



**Government of Pakistan
National Tariff Commission**

REPORT

ON

**PRELIMINARY DETERMINATION AND LEVY OF PROVISIONAL
ANTIDUMPING DUTIES ON IMPORTS OF ONE SIDE COATED DUPLEX
GREY BACK PAPERBOARD INTO PAKISTAN ORIGINATING IN AND/OR
EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA, THE REPUBLIC OF
INDONESIA, THE REPUBLIC OF KOREA AND CHINESE TAIPEI (TAIWAN)**

A.D.C No. 18/2009/NTC/PB

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The National Tariff Commission (hereinafter referred to as the "Commission") having regard to the Anti-Dumping Duties Ordinance, 2000 (LXV of 2000) (hereinafter referred to as the "Ordinance") and the Anti-Dumping Duties Rules, 2001 (hereinafter referred to as the "Rules") relating to investigation and determination of dumping of goods into the Islamic Republic of Pakistan (hereinafter referred to as "Pakistan"), material injury to the domestic industry caused by such imports, and imposition of antidumping duties to offset the impact of such injurious dumping, and to ensure fair competition thereof and to the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as the "Agreement on Antidumping").

2. The Commission is conducting this investigation under the Ordinance and the Rules on imports of One Side Coated Duplex Grey Back Paperboard weighing from 230 g/m² to 400 g/m², (hereinafter referred to as "Paperboard") originating in and/or exported from People's Republic of China ("China"), the Republic of Indonesia ("Indonesia"), the Republic of Korea ("Korea") and Chinese Taipei ("Taiwan") (hereinafter referred to as the "Exporting Countries"). The Commission has made preliminary determination in this investigation under Section 37 of the Ordinance. This report on preliminary determination has been issued in accordance with Article 12.2 of the Agreement on Antidumping.

3. In terms of Section 37 of the Ordinance, the Commission shall make a preliminary determination of dumping and injury, if any, not earlier than sixty days and not later than one hundred and eighty days, after initiation of an investigation. Such preliminary determination shall be based on the information available to the Commission at that time. This investigation was initiated on June 26, 2009. The preliminary determination is based on the information available to the Commission at this time.

A. PROCEDURE

4. The procedure set out below has been followed with regard to this investigation.

5. Receipt of Application

5.1 On May 27, 2009, the Commission received a written application under Section 20 of the Ordinance from Century Paper and Board Mills Limited, Lakson Square, Building No. 2, Sarwar Shaheed Road, Karachi (the "Applicant"). The Applicant have alleged that Paperboard originating in and/or exported from the Exporting Countries is being dumped into Pakistan, which has caused and is causing material injury to the domestic industry producing Paperboard.

5.2 The Commission informed the Embassies of China, Indonesia and Korea in Islamabad and Taiwan's Permanent Mission to the WTO in Geneva, Switzerland through note verbale

dated June 01, 2009, of the receipt of application in accordance with the requirements of Section 21 of the Ordinance.

6. Evaluation and Examination of the Application

6.1 The examination of the application showed that it met the requirements of Section 20 of the Ordinance as it contained sufficient evidence of dumping of Paperboard into Pakistan from The Exporting Countries and material injury to the domestic industry caused therefrom. Requirements of Rule 3 of the Rules, which relate to the submission of information prescribed therein were also found to have been met.

7. The Domestic Industry

7.1 Section 2(d) of the Ordinance defines domestic industry as:

“ “domestic industry” means the domestic producers as a whole of a domestic like product or those of them whose collective output of that product constitutes a major proportion of the total domestic production of that product, except that when any such domestic producers are related to the exporters or importers, or are themselves importers of the allegedly dumped investigated product in such a case “domestic industry” shall mean the rest of the domestic producers”.

7.2 As per information submitted by the Applicant, the domestic Paperboard industry comprises of the following six units. All six units are operational.

**Table-I
Installed Capacity of the Domestic Industry**

S.No	Unit Name
i.	Century Paper & Board Mills Limited, Karachi
ii.	Zaman Paper & Board Mills Limited, Lahore
iii.	Malik Board & Paper Industries Limited, Lahore
iv.	Zamindara Paper & Board Mills Limited, Lahore
v.	Olympia Paper & Board Mills (Pvt) Limited, Peshawar
vi.	Packages Limited, Lahore

7.3 The Commission's investigation showed that Packages Limited, Lahore was itself an importer of alleged dumped Paperboard during period of investigation. Thus, for the purposes of this preliminary determination, the Commission has determined domestic industry comprises of rest of the five units (provided at S.No. i. to v of above table) in accordance with Section 2(d) of the Ordinance (paragraph 7.1 supra).

8. Standing of the Application

8.1 In terms of Section 24(1) of the Ordinance,

".... an application shall be considered to have been made by or on behalf of the domestic industry only if it is supported by those domestic producers whose collective output constitutes more than fifty percent of the total production of a domestic like product produced by that portion of the domestic industry expressing either support for or opposition to the application."

Furthermore, Section 24(2) of the Ordinance provides that:

"..... no investigation shall be initiated when domestic producers expressly supporting an application account for less than twenty five percent of the total production of the domestic like product produced by the domestic industry."

8.2 The Applicant, who is major producers of Paperboard in Pakistan, has filed application. The Applicant claimed that the other four units in domestic industry are supporting the application. In support of its claim, the Applicant has submitted letters of support from Zaman Paper and Board Mills Ltd. and Pakistan Pulp Paper & Board Mills Association. The Commission accepted application on the basis of information and evidence submitted by the Applicant. However, after initiation of investigation, the Commission asked other units to provide necessary information for the purposes of this investigation and their support for or opposition to the application (paragraph 14.8 infra). In response, two domestic producers of Paperboard namely; (i) Zamindara Paper and Board Mills Ltd., Lahore and (ii) Malik Board & Paper Industries (Pvt) Ltd., Lahore stated as follows:

- i. Zamindara Paper and Board Mills Ltd., Lahore stated vide its letter dated August 12, 2009 that, *"we have learnt that our name has been given by the complainant Century Paper and Board Mills as the manufacturer of one side coated duplex board grey back. In this regard it is stated that although we are manufacturer of the above referred product on small scale which is of far inferior quality as our mill is only recycling mill, we do not use any virgin pulp but use only poor grade waste procured from local market. Under the above explanation we would further clarify that our share of market is very small rather negligible in no way that can have any effect on the local resource. The demand is absolutely for very huge quality. We may be treated as drop in the ocean. Regret to inform you that we are not interested in the said antidumping investigations which have been initiated by a joint manufacturer and we request that we should not be treated as party to this investigation."*
- ii. Malik Board & Paper Industries (Pvt) Ltd., Lahore stated through its letter dated August 26, 2009 that, *"we have learnt that our name has been given by the complainant*

Century Paper and Board Mills as the manufacturer of one side coated duplex board grey back and an interested party.

"It is to inform you that we are not interested in the said antidumping investigations which have been initiated by the said manufacturer and we request that we should not be treated as an interested party to this investigation."

8.3 In view of the above facts, the Commission has treated Zamindara Paper and Board Mills Ltd., Lahore, Malik Board & Paper Industries (Pvt) Ltd., Lahore and Olympia Paper and Board Mills Ltd., Peshawar as indifferent producers in this investigation.

8.4 As per the information supplied in the application and obtained from other sources, the Applicant produced 55.31 percent of the total domestic production of Paperboard during the year 2008. Details of the production of Paperboard by the domestic industry are as follows:

**Table-II
Unit-wise Production of Paperboard during the Year 2008**

Name of the Unit	Status	Share in total production (%)
Century Paper & Board Mills Ltd.	Applicant	55.31
Zaman Paper & Board Mills Ltd.	Supporting	20.94
Malik Paperboard & Paper Industries Ltd	Indifferent	19.01
Olympia Paper & Board Mills Ltd.	Indifferent	2.50
Zamindara Paper & Board Mills	Indifferent	2.24
Total		100.00%

8.5 The above table shows that the Applicant accounted for 55.31 percent of the total production of Paperboard during the year 2008. Further, Zaman Paper and Board Mills Ltd., which accounted for 20.94 percent during the year 2008 has supported the application. No domestic producer has opposed the application, as the other three producers remained indifferent. Thus, the application is supported by the producers who accounted for 76.25 percent of the total production of Paperboard during the year 2008.

8.6 On the basis of the above information and analysis, the Commission has determined that the application has been made on behalf of domestic industry, as it fulfils the requirements of Section 24 of the Ordinance.

9. **Applicant' Views**

The Applicant, *inter alia*, raised the following issues in the application regarding alleged dumping of Paperboard and material injury to the domestic industry caused therefrom:

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- i. Paperboard imported from the Exporting Countries into Pakistan and Paperboard produced in Pakistan by the domestic industry are like products;
- ii. Exporters/producers from the Exporting Countries are exporting Paperboard to Pakistan at dumped prices; and
- iii. Exports of Paperboard by the exporters/producers from Exporting Countries to Pakistan at dumped prices has caused and is causing material injury to the domestic industry producing Paperboard mainly through:
 - a. price suppression;
 - b. price depression;
 - c. decrease in return on investment;
 - d. loss/decline in profits;
 - e. decline in capacity utilization;
 - f. decline in productivity;
 - g. negative effects on salaries & wages;
 - h. negative effects on cash flow;
 - i. negative effects on inventories; and
 - j. negative effects on ability to raise capital/investment;

10. **Exporters/Foreign Producers of Paperboard**

The Applicant has identified twenty-two exporters and foreign producers (with complete addresses of eighteen exporters/producers) involved in alleged dumping of Paperboard from Exporting Countries (list of exporters/foreign producers is placed at Annexure-I). The Applicant has stated that there may be other producers and exporters but it does not have the names and addresses of those foreign exporters/producers. Therefore, the Applicant has requested for imposition of antidumping duties on all imports of Paperboard originating in and/or exported from the Exporting Countries instead of the identified foreign exporters/producers.

11. **Initiation of Investigation**

11.1 The Commission upon examining the accuracy and adequacy of the evidence provided in application established that there is sufficient evidence of alleged dumping of Paperboard into Pakistan and consequent material injury to the domestic industry to justify initiation of an investigation. Consequently, the Commission issued a Notice of Initiation in accordance with

Section 27 of the Ordinance, which was published in the Official Gazette¹ of Pakistan and in two widely circulated national newspapers² (one in English language and one in Urdu Language) on June 26, 2009. Investigation concerning alleged dumped imports of Paperboard into Pakistan {classified under PCT³ Nos. 4810.9200 and 4810.9900 contained in the First Schedule of Customs Act, 1969 (IV of 1969)} originating in and/or exported from the Exporting Countries was thus initiated on June 26, 2009.

11.2 The Commission notified the Embassies of China, Indonesia and Korea in Islamabad and Taiwan's Permanent Mission to the WTO in Geneva, Switzerland of initiation of investigation (by sending a copy of the notice of initiation) on June 26, 2009 with a request to forward it to all exporters/producers involved in production, sales and export of Paperboard from the Exporting Countries. Copies of the notice of initiation were sent to 48 exporters/producers of Paperboard of the Exporting Countries whose complete addresses were available with the Commission. For the exporters/producers whose addresses were not available with the Commission, the Embassies of the Exporting Countries in Islamabad were requested to forward the same to all exporters/producers involved in production and/or export of Paperboard to Pakistan. Copies of the notice of initiation were also sent to known Pakistani importers, Pakistani producers of Paperboard and the Applicant on June 26, 2009 in accordance with the requirements of Section 27 of the Ordinance.

11.3 In accordance with Section 28 of the Ordinance, on June 27, 2009, the Commission sent copies of full text of the written application (non-confidential version) to all exporters/producers of the Exporting Countries, whose complete addresses were available with the Commission. On June 27, 2009, copies of the full text of the written application were also sent to the Embassies of the Exporting Countries in Pakistan with a request to forward it to all exporters/producers involved in production and/or export of Paperboard from the Exporting Countries.

12. Investigated Product, Like Product and Domestic Like Product

12.1 Section 2 of the Ordinance defines the "investigated product", the "like product", and the "domestic like product" as follows:

i. Investigated Product:

"a product, which is subject to an antidumping investigation as described in the notice of initiation of the investigation".

¹ The official Gazette of Pakistan (Extraordinary) dated June 26, 2009.

² The 'Daily Express' and the 'Dawn' of June 26, 2009 issue.

³ "PCT" is the abbreviation for Pakistan Customs Tariff. PCT heading in Pakistan is equivalent to Harmonized Commodity Description and Coding System up to six-digit level.

ii. **Domestic Like Product:**

“the domestically produced product, which is a like product to an investigated product”.

iii. **Like Product:**

“a product which is alike in all respects to an investigated product or, in the absence of such a product, another product which, although not alike in all respects, has characteristics closely resembling those of the investigated product”.

12.2 For the purposes of this investigation and given the definitions set out above, the investigated product, domestic like product and the like product are identified as follows:

12.2.1 **Investigated Product:**

The investigated product is One Side Coated Duplex Grey Back Paperboard weighing from 230 g/m² to 400 g/m², imported from the Exporting Countries. It is classified under PCT heading Nos. 4810.9200 and 4810.9900. It is used for making of cartons (folding cartons) for packaging of numerous consumer and industrial products like cigarettes, pharmaceuticals, spices, confectionary, food, tea, biscuit, shoe, auto parts, electric appliances, electronics and garment etc.

12.2.2 **Domestic Like Product**

The domestic like product is One Side Coated Duplex Grey Back Paperboard weighing from 230 g/m² to 400 g/m², produced by the domestic industry. It is classified under PCT heading Nos. 4810.9200 and 4810.9900. It is used for making of cartons (folding cartons) for packaging of numerous consumer and industrial products like cigarettes, pharmaceuticals, spices, confectionary, food, tea, biscuit, shoe, auto parts, electric appliances, electronics and garment etc. Major uses of the domestic like product are, therefore, identical to those of the investigated product.

12.2.3 **Like Product:**

The like product is One Side Coated Duplex Grey Back Paperboard weighing from 230g/m² to 400 g/m² produced and sold by the foreign producers/exporters of the Exporting Countries in their domestic markets, and One Side Coated Duplex Grey Back Paperboard weighing from 230 g/m² to 400 g/m² imported into Pakistan from countries other than the Exporting Countries. The like product is classified under PCT/H.S heading Nos. 4810.9200 and 4810.9900. Major uses of the like product are identical to those of the investigated product and domestic like product.

12.3 In order to establish whether the investigated product, the domestic like product and the like product are alike products, as contended by the Applicant, the Commission reviewed all

relevant information received/obtained from various sources including the Applicant and exporters/foreign producers in the following terms:

- i. basic raw materials used in the production of the investigated product, the domestic like product, and the like product are the same/similar;
- ii. all the three products (the investigated product, the domestic like product and the like product) are produced with a similar manufacturing process;
- iii. all the three products have similar appearance;
- iv. all the three products are substitutable in use. They are mainly used for making cartons (folding cartons) for packaging of numerous consumer and industrial products like cigarettes, pharmaceuticals, spices, confectionary, food, tea, biscuit, shoe, auto parts, electric appliances, electronics and garment etc.; and
- v. all the three products are classified under the same PCT/HS heading Nos. 4810.9200 and 4810.9900.

12.4 In light of the above, the Commission has determined that the investigated product, the domestic like product and the like product are alike products.

