

Notice of Conclusion of Anti-dumping Investigation against Alleged Dumping of Pegylated Interferon Alpha-2A, into Pakistan Originating in and/or Exported from the Swiss Confederation (Switzerland)

The National Tariff Commission (the “Commission”) after establishing that the application lodged by Getz Pharma (Pvt) Limited, Karachi (the “Applicant”), is in accordance with Section 20 and 24 of the Ordinance, initiated an anti-dumping investigation on December 14, 2012 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the “Ordinance”) against the dumped imports of Pegylated Interferon Alpha-2A, originating in and/or exported from Switzerland.

The Commission made preliminary determination in this investigation, in accordance with Section 37 of the Ordinance, on July 27, 2013. The importer of the investigated product, Roche Pakistan Limited, challenged the Commission’s determination in the Sindh High Court through writ petition 3873 of 2013. In the petition filed by Roche Pakistan Ltd. Counsel for importer as well as the Counsel of the domestic industry stated that the importer is not importing in Pakistan the investigated product any more, therefore, “carrying on with the investigation would be an exercise in futility, as neither will there be an additional information available regarding the import, supply or marketing of “Pegasys”, nor under the law, the Commission would be competent to impose any duty, as no duty in terms of Anti-dumping duties Ordinance, 2000 can be imposed retrospectively”. The same was recorded by the Honorable Sindh High Court in its judgment dated October 24, 2014 and the petition was disposed of accordingly.

In view of the Sindh High Court’s Order dated October 24, 2014, the anti-dumping investigation against dumped imports of Pegylated Interferon Alpha 2A into Pakistan originating in and/or exported from Switzerland is hereby concluded without imposition of any measures.

By order of the Commission.

(Muhammad Shahid)
Secretary
January 17, 2015