30, 2005 from Filament Yarn Manufacturers Association (FYMA), Room No. 104-106, Hotel Imperial Building, M. T. Khan Road, Karachi (the "Applicant") on behalf of the domestic industry producing Polyester Filament Yarn ("PFY") alleging dumping into Pakistan of PFY originating in and/or exported from the Republic of Indonesia ("Indonesia"), the Republic of Korea ("Korea"), Malaysia ("Malaysia") and the Kingdom of Thailand ("Thailand").

**Product under Investigation:** The product allegedly being dumped into Pakistan is PFY originating in and/or exported from Indonesia, Korea, Malaysia and Thailand (the "investigated product") and is classified under Pakistan Customs Tariff Heading Nos. 5402.3300 and 5402.4300. The major uses of the investigated product identified by the Applicant are in the manufacturing of textile fabrics and garments.

**Application:** The Applicant alleged dumping of the investigated product into Pakistan by exporters from Indonesia, Korea, Malaysia and Thailand. It is further alleged that the import of investigated product has caused and is causing material injury to the domestic industry, mainly, by way of: increase in volume of alleged dumped imports, price under-cutting, price depression, price suppression, adverse effect on cash flows, increase in inventory, negative effect on growth and investment, and negative effect 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 Indonesia, Korea, Malaysia and Thailand is being dumped into Pakistan and whether such dumping has caused and/or is causing material 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 investigation of dumping: From January 1, 2004 to December 31, 2004  
For investigation of injury: From July 1, 2001 to December 31, 2004

**Investigation Schedule:**

**Date of initiation of investigation:** The date of publication of this notice in the press in Pakistan (May 12, 2005)

**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 the 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.

**Sampling for exporters/producers in exporting countries:** In view of the apparent large number of exporters/producers from Indonesia, Korea, Malaysia and Thailand, who may be involved in this proceeding, the Commission may apply sampling in accordance with Section 14(2) of the Ordinance. In order to enable the Commission to decide whether sampling is necessary and, if so, to select a sample, all exporters, producers of the investigated product from Indonesia, Korea, Malaysia and Thailand or representatives acting on their behalf,

are hereby requested to make themselves known by contacting the Commission and providing the following information on their company or companies within 15 days of the publication of this notice in the press in Pakistan:

- Name, address, e-mail address, telephone and fax and/or telex numbers and authorized contact person.
- Quantity and value of PFY (in US\$) produced during the POI.
- Quantity and value (in US\$) of the investigated product exported to Pakistan during the POI.
- Quantity and value of the PFY sold in domestic market (Indonesia, Korea, Malaysia and Thailand) during the POI.
- Whether the company intends to claim an individual margin (individual margins can only be claimed by producers) in terms of Section 14(4) of the Ordinance.
- The precise activities of the company with regard to the production of PFY.
- The names and the precise activities of all related companies involved in the production and/or sale (export and/or domestic) of PFY.
- Any other relevant information that would assist the Commission in the selection of the sample.
- An indication that whether the company or companies agree to their inclusion in the sample, which implies replying to a questionnaire and accepting an on-the-spot investigation.

In order to obtain the information it deems necessary for the selection of the sample of exporters/producers, the Commission may, in addition, contact the authorities of the exporting countries, and any known associations of exporters/producers.

**Final Selection of the samples:**

- The Commission intends to make the final selection of the samples after having consulted the parties concerned that have expressed their willingness to be included in the sample.
- In order to obtain information/data deems necessary for this investigation, the Commission will send questionnaires to the sampled exporters/producers in Indonesia, Korea, Malaysia and Thailand.
- Companies included in the samples must reply to a questionnaire within 37 days of dispatch of such questionnaire and cooperate within the framework of the investigation.

**Use of Best Information Available:** Where any interested party refuses or otherwise does not provide the required information within the prescribed time limit or significantly impedes the investigation, preliminary and/or final determination by the Commission will be made on the basis of best information available in accordance with Section 32 of the Ordinance and the Schedule appended thereto.

**Public File:** In accordance with Rule 7 of the Anti-Dumping Duties Rules, 2001, the Commission has established and maintained a public file at the offices of the Commission, which shall be available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the investigation.

**Further Information:** For further information please contact, Director (AD), 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](http://www.ntc.gov.pk)

By order of the Commission.

(Mrs. Batool Iqbal Qureshi)  
Secretary