13. Period of Investigation

13.1 In terms of Section 36 of the Ordinance, period of investigation (hereinafter referred to as "POI") is:

- i. *"for the purposes of an investigation of dumping, an investigation period shall normally cover twelve months preceding the month of initiation of the investigation for which data is available and in no case the investigation period shall be shorter than six months."*
- ii. *"for the purposes of an investigation of injury, the investigation period shall normally cover thirty-six months:
"Provided that the Commission may at its sole discretion, select a shorter or longer period if it deems it appropriate in view of the available information regarding domestic industry and an investigated product".*

13.2 POI selected for dumping and injury are, therefore, as follows:

For determination of dumping: From April 1, 2008 to March 31, 2009
For determination of material injury: From April 1, 2006 to March 31, 2009

14. Information/Data Gathering

14.1 The Commission sent questionnaires, on June 27, 2009 and July 6, 2009 directly to 48 exporters/producers of the Exporting Countries (whose complete addresses were available

with the Commission) for submission of data and information, and were asked to respond within 37 days of the dispatch of the questionnaires. On June 27, 2009 copies of the questionnaires were also sent to the Embassies of the Exporting Countries in Islamabad with a request to forward it to all producers/exporters of the investigated/like product.

14.2 The following five foreign producers/exporters responded to the Commission's request for supplying information on the exporter questionnaire:

- i. Hansol Paper Co., Ltd., 21st Floor, Capital tower 736-1, Yeksam-dong, Gangnam-gu, Seoul, Korea ("Hansol");
- ii. HM Trading Corporation, Room.306, Daebang Building, 377-1, Shindaebang 2-Dong, Dongjak-ku, Seoul, Korea ("HM Corporation");
- iii. PT Fajar Surya Wisesa Tbk, Jl Abdul Muis 30, Jakarta 10160, Indonesia ("Fajar");
- iv. Heng Feng Packaging & Paper Products FTY), Xiang Shan Industrial Park, Xi Niu Po Area, Da Lang Town, DongGuan, GuangDong, China ("Heng Feng") and
- v. Kuan Yuan Paper Mfg Co.,Ltd, 18 Chaw-Nan San Chin Li. Chunan Maili Taiwan ("Kuan Yuan").

14.3 Three exporters, Hansol, HM Corporation and Fajar, requested for an extension in time period for submission of information for two weeks. After taking into account the due causes shown by these exporters in their requests, the Commission acceded to the requests and granted extension in time period for submission of information on exporter's questionnaire. Filled-in exporter's questionnaires from these exporters were received at the Commission on July 31, 2009, August 22, 2009 and September 9, 2009. Upon examination of the information received from these foreign producers/exporters, certain deficiencies were found in the information supplied. These deficiencies were communicated to the foreign producers/exporters and were requested to supply the deficient information. Further details are given at paragraph 15 infra.

14.4 Heng Feng requested the Commission for Chinese version of the questionnaire through an email dated July 23, 2009. In response, on July 24, 2009 the Commission explained that it does not have Chinese version of questionnaire and asked Heng Feng to provide information in English language. However, Heng Feng did not provide information in response to the questionnaire.

14.5 Kuan Yuan stated vide its letter dated July 9, 2009, "*Kuan Yuan Paper Company is one of the major coated duplex board manufacturer in Taiwan. We produce about 15000 mt/month of one side coated duplex board which were sold to domestic market and exported to China, Japan, Malaysia,*

Philippines, Thailand, Vietnam, Singapore, Australia and a small portion to Pakistan., which was 1.29% of our production. That proves we never dumping our product to Pakistan sufficiently." In response, the Commission on July 16, 2009 again requested Kuan Yuan for information in response to the questionnaire. However, it did not provide requisite information to the Commission.

14.6 The other foreign producers/exporters who were requested for information directly or through Embassies of the Exporting Countries in Islamabad did not respond to the Commission's request for information. Non-responding exporters/foreign producers were informed through a letter dated August 31, 2009 that the Commission would be constraint to rely on best information available to determine dumping of the investigated product for them, if they did not provide information in response to the questionnaires.

14.7 On July 16, 2009 questionnaires were sent to 52 Pakistani importers of the investigated product known to the Commission and these importers were asked to respond to the Commission within 37 days of dispatch of the questionnaires. Following four Pakistani importers responded to the Commission's questionnaire:

- i. Prince Art Press, Karachi
- ii. Saima Packaging, Karachi
- iii. Packages Limited, Lahore
- iv. Alam Match (Pvt) Ltd., Peshawar

14.8 On June 27, 2009 questionnaires to domestic producers other than the Applicant were sent requesting them to provide information within 37 days of the issuance of the questionnaire. A copy of the questionnaire was also sent to Pakistan Pulp Paper and Board Mills Association on June 27, 2009 with a request to ask its members to provide information to the Commission for the purposes of this investigation. No other domestic producer of the domestic like product provided requisite information to the Commission. However, two producers namely; (i) Zamindara Paper and Board Mills Ltd., Lahore and (ii) Malik Board & Paper Industries (Pvt) Ltd., Lahore responded and requested the Commission that they should not be treated as interested parties in this investigation (paragraph 8.2 supra).

14.9 The Commission has access to database of import statistics of Pakistan Revenue Automation Limited ("PRAL"), the data processing arm of the Federal Board of Revenue, Government of Pakistan. For the purpose of this preliminary determination the Commission has used import data obtained from PRAL in addition to the information provided by the Applicant and the foreign producers/exporters.

14.10 Thus, the Commission has sought from all available sources the relevant data and information deemed necessary for the purposes of preliminary determination of dumping and injury caused therefrom in this investigation. In terms Sections 35, 32(4) of the Ordinance and Rule 12 of the Rules, the Commission has satisfied itself to the accuracy of information supplied by the interested parties to the extent possible for the purposes of this preliminary determination.

15. Questionnaire(s) Response by the Foreign Producers/Exporters

15.1 Questionnaire Response by Hansol Paper Co., Ltd, Seoul, Korea

15.1.1 The Commission sent questionnaire to Hansol Paper Co., Ltd., Seoul, Korea (hereinafter referred to as "Hansol") on June 27, 2009. Its response was received in the Commission on August 22, 2009. According to the information provided in response to the questionnaire, Hansol is a public limited company incorporated under Korean commercial laws. It has been involved in the manufacture, sale and export of Paperboard to Pakistan as well as to other countries and in its domestic market during POI.

15.1.2 The information submitted by Hansol in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated September 8, 2009.

15.1.3 Hansol was asked to provide the deficient information/data no later than September 18, 2009, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Hansol responded to the deficiencies vide its letter dated September 18, 2009. However, the information received was still deficient in some respects. Hansol was asked for deficient information, which was necessary for this investigation vide Commission's letter dated November 12, 2009 and requested to respond within one week of issuance of that letter. Hansol responded to the requested information vide its letter dated November 26, 2009.

15.1.4 The Commission has accepted information supplied by Hansol for the purposes of this preliminary determination. Preliminary normal value, export price and dumping margin (paragraphs 24.2, 25.2 and 26.4 infra) for Hansol is determined on the basis of that information.

15.2 Questionnaire Response by HM Trading Corporation, Seoul, Korea

15.2.1 The Commission sent questionnaire to HM Trading Corporation, Seoul, Korea (hereinafter referred to as "HM Corporation") on August 6, 2009. Its response was received at the Commission on September 9, 2009. According to the information provided, HM Corporation is a private proprietorship concern incorporated under the Korean commercial

laws on January 2, 2007. It has been involved in export sales of different products including investigated product to Pakistan as well as to other countries during POI.

15.2.2 The information submitted by HM Corporation was analyzed at the Commission and certain deficiencies were identified, which were communicated to it vide Commission's letter dated September 18, 2009.

15.2.3 HM Corporation was asked to provide the deficient information/data no later than September 28, 2009. HM Corporation responded to the deficiencies vide its letter dated October 3, 2009. However, its response did not contain all the required information. The Commission asked HM Corporation vide its letter dated November 13, 2009 to provide the deficient information within one week of issuance of that letter. Its response was received at the Commission on November 26, 2009.

15.2.4 According to the information, HM Corporation is not involved in production and sales in its domestic market of the investigated/like product. It is involved in exports of the investigated product. During POI, it has exported investigated product to Pakistan produced by Daehan Pulp Company Limited, New Choyang Building 49-17, Chungmu-Ro, 2-KA, Chung-ku, Seoul, Korea (hereinafter referred to as "Daehan"). The Commission asked HM Corporation for information on domestic sales made by Daehan during POI in its domestic market and cost to make and sell of the like product. HM Corporation replied as follows:

"..... it is not possible for us to fill-in this section of the Questionnaire. We endeavored our best through requests to the manufacturer to provide us the desired information, which was declined for reasons of business secrecy."

"Nevertheless, we have made our best effort to submit all the information relating to our exports to Pakistan and other related information regarding HM Trading requested herein. Due to unavoidable limitations, we are unable to provide you any information relating to the manufacturer."

"As we understand that the Commission will use best available information under Section 32 of the Ordinance in places where information could not be obtained and provided by HM Trading due to inevitable limitations, we would appreciate that the Commission understand these limitations and do not use information adverse to the interest of HM Trading."

15.2.5 The Commission also requested Daehan for necessary information and sent questionnaire to it on September 12, 2009. Daehan was requested to respond the questionnaire within 37 days of its issuance, but it did not respond.

15.2.6 The Commission has accepted information supplied by HM Corporation for the purposes of this preliminary determination. Export price for its exports of the investigated product (paragraph 25.3 infra) is determined on the basis of that information in this preliminary determination.

15.3 Questionnaire Response by PT Fajar Surya Wisesa Tbk, Indonesia

15.3.1 The Commission sent questionnaire to PT Fajar Surya Wisesa Tbk, Indonesia (hereinafter referred to as "Fajar") on June 27, 2009. Its response was received in the Commission on July 31, 2009. According to the information provided in response to the questionnaire, Fajar is a public limited company registered on February 29, 1988 under Indonesian code FASW. It has been involved in the manufacture, sale and export of Paperboard to Pakistan as well as to other countries and in its domestic market during POI.

15.3.2 The information submitted by Fajar in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated August 15, 2009.

15.3.3 Fajar was asked to provide the deficient information/data no later than August 30, 2009, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Fajar responded to the deficiencies vide its letter dated August 28, 2009. However, the information received was still deficient in some respects. Fajar was asked for deficient information, which was necessary for this investigation vide Commission's letter dated November 14, 2009 and requested to respond within one week of issuance of that letter. Fajar responded to the requested information vide its letter dated November 19, 2009.

15.3.4 The Commission has accepted information supplied by Fajar for the purposes of this preliminary determination. Preliminary normal value, export price and dumping margin (paragraphs 24.4, 25.5 and 26.4 infra) for Fajar is determined on the basis of that information.

16. Verification of the Information

16.1 In terms of Sections 23, 32(4) and 35 of the Ordinance and Rule 12 of the Rules, during the course of an investigation, the Commission shall satisfy itself as to the accuracy of the information and verify/examine the accuracy of the information supplied by the interested parties.

16.2 In order to verify the information/data provided by the Applicant and to obtain further information (if any), officers of the Commission conducted on-the-spot investigation at the offices and plant of the Applicant from July 22 to July 24, 2009.

16.3 Due to some administrative reasons, the Commission could not conduct on-the-spot investigations before preliminary determination. However, the Commission intends to verify information/data provided by cooperating exporters/foreign producers (Hansol, HM Corporation and Fajar) after preliminary determination.

17. Public File

The Commission, in accordance with Rule 7 of the Rules, has established and maintained a public file at its offices. This file remains available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the investigation (except public holidays). This file contains non-confidential versions of the application, response to the questionnaires, submissions, notices, correspondence, and other documents for disclosure to the interested parties.

18. Confidentiality

In terms of Section 31 of the Ordinance, any information, which is marked confidential by the interested parties in their submissions and considered confidential by the Commission, shall, during and after the investigation, be kept confidential. Furthermore, any information, which is by nature confidential in terms of Section 31 of the Ordinance, shall also be kept confidential. However, in accordance with Section 31(5) of the Ordinance, interested parties submitting confidential information are required to submit non-confidential summary(ies) of the confidential information, which shall permit a reasonable understanding of the substance of information submitted in confidence. Non-confidential summaries submitted by different interested parties have been placed in the public file and are available to all interested parties (paragraph 17 supra).

19. Views/Comments of Interested Parties

19.1 The Commission received comments on the application and initiation of the investigation only from following interested parties:

- i. HM Trading Corporation, Korea
- ii. International Business Management, Karachi ("IBM")

- iii. Trade International, Pakistan (Trade International); and
- iv. ATC Pakistan (Pvt.) Ltd.
- v. ANM Trading Co, Karachi
- vi. Impex Agencies, Karachi

19.2 Comments received and germane to this investigation under the Ordinance are reproduced in Column A and the Commission's views/determination thereto are set out in Column B in the following table:

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

Views/Comments of HM Trading Corporation, Korea, IBM, Trade International Pakistan and ATC Pakistan Ltd.

HM Trading Corporation, IBM, Trade International Pakistan and ATC Pakistan Ltd. offered following comments/ views on application and initiation of this investigation through their attorney Rizvi, Isa, Afridi and Angell, Islamabad:

"D. PRELIMINARY OBJECTIONS"

"1.a. The Application lacks the basic legal requirements laid down in Section 20 of the Ordinance, read with Rule 3 of the Rules."

"1.b. The non-confidential version of the Application does not permit a reasonable understanding of the substance of the information and, therefore, the Exporters are handicapped in commenting on the information provided by the Applicant."

"1.c. Section 31 (4) of the Ordinance requires interested parties to submit reasons warranting confidentiality of any information at the time when such information is submitted to the Commission. The Applicant has not given reasons for claiming confidentiality of the information."

"1.e. Section 2 of the Application (Industry Identification) requires the Applicant to identify all domestic producers of the domestic like product and not limited number of domestic producers. The Applicant has not disclosed a number of other domestic producers who were engaged in the business of producing domestic like product during the POI."

The Applicant filed application under Section 20 of the Ordinance. The Commission examined the application and determined that it met requirements of Section 20 of the Ordinance and Rule 3 of the Rules (paragraphs 6 and 11 supra).

The Applicant has provided non-confidential summaries in indexed form or in percentages. The Commission found that non-confidential version of the application fulfilled requirements of Section 31(5) of the Ordinance

The Commission accepts separate versions of confidential and non-confidential application. The Commission examines information provided in application and determines whether information provided in confidence is "confidential" information in accordance with Section 31(3) of the Ordinance.

The Applicant provided list of all producers of the like product. Furthermore, it also provided list of members of Pakistan Paper and Board Mills Association. After consideration of all the relevant information, the Commission has determined domestic industry in this case (paragraph 7 supra).

Column-A (Views/Comments of Interested Parties)

"1.f A domestic producer has been excluded from the definition of domestic industry under Section 2(d) of the Ordinance for the reason that it itself imported the Investigated Product from the dumped sources during the POI. The exclusion of domestic producer should be limited to only those countries from where it imported the Investigated Product and not from all the Exporting Countries."

"1.g The Applicant became part of the domestic industry producing domestic like product only in August 2008 as it started production of One Side Coated Duplex Board - Grey Back in August. The Applicant was producing other grades, models etc., before August 2008 and not the domestic like product"

"1.h. The Applicant has used the import data provided for PCT Head Nos. 4810.9200 & 4810.9900. These PCT Heads are not specific to One Side Coated Duplex Board Grey Back weighing from 230 g/mm to 400 g/mm. There are a number of other products that are importable and cleared by customs under these PCT Heads. The import data thus provided does not take into account the original quantities of the IP imported but rather includes a variety of products imported under these PCT heads."

