

ADC No. 34/2015/NTC/HP
Government of Pakistan
National Tariff Commission

Notice of Final Determination
in Anti-dumping Investigation against Dumped Imports of Hydrogen Peroxide into Pakistan
Originating in and/or Exported from the People's Republic of Bangladesh

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on April 28, 2015, under Section 23 of the Anti-Dumping Duties Ordinance, 2015 (now enacted as Anti-Dumping Duties Act, 2015) after establishing that the application lodged by Sitara Peroxide Limited, Faisalabad and Descon Oxychem Limited, Lahore (the "Applicants"), on behalf of domestic industry producing Hydrogen Peroxide ("HP") was in accordance with Section 20 and 24 of the Ordinance. The investigation concerns dumping of HP, originating in and/or exported from Bangladesh into Pakistan and material injury caused therefrom to the domestic industry producing HP. The Commission made a preliminary determination in this case in terms of Section 37 of the Anti-Dumping Duties Act, 2015 ("Act") on October 16, 2015. In accordance with the Act and the Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has made its affirmative final determination as follows:

Product under Investigation: The product being dumped into Pakistan is HP originating in and/or exported from Bangladesh and is classified under Pakistan Customs Tariff Heading No. 2847.0000 (the "investigated product").

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

For determination of dumping:	From January 1, 2014 to December 31, 2014
For determination of injury:	From January 1, 2012 to December 31, 2014

Exporters and Producers: The Applicants identified three exporters/producers involved in the dumping of HP from Bangladesh, however, two exporters/producers responded to the Commission's request for information/data and furnished information for the purposes of this investigation.

Determination of Dumping: Individual dumping margins in this final determination are determined for two exporters/producers of HP from Bangladesh on the basis of the information provided by them. However, residual dumping margin/anti-dumping duty rate has been determined, by taking the highest dumping margin of the cooperated exporter.

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. The Commission has established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price depression, price suppression, decline in profits, productivity, return on investment and negative effect on cash flow, growth and ability to raise capital.

Injury Factors other than Dumped Imports: The Commission has also examined factors other than dumped imports under Section 18(2) and Section 18 (3) of the Act, which could at the same time cause injury to the domestic industry. Analysis showed that the domestic industry has not suffered material injury due to others factors.

Imposition of Definitive Anti-Dumping Duty: In reaching this final determination, the Commission is satisfied that the HP has been imported from Bangladesh at dumped prices. In order to prevent material injury to the domestic industry, the Commission, pursuant to the powers conferred upon it under Section 50 of the Act, has decided to impose definitive anti-dumping duty

at the rates mentioned below on C&F value in *ad val.* terms on imports of HP, PCT heading No. 2847.0000 importable from Bangladesh for a period of five years effective from October 16, 2015, on the following exporters/producers, however, it would not be levied in terms of Section 51(1) (e) of the Act on imports that are to be used as inputs in products destined solely for exports:

Definitive Antidumping Duty Rates

Exporter/Foreign Producer	Antidumping duty rate (%)
Tasnim Chemical Complex Limited	12.14
Samuda Chemical Complex Limited	10.67
All others	12.14

Refund: In terms of Section 55(2) of the Act, if the definitive anti-dumping duty is lower than the amount of provisionally determined dumping margin, the difference shall be refunded by the Commission. The Commission informs all importers of investigated product to send their request for the refund of differential, if any, to the Secretary, National Tariff Commission, State Life Building No. 5, Blue Area, Islamabad within thirty days of publication of this notice.

Disclosure meeting: Pursuant to Rule 16 of the Rules, the exporters/producers of the investigated product may request for a disclosure meeting within 15 days of the date of publication of this notice.

Further Information: A non-confidential version of the report of final determination shall be placed on public file established and maintained by the Commission. It shall also be posted on the Commission's website: www.ntc.gov.pk

Authority under Law: This notice is published pursuant to Section 50 of the Act by order of the Commission.

(Muhammad Shahid)
Secretary
March 14, 2016