

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

Notice of Preliminary Determination
in Anti-dumping Investigation against Dumped Imports of Polyester Staple Fiber into Pakistan
Originating in and/or Exported from the Peoples' 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 enacted as Anti-Dumping Duties Act, 2015) after establishing that the application lodged by Ibrahim Fibres Limited and ICI Pakistan 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 concerns dumping of PSF, originating in and/or exported from the Peoples' Republic of China ("China") into Pakistan and material injury caused therefrom to the domestic industry producing PSF. In accordance with provisions of the Anti-Dumping Duties Act, 2015 (Act) and Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has, after investigation, determined the following on preliminary basis:

Product under Investigation: The product being dumped into Pakistan is PSF originating in and/or exported from China and is classified under Pakistan Customs Tariff Heading No. 5503.2010 (the "investigated product").

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

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

Exporters and Foreign Producers: The Applicants identified a number of exporters/producers involved in the dumping of PSF from China, however, 9 exporters/producers responded to the Commission's request for information/data and furnished information for the purposes of this investigation.

Determination of Dumping: Nine exporters/producers from China responded to the Commission's request for information/data and furnished information for the purposes of this investigation. However, the Commission has limited its examination to only three exporters representing largest percentage of volume of exports (84%) from China as the Commission is satisfied in terms of Section 14(2) of the Act that the number of the exporters involved is so large to make it impracticable to determine an individual dumping margin of all exporters/producers who have responded to the Commission's request for information on Exporter's Questionnaire. Normal value and export price of the investigated product for those three exporters/ producers have been determined in accordance with Sections 5, 6 and 10 (1) of the Act, respectively, on the basis of the information provided by these exporters/producers in response to the Commission's questionnaire.

Weighted average duty rate has been calculated for other five cooperating exporters/foreign producers not included for detailed investigation in this preliminary determination on the basis of the weighted average dumping margin of the exporters/foreign producers selected for detailed examination 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 on preliminary basis established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price depression, price suppression, decline in production, market share,

negative effect on capacity utilization, profitability, productivity, salaries and wages per MT and return on investment.

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

Imposition of Provisional Anti-Dumping Duty: In reaching this preliminary determination, the Commission is satisfied that the PSF has been imported at dumped prices. The Commission is of the view that level of injury is adequate to justify imposition of provisional measures. In order to prevent material injury during the course of this investigation, the Commission, pursuant to the powers conferred upon it under Section 43 of the Act, has decided to impose provisional anti-dumping duty at the rates mentioned below on C&F value in *ad val.* terms on imports of PSF not exceeding 2 denier importable from China for a period of four months effective from the date of publication of notice in the press, 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:

Provisional Antidumping Duty Rates

Country	Exporter Name	Provisional Antidumping Duty Rate (%)
China	Shanghai Hengyi Polyester Fiber Co., Limited.	10.53
	Jiangyin Huahong Chemical Fiber Co., Limited	7.18
	Jiangyin Hailun Chemical Fiber Co., Limited	6.41
	Xiamen Xianglu Chemical Fiber Company Limited	7.17
	Nanyang Textile Co., Limited	7.17
	Suzhou Zhenbang Chemical Fiber Co. Limited	7.17
	Fujian Zhengqi High-Tech Fiber Technology Co., Limited.	7.17
	Shanghai Polytex Co., Limited.	7.17
	All others	14.92

Hearing: Any party registered as an interested party in this case may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 30 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9202839, Fax No.+92-51-9221205.

Final Determination: In terms of Section 39 of the Act, the Commission is required to make final determination within 180 days of publication of notice of Preliminary Determination.

Authority under Law: This notice is published pursuant to Section 37 of the Act by order of the Commission.

(Muhammad Shahid)
Secretary
October 3, 2015