"2. b. At the outset, the Commission did not examine the accuracy and adequacy of the information provided in the application as required under Section 23 of the Ordinance, before initiating the investigation."

"2.c. The evidence on record placed in the public file does not provide any evidence that proves that the Commission analysed the Application so as to conclusively ascertain whether the Applicant has provided summaries of the information provided in confidence, which would allow reasonable understanding of the substance provided in confidence."

"2.d Furthermore, the Commission did not ask the Applicant to submit reasons warranting confidentiality at the time when the information was submitted to the Commission which is in direct violation of the mandatory provisions of the Ordinance."

"2.e Article 5.4 of the Anti-Dumping Agreement read with Sections 20 & 24 of the Ordinance mandates the Commission not to initiate an investigation unless it determines that the Application has been made by or on behalf of the domestic industry producing like product. From the record, it appears that the Commission relied on an unsubstantiated statement of the Applicant that the Application has support from other domestic producers."

Column-B (Commission's Response)

The Commission has determined domestic industry for the purposes of this investigation in accordance with Section 2(d) of the Ordinance (paragraph 7 supra).

Investigation of the Commission has showed that the Applicant was also a producer of the domestic like product before August 2008. In the year 2008, it enhanced its production capacity from 24000 MT per annum to 130000 MT per annum. Production of its enhanced capacity started in August 2008 (paragraphs 31.4 and 35.2 infra).

Although PCT heading Nos. 4810.9200 and 4810.9900 contains products other than the investigated product, but the Commission has extracted and used information of the investigated and like products imported under these PCT headings. Furthermore, volume and value of the investigated product in this preliminary is determined on information provided by the cooperating exporters of the Exporting Countries and obtained from PRAL's data base.

The Commission examined accuracy and adequacy of the evidence provided in the application under Section 23 of the Ordinance and established that there was sufficient evidence to justify initiation of this investigation (paragraph 11 supra).

Non-confidential summaries of the confidential information are in accordance with Section 31(5) of the Ordinance and permit a reasonable understanding of the information submitted in confidence.

This is consistent practice of the Commission to accept separate versions of confidential and non-confidential application. The same procedure has been followed in this case.

Before initiation of this investigation, the Commission has determined that the application met requirements of Sections 20 and 24 of the Ordinance (paragraph 8 supra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"E. PROCEDURAL ISSUES"

"Standing"

"1.1(i) The Applicant has identified six domestic producers of the domestic like product in Pakistan. Out of the identified producers, Packages Limited has been excluded from the definition of domestic industry under Section 2(d) of the Ordinance and its share in domestic production has not been taken into account in determining the standing of the domestic industry under Section 24 of the Ordinance apparently because Packages Limited imported the investigated product from dumped source during the POI;"

The Commission has satisfied itself to the accuracy of the information available with it. Domestic industry of the domestic like product and standing of the application is determined in accordance with Sections 2(d) and 24 of the Ordinance (paragraphs 7 and 8 supra).

"1.1(ii) We would like to identify here that there are a number of other major producers of Paperboard in Pakistan, which have not been identified in the application as the domestic producers;"

Domestic industry is determined on all producers of Paperboard (paragraph 7 supra).

"1.1(iv) As claimed by the Applicant, Zaman Paper & Board Mills and Malik Board & Paper Industries Limited, represent 21.01% and 19.08% of the total domestic production of paperboard during the POL, respectively. *Arguendo*, if these figures are correct, they represent substantive portion of domestic production and, therefore, **the Commission must investigate whether these producers who also represent a major portion of domestic production were/are being injured due to allegedly dumped imports of the investigated product;**"

The Commission requested all producers of the domestic like product, including Zaman Paper & Board Mills, Malik Board and Paper Industries Ltd. and Pakistan Pulp Paper and Board Mills Association, for necessary information, but no producer of the like product other than the Applicant responded to the Commission (paragraph 14.8 supra). However, the Applicant has provided information on installed capacities, production and sales of other units, which is used for injury analysis of this preliminary determination (paragraphs 31, 33, 34 and 35 infra). The Commission has determined domestic industry for the purposes of this investigation in accordance with Section 2(d) of the Ordinance (paragraph 7 supra).

"1.1(v) As we understand, the subject investigation is against four countries i.e., Korea, China, Taiwan and Indonesia. We would request the Commission to see whether Packages Limited have imported the investigated product from all four countries. If not, **for the purposes of dumped imports from those countries from where Packages have not imported the investigated product, Packages share in domestic production must be taken into account and injury must be examined accordingly.** This will also have an effect on the cumulative assessment of injury and the Commission should, therefore, examine whether such a situation would justify cumulative or separate injury analysis;"

"1.1(vi) Section 15 of the Ordinance not only requires analysis of injury to the domestic industry as defined by the Applicant, it also requires the Commission to conduct an **unbiased and objective** examination of the consequent impact of dumped imports on **domestic producers** of such products. Therefore, the **injury analysis must not be limited to the domestic industry as defined by the Applicant rather the Commission is requested to conduct injury analysis of all domestic producers (including Packages) of domestic like product in Pakistan**"

Effects of dumped imports on domestic production, capacity utilization, market share and sales in this preliminary determination have been determined on the basis of entire domestic industry's information (paragraphs 31, 33, 34 and 35 infra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"2. Confidentiality"

"The Applicant has claimed confidentiality on the information that otherwise require disclosure to interested parties under Section 31 of the Ordinance for meaningful analysis in order to defend their interests in this investigation. Such unwarranted claim of confidentiality has deprived the exporters and the importers of their basic legal right to comment on the Application.

"Section 31(5) of the Ordinance requires the Applicant to furnish non-confidential summary of confidential information and such non-confidential summary shall permit a reasonable understanding of the substance of the information submitted in confidence....."

"3. Product Scope"

"3.1 Neither of the PCT Head identified in the Application is specific to IP. There is a range of other paperboard including one side coated folding boxboard, one side coated ivory board, solid bleach board, solid bleach board OBA free, coated duplex board white back, coated duplex board Manila back, one side coated craft back etc., being imported under the same PCT Heads. Since the volumes of allegedly dumped imports have been unfairly kept confidential, it is assumed that the import figures would also include imports of other items falling under the same PCT numbers. In such situation, the Commission should have asked the Applicant to bifurcate import data and the volume of allegedly dumped import must be limited to the IP only....."

"3.2 The Applicant starting producing the Investigated Product in August 2008 as it was producing other brands, models of Paperboard till August 2008....."

"3.3 The Applicant cannot produce all grades of IP. We have been informed that the Applicant cannot produce 230 g/mm and 400 g/mm. We have already requested the Commission to investigate into the matter and ask the Applicant for the actual sale invoices of these two grades."

"Evidence of Dumping"

"4.1 The Applicant has not provided any evidence regarding export price and normal value nor has it provided the calculation methodology (i.e., adjustments etc.) adopted for Exporters from the Exporting Countries. The Applicant has not even disclosed the source of information of normal value for Korea, China and Taiwan, and the source for construction of normal value for Indonesia....."

"Upon review of the Application, the Commission should have determined that it did not contain sufficient information and evidence on dumping within the meaning of Sections 20 & 23 of the Ordinance and therefore should not have initiated the investigation and in any event should be terminated immediately."

The Applicant has requested for confidentiality in accordance with provisions of Section 31 of the Ordinance. Furthermore, the Applicant has submitted non-confidential summaries of the confidential information in accordance with Section 31(5) of the Ordinance.

The Commission has extracted and used information of the investigated and like products imported under PCT heading Nos. 4810.9200 and 4810.9900. Furthermore, volume and value of the investigated product in this preliminary is determined on the basis of information provided by the cooperating exporters of the Exporting Countries and obtained from PRAL's data base.

The Commission's investigation has shown that the Applicant has produced domestic like product throughout POI. However, in August 2008 it has enhanced its production capacity (paragraph infra)

Investigation of the Commission has showed that the Applicant has produced and is capable to produce entire range of domestic like product.

The Commission has determined that the application was filed in accordance with provisions of Sections 20 and 24 of the Ordinance and Rule 3 of the Rules (paragraphs 5 to 8 supra). The Commission has also determined accuracy and adequacy of the evidence provided in application before initiation of this investigation (paragraph 11 supra). The application and initiation memo, prepared by Officers of the Commission in this case, contain sources and methodology used in determination of normal value, export price and dumping margin.

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"4.3 Evidence of Injury"

"4.3.1 Volume of Dumped Imports

"..... According to the Application, in particular in paragraph 10.3 thereof, the Applicant has claimed that it has suffered material injury due to increase in the volume of dumped imports, whereas the supporting arguments and information clearly exhibits a different scenario otherwise."

"The condition precedent to determine injury on this account as demonstrated above is 'significant' increase in the volume of dumped imports and not 'nominal' or 'marginal'."

"Furthermore, the term *"increase in dumped imports"* means an increase in volume of "dumped" imports after the onset of alleged dumping *i.e.* it has to be seen whether there has been a significant increase in "dumped" imports within the Period of Investigation for Dumping. The stipulation in section 15(2) of

the Ordinance does not imply a comparison of volume of "dumped" imports with imports that took place in the pre-"dumping" period. On this point, the WTO law and the jurisprudence that has developed are clear that it is trends within, rather than differences at the beginning of the Period of Investigation for dumping, that are to be considered. Likewise, section 15(2) of the Ordinance concerns itself with the increase in imports after the alleged onset of dumping, and is not concerned with the level at which the alleged dumping began.

"4.3.2 Price Effects"

(a) "Price Undercutting

"The Applicant has itself stated that the Investigated Product did not undercut the prices of domestic like product during the entire POI. However, while commenting on the decrease in prices, the Applicant has alleged that the Exporters from the Exporting Countries intentionally decreased their prices contemporaneous to the operation of additional capacities by the Applicant. The reason is absolutely wrong and based on nonsense assumption. This was the time when the effect of worldwide recession was felt the most. Furthermore, the raw material cost as well as substantive decrease in oil prices further added to the reason for reduction of prices. During this period, every single producer of Paperboard in the world followed a similar trend."

(b) "Price Depression

"The Applicant did not suffer price depression during the last three years *i.e.*, 2006, 2007 and 2008. It only reduced its prices for the first quarter of 2009 not due to dumped imports but due to the over all market recession. This fact is also evident from the decrease in landed cost of allegedly dumped imports."

The Commission has determined volume of dumped imports on the basis of the information submitted by the cooperating exporters of the Exporting Countries and the information obtained from PRAL (paragraph 31.2 *infra*). Investigation of the Commission has shown the volume of dumped imports of the investigated product did not increase in absolute or relative to domestic production during POI. However, the Commission has concluded that production of the domestic like product increased during POI due to enhanced capacity of the domestic industry (paragraphs 31.4 and 35 *infra*) and sales at a reduced prices to get more market share to utilize increased capacity (paragraph 32.4 *infra*).

Investigation of the Commission has shown that the domestic industry has suffered on account of price undercutting during POI (paragraph 32.2 *infra*)

The Commission has concluded that the domestic industry has suffered on account of price depression (paragraph 32.3 *infra*).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

(c) "Price Suppression

"The cost to make and sell of the domestic industry increased significantly during 2008 (by 66 percent over 2007), whereas, it was able to increase its ex-factory price only by 22.45 percent (even though apparently the C&F price and landed cost of dumped imports increased by 36 percent). There were many reasons for substantial increase in the cost to make and sell of the Applicant during 2008. Due to economic instability, some of the reasons were common to all producers including the exporters from the Exporting Countries and the Exporter also experienced increase in its cost to make and sell. One major reason also mentioned above was that the oil prices touched its peak in year 2008 which resulted in higher freight and therefore higher cost of raw material."

"As regards to the Applicant, further reasons that added to the increase in cost were *inter alia* (i) exorbitant financial charges, (ii) increase in depreciation cost (as mentioned in cash flow statement for the year ended December 31, 2008 in half year audited accounts), (iii) attribution of the cost of a power plant, (iv) irregular supplies of raw material, (v) stoppage of production due to acute shortage of power and gas (fixed and variable cost other than production continued to accrue)."

"4.3.3 Other Injury Factors"

"Applicants Expansion

"The Applicant has not suffered injury and certainly not due to alleged dumping of the IP. The Applicant in August 2008 expanded its production facility and added on a considerable production capacity. It is an accepted industrial phenomenon that whenever a company undertakes a new or expansion project, the company suffers a loss in the initial years of production. This phenomenon is attributed to the costs of erecting the new project such as heavy financial costs and other costs for materials, labor, manpower, pre-cod expenses etc. In the time of global economic meltdown and recession an expansion project would have high financial costs. The Applicant was hit by the same phenomenon and has not been able to profit last year due to economic recession along with mistimed expansion.

"A company undertaking expansion is always unable to utilize its full production capacity. In order to increase capacity utilization and sales, it is usual to reduce prices, which may result in short term losses. Furthermore, some losses may also be a direct result of high setup costs for the new project. These losses would resultantly have affects on the overall position of the company, including cash flow, inventories, return on investment, sales etc.

"Similarly, productivity would also be affected in such scenario. For a new plant new labor is hired, which will be inexperienced and will gradually gain the requisite experience to be able to operate at a high level of productivity. This increase in productivity cannot be possible right at the beginning of production and will take the workers a while to achieve optimum levels of productivity."

The Commission has assessed effects of price suppression at cost of sales and has found that the domestic industry suffered material injury on account of price suppression during POI (paragraph 32.4 infra).

The Commission has also examined factors, other than dumped imports of the investigated product, in accordance with Section 18(2) of the Ordinance, which could at the same time cause injury to the domestic industry, in order to ensure that possible injury caused by other factors is not attributed to the dumped imports (paragraph 45 infra).

Commission's investigation has also shown that the domestic industry enhanced production capacity during POI. The Applicant has installed new plant based on latest technology in this sector. With commencement of new plant, the Applicant has improved quality of the domestic like product and is able to produce efficiently and cost effectively.

The Commission has assessed capacity utilization on the basis of total installed capacity of the domestic industry and not on the basis of Applicant's capacity. The Commission has found that the domestic industry has suffered material injury on account of capacity utilization (paragraph 35 infra).

The Commission has determined that the domestic industry did not suffer on account of employment, however, it suffered on account of productivity (paragraph 39 infra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"Sales and Output

"The Applicant increased its sales during the POI. Whereas, the data provided by the Applicant shows a continuous decline in imports of the Investigated Product. Furthermore, as mentioned in the Applicant's Annual Accounts of 2007/2008, there exists an increasing demand of paperboard. Such increase in sales and the increase in demand with decline in imports clearly demonstrate that the Applicant has captured the entire share of growth in the market. If the statements made by the Applicant in the Application of claimed injury were correct, the Applicant should not have been able to increase sales, market share, capacity utilization. In addition, the Applicant also increased its prices and was able to register a 12% increase in prices.

"Moreover, the affect on the Applicant's output could largely be attributed to unavailability of gas. Even than the Applicant in its annual report for 2007/08 reported a marginal increase in production."

"Profit and Loss

"Even though the Applicant's sales increased, the profits did not increase considerably. As demonstrated above, these losses are mainly attributed to the fact that the costs of doing business increased substantially during the POI due to the increase in costs of fuel, raw materials, labour, financing etc. Furthermore, the costs of adding a new plant have contributed heavily to the loss of profits."

