

ADC No. 14/2008/NTC/SBPC
Government of Pakistan
National Tariff Commission

Notice of Termination of Antidumping Investigation Against Alleged Dumping of Seat Belt Parts/Components into Pakistan Originating in and/or Exported from the Republic of Korea.

The National Tariff Commission (the “Commission”) initiated an antidumping investigation on August 05, 2008 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the “Ordinance”) on the basis of application filed by Plastech Autosafe (Pvt) Limited, 176, Sector 23, Korangi Industrial Area, Karachi (hereinafter referred to as the “Applicant”) a domestic producer of seat belt parts/components and seat belts for cars, in which it was alleged that Korea Delphi (an exporter from the Republic of Korea (“Korea”)) exported all seat belt parts/components into Pakistan at dumped prices and the Applicant suffered injury due to such alleged dumping.

In accordance with the Ordinance and the Anti-Dumping Duties Rules, 2001 (the “Rules”), the Commission reached the following conclusions:

2. Exporter and Foreign Producer: The Applicant identified Korea Delphi Automotive System Corporation, 580-1 Buk-Dong, Nonkong-Eub City, Korea, as the exporter of all seat belt parts/components to Pakistan at alleged dumped prices.

3. Product under Investigation: The Commission on the basis of information gathered during the investigation determined that the investigated product was following four seat belt parts/components (and not all parts/components of seat belt as contended by the Applicant) originating in and/or exported from Korea and classified under Pakistan Customs Tariff classification number. 8708.2190, which are used for manufacturing seat belts for cars:

<u>S.No.</u>	<u>Seat Belt Part/Component</u>
1.	Front Face (Sash Guide)
2.	Covers (Buckle Cover Top/Lower)
3.	Pin Retractor (Locking Bar)
4.	Bar (Press Button)

4. Domestic Like Product: In terms of Section 2 of the Ordinance, the Commission on the basis of information gathered during the investigation determined that the domestic like product consists of afore-mentioned four seat belt parts/components produced by the Applicant.

5. The Commission has determined that the investigated product and domestic like product are “like products”.

6. Period of Investigation (POI): For determination of dumping and injury, the POI is as follows:

For determination of dumping:	From July 1, 2007 to June 30, 2008
For determination of injury:	From July 1, 2005 to June 30, 2008

7. Determination of Dumping: The exporter/producer of investigated product from Korea did not provide information in response to the Exporter’s Questionnaire, and the Applicant did not provide information/evidence of normal value of investigated product i.e. four parts/components of seat belt (the evidence provided in the application was estimated normal value of all seat belt parts/components collectively) and therefore, normal value of investigated product could not be determined by using the information provided by the Applicant in accordance with paragraph 7 of the Schedule to the Ordinance.

8. The Applicant in its application provided average export price of all seat belt parts/components. In order to determine export price for the investigated product, the Commission has used import data obtained from Pakistan Revenue Automation Limited (PRAL), (the data processing arm of the Federal Board of Revenue, Government of Pakistan) and thus established export price of the investigated product only to the extent of C&F level.

9. Dumping Margin: It was not possible for the Commission to determine normal value of investigated product by using the information provided by the Applicant in terms of paragraph 7 of the Schedule to the Ordinance, and therefore, the dumping margin of the investigated product could not be determined.

10. Injury to the Domestic Industry: As mentioned above, it was not possible for the Commission to determine the margin of dumping for investigated product. This was because of the fact that the Applicant failed to establish (with credible evidence) before the Commission that investigated product is sold by Delphi Korea to Pakistan at dumped prices. As it has been concluded that dumping could not be determined, from the available data/information, therefore, there is no need to determine injury on account of alleged dumped imports in accordance with Part VI of the Ordinance.

11. Termination: In view of the fact that there was no sufficient evidence of dumping and injury to justify proceeding further with this investigation, and in exercise of the powers conferred by Section 41 of the Ordinance, the Commission hereby terminates this investigation.

13. Further Information: A non-confidential version of the report of termination of investigation 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. The public file shall be available to interested parties, registered with the Commission for the purposes of this investigation, for review and copying at the offices of the Commission, from Monday to Thursday between 1100 hrs to 1300 hrs.

14. Authority Under Law This investigation has been conducted under the Ordinance (No. LXV of 2000). This notice is published pursuant to Section 42(2) of the Ordinance.

By order of the Commission.

(Omer Moin Chaudhry)

Director

July 7, 2009