

**ADC No. 33/2015/NTC/PSF
Government of Pakistan
National Tariff Commission**

Notice of Final Determination and levy of Definitive Anti-Dumping Duty on Import of Polyester Staple Fibre (PSF) (Not Exceeding 2.0 Denier) Into Pakistan Originating In and/or Exported from the People's Republic Of China.

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on April 24, 2015, under Section 23 of the Anti-Dumping Duties Ordinance, 2015 (the "Ordinance") (now the Act) after establishing that the application lodged by ICI Pakistan Limited and Ibrahim Fibres Limited (the "Applicants"), on behalf of domestic industry producing Polyester Staple Fiber ("not exceeding 2.0 denier") ("PSF") was in accordance with Section 20 and 24 of the Ordinance. The investigation pertains to dumping of PSF, originating in and/or exported from the People's Republic of China ("China") into Pakistan and material injury caused therefrom to the domestic industry producing PSF. The Commission made a preliminary determination in this case in terms of Section 37 of the Anti-Dumping Duties Act, 2015 (the "Act") on October 3, 2015. In accordance with the Act and the Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has made its affirmative final determination as follows:

Product under Investigation: The investigated product is PSF not exceeding 2.0 denier originating in and/or exported from China to Pakistan classified under PCT No. 5503.2010. The Commission has excluded regenerated PSF and colored PSF from the scope of investigated product. Detailed reasons for exclusion of colored PSF and regenerated PSF from the scope of investigated product have been placed in the public file maintained under Rule 7.

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

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

Determination of Dumping: Nine exporters/foreign producers, provided information in response to the questionnaire. While making preliminary determination, the Commission limited its examination to only three exporters as the Commission was satisfied in terms of Section 14(2) of the Act that the number of the exporters involved was so large as it is impracticable to determine an individual dumping margin of all exporters who have responded to the Commission. However, after preliminary determination cooperating exporters/producers from China namely Nanyang Textiles Co. Ltd ("Nanyang"), Shanghai Polytex Co., Ltd ("Polytex"), Suzhou Zhengbang Chemical Fiber Co. Ltd ("Zhengbang") Zhangjianang Zhengfang Textiles Co. Ltd ("Zhengfang") and Fujian Zhengqi High-Tech Fiber Technology Co., Ltd ("Zhengqi") requested the Commission for individual dumping margin. The Commission acceded to the request of above mentioned exporters. However, the Commission excluded colored PSF and regenerated PSF from the scope of investigated product. Therefore, dumping determination has not been made in respect of Nanyang, Zhengbang, Zhengfang, and Polytex as they are exporters/producers of colored PSF and regenerated PSF.

Weighted average duty rate has been calculated for one cooperating exporter/foreign producer namely Xiamen Xianglu Chemical Fiber Company Limited not included for detailed investigation in this final determination on the basis of the weighted average dumping margin of the other two cooperating exporters/foreign producers in terms of Section 14 of the Act. However, a residual dumping margin/antidumping duty rate has been determined for all other exporters/producers from China.

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. The Commission has established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price depression, decline in production, market share, negative effect on capacity utilization, profitability, productivity, salaries and wages per MT return on investment and ability to raise capital.

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

Imposition of Definitive Anti-dumping Duty: In reaching this final determination, the Commission satisfied itself that PSF has been imported at dumped prices. The Commission is of the view that level of injury is sufficient to justify imposition of definitive measures. In order to prevent material injury, the Commission, pursuant to the powers conferred upon it under Section 50 of the Act, has decided to impose definitive anti-dumping duty at the rates mentioned below on C&F value in *ad val.* terms on imports of PSF not exceeding 2 denier PCT heading No. 5503.2010 (excluding colored PSF and regenerated PSF) importable from China for a period of five years effective from October 3, 2015, on the following exporters/producers, however, it would not be levied in terms of Section 51(1) (e) of the Act on imports that are to be used as inputs in products destined solely for exports:

Definitive Antidumping Duty Rates

Country	Exporter Name	Antidumping Duty Rate (%)
China	Shanghai Hengyi Polyester Fiber Co., Limited.	7.88
	Jiangyin Huahong Chemical Fiber Co., Limited	2.82
	Jiangyin Hailun Chemical Fiber Co., Limited	8.22
	Xiamen Xianglu Chemical Fiber Company Limited	7.81
	Fujian Zhengqi High-Tech Fiber Technology Co., Limited.	7.72
	All other exporters/producers	11.51

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

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

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

By order of the Commission.

(Muhammad Shahid)
Secretary
February 3, 2016