"Employment Salaries & Wages and Productivity

"The numbers of employee, salaries and wages have all increased due to the addition of the new plant. Such increase was inevitable as the new plant did require further labour. If the Applicant still claims injury on this account, it is clearly the result of its own failure to exercise appropriate management control of its labor costs and cannot be attributable in the slightest degree to dumped imports....."

"Growth

"Paperboard sector has seen substantial growth during the past few years. The domestic market of coated duplex board (grey back), alone, increased by 53.18 percent in 2007, by 3.77 percent in 2008 and 18.87 percent during the period from January to March 2009 as compared to the corresponding quarter of the previous year. The opportunity for expansion arising therefrom has been fully availed by the Applicant through installation of a new plant. The Applicant will need some time to fully utilize its capacity and capture further growth in the market."

Investigation of the Commission has shown that sales of the domestic like product increased during POI. The domestic industry did not suffered on sales of the domestic like product (paragraph 34 infra). However, domestic industry was able to sell more by reducing its prices and resultantly faced price suppression (paragraph 32.4 infra).

After investigation, the Commission has concluded that the domestic industry has suffered on account of profits (paragraph 37 infra)

After investigation, the Commission has determined that the domestic industry did not suffer on account of employment and salaries & wages. However, it suffered on productivity of domestic like product (paragraph 39 infra)

The Commission has concluded in this preliminary determination that the domestic industry did not suffer on account of growth and investment during POI (paragraph 41 infra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"Cash Flow

"The Applicant has registered a negative generation of cash during the year 2007/2008. This has been a result of the heavy capital expenditures that Applicant has taken on account of expansion. The Applicant could not have avoided this situation because such expenditures were necessary to prepare for the post erection activities of the new plant.

"The Applicant, on account of expansion, has faced a considerable increase of 1531% in the financial charges.

"A negative generation of cash flow has not been due to the alleged dumped imports but has been a direct consequence of financial mismanagement by the Applicant."

"Goods Inventory

"The Applicant has also claimed injury on account of their unsold finished material inventory. The finished goods stock was Rs. 30.9 million at close of the 3rd quarter on March 31, 2009. This can be translated into less than a day's production/sales. The Applicant has been unable to meet the demand for the domestic like product, as the Applicant is unable to make deliveries to its customers 8 to 12 weeks after taking advances. The Applicant has mismanaged its finances and has failed to effectively and efficiently utilize its capacity to meet the requirements of its customers. The Applicant has also failed in effectively utilizing the productivity of its workforce and thus has suffered on account of capacity utilization.

"In light of the submissions made hereinabove, it is stated that injury has not been caused to the Applicant due to alleged dumping. If anything else, the imports of the IP have complemented the domestic industry of the IP as it catered for the gap in demand. Injury, if any, suffered by the Applicant has been due to the inefficient and ineffective management of the Applicant's affairs of business and general."

Views/Comments of ANM Trading Co, Karachi and Impex Agencies, Karachi

ANM Trading Co., Karachi and Impex Agencies, Karachi submitted same comments/views, which are reproduced hereunder:

"In the matter of Complaint of Century Paper & Board Mills Ltd, as "Domestic Industry" representing "100 Percent Production" of one-side Coated Duplex Board. Grey Back weighing 230 grams to 400 grams, we submit that:"

"i. Century Paper & Board Mills Ltd, is a sole Complainant in the name of "domestic industry" representing '100 percent production' which is against the letter and spirit of the Ordinance."

"ii. The Commission excluded from the "Domestic Industry" Packages Ltd., one of the major producer and importer of the item to cater their own requirement who are in better position to place cogent facts before the Commission as to why they imported their requirement.

"iii Other "domestic Producers" are not identified nor have they

The Commission has determined effects on cash flows on the basis of operations of the Applicant and has determined that the domestic industry has suffered on account of cash flow during POI (paragraph 38 infra).

The Commission has determined effect on inventories of the domestic like product on the basis of quantity sold by the Applicant. Investigation has shown that the domestic industry has suffered on account of inventories of the domestic like product (paragraph 36 infra).

The Commission has determined that the domestic industry of the domestic like product is comprises of six units (paragraph 7 supra).

The Commission has determined standing of the application in accordance with Section 24 of the Ordinance (paragraph 8 supra).

"Domestic industry" is determined in accordance with Section 2(d) of the Ordinance (paragraph 7 supra).

In determination of standing of the application, production of other units has been taken into account (paragraph 8 supra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

joined the Complainant."

"2. Without prejudice to the forgoing, we would like to point out that malafide floats on the surface in the application for Tariff protection of one side Coated Duplex Board, Grey Back, under Code 4810-9200 but deceptively adding code 4810-9900 which covered:

"1/Side Coated Ivory Board, 1/Side Coated Folding Box Board, 1/side Coated Kraft-back Board. 1/Side Coated Solid Bleached Sulphite Board and 1/Side Coated Bleached Sulphite Board OBA Free. **Not produced locally.**"

"3. Locally produced 1/side Duplex Board does not meet the quality specification required by leading multi-national companies like Uniliver, Glaxos, Nestle for packaging medicines, eatables etc. and printing on high-tech, high-speed printing machines requiring dust-free duple board."

"4. Landed cost of 1/Side Coated Duplex Board, after payment of ocean freight at about US\$550 to US\$600 PMT to Karachi and 78% duty/taxes including regulatory duty at 15% to National Exchequer and clearing charges comes to Rs.80, 000 Per 1000 kgs."

"5. In the world market price for 1/Side Coated Duplex Board varies from US\$550 to US\$600 per MT C&FC depending upon freight rates."

"6. If the Commission scan Sale invoices of the Complainant, it will reveal far higher sale price than landed cost of the product from Exporting Countries."

"7. The Commission may ask other un-named mills/producers of the "Domestic Industry" producing part of the 100 percent production to furnish their sale-invoices for examination, which will reveal sale prices far below the cost of importer cited in Para 4."

"8. The Complainant's sale price being far higher than landed cost from the Exporting Countries, and sale prices of other un-named "domestic Producers" being far below the landed cost, will negate, repudiate the contention of alleged dumping import, price depression/suspension, and decline in profit and decrease in capacity utilization."

"9. In the interest of fairness of the inquiry, the Commission may ask packages Limited, one of the major producers of 1/Side Coated Duplex Board, to furnish (i) their production figures during the Investigation Period (ii) Their total import of the product."

"10. To best of my knowledge and belief, Production of Packages Ltd., inadequate to cater their own requirement, locally produced item being unavailable and/or quality not of standard for packaging, they fall back on imports."

Investigated product in this investigation is One Side Coated Duplex Grey Back Paperboard weighing from 230 g/m² to 400 g/m². Furthermore, the Commission has determined that investigated product and the domestic like product are alike products (paragraph 12 supra).

Investigation of the Commission has shown that the domestic like product is of same/similar quality as of the investigated product. Both products are "like products" (paragraph 12 supra).

The Commission has determined landed cost of the investigated product on the basis of the information provided by cooperating exporters and obtained from PRAL (paragraph 32.2 infra).

Export price in this preliminary determination is determined on the basis of the information provided by cooperating exporters and obtained from PRAL (paragraph 25 infra).

Effects on prices of the domestic like product are determined in accordance with Section 15(3) of the Ordinance (paragraph 32 infra).

The commission has asked other producers of the domestic like product for information but they did not provide the same (paragraph 14.8 supra). However, effects of dumped imports on production, capacity utilization, market share and sales have been determined on the basis of total industry (paragraphs 31, 33, 34 and 35 infra).

Investigation has shown that the domestic industry did not suffer on account of price undercutting and price depression during POI. However, domestic industry suffered on price suppression during POI (paragraph 32 infra).

Domestic industry for the purposes of this investigation is determined in accordance with Section 2(d) of the Ordinance (paragraph 7 supra).

Column-A (Views/Comments of Interested Parties)

Column-B (Commission's Response)

"11. It shows that the Complainant, ostensibly, in the name of and on behalf of "Domestic Industry" allegedly "supported by 100 percent production of paper and paper board" of the country is baseless, travesty, malafide and abuse of the process of law."

"12. The Complainant represent themselves, neither the "Domestic Industry" nor 100 Percent of Total Production of paper and board in the country as the Packages Ltd have been excluded and other mills have not joined the Complainant."

"13. It is sinister game of hoodwinking by the Complainant, to make import cost prohibitive and create monopoly ruthless monopolistic exploitation of the end users."

The Applicant has provided evidence for its support of the application of other units (paragraph 8 supra).

Domestic industry for the domestic like product is determined in accordance with Section 2(d) of the Ordinance (paragraph 7 supra)

This investigation is on the investigated product imported from the Exporting Countries. Imports from sources other than the Exporting Countries are not under investigation.

B. DETERMINATION OF DUMPING

20. Dumping

In terms of Section 4 of the Ordinance dumping is defined as follows:

"an investigated product shall be considered to be dumped if it is introduced into the commerce of Pakistan at a price which is less than its normal value".

21. Normal Value

21.1 In terms of Section 5 of the Ordinance "normal value" is defined as follows:

"a comparable price paid or payable, in the ordinary course of trade, for sales of a like product when destined for consumption in an exporting country".

21.2 Further, Section 6 of the Ordinance states:

"(1) when there are no sales of like product in the ordinary course of trade in domestic market of an exporting country, or when such sales do not permit a proper comparison because of any particular market situation or low volume of the sales in the domestic market of the exporting country, the Commission shall establish normal value of an investigated product on the basis of either:

"a) the comparable price of the like product when exported to an appropriate third country provided that this price is representative; or

"b) the cost of production in the exporting country plus a reasonable amount for administrative, selling and general costs and for profits.

"(2) Sales of a like product destined for consumption in domestic market of an exporting country or sales to an appropriate third country may be considered to be a sufficient quantity

for the determination of normal value if such sales constitute five per cent or more of the sales of an investigated product to Pakistan:".

21.3 Ordinary course of trade is defined in Section 7 of the Ordinance as follows:

"(1) The Commission may treat sales of a like product in domestic market of an exporting country or sales to a third country at prices below per unit, fixed and variable, cost of production plus administrative, selling and other costs as not being in the ordinary course of trade by reason of price and may disregard such sales in determining normal value only if the Commission determines that such sales were made -

"(a) within an extended period of time which shall normally be a period of one year and in no case less than a period of six months;

"(b) in substantial quantities; and

"(c) at prices which do not provide for the recovery of all costs within a reasonable period of time.

"(2) For the purposes of sub-clause (b) of sub-section (1), sales below per unit cost shall be deemed to be in substantial quantities if the Commission establishes that -

"(a) a weighted average selling price of transactions under consideration for the determination of normal value is below a weighted average cost; or

"(b) the volume of sales below per unit cost represents twenty per cent or more of the volume sold in transactions under consideration for the determination of normal value.

"(3) If prices which are below per unit cost at the time of sale are above the weighted average cost for the period of investigation, the Commission shall consider such prices as providing for recovery of costs within a reasonable period of time."

22. Export Price

The "export price" is defined in Section 10 of the Ordinance as *"a price actually paid or payable for an investigated product when sold for export from an exporting country to Pakistan"*.

23. Dumping Determination

23.1 As stated earlier (paragraph 10 supra) the Applicant identified twenty-two exporters/foreign producers from Exporting Countries involved in alleged dumping of the investigated product. The Commission sent questionnaires directly to 48 exporters/foreign producers whose complete addresses were available with the Commission (paragraph 14.1 supra) to gather information necessary for this investigation. Questionnaires were also provided to the Embassies of the Exporting Countries in Islamabad with a request to forward it to all

exporters/foreign producers of the investigated product based in Exporting Countries to submit information to the Commission.

23.2 Only three exporters/foreign producers, Hansol, HM Corporation and Fajar, provided information in response to the questionnaires, (paragraphs 14.2 and 15 supra). Individual dumping margins in this preliminary determination are determined for the above-mentioned three exporters/foreign producers on the basis of the information provided by them. However, a residual dumping margin/duty rate has been determined for all other exporters/foreign producers of the Exporting Countries who did not cooperate with the Commission in this investigation.

24. Determination of Normal Value

24.1 The Commission received information on domestic sales and cost of production etc. of the like product from the two exporters/foreign producers, Hansol, Korea and Fajar, Indonesia in response to the questionnaires. Normal value for Korean and Indonesian exporters/producers in this preliminary determination has been determined on the basis of that information (paragraphs 24.2 to 24.5 infra). Normal value for the Chinese and Taiwanese exporters/producers has been determined on the basis of best information available in accordance with Section 32 and Schedule to the Ordinance (paragraphs 24.6 and 24.7 infra).

24.2 Determination of Normal Value for Hansol, Korea

24.2.1 Normal value for Hansol has been determined on the basis of the information provided by it on its domestic sales and cost to make and sell during POI.

24.2.2 According to the information, Hansol produced and sold six types, HW Ream, HW Roll, HW Skid, LW Ream, LW Roll and LW Skid of the like product (Paperboard) in its domestic market during POI. It exported same types of the investigated product to Pakistan during POI. For the purposes of like to like comparison, normal value is determined separately for each type to compare with the export price of respective type of the investigated product.

24.2.3 Hansol sold █████ MT of the like product (all six types mentioned above) in its domestic market during POI. These sales are in sufficient quantities to determine normal value in terms of Section 6(2) of the Ordinance, as these are more than 5 percent of the export sales of the investigated product exported by it to Pakistan during POI. It sold like product to related and un-related customers in its domestic market. Investigation of the Commission showed that prices charged from related customers were in the same range of prices, which were charged from un-related customers. Therefore, the Commission has considered all sales of the like product (related and un-related) in determination of normal value for Hansol.

24.2.4 Section 7 of the Ordinance requires the Commission to determine ordinary course of trade for domestic sales to determine normal value. Investigation has revealed that below costs sales were in substantial quantities in terms of Section 7(2) of the Ordinance. Furthermore, below costs sales were in extended period of time and its prices did not provide for recovery of all costs within a reasonable period of time. Thus, in determination of normal value for the above-mentioned types (paragraph 24.2.2 supra), the Commission has disregarded sales, which were not in the ordinary course of trade in accordance with provisions of Section 7 of the Ordinance (paragraph 21.3 supra).

24.2.5 According to Hansol, during POI, it sold like product in its domestic market on credit at delivered basis. To arrive at the ex-factory price, Hansol has claimed adjustments on account of credit cost, and inland freight. The Commission has accepted these adjustments and the normal value at ex-factory level for the like product is worked out by deducting values of these adjustments. Summary calculation of normal value for these types is placed at Annexure-II.

24.3 Determination of Normal Value for HM Corporation and Other Non-cooperating Korean Exporters/Producers

24.3.1 As stated earlier (paragraph 15.2.4 supra), HM Corporation is/was not involved in production and sales of the like product in its domestic market. During POI, it has exported investigated product to Pakistan produced by Daehan. The Commission asked HM Corporation for information on sales made by Daehan during POI in its domestic market and cost to make and sell of the like product. However, HM Corporation showed its inability to supply this information. Thus, the Commission has determined normal value for HM Corporation on the basis of best information available in accordance with Section 32 of the Ordinance

24.3.2 For the purposes of determination of normal value for HM Corporation and other non-cooperating Korean exporters of the investigated product, the information provided by Hansol, in response to the questionnaire, on its cost of production plus admin, selling and general costs, financial expenses and profits is used. The Commission is of the view that it is the best available information for construction of normal value for HM Corporation and other non-cooperating Korean exporters on the following grounds that:

- i. Hansol is a major producer of Paperboard in Korea;
- ii. Hansol is the largest exporter of the investigated product from Korea to Pakistan during POI;

- iii. Hansol is manufacturing Paperboard with same/similar technology and inputs i.e. wood pulp, waste paper and chemicals as is manufactured by other exporters/producers of the Exporting Countries and the Applicant; and
- iv. This is the only reliable information available with the Commission on Korean cost to make and sell of Paperboard.

