

ADC No. 12/2006/NTC/PSF
National Tariff Commission
Government of Pakistan

Notice of Initiation of Antidumping Investigation against Alleged Dumping of Polyester Staple Fiber from the Republic of Indonesia, the Republic of Korea and the Kingdom of Thailand.

The National Tariff Commission (the "Commission") received an antidumping application under Section 20 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") on June 13, 2006 from Dewan Salman Fibres Limited, House No. 46, Nazimuddin Road, F-7/4, Islamabad; Ibrahim Fibres Limited, Ibrahim Centre, 1-A Ahmed Block, New Garden Town, Lahore; and ICI Pakistan Limited, ICI House, 63-Mozng Road, 54000, Lahore (here-in-after collectively referred to as the "Applicants") on behalf of the domestic industry producing Polyester Staple Fiber ("PSF") alleging dumping of PSF into Pakistan originating in and/or exported from, the Republic of Indonesia ("Indonesia"), the Republic of Korea ("Korea"), and the Kingdom of Thailand ("Thailand") (here-in-after collectively referred to as the "Exporting Countries).

Initiation of Investigation: In terms of Section 23 of the Ordinance, the Commission has examined the adequacy and accuracy of the information provided in the application and is satisfied that (i) the application has been made on behalf of the domestic industry, (ii) there is sufficient evidence to justify initiation of investigation. Therefore, the Commission hereby initiates an investigation pursuant to Section 23 of the Ordinance. The investigation will determine whether PSF originating in and/or exported from the Exporting Countries is being dumped into Pakistan and whether such dumping has caused and/or is causing material injury to the domestic industry. The Commission may also, during the course of this investigation, call for any further information/ data deemed necessary for the purposes of this investigation.

Product under Investigation: The product allegedly being dumped into Pakistan is PSF not exceeding two denier, originating in and/or exported from Indonesia, Korea, and Thailand (the "investigated product") and is classified under Pakistan Customs Tariff Heading No. 5503.2010. The major uses of the investigated product identified by the Applicants are in the production of knitted and woven fabrics and 100% polyester yarn used in sewing thread, weaving, and knitting applications.

Application by the Domestic Industry: The application fulfills the requirements of Section 24 of the Ordinance as the Applicants produced 91.38 percent of the total production of PSF in the country during the period from January 1 to December 31, 2005. The figures of total production of PSF were obtained from the annual accounts of the Applicants and two other units in the domestic industry namely, Rupali Polyester Limited, Lahore and Pakistan Synthetics Limited, Karachi which as per the application are indifferent. The Applicants allege dumping of the investigated product into Pakistan by exporters from the Exporting Countries. It is further alleged that the import of investigated product has caused and is causing material injury to the domestic industry, mainly, by way of: increase in volume of alleged dumped imports, price under-cutting, loss of sales volumes, decline in profits/profitability, price suppression, decrease in production and capacity utilization, decrease in return on investment and decline in productivity.

Period of Investigation ("POI"):

For investigation of dumping: From April 01, 2005 to March 31, 2006
For investigation of injury: From April 01, 2003 to March 31, 2006

Investigation Schedule:

Date of initiation of investigation: The date of publication of this notice in the newspapers in Pakistan i.e. today
Date of preliminary determination: Not earlier than 60 days and not later than 180 days from the date of initiation of the investigation
Date of final determination: Within 180 days of the date of publication of notice of preliminary determination in the press in Pakistan

Interested Parties: Interested parties, as defined in Section 2(j) of the Ordinance, are requested to identify themselves to the Secretary, National Tariff Commission, State Life Building No. 5, Blue Area, Islamabad, Tel: +9251-9202839 Fax: +9251-9221205 not later than 10 days after the publication of this notice. An interested party applying for registration with the Commission in this investigation should submit: the name of the

company, its line of business, name of authorized person, address, telephone number and fax number. All interested parties are invited to make their views/comments known to the Commission, and to submit information and documents (if any) not later than 45 days of the date of publication of this notice in the press in Pakistan. All data and information regarding this investigation should be submitted to the Secretary of the Commission.

Request for Individual Dumping Margin: All producers/exporters of the investigated product from the Exporting Countries or representatives acting on their behalf, who desire to claim an individual dumping margin in terms of Section 14(4) of the Ordinance are hereby requested to make themselves known by contacting Secretary of the Commission and provide the following information on their company or companies within 15 days of the publication of this notice in the press in Pakistan:

- Name, address, e-mail address, telephone and fax and/or telex numbers and authorized contact person.
- Quantity and value of PSF (in US\$) produced during the POI.
- Quantity and value (in US\$) of the PSF exported to Pakistan during the POI.
- Quantity and value of the PSF sold in domestic market (Indonesia, Korea, or Thailand) during the POI.
- The precise activities of the company with regard to the production of PSF.
- The names and the precise activities of all related companies involved in the production and/or sale (export and/or domestic) of PSF.
- Any other relevant information that would assist the Commission in the calculating the individual dumping margin.

Use of Best Information Available: Where any interested party refuses or otherwise does not provide the required information within the prescribed time limit or significantly impedes the investigation, preliminary and/or final determination by the Commission will be made on the basis of best information available in accordance with Section 32 of the Ordinance and the Schedule appended thereto.

Public File: In accordance with Rule 7 of the Anti-Dumping Duties Rules, 2001, the Commission has established and shall maintain a public file at the offices of the Commission, which shall be available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the investigation.

Further Information: For further information please contact, Director (AD), National Tariff Commission, Tel: +9251-9218961, Fax: +9251-9221205. General information may also be obtained by accessing the Commission's official website www.ntc.gov.pk

By order of the Commission.

(Omer Moin Chaudhry)
Director
August 09, 2006