

ADC No. 005/2004/NTC/PVCR/SR/09
National Tariff Commission
Government of Pakistan

Notice of Initiation of Sunset Review of Anti-dumping Duty Imposed on Dumped Imports of PVC Resin (Suspension Grade) Originating in and/or Exported from the Republic of Korea and the Islamic Republic of Iran to Pakistan

The National Tariff Commission (the “Commission”) received an application for review under Section 58(3) of the Anti-Dumping Duties Ordinance, 2000 (the “Ordinance”) on September 12, 2009 from Engro Polymer and Chemicals Limited, First Floor, Bahria Complex I, 24, M.T. Khan Road, Karachi, Pakistan (the “Applicant”), a domestic producer of PVC Resin (Suspension Grade). This application has been made following the publication (published in national press and official Gazette on July 22, 2009) of a notice of impending expiry of the anti-dumping duty imposed on dumped imports of PVC Resin (Suspension Grade) exported by LG International Corporation, (“LG”) Korea and Iran Petrochemical Commercial Company (“IPCC”) Iran (the “Exporters”) into Pakistan. The Applicant has alleged that the expiry of anti-dumping duty would likely to result in continuation or recurrence of dumping of PVC Resin (Suspension Grade), and injury to the domestic industry.

Anti-dumping Duty In-Force

The Commission imposed an anti-dumping duty with effect from October 26, 2004 for a period of five years on PVC Resin (Suspension Grade) exported by the Exporters vide (ADC No.005/2004/NTC/PVC) published in the official Gazette and the national press on February 24, 2005.

Product Under Review

The product under review is PVC Resin (Suspension Grade) (“PVC Resin”) exported by the Exporters. It is classified under PCT No. 3904.1090. It is used in the production of shoes, artificial leather, film, insulation cables, ducts, doors and window profiles, plastic chairs and tables.

Exporters/Foreign Producers

Exporters/foreign producers under sunset review are as follows:

- (i) LG International Corporation, Korea
- (ii) Iran Petrochemical Commercial Company, Iran

Application/Basis for Review

The Applicant has claimed that the expiry of the anti-dumping duty imposed on PVC Resin would lead to likely continuation or recurrence of dumping of PVC Resin, and injury to the domestic industry. The basis of such claim is that the Exporters stopped exports of PVC Resin to Pakistan after imposition of anti-dumping duty. The Applicant is of the view that if anti-dumping duty expires, the Exporters will start exporting PVC Resin to Pakistan at dumped prices. It is further alleged that expiry of anti-dumping duty would lead to regaining of the imports of product under review into Pakistan which is likely to lead to recurrence of material injury to the domestic industry, mainly, by way of: loss in production, sales and output, price under-cutting, price depression, price suppression, decrease in profitability, capacity under utilization and negative effect on the inventory, cash flows, employment and wages, growth, investment and ability to raise capital.

Initiation of Review

Upon examination of a duly substantiated request, the Commission hereby initiates a review pursuant to Section 58(3) of the Ordinance to determine whether the expiry of the anti-dumping duty imposed on PVC Resin would likely or un-likely to lead to continuation or recurrence of dumping and injury.

Continuation of Existing Anti-dumping Duty

In terms of Section 58(3) of the Ordinance, the anti-dumping duty imposed on dumped imports of PVC Resin will remain in-force pending the outcome of the review.

Schedule of Review

Date of initiation of review:	The date of publication of this notice in the press in Pakistan
Date of conclusion of review:	Within twelve months of the date of publication of notice of initiation of review

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: +9251-9205944 Fax: +9251-9221205 not later than 15 days of the publication of this notice. An interested party applying for registration with the Commission in this review 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 in this regard should be submitted to the Secretary of the Commission.

Hearing

Any party registered as defined in Section 2(j) of the Ordinance may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 45 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9205944, Fax No.+92-51-9221205.

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 review, conclusion of the review 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 to the Ordinance.

Public File

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

Level of Duty

As the sunset review is initiated in accordance with Section 58(3) of the Ordinance, the findings thereof will not lead to the level of the existing duty being amended but will lead to duty being repealed or maintained. If any interested party considers that a review of the level of the duty is warranted so as to allow for the possibility to amend (i.e. increase or decrease) the level of duty, that party may request a review in accordance with Section 59 of the Ordinance.

Further Information

For further information please contact, Mr. Khizar Hayat, Director, National Tariff Commission, Tel: +92-51-9218961, Fax: +92-51-9221205, e-mail: khizar@ntc.gov.pk. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk

By order of the Commission.

(Omer Moin Chaudhry)
Director
October 24, 2009