Calculation of constructed normal value for HM Corporation and other non-cooperating Korean exporters is placed at Annexure-III.

24.4 Determination of Normal Value for Fajar, Indonesia

24.4.1 Normal value for Fajar has been determined on the basis of the information provided by it on its domestic sales and cost to make and sell during POI.

24.4.2 According to the information, Fajar produced and sold three types, prime, secondary and tertiary, of the like product (Paperboard) in its domestic market during POI. However, it exported two types of the investigated product, prime and secondary, to Pakistan during POI. For the purposes of like to like comparison, normal value is determined separately for prime and secondary types to compare with the export price of respective types of the investigated product.

24.4.3 Fajar sold █████* MT of the like product (prime and secondary) in its domestic market during POI. These sales are in sufficient quantities to determine normal value in terms of Section 6(2) of the Ordinance, as these are more than 5 percent of the export sales of the investigated product exported by it to Pakistan during POI. It sold like product through a related party in its domestic market. Fajar has stated that sales to related party were at arms' length. Therefore, the Commission has determined normal value for Fajar on the basis of its sales of the like product in domestic market during POI.

24.4.4 Section 7 of the Ordinance requires the Commission to determine ordinary course of trade for domestic sales to determine normal value. Investigation has revealed that below costs sales of secondary quality of the like product were in substantial quantities in terms of Section 7(2) of the Ordinance. Furthermore, below costs sales were in extended period of time and its prices did not provide for recovery of all costs within a reasonable period of time. Thus, in determination of normal value for secondary type of the like product, the Commission has disregarded sales, which were not in the ordinary course of trade in accordance with provisions of Section 7 of the Ordinance (paragraph 21.3 supra).

24.4.5 According to Fajar, information provided to the Commission on sales of the like product is market prices. Fajar has further explained that it sold like product on credit at delivered basis during POI. Thus, to arrive at the ex-factory price of like product, Fajar claimed adjustments on account of value added tax, credit cost, and inland freight. The Commission has accepted these adjustments and the normal value at ex-factory level for the like product is worked out by deducting values of these adjustments. Summary calculation of normal value for these types is placed at Annexure-IV.

24.5 Determination of Normal Value for Other Indonesian Exporters/Producers

24.5.1 Normal value for Indonesian exporters/producers other than Fajar, who did not cooperate with the Commission in providing information is determined on the basis of best information available in accordance with Section 32 of the Ordinance.

24.5.2 For the purposes of determination of normal value for other Indonesian exporters/foreign producers, the information provided by Fajar in response to the questionnaire on cost of production plus admin, selling and general costs, financial expenses and profits is used. The Commission is of the view that it is the best available information for construction of normal value for non-cooperating Indonesian exporters on the following grounds that:

- i. Fajar is a major producer of Paperboard in Indonesia;
- ii. Fajar is the largest exporter of the investigated product from Indonesia to Pakistan during POI;
- iii. Fajar is manufacturing Paperboard with same/similar technology and inputs i.e. wood pulp, waste paper and chemicals as is manufactured by other exporters/producers of the Exporting Countries and the Applicant; and
- iv. This is the only reliable information with the Commission on Indonesian cost to make and sell of Paperboard.

24.5.3 Construction of normal value for other Indonesian exporters/producers is placed at Annexure-V

24.6 Determination of Normal Value for Chinese Exporters/Producers

24.6.1 No exporter/producer of the investigated product from China cooperated with the Commission and did not provide requisite information (paragraph 14 supra). Thus, the Commission is constrained to rely on best information available in accordance with Section 32 and Schedule to the Ordinance to determine normal value for Chinese exporters/ producers.

24.6.2 For the purposes of determination of normal value for Chinese exporters/producers of the investigated product, the information provided by the Applicant in application is used. In application, the Applicant has provided prices of the like product (Paperboard) prevailed in China during POI. For this purpose the Applicant has obtained Chinese domestic prices from "*****" a renowned international consultant/information providing company. The Commission is of the view that it is the best available information for this purpose, as no other information on Chinese domestic prices of like product, Chinese export prices of the like product for countries other than Pakistan, or Chinese producers' cost to make and sell of the like product is available with the Commission.

24.6.3 The Commission is of the view that prices in "PPI Markets and Prices" are market prices. To arrive at ex-factory level, these prices have been adjusted for inland freight and handling cost at the rate of 5.70 percent of sales price (determined on the basis of profitable sales of Hansol to un-related customers). Calculation of constructed normal value for Chinese exporters/producers is placed at Annexure-VI.

24.7 Determination of Normal Value for Taiwanese Exporters/Producers

24.7.1 No exporter/producer of the investigated product from Taiwan cooperated with the Commission and did not provide requisite information (paragraph 14 supra). Thus, the Commission is constrained to rely on best information available in accordance with Section 32 and Schedule to the Ordinance to determine normal value for Taiwanese exporters/ producers.

24.7.2 For the purposes of determination of normal value for Taiwanese exporters/producers of the investigated product, the information provided by the Applicant in application is used. In application, the Applicant has provided prices of the like product (Paperboard) prevailed in Taiwan during POI. For this purpose the Applicant has obtained Taiwanese domestic prices from "*****" a renowned international consultant/information providing company. The Commission is of the view that it is the best available information for this purpose, as no other information on Taiwanese domestic prices of like product, Taiwanese export prices of the like product for countries other than Pakistan, or Taiwanese producers' cost to make and sell of the like product is available with the Commission.

24.7.3 The Commission is of the view that prices in "PPI Markets and Prices" are market prices. To arrive at ex-factory level, these prices have been adjusted for inland freight and handling cost at the rate of 5.70 percent of sales price (determined on the basis of profitable sales of Hansol to un-related customers). Calculation of constructed normal value for Chinese exporters/producers is placed at Annexure-VII.

25. Determination of Export Price

25.1 The Commission received information on export sales of the investigated product from three exporters/foreign producers (Hansol, HM Corporation and Fajar) in response to the questionnaires sent to various exporters/foreign producers of the Exporting Countries (paragraphs 14.3 and 15 supra). Export price of investigated product for these three exporters/foreign producers in this preliminary determination has been determined on the basis of the information provided by them. Export price for other exporters/foreign producers of the Exporting Countries who did not cooperate with the Commission is determined on the basis of the information obtained from PRAL.

25.2 Determination of Export Price for Hansol, Korea

25.2.1 Export price for Hansol is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during POI.

25.2.2 According to the information, Hansol exported six types, HW Ream, HW Roll, HW Skid, LW Ream, LW Roll and LW Skid of the investigated product to Pakistan during POI. Its total exports of the investigated product to Pakistan during POI were █████ MT. All export sales to Pakistan, during POI, were made to un-related customers. However, it exported investigated product through its agent in Pakistan. Export price is determined separately for each type mentioned above.

25.2.3 During POI, Hansol exported investigated product on C&F basis. To arrive at the ex-factory level, it has reported adjustments on account of credit cost, bank charges, commission, ocean freight, inland freight and handling cost. The Commission has accepted these adjustments and the export price at ex-factory level is worked out by deducting values reported for these adjustments from the gross value of sales transactions. Summary calculations of export price are placed at Annexure-VIII.

25.3 Determination of Export Price for HM Corporation, Korea

25.3.1 Export price for HM Corporation is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during POI.

25.3.2 According to the information, HM Corporation exported prime and secondary types of the investigated product to Pakistan during POI. Its total exports of the investigated product to Pakistan during POI were █████ MT. All export sales to Pakistan, during POI, were made to un-related customers. Export price is determined separately for each type mentioned above.

25.3.3 During POI, HM Corporation exported investigated product on C&F basis. However, it has stated that ocean freight, inland freight and handling cost were paid by the producer (Daehan). HM Corporation was requested to provide information for ocean freight, inland freight and handling cost incurred on exports of the investigated product during POI but it showed its inability to provide this information, as the producer (Daehan) did not cooperate (paragraphs 15.2.4 and 15.2.5 supra). To arrive at ex-factory level, the Commission has relied on best information available. For this purpose, the Commission has used the information provided by Hansol for ocean freight, inland freight and handling cost for its exports of the investigated product. To arrive at ex-factory level, HM Corporation has reported adjustments on account of credit cost, operating expenses and its profit. Export price at ex-factory level is worked out by deducting values reported for these adjustments from the gross value. Summary calculations of export price are placed at Annexure-IX

25.4 Determination of Export Price for Other Non-cooperating Korean Exporters

25.4.1 Export price for Korean exporters other than Hansol and HM Corporation, who did not cooperate with the Commission in providing information has been determined on the basis of best information available in accordance with Section 32 of the Ordinance. Information obtained from PRAL is used for the purposes of determination of export price for non-cooperating exporters from Korea. This is the only information available with the Commission on export sales of the investigated product by the non-cooperating Korean exporters.

25.4.2 Values in PRAL's information are reported at C&F level. The C&F export price has been adjusted to the ex-factory level. For this purpose, adjustments on account of freight, handling charges, bank charges and credit cost have been made in the C&F price. Information submitted by Hansol on these adjustments has been used for non-cooperating exporters/producers. Calculations of export price for non-cooperating Korean exporters/producers are placed at Annexure-X.

25.5 Determination of Export Price for Fajar, Indonesia

25.5.1 Export price for Fajar is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during POI.

25.5.2 According to the information, Fajar exported prime and secondary types of the investigated product to Pakistan during POI. Its total exports of the investigated product to Pakistan during POI were █████ MT. All export sales to Pakistan, during POI, were made to un-

related customers. However, it exported investigated product through its agent in Pakistan. Export price is determined separately for each type mentioned above.

25.5.3 During POI, Fajar exported investigated product on C&F basis. To arrive at the ex-factory level, it has reported adjustments on account of credit cost, bank charges, commission, ocean freight, and inland freight/handling cost. The Commission has accepted these adjustments and the export price at ex-factory level is worked out by deducting values reported for these adjustments from the gross value of sales transactions. Summary calculations of export price are placed at Annexure-XI.

25.6 Determination of Export Price for Other Non-cooperating Indonesian Exporters

25.6.1 Export price for Indonesian exporters other than Fajar, who did not cooperate with the Commission in providing information has been determined on the basis of best information available in accordance with Section 32 of the Ordinance. Information obtained from PRAL is used for the purposes of determination of export price for non-cooperating exporters from Indonesia. This is the only information available with the Commission on export sales of the investigated product by the non-cooperating Indonesian exporters.

25.6.2 Values in PRAL's information are reported at C&F level. C&F export price has been adjusted to the ex-factory level. For this purpose, adjustments on account of freight, handling charges, bank charges and credit cost have been made in the C&F price. Information submitted by Fajar on these adjustments has been used for non-cooperating exporters/producers. Calculations of export price for non-cooperating Indonesian exporters are placed at Annexure-XII

25.7 Determination of Export Price for Chinese Exporters/Producers

25.7.1 No Chinese exporter/producer of the investigated product cooperated with the Commission in providing information (paragraph 14 supra). Thus, the Commission has relied on best information available and export price for imports of the investigated product from China has been determined in accordance with Section 32 and Schedule to the Ordinance. Information obtained from PRAL is used for the purposes of determination of export price for imports of the investigated product from. This is the only information available with the Commission on export sales of the investigated product imported from China.

25.7.2 Values in PRAL's information are reported at C&F level. The C&F export price has been adjusted to the ex-factory level. For this purpose, adjustments on account of ocean freight and inland freight/handling charges have been made in C&F price. Information submitted by the

Applicant on these adjustments has been used for this purpose. Calculation of export price for imports of the investigated product from China is placed at Annexure-XIII.

25.8 Determination of Export Price for Taiwanese Exporters/Producers

25.8.1 No Taiwanese exporter/producer of the investigated product cooperated with the Commission in providing information (paragraph 14 supra). Thus, the Commission has relied on best information available and export price for imports of the investigated product from Taiwan has been determined in accordance with Section 32 and Schedule to the Ordinance. Information obtained from PRAL is used for the purposes of determination of export price for imports of the investigated product from. This is the only information available with the Commission on export sales of the investigated product imported from Taiwan.

25.8.2 Values in PRAL's information are reported at C&F level. C&F export price has been adjusted to the ex-factory level. For this purpose, adjustments on account of ocean freight and inland freight/handling cost have been made in C&F price. Information submitted by the Applicant on these adjustments has been used for this purpose. Calculation of export price for imports of the investigated product from Taiwan is placed at Annexure-XIV.

26. Dumping Margin

26.1 The Ordinance defines "dumping margin" in relation to a product to mean "*the amount by which its normal value exceeds its export price*". In terms of Section 14(1) of the Ordinance the Commission shall determine an individual dumping margin for each known exporter or producer of an investigated product. In this preliminary determination, the Commission has determined individual dumping margin for the three exporters who cooperated with the Commission and supplied necessary information and the provisional antidumping duty rate for these exporters is established on the basis of individual dumping margin determined for each exporter. However, residual dumping margins/antidumping duty rates have been determined for non-cooperating exporters/foreign producers of the Exporting Countries.

26.2 Section 12 of the Ordinance provides three methods for fair comparison of normal value and export price in order to establish dumping margin. The Commission has established dumping margin by comparing weighted average normal value with weighted average export price at ex-factory level.

26.3 The Commission has also complied with the requirements of Section 11 of the Ordinance which states that "*the Commission shall, where possible, compare export price and normal value with*

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the same characteristics in terms of level of trade, time of sale, quantities, taxes, physical characteristics, conditions and terms of sale and delivery at the same place”.

26.4 Taking into account all requirements set out above, the dumping margins have been determined as follows. Calculations of dumping margin are placed at Annexure-XV:

**Table-III
Dumping Margin**

Country	Exporter Name	Dumping margin as % of	
		Export price	C&F price
Korea	Hansol	3.88%	3.12%
	HM Corporation	7.86%	6.27%
	All others	25.82%	20.79%
Indonesia	Fajar	11.66%	10.15%
	All others	12.55%	11.17%
China	All exporters	20.61%	18.01%
Taiwan	All exporters	12.35%	10.51%

27. Negligible Volume of Dumped Imports

27.1 In terms of Section 41(3) (b) of the Ordinance, volume of dumped imports shall normally be regarded as negligible if the volume of dumped imports of an investigated product is found to account for less than 3 percent of total imports of the like product unless imports of the investigated product from all countries under investigation which individually account for less than three percent of the total imports of a like product collectively account for more than seven percent of imports of a like product.

27.2 In this regard, data and information available with the Commission on volume of dumped imports of the investigated product from Exporting Countries and like product from other sources during POI (from April 01 2008 to March 31, 2009) is given in the following table:

**Table-IV
Volume of Imports During POI**

Imports from:		Imports in:	
		Absolute quantity (MT)	% of total imports
Dumped sources	China	8,559.72	17.70%
	Indonesia	9,562.82	19.78%
	Korea	17,076.16	35.31%
	Taiwan	4,281.84	08.86%
Other sources		8,874.23	18.35%
Total		48,354.77	100.00%

Source: PRAL and Cooperating Exporters

27.3 The above table shows that the volume of dumped imports of the investigated product from Exporting Countries was well above the negligible threshold (less than three percent of volume of total imports of the like product) during POI.

