

ADC No. 10/2005/NTC/TP
National Tariff Commission
Government of Pakistan

Notice of Initiation of Antidumping Investigation against Alleged Dumping of Tinplate into Pakistan Originating in and/or Exported from France, Germany, Italy, U.K and USA.

The National Tariff Commission (the “Commission”) received an antidumping application under Section 20 of the Antidumping Duties Ordinance, 2000 (the “Ordinance”) on October 18, 2005 from Siddiqsons Tin Plate Limited, D-53, Textile Avenue, S.I.T.E., Karachi-75700, Pakistan, (the “Applicant”), a domestic producer of Tinplate of thickness of less than 0.5mm and of width of 600mm or more, (the “TP”) alleging that TP is being exported to Pakistan at dumped prices from the Republic of France, the Federal Republic of Germany, the Republic of Italy, the United Kingdom and the United States of America (hereinafter collectively referred to as the “Exporting Countries”), which has caused and is causing material injury to Pakistan’s domestic industry producing domestic like product.

Product under Investigation

The product allegedly being dumped into Pakistan is Tinplate (the “investigated product”) originating in and/or exported from the Exporting Countries and is classified under Pakistan Customs Tariff classification number. 7210.1200 (in the budget for FY 2006 another sub-heading 7210.1210 has been created to classify secondary TinPlate. Basic raw material used for the production of the investigated product is “Tin Mill Black Plate (TMBP)”, which is a steel based product. It has a wide range of applications e.g. packaging of edible oils, foodstuff, paints, petroleum products etc.

Application

The Applicant has alleged dumping of the investigated product into Pakistan by the Exporting Countries. It is further alleged that the imports of investigated product into Pakistan has caused and is causing material injury to the domestic industry, mainly, by way of: price undercutting, capacity under utilization and negative effect on the inventory.

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 the Exporting Countries 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 determination of dumping and injury, the POI is as follows:

For determination of dumping:	From July 1, 2004 to June 30, 2005
For determination of material injury:	From July 1, 2002 to June 30, 2005

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 15 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/foreign producers.

In view of the apparent large number of exporters / producers from the Exporting Countries 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 the Exporting Countries 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 investigated product (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 investigated product sold in domestic market (of exporting countries) during the POI.
- Whether the company intends to claim an individual margin (individual margins can only be claimed by producers) Section 14(4) of the Ordinance.
- The precise activities of the company with regard to the production of investigated product.
- The names and the precise activities of all related companies involved in the production and/or sale (export and/or domestic) of investigated product.
- 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 if deemed 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 will 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 deemed necessary for this investigation, the Commission will send questionnaires to the sampled exporters/producers of the Exporting Countries.
- 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 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 Antidumping 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 General, National Tariff Commission, Tel: +92-51-9218968, Fax: +92-51-9221205. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk

By order of the Commission.

(Mrs. Batool Iqbal Qureshi)
Secretary