C. INJURY TO DOMESTIC INDUSTRY

28. Determination of Injury

28.1 Section 15 of the Ordinance sets out the principles for determination of material injury to the domestic industry in the following words:

“A determination of injury shall be based on an objective examination of all relevant factors by the Commission which may include but shall not be limited to:

- “a. volume of dumped imports;*
- “b. effect of dumped imports on prices in domestic market for like products; and*
- “c. consequent impact of dumped imports on domestic producers of such products...”*

28.2 Section 15 of the Ordinance further provides that:

“ No one or several of the factors identified shall be deemed to necessarily give decisive guidance and the Commission may take into account such other factors as it considers relevant for the determination of injury”.

28.3 The Commission has taken into account all factors in order to determine whether the domestic industry suffered material injury during POI. Material injury to the domestic industry has been analyzed in the following paragraphs in accordance with Part VI of the Ordinance.

29. Domestic Industry

29.1 For the purposes of this preliminary determination, the Commission has determined (paragraph 7 supra) domestic industry manufacturing domestic like product consists of the following five units:

- i. Century Paper & Board Mills Limited, Karachi (Applicant);
- ii. Zaman Paper & Board Mills Limited, Lahore;
- iii. Malik Board & Paper Industries Limited, Lahore;
- iv. Zamindara Paper & Board Mills Limited' Lahore; and
- v. Olympia Paper & Board Mills (Pvt) Limited, Peshawar

29.2 Application has been filed by one unit i.e. Century Paper & Board Mills Limited, Karachi. Other four units have supported the application (paragraph 8.2 supra). However, these four units have not provided information in response to the questionnaire sent them on June 27, 2009 (paragraph 14.8 supra). The Applicant has furnished some information (production capacity, quantity produced) of these four units for the year 2008-09. According to that information, the Applicant's share in production of the domestic like product was 55.31 percent during the year 2008-09. Other four units are private limited companies and no information on their installed capacities, production, sales and cost of sales etc. is publicly available. However, the Applicant has provided information on total industry's installed capacity, production and sale of the domestic like product. The information provided by the Applicant is accepted by the Commission and is used in this preliminary determination.

29.3 On the basis of the above information, for the purposes of this investigation, the Applicant is considered as the "domestic industry" in terms of Section 2(d) of the Ordinance as its production constitutes a major proportion of the total domestic production of the domestic like product.

29.4 The analysis of injury factors carried out in this preliminary determination in the following paragraphs is, therefore, based on the Applicant information. Any inference derived in this regard from the data of the Applicant would apply to the entire domestic industry.

30. Cumulation of Dumped Imports

30.1 Section 16 of the Ordinance states that:

"where imports of a like product from more than one country are the subject of simultaneous investigation under this Ordinance, the Commission may cumulatively assess the effects of such imports on the domestic industry only if it determines that

"(a) dumping margin in relation to an investigated product from each country is more than the negligible amount as specified...., and volume of dumped imports from each investigated country is not less than the negligible quantity as specified.....; and

"(b) a cumulative assessment of the effects of the imports is appropriate in the light of

(i) the conditions of competition between the imports; and

(ii) the conditions of competition between the imports and a domestic like product".

30.2 Investigation by the Commission has revealed that the volume of dumped imports during the POI from the Exporting Countries was above the negligible quantity (i.e. less than 3 percent of total imports of Paperboard) (paragraph 27 supra). Furthermore, dumping

margins for each country was also more than the negligible amount (i.e. less than 2 percent of export price) (paragraph 26.4 supra).

30.3 It is evident from the weighted average export price charged by the exporters from the Exporting Countries during the POI (from 1st April 2008 to 31st March 2009) that there was a price competition between imports of the investigated product. Weighted average export price of the investigated product during the POI is given in a table below:

Table-V
Weighted Average C&F Price of the Investigated Product

Country	Weighted Average C&F Price (US\$/MT)
China	529.50
Indonesia	486.45
Korea	565.97
Taiwan	574.80

Sources: PRAL and cooperating exporters

30.4 The investigation revealed that there was a competition between investigated product and the domestic like product in terms of price, market share, and sales etc. Conditions of competition between imports of the investigated product and the domestic like product are discussed in detail in paragraphs 31 to 42 infra.

30.5 For the reasons given above, the Commission has cumulatively assessed the effects of dumped imports from the Exporting Countries on the domestic industry in following paragraphs.

31 Volume of Dumped Imports

Facts

31.1 With regard to the volume of dumped imports, in terms of Section 15(2) of the Ordinance, the Commission considered whether there has been a significant increase in dumped imports, either in absolute terms or relative to the production of the domestic like product by the domestic industry during POI.

31.2 In order to ascertain the volume of dumped imports of the investigated product and production of the domestic like product, information submitted by the Applicant, exporters/ foreign producers and obtained from PRAL has been used. The following table shows imports of the like product during the years 2006-07, 2007-08 and 2008-09 (POI for injury) and production of the domestic like product by the domestic industry for the aforementioned years:

Table-V
Volume of Imports and Domestic Production

Year*	Imports from Exporting Countries	Domestic Production#
2006-07	82.31	100.00
2007-08	91.90	104.04
2008-09	67.61	144.76

* Year is from 1st April to 31st March

Production of all five units in the domestic industry

Note: Actual figures have been indexed with respect to domestic production in the year 2006-07 by taking it equal to 100.00

Analysis

31.3 Imports of the investigated product from Exporting Countries increased by 11.65 percent in the year 2007-08. However, it decreased by 26.43 percent in the year 2008-09 (the POI for dumping) over the imports of the year 2007-08.

31.4 Domestic industry's production of the domestic like product increased by 4.04 percent in the year 2007-08 and 39.14 percent in the year 2008-09. The above table shows a significant increase in production of the domestic like product in the year 2008-09. Investigation of the Commission showed that the domestic industry increased its production capacity from 24000 MT per annum to 130,000 MT per annum in the year 2008-09. Its production of the increased capacity started in August 2008. The Applicant produced more to attain break-even point. Resultantly, imports of the investigated product declined.

31.5 Imports of the investigated product were 82.31 percent, 88.33 percent and 46.71 percent of the production of domestic like product during the years 2006-07, 2007-08 and 2008-09 respectively.

Conclusion

31.6 On the basis of the above information and analysis, the Commission has preliminary concluded that the dumped imports of the investigated product did not increase in absolute terms or relative to production of the domestic like product during POI.

32. Price Effects

32.1 Effect of dumped imports on sales price of domestic like product in the domestic market has been examined to establish whether there was significant price undercutting (the extent to which the price of the investigated product was lower than the price of the domestic like product), price depression (the extent to which the domestic industry experienced a decrease in

its selling prices of domestic like product over time), and price suppression (the extent to which increased cost of production could not be recovered by way of increase in selling price of the domestic like product). Price effects have been determined on Applicant's information as information on prices of the other producers is not available with the Commission.

32.2 **Price undercutting**

Facts

32.2.1 Weighted average ex-factory price of the domestic like product has been calculated from the information submitted by the Applicant on quantity and value of sales during POI. Landed cost of the investigated/dumped product has been calculated from the information obtained from PRAL. Calculations of domestic sales price of the domestic like product and landed cost of the investigated product are placed at Annexure XVI and XVII respectively. Comparison of weighted average ex-factory price of the domestic like product with the weighted average landed cost of the investigated product during POI is given in following table:

Table-VI
Calculations of Price Under-cutting (Rs./MT)

Year*	Domestic Price	Landed Cost	Price under-cutting	
			Absolute	Percentage
2006-07	100.00	95.91	4.09	4.09%
2007-08	111.51	110.41	1.11	0.01%
2008-09	120.93	137.78	--	--

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to domestic price in the year 2006-07 by taking it equal to 100.00

Analysis

32.2.2 The above table shows that the landed cost of the investigated product and prices of the domestic like product registered an increase during the last three years. It appeared from the above table that domestic industry was able to keep its prices above landed cost of the investigated product in the years 2006-07 and 2007-08. However, to utilize enhanced capacity (paragraph 31.4 supra), the Applicant kept its prices below landed cost of the investigated product in the year 2008-09.

32.2.3 The Applicant has claimed that exporters from the Exporting Countries drastically reduced prices of the investigated product during quarters October to December 2008 and January to March 2009, resultantly the domestic industry has faced price undercutting. The Applicant has further claimed that exporters reduced prices of the investigated product at the time when domestic industry enhanced its production capacity. To check claim of the Applicant, the Commission has analysed landed cost of the investigated product exported by cooperating

exporters (Hansol, HM Corporation and Fajar) and ex-factory price of domestic like product on quarterly basis for the year 2008-09. Following table shows quarterly landed cost and ex-factory price of domestic like product and price undercutting during the year 2008-09:

Table-VII
Calculations of Price Under-cutting for the Year 2008-09

Quarter	Domestic Price	Landed Cost	Price under-cutting	
			Absolute	Percentage
Apr-Jun 2008	100.00	131.59	--	--
Jul-Sep 2008	95.63	132.77	--	--
Oct-Dec 2008	102.93	89.48	13.45	13.07%
Jan-Mar 2009	75.48	74.10	1.37	1.82%

Note: Actual figures have been indexed with respect to domestic price in quarter April to June 2008 by taking it equal to 100.00

Sources: Applicant and cooperating exporters

32.2.4 The above table shows that landed cost of the investigated product was above ex-factory price the domestic like product during first half of the year 2008. Exporters reduced their prices of the investigated product during second half of the year 2008-09, resultantly; it's landed cost become lower than price of the domestic like product. Thus, the domestic industry faced price undercutting during second half of the year 2008-09. Investigated product undercut price of the domestic like product by 13.06 percent during October to December 2008. To compete with imports of the investigated product, the domestic industry reduced its prices by 26.67 percent during January to March 2009. However, exporters further reduced their prices, which results in reduction of landed cost of the investigated product by 17.18 percent during this period. Due to this reduction in landed cost of the investigated product, the domestic industry also faced price undercutting by 1.82 percent during January to March 2009.

Conclusion

32.2.5 On the basis of the above facts and analysis, the Commission has concluded that the domestic industry has suffered material injury on account of price undercutting during POI due to dumped imports of the investigated product.

32.3 Price Depression

Facts

32.3.1 The weighted average ex-factory price of the domestic like product during POI is given in the table below:

Table-VIII
Calculation of Price Depression

Year*	Domestic price	Price depression
2006-07	100.00	-
2007-08	111.51	-
2008-09	120.93	-

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to domestic price in the year 2006-07 by taking it equal to 100.00

Analysis

32.3.2 Analysis of the above facts shows that domestic industry has increased weighted average ex-factory price of domestic like product during POI. However, the Applicant has claimed that exporters from the Exporting Countries drastically reduced prices of the investigated product during quarters October to December 2008 and January to March 2009. Resultantly, to compete with dumped imports of the investigated product, the domestic industry was forced to reduce its prices. To check claim of the Applicant, the Commission has analysed landed cost of the investigated product exported by cooperating exporters (Hansol, HM Corporation and Fajar) and ex-factory price of domestic like product on quarterly basis for the year 2008-09. Following table shows quarterly landed cost and ex-factory price of domestic like product during the year 2008-09:

Table-IX
Landed Cost and Domestic Price for the Year 2008-09

Quarter	Domestic Price	Landed Cost
Apr-Jun 2008	100.00	131.59
Jul-Sep 2008	95.63	132.77
Oct-Dec 2008	102.93	89.48
Jan-Mar 2009	75.48	74.10

Note: Actual figures have been indexed with respect to domestic price in quarter April to June 2008 by taking it equal to 100.00

Sources: Applicant and cooperating exporters

32.3.3 The above table shows that the domestic industry decreased price of the domestic like product by 4.37 percent during July to September 2008 and increased by 7.63 percent during October to December 2008. Landed cost of the investigated product increased by 0.90 percent during July to September 2008 and decreased by 32.61 percent and 17.18 percent during October to December 2008 and January to March 2009 respectively. To compete with lower landed cost of the investigated product, domestic industry reduced price of domestic like product by 26.70 percent during January to March 2009.

Conclusion

32.3.4 The Commission has concluded on the basis of the above information and analysis that the domestic industry has suffered material injury on account of price depression during January to March 2009 due to dumped imports of the investigated product.

32.4 **Price Suppression**

Facts

32.4.1 Weighted average cost to make and sell of the domestic like product has been calculated from the information submitted by the Applicant on cost to make and sell during POI. The following table shows the weighted average cost to make and sell and the weighted average ex-factory sales price of the domestic like product during POI:

Table-X
Calculations of Price Suppression

Year*	Cost of goods sold	Ex-factory price	Increase/(decrease) in:	
			Cost of sold	Price
2006-07	100.00	101.37	-	-
2007-08	110.25	113.04	10.25	11.67
2008-09	140.46	122.59	30.21	9.55

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to cost of goods sold in the year 2006-07 by taking it equal to 100.00

Analysis

32.4.2 The above table shows that the weighted average cost of sales of the domestic like product increased by 10.25 percent and 27.40 percent during the years 2007-08 and 2008-9 respectively. Weighted average ex-factory price of the domestic like product increased by 11.51 percent and 8.45 percent in the years 2007-08 and 2008-09, respectively. Thus, the domestic industry recovered increased cost of production in the year 2007-08 by way of an increase in selling price. However, in the year 2008-09, domestic industry could not recovered increased cost of sales through increased price because increase in price was lower than the increase in cost of sales. The domestic industry experienced significant price suppression in the year 2008-09 as, it was not able to recover increased cost by way of an increase in its selling price due to lower landed cost of the investigated product (paragraph 32.2.2 supra).

Conclusion

32.4.3 On the basis of the above information and analysis, the Commission has concluded that the domestic industry suffered material injury on account of price suppression during the year 2008-09 (POI for dumping), as it was not able to recover increased cost of sales by way of an

increase in selling price of domestic like product. Thus the investigated product significantly suppressed the prices of the domestic like product during the year 2008-09.

33. Effects on Market Share

Facts

33.1 During POI, domestic demand for Paperboard in Pakistan was met through sales by the domestic industry and by imports. The domestic consumption of Paperboard is ascertained by combining the domestic industry's sales and total imports, and this is referred as the total domestic market. The Applicant supplied information on total sales of the domestic like product in domestic market. Information on imports of Paperboard is ascertained on the information obtained from PRAL and submitted by the cooperating exporters/foreign producers of the Exporting Countries. The total domestic market for Paperboard during POI is given in following table:

Table -XI
Market Share

Year*	Sales by domestic industry			Imports from:		
	Applicant	Other producers**	Total	Exporting Countries	Other sources	Total
2006-07	18.50%	27.96%	46.46%	38.27%	15.27%	53.54%
2007-08	16.91%	31.64%	48.55%	42.89%	8.55%	51.45%
2008-09	34.86%	28.35%	63.21%	29.63%	7.16%	36.79%

* Year is from 1st April to 31st March ** Total domestic market does not include sales of Packages Ltd.

Analysis

33.2 The above table shows that domestic market of Paperboard decreased by 0.40 percent in the year 2007-08 and increased by 6.52 percent in the year 2008-09.

33.3 Domestic industry's market share increased from 46.46 percent in the year 2006-07 to 48.55 percent in the year 2007-08 and 63.21 percent in the year 2008-09. Major increase in market share of the domestic industry in the year 2008-09 was due to increase in installed capacity and production (paragraph 31.2 supra) and increased sales (Table XII above) of the Applicant. The Applicant managed to sell increased quantity of the domestic like product at reduced prices (paragraphs 32.2.1 and 32.2.2), resultantly, domestic industry's market share increased.

33.4 Market share of the investigated product increased from 38.27 percent in the year 2006-07 to 42.89 percent in the year 2007-08 and decreased to 29.63 percent in the year 2008-09. Share of imports of the like product from countries other than Exporting Countries decreased

from 15.27 percent in the year 2006-07 to 8.55 percent and 7.16 percent in the years 2007-08 and 2008-09 respectively.

33.5 The domestic industry enhanced its capacity and production in the year 2008-09 (paragraphs 31.4 supra and 35 infra). The domestic industry increased its market share by keeping prices lower than landed cost of the investigated product in the year 2008-09 (paragraphs 32.2.1 and 32.2.2 supra) to dispose of increased production.

Conclusion

33.5 On the basis of above information and analysis, the Commission has concluded that the domestic industry did not suffer on account of market share due to imports of the investigated product during POI.

34. Effects on Sales

Facts

34.1 As per information obtained from Applicant, total sales of the domestic like product by the domestic industry in domestic market during POI was as follows:

**Table -XII
Sales of the Domestic Like Product**

Year*	Sales	Increase/decrease
2006-07	100.00	--
2007-08	104.09	4.09 (4.09%)
2008-09	144.35	40.27(38.69%)

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to sales in the year 2006-07 by taking it equal to 100.00

Analysis

34.2 The above table shows that the sales of the domestic like product by the domestic industry increased by 4.09 percent in the year 2007-08 and 38.69 percent over the sales during the years 2006-07 and 2007-08 respectively. Significant increase in sales in the year 2008-09 was due to increased capacity and production of the domestic like product (paragraph 35.1 infra). The domestic industry sold its increased production by keeping prices lower than landed cost of the investigated product (paragraphs 32.2.1 and 32.2.2 supra).

Conclusion

34.3 On the basis of above information and analysis, the Commission has concluded that sales of the domestic like product increased during POI, hence domestic industry did not suffer material injury on account of sales. However, this increase in sales was due to the fact that

domestic industry kept its prices lower than landed cost of the investigated product during the year 2008-09 (paragraphs 32.2.1 and 32.2.2 supra) to dispose of increased production.

35. Effects on Production and Capacity Utilization

Facts

35.1 The installed production capacity of the entire domestic industry to produce domestic like product is 187,500 MT per annum on three-shift basis. Quantity produced and the capacity utilized by the domestic industry during POI were as follows:

Table-XIII
Production and Capacity Utilization (MT)

Year *	Installed Capacity	Quantity Produced	Capacity Utilization
2006-07	81,500	61,047	74.90%
2007-08	81,500	63,511	77.93%
2008-09	152,167	88,371	58.07%

* Year is from 1st April to 31st March Source: the Applicant

Analysis

35.2 Investigation of the Commission showed that the Applicant enhanced its capacity to produce domestic like product in the year 2008-09. Applicant's production of the enhanced capacity started in August 2008. Resultantly, total installed capacity to produce domestic like product for the year 2008-09 increased to 152,167 MT.

35.3 Above table showed that the production of domestic like product increased throughout POI, however, capacity utilization decreased from 77.93 percent in the year 2007-08 to 58.07 percent in the year 2008-09. This decline in capacity utilization was due to increase in installed capacity. However, the Applicant has claimed that with start of production of its enhanced capacity, exporters from the Exporting Countries dropped prices of the investigated product significantly, which results in increased quantity of imports of the investigated product. Due to this situation, according to the Applicant, it was not able to utilize capacity up to projected level. To check Applicant's claim, the Commission has analysed production and capacity utilization of the Applicant on quarterly basis for the year 2008-09. Installed capacity, production and production of the Applicant during the year 2008-09 are given in following table:

**Table-XIV
Applicant's Capacity, Production and Capacity Utilization**

Quarter	Installed Capacity	Projected Production*	Actual Production	Capacity Utilization
Apr-Jun 2008	100.00	100.00	112.92	112.92%
Jul-Sep 2008	394.45	225.65	264.93	67.16%
Oct-Dec 2008	541.67	414.12	176.98	32.67%
Jan-Mar 2009	541.67	414.12	259.80	47.96%

* Determined on the basis of anticipated demand and share of the Applicant

Note: Actual figures have been indexed with respect to installed capacity in quarter April to June 2008 by taking it equal to 100.00

Source: the Applicant

35.4 Above table shows that the Applicant anticipated capacity utilization at 76.45 percent during October 2008 to March 2009. However, the Applicant was able to utilize its installed capacity 32.67 percent and 47.96 percent during October to December 2008 and January to March 2009 respectively.

Conclusion

35.5 On the basis of the above information and analysis, the Commission has concluded that the domestic industry suffered material injury on account of production and capacity utilization during the year 2008-09 (POI for dumping).

36. Effects on Inventories

Facts

36.1 The Applicant provided data relating to its inventories of the domestic like product during POI. Information on opening and closing inventories of the domestic like product of domestic units other than the Applicant is not available with the Commission. Thus, effect on inventories is assessed on the basis of inventories of the Applicant. Data for opening and closing inventories for the domestic like product of the Applicant during POI is given in the following table:

**Table-XV
Inventories of Domestic Like Product**

Year *	Opening Inventory	Closing Inventory
2006-07	100.00	260.00
2007-08	260.00	304.00
2008-09	304.00	1528.00

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to sales in the year 2006-07 by taking it equal to 100.00

Analysis

36.2 The data given in the table above shows that the inventory level of the domestic like product significantly increased during POI.

36.3 The Applicant has claimed that its sales were affected due to reduced price of the investigated product during October 2008 to March 2009 (paragraph 32.2.3 supra). To check this claim, the Commission has analysed production, sales and inventories of the Applicant on quarterly basis for the year 2008-09. Following table shows quarterly inventories, production and sale of the applicant during 2008-09:

Table-XVI
Applicant's Inventories, Production and Sales

Quarter	Opening inventory	Production	Sales	Closing inventories
Apr-Jun 2008	1.11	98.93	100.00	0.04
Jul-Sep 2008	0.04	232.13	216.94	15.23
Oct-Dec 2008	15.23	155.07	136.36	33.94
Jan-Mar 2009	33.94	227.63	255.99	5.58

Source: Applicant

Note: Actual figures have been indexed with respect to sales in quarter April to June 2008 by taking it equal to 100.00

36.4 The above table shows that contention of the Applicant was correct. Applicant's inventories of the domestic like product increased significantly during July 2008 to March 2009. During October to December 2008 inventories piled up despite reduced production. The Applicant disposed of its inventories by reducing its prices (paragraph 32.2.3 supra)

Conclusion

36.5 On the basis of the above facts and analysis, the Commission has concluded that the domestic industry suffered material injury on account of increase in inventories of the domestic like product during POI for dumping (2008-09).

37. Effects on Profits/Loss

Facts

37.1 Profit and loss position for the domestic industry is inferred on the basis of the information supplied by the Applicant in its Profit and Loss Account Statements on sales of the domestic like product. Information on profit or loss of the other units is not available with the Commission. The Applicant is a multi product company. Effect on profits is determined on the basis of production and sales of the domestic like product during POI. Table below shows the profit and loss position of the Applicant during POI:

Table -XVII
Profit/(Loss) of the Applicant

Year *	Gross Profit/(Loss)
2006-07	100.00
2007-08	186.36
2008-09	(2621.23)

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to gross profit in the year 2006-07 by taking it equal to 100.00

Analysis

37.2 The above table shows that the domestic industry earned gross profits on production of the like product during the years 2006-07 and 2007-08. In the year 2008-09 the domestic industry incurred losses on production of the domestic like product. This happened partly due to price suppression, as the domestic industry was not able to recover increased cost of production through an increase in selling price (paragraph 32.4 supra) and partly due to new investment made by the Applicant during POI (paragraph 41 infra).

37.3 The Applicant made new investment and installed a new plant, which came into production in August 2008 (paragraph 41 infra). Investigation of the Commission has shown that profitability of the Applicant during period from July 2008 to March 2009 also effected due to this new investment, especially on account of "depreciation". However, new plant also provided efficiencies in some areas like fuel and power, repair and maintenance and labour/ manpower expenses etc. Following table shows decrease and/or increase in cost of production during July 2008 to March 2009 over the cost of production in the year 2007-08:

Table -XVIII
Cost of Production of the Applicant

	2007-08	July 08 to March 09	Increase/ decrease in	
			Absolute	Percentage
Variable Cost				
Raw material cost	61.06	72.77	11.70	19.17%
Fuel and power	16.40	14.80	-1.60	-9.74%
Repair and maintenance	6.30	5.07	-1.23	-19.53%
Packing Expenses	2.22	3.31	1.08	48.78%
Total variable cost	85.99	95.94	9.96	11.58%
Fixed Overhead				
Labour cost	5.57	3.97	-1.60	-28.74%
Depreciation	7.04	17.19	10.15	144.28%
Other fixed costs	1.41	1.51	0.10	7.03%
Total fixed cost	14.01	22.66	8.65	61.74%
Total cost of production	100.00	118.61	18.61	18.61%

Note: Actual figures have been indexed with respect to total cost of production in the year 2007-08 by taking it equal to 100.00

37.4 Above table shows that the Applicant gained efficiencies in fuel/power, repair/maintenance and labour cost due to new plant. However, it suffered on account of depreciation and other fixed costs, which partially effected profitability of the Applicant. As the Applicant was not able to produce domestic like product up to the anticipated level due to dumped imports of the investigated product (paragraph 35.4 supra), its fixed costs were relatively at higher side. If the Applicant should have utilized its capacity up to anticipated level, its profitability should have in a batter position.

Conclusion:

37.5 On the basis of the above facts, the Commission has concluded that the domestic industry has incurred losses on production and sale of domestic like product and has suffered material injury on account of profits during POI for dumping due to imports of the investigated product.

38. Effects on Cash Flow

Facts

38.1 The cash flow position through operating activities of the domestic industry was determined on the basis of the information provided by the Applicant. Applicant is a multi product manufacturing company and it does not maintain separate cash flows positions for different products. Total net cash flow position of the Applicant during POI is given in the following table:

**Table -XIX
Cash Flow Position**

Year*	Net cash inflow/ (outflow)
2006-07	100.00
2007-08	(123.17)
2008-09	(695.45)

* Year is from 1st April to 31st March

Note: Actual figures have been indexed with respect to net cash flow in the year 2006-07 by taking it equal to 100.00

Analysis

38.2 The above table shows that the net cash inflow of the Applicant, which was positive in the year 2006-07 became negative in the year 2007-08 and further decreased in the year 2008-09.

Conclusion

38.3 On the basis of the above, the Commission has concluded that the domestic industry has suffered material injury on account of cash flows.

39. Effects on Employment, Productivity and Salaries & Wages**Facts**

39.1 Employment in domestic industry increased during POI as its installed production capacity and quantity produced has been increased during the year 2008-09 (paragraph 35 supra). Effects on employment, productivity and salaries & wages are ascertained on the basis of the Applicant's information. Applicant's employment, productivity, salaries and wages for production of the domestic like product were as follows during POI:

Table -XX
Employment, Productivity and Salaries & Wages

Year *	Number of Employees	Total salaries and wages	Domestic production	Productivity per worker	Salaries & wages
2006-07	100	42581667	20278	169	1667
2007-08	100	42675000	18445	154	1928
2008-09	288	77729167	40732	118	1590

* Year is from 1st April to 31st March Source: Applicant

Note: Actual figures have been indexed with respect to employment in the year 2006-07 by taking it equal to 100.00

Analysis

39.2 The above table shows that the employment in the domestic industry increased by 188 percent in the year 2008-09 due to increase in installed capacity and production. Productivity per worker decreased from 9.04 percent and 23.19 percent in year 2007-08 and 2008-09 despite increase in production.

39.3 Salaries and wages per MT for production of the domestic like product increased by 15.70 percent in the year 2007-08 and decreased 17.55 percent in the year 2008-09. This decline in salaries and wages was due to efficiencies acquired by the Applicant due to new plant (paragraph 37.4 supra)

Conclusion

39.4 Based on the above information and analysis, the Commission has concluded that the domestic industry did not suffer on account of employment and wages and salaries, but suffered material injury on account of productivity.

40. Effects on Return on Investment**Facts**

40.1 Return on investment realized by the domestic industry during POI is determined on Applicant's information. Following table shows the investment and return on investment of the Applicant during POI:

Table -XXI
Investment and Return on Investment

Year*	Return on Investment
2006-07	7.26%
2007-08	2.63%
2008-09	(0.55)%

* Year is from 1st April to 31st March Source: Applicant

Analysis

40.2 The above table shows that the investment in the domestic industry increased and return on investment decreased through out the POI.

Conclusion

40.3 On the basis of the above, the Commission has concluded that the domestic industry suffered material injury on account of return on investment.

41. Effects on Growth and Investment

Facts/analysis

41.1 During POI, the domestic industry has made new investment to install a new plant. Resultantly, total installed production capacities of the domestic industry for production of the domestic like product have been increased from 81,500 MT per annum to 187,500 MT per annum (paragraph 35.1 supra).

Conclusion

41.2 On the basis of the above, the Commission has concluded that the domestic industry did not suffer material injury on account of growth and investment during POI.

42. Ability to Raise Capital

Facts/analysis

42.1 The Applicant alleged difficulties in raising capital due to dumping of the investigated product. In application, the Applicant has stated, *"Since the Applicant is a listed public limited company, excessive deterioration in its profitability due to continued dumping has adversely affected the confidence of investors and financial institutions on company"*. However, it did not submit any documentary evidence in support thereof.

Conclusion

42.2 The Commission has concluded that the domestic industry did not suffer material injury in respect of its ability to raise capital due to imports of the investigated product.

43. Summing up of Material Injury

43.1 The facts and analysis in the preceding paragraphs (paragraphs 28 to 43 supra) shows that the domestic industry has suffered material injury during POI on account of:

- i. price undercutting;
- ii. price depression;
- iii. price suppression;
- iv. decline in profits;
- v. decline in return on investment,
- vi. negative effects on inventories;
- vii. negative effect on cash flow;
- viii. negative effect on capacity utilization; and
- ix. negative effect on productivity.

43.2 During POI, dumped imports of the investigated product decreased but this decline was due to enhanced capacity and production of the domestic industry, which was sold at a price lower than landed cost of the investigated product. Resultantly, the domestic industry incurred losses on production and sale of the domestic like product and return on investment become negative during POI (paragraphs 34.2.2, 35, 37 and 40 supra). In the wake of dumped imports of the investigated product, the Applicant was not able to increase its prices of the domestic like product to a level where it could accommodate the rising cost of production during POI, therefore, the Applicant's profitability suffered (paragraphs 32.4 and 37 supra).

43.3 The domestic industry made investment and installed a new plant for production of domestic like product during POI (paragraph 41 supra). Due to this new plant, depreciation and other fixed cost of production of domestic like product, which were 23 percent of conversion cost in the year 2007-08 increased to 44 percent during July 2008 to March 2009. However, new plant also provided efficiencies in fuel/power, repair/maintenance and labour cost, which decreased from 77 percent of conversion cost in the year 2007-08 to 56 percent during July 2008 to March 2009 (paragraph 37.3 supra). The domestic industry was not able to produce up to projected level due to dumped imports of the investigated product (paragraph 35.3 supra). If

domestic industry has produced up to anticipated level, depreciation cost and other fixed costs should have been reduced further.

43.4 Productivity of the domestic industry declined despite the fact that employment in the domestic industry and production of the domestic like product increased during POI (paragraph 39 supra). As the domestic industry was not able utilize its increased capacity up to projected level due to dumped imports of the investigated product (paragraph 35.3 supra), productivity declined.

43.5 It is, therefore, concluded that the domestic industry suffered material injury due to dumped imports of the investigated product.

D. CAUSATION

44. Effect of Dumped Imports

On the basis of the analysis and conclusions, the Commission has concluded that there was a causal link between dumped imports of the investigated product and material injury suffered by the domestic industry. The investigation revealed that the following happened simultaneously during POI:

- i. Domestic industry experienced price undercutting, price depression and price suppression due to dumped imports of the investigated product;
- ii. Domestic industry incurred losses on production of the domestic like product due to dumped imports of the investigated product during POI for dumping; and
- iii. Domestic industry could not utilize increased capacity up to anticipated level, resultantly it suffered on account of productivity and increased fixed costs during the year 2008-09 (POI for dumping) due to dumped imports of the investigated product.

45. Other Factors

45.1 In accordance with Section 18(2) of the Ordinance, the Commission also examined factors, other than dumped imports of the investigated product, which could at the same time cause injury to the domestic industry, in order to ensure that possible injury caused by other factors is not attributed to the dumped imports.

45.2 The Commission's investigation showed that the domestic industry also suffered some injury due to imports of the like product from sources other than the Exporting Countries

during POI. However, injury caused by these imports cannot be considered significant as its volume was much less than the volume of dumped imports. Following table shows the volume and weighted average C&F prices of dumped and other imports during POI (from 1st April 2008 to 31st March 2009):

**Table -XVIII
Volume and C&F Prices of Imported Paperboard**

	Quantity (MT)	% share in total imports
Dumped Imports	41,275	80.54%
Other sources	9,974	19.46%

Source: PRAL

45.3 Investigation of the Commission has also shown that the profitability of the Applicant also effected due to its investment in new plant (paragraphs 37.3 and 37.4 supra). However, this effect was partly due to new investment and partly due to dumped imports of the investigated product.

45.4 The factors mentioned in Section 18(3) of the Ordinance were also examined and it was determined that:

- i. There was no change in competition between foreign producers/exporters of the Exporting Countries, producers/exporters from other sources and domestic producers; and
- ii. There was no considerable change in technology to produce Paperboard.

E. CONCLUSIONS

46. The conclusions, after taking into account all considerations for this preliminary determination, are as follows:

- i. the application was filed on behalf of domestic industry as the Applicant represent major proportion of the production of domestic like product;
- ii. the investigated product and the domestic like product are alike products;
- iv. during POI, the investigated product was exported to Pakistan by the exporters/foreign producers from the Exporting Countries at prices below its normal value;

- iv. the volume of dumped imports of the investigated product and the dumping margins established for the exporters/producers of the investigated product from the Exporting Countries are above the negligible and *de minimis* levels respectively;
- v. the dumping margins expressed as a percentage of weighted average adjusted export price at ex-factory level is ranging between 3.88 percent to 25.82 percent for exporters/foreign producers from the Exporting Countries;
- vi. the domestic industry suffered material injury during POI on account of price undercutting, price depression, price suppression, decline in profits, decline in capacity utilization, decline in productivity, negative effect on cash flow and negative effect on return on investment in terms of Section 15 and 17 of the Ordinance; and
- vii. there is a causal relationship between dumped imports of the investigated product and the material injury suffered by the domestic industry.

F. IMPOSITION OF PROVISIONAL ANTIDUMPING DUTY

47. In view of the analysis and conclusions with regard to dumping, material injury, and causation, imposition of provisional antidumping duty on dumped imports of the investigated product is needed to prevent injury being caused to the domestic industry during the course of this investigation in accordance with Section 43 of the Ordinance.

48. Individual dumping margins have been determined for the three exporters/foreign producers of the investigated product who supplied information necessary for this investigation and the provisional rate for antidumping duty for these exporters/foreign producers is determined on the basis of individual dumping margins (paragraphs 23 to 26 supra).

49. A residual dumping margin and antidumping duty rate for all other exporters from the Exporting Countries, who did not cooperate, is determined on the basis of best available information in terms of Section 32 of the Ordinance (paragraphs 23 to 26 supra).

50. In terms of Section 43 of the Ordinance, provisional antidumping duties given in the following table are hereby imposed on the dumped imports of the investigated product importable from the Exporting Countries for a period of four months effective from December 21, 2009. The provisional antidumping duty rates are determined on C&F value in *ad val.* terms.

Preliminary Determination and levy of Provisional antidumping duties on import of One Side Coated Duplex Grey Back Paperboard into Pakistan Originating in and/or Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and Chinese Taipei (Taiwan)

Provisional antidumping duties at C&F value are equivalent to the preliminary dumping margins determined at ex-factory price level. The dumped investigated product is classified under PCT heading Nos. 4810.9200 and 4810.9900

**Table-XIX
Provisional Antidumping Duty Rates**

Country	Exporter Name	Provisional antidumping duty
Korea	Hansol	3.12%
	HM Corporation	6.27%
	All others	20.79%
Indonesia	Fajar	10.15%
	All others	11.17%
China	All exporters	18.01%
Taiwan	All exporters	10.51%

51. Paperboard imported from sources, other than the Exporting Countries shall not be subject to this provisional antidumping duties.
52. In accordance with Section 51 of the Ordinance, the provisional antidumping duty shall take the form of *ad valorem* duty and be held in a non-lapsable personal ledger account established and maintained by the Commission for the purpose. Release of the investigated product for free circulation in Pakistan shall be subject to imposition of such antidumping duty.
53. Provisional antidumping duties levied would be in addition to other taxes and duties leviable on import of the investigated product under any other law.
54. The provisional antidumping duties would be collected in the same manner as customs duty is collected under the Customs Act, 1969 (IV of 1969) and would be deposited in Commission's Non-lapsable PLD account No. 187 with Federal Treasury Office, Islamabad.

(Zamir Ahmed)
Member
December 19, 2009

(Bilal Khan)
Member
December 19, 2009

(Batool Iqbal Qureshi)
Chairperson
December 19, 2009

Preliminary Determination and levy of Provisional antidumping duties on import of One Side Coated Duplex Grey Back Paperboard into Pakistan Originating in and/or Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and Chinese Taipei (Taiwan)

Annexure-I**List of Exporters**

S.No.	Name and Addresses	S.No	Name and Addresses
01	Hansol Daejeon 1674-2, Shinil-dong, Taedeok-ku, Daejeon, 306-230, Korea	11	PT. Surya Pamenang Jl. Raya Kediri - Kertosono KM 7, Kediri - 64182,PO. Box 154, Indonesia
02	EN Paper Manufacturing Co. Ltd. 547-7, Dogok-Dong,Gangnam-Gu, Seoul, 137-717, South Korea	12	Capricorn Paperboard Ltd Kertajaya Indah Timur XI/10, Surabaya, Propinsi Jawa Timur, Indonesia
03	H.M. Trading Corporation Ltd 234, Yongdap-Dong, Songdong- Gu, Seoul, South Korea	13	PT. Selatan Indo Eka Naga Pondok Wage Indah I Blok D / 7-8, Surabaya, Propinsi Jawa Timur, Indonesia
04	General Trading Company No. 107-1408 Woosung Cheolsan 1Dong Gwangmueong City Gyeonggi Do, South Korea	14	PT. ALINDO PAPER INTERNASIONAL GROUP Korindo Building 7th Floor, MT. Haryono Kav. 62, Jakarta, DKI Jakarta, Indonesia
05	Hong Rim Co., Ltd 6Fl.Sanhwa Bldg. 635-1,Hannam- dong Yongsan-gu, Seoul 140-210, Korea, Republic of (South Korea)	15	PT Pisma Paper International Mlati norowito gg V / 26, Jakarta, Indonesia
06	NTC International Co. Ltd Room No.423,24-2, World Vision Building, Yeouido-Dong, Yeongdeungpo-Gu, Seoul, South Korea	16	Yuen Foong Yu Paper Mfg. Co. Ltd 51, Sec.2. Chung Ching South Rd. Taipei, Taiwan,
07	TOCHU KOREA LTD Hanwha Finance Center, Taepyeongno Building, 21st Floor, Room 43, 2-ka. Taepyung-Ro, Chung-Ku. Seoul 100-864 Korea	17	Kuan Yuan Paper Mfg Co. Ltd 8, Chaw Nan, San Chia Li, Chunan Chen, Miaoli Hsien, Taipei, Republic of China, (Taiwan)
08	DONGBO COMPANY Room 608-401 Jugong Apt. 124 Sangildong, Seoul, South Korea	18	SHINE FAR CO., LTD 21F No. 3, Sec. 1, Min-Sheng Rd., Panchiao Taipei Hsien, Taiwan
09	JWC LTD Room No. 302, Jun Building 209-5, Nonhyeon 2 (i) -Dong, Gangnam- Gu, Seoul, Korea	19	TUNG CHI PAPER CORP 342 Sa Tien Rd., Sec. 4, Lung Ching, Taichung Hsien, Taiwan
10	Hongrim Co. Ltd 4F, Daewonjeongsa Bldg, No. 358- 17, Huam-Dong, Yongsan-gu, Seoul, South Korea	20	YAN SHUEN INDUSTRY CO., LTD 91 Chung Shan Rd., Sec. 3, Dah Tsuen Hsiang, Chang Hwa Hsien, Taiwan

Preliminary Determination and levy of Provisional antidumping duties on import of One Side Coated Duplex Grey Back Paperboard into Pakistan Originating in and/or Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and Chinese Taipei (Taiwan)

21	CHENG LOONG CORPORATION 1, Min Sheng Rd., Sec. 1, Pan-Chiao City, Taipei Hsien, Taiwan	31	CHAO YANG PAPER MFG. CO., LTD No. 100, Chao Yang Rd., Chao Yang Village, Miao Li Hsien, Taiwan R.O.C.
22	NTC International Trade Co., Ltd Room 23B2 , Block 1, LianFeng Building , YuTian Road, Futian District, Shenzhen, China.	32	Heungbo Trading Limited Room 2701 Gloucester Tower, The Landmark, 15 Queen's Road, Central, Hong Kong.
23	Hansol Paper Co Ltd Room 2410, New Town Centre No. 83, Lou Shan Guan Road, Shanghai, China	33	Zhejiang Feima Paper Co., Ltd Papermaking Industry Functional Zone, Chunjiang Street, Fuyang City, Zhejiang Province. China
24	Hansol Paper Co Ltd Room 709, Office Tower, Shu Hing Square Di Wang Commercial Centre, 5005 Shennan Road, East Shenzhen, China	34	Itochu China Holding Co., Ltd. Room 501, 5/F, No.2 Office Building, China Central Place, No.79, Jian Guo Road, Chaoyang District, Beijing, 100025
25	Zhejiang Zhongyi Paper Ind. Co Chunjiang Paper Industrial Park, Fuyang, Zhejiang, China	35	Central National - Gottesman Asia Ltd Room 909,F/F,Sun Hung KAI Centre 30 Harbour Road Wanchai, Hong Kong
26	Zhejiang Sanxing Paper Co. Ltd Sanjian Industry Zone Chunjiang Street Fuyang Zhejiang, China	36	Luoyang Dongcheng Packing Material Co., Ltd Yanshi, Dianzhuang Town, Dongdajiao Vil, Luoyang, China
27	Heng Feng Company Limited 2/F Alliance Building 130-136 Connaught Road Central, China	37	Sinochem Qingdao Co., Ltd Chuangye Building, Xianxialing Road, Qingdao, China
28	Heng Feng Packaging & Paper Products Fty Xiangshan Industrial Park, Xiniupo Area, Dalang Town, Dongguan, Guangdong, China 523799	38	Taizhou Forest Color Printing & Packing Co., Ltd Rm.917, Huabao Plaza, #3065 Hongxin Road, Minhang District, Shanghai, China
29	Dong Guan Sea Dragon Paper Industries. Ltd Zinsha Port Industry Zonema Yong Town Dong Guang City Guangdong, China	39	Shenzhen Kelinan Industrial Co., Ltd Room 6C&F, Xihaian Building, Nanyou Avenue, Nanshan District, Shenzhen City, Guangdong Province. China
30	Foshan Hua Feng Paper Co. Ltd No. 17, Hebin Road, Foshan City, Guangdong, 528000, China	40	American Paper Export Inc No.506-1080 Howe Street Vancouver, B.C.V6Z 2T1 Canada
41	Mr. Jun Park Executive Director Hansol Paper Co. Ltd. 21 st Floor, Capital Tower,	45	Mr. Ha Myung Park Managing Director H M Trading Corporation Room No. 306, Daebang Building,

Preliminary Determination and levy of Provisional antidumping duties on import of One Side Coated Duplex Grey Back Paperboard into Pakistan Originating in and/or Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and Chinese Taipei (Taiwan)

	736-1, Yeoksam-dong South Korea		377-1, Shindaebang 2-Dong, Dongjak-Ku, Seoul Korea
42	Foshan Hua Feng Paper Co. Ltd No. 17, Hebin Road, Foshan City, Guangdong, 528000, China	46	Ningobo Asia Pulp & Paper Co. Ltd. 108, Dingjia Street Duatang, Haishu, Ningbo. China Fax No. : 0086 574 87488640
43	Hansol Paper Co Ltd 21 st Fl. Hansol Bldg, Kangnam-Ku, Seoul 135-983, Republic of Korea (South Korea)	47	PT. Indah Kiat Pulp and Paper Co. Ltd Wisma Ikpp, Jl. Raya Serpong Km.8, Tangerang
44	Hongrim Co. Ltd 4F, Daewonjeongsa Bldg, No. 358- 17, Huam-Dong, Yongsan-gu, Seoul, South Korea.	48	PT Fajar Suriya Wisesa Tbk Jln. Abdul Muis 30, Jakarta Pusat 10160, Indonesia

Annex-II/1

(Omitted as it contained confidential information)

Annex-II/2

(Omitted as it contained confidential information)

Annex-III

(Omitted as it contained confidential information)

Annex-IV

(Omitted as it contained confidential information)

Annex-V

(Omitted as it contained confidential information)

Annex-VI

(Omitted as it contained confidential information)

Annex-VII

(Omitted as it contained confidential information)

Annex-VIII

(Omitted as it contained confidential information)

Annex-IX

(Omitted as it contained confidential information)

Annex-X

(Omitted as it contained confidential information)

Annex-XI

(Omitted as it contained confidential information)

Annex-XII

(Omitted as it contained confidential information)

Annex-XIII

(Omitted as it contained confidential information)

Annex-XIV

(Omitted as it contained confidential information)

Annex-XV/1

(Omitted as it contained confidential information)

Annex- XV/2

(Omitted as it contained confidential information)

Annex- XV/3

(Omitted as it contained confidential information)

Annex- XV/4

(Omitted as it contained confidential information)

Annex- XV/5

(Omitted as it contained confidential information)

Annex- XV/6

(Omitted as it contained confidential information)

Annex- XV/7

(Omitted as it contained confidential information)

Annex- XVI

(Omitted as it contained confidential information)

Annex- XVII/1

(Omitted as it contained confidential information)

Preliminary Determination and levy of Provisional antidumping duties on import of One Side Coated Duplex Grey Back Paperboard into Pakistan Originating in and/or Exported from the People's Republic of China, the Republic of Indonesia, the Republic of Korea and Chinese Taipei (Taiwan)

Annex- XVII/2
(Omitted as it contained confidential information)