

ADC No. 10/2005/NTC/TP
National Tariff Commission
Government of Pakistan

Notice of Termination of Antidumping Investigation Against Dumped Imports of Tinplate into Pakistan Originating in and/or Exported from France, Germany, Italy, U.K and USA.

The National Tariff Commission (the "Commission") initiated an antidumping investigation on December 06, 2005 under Section 23 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") after establishing that the application lodged by Siddiqsons Tinplate Limited (the "Applicant"), a domestic producer of Tinplate (the "TP"), was in accordance with Sections 20 and 24 of the Ordinance. The investigation was against dumping of TP, originating in and/or exported from the Republic of France, the Federal Republic of Germany, the Republic of Italy, the United Kingdom and the United States of America (hereinafter collectively referred to as the "Exporting Countries") into Pakistan and injury caused to the domestic industry due to such dumping. In accordance with the Ordinance and the Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has, after investigation, determined the following:

2. Exporters and Foreign Producers: All exporters/producers of TP from the Exporting Countries to Pakistan.

3. Product under Investigation The product under investigation is Tinplate (the "investigated product") originating in and/or exported from the Exporting Countries and classified under Pakistan Customs Tariff classification number. 7210.1210. It has a wide range of applications e.g. packaging of edible oils, foodstuff, paints, petroleum products etc.

4. Like Product: In terms of Section 2 of the Ordinance, the examination revealed that the investigated product and TP produced by the domestic industry are produced with similar manufacturing process, and with the same raw materials. Both have the same physical characteristics, usage, and tariff classification. Thus it is established that both the products are "like products".

5. Period of Investigation (POI)

For determination of dumping and injury, the POI is as follows:

For determination of dumping: From July 1, 2004 to June 30, 2005

For determination of material injury: From July 1, 2002 to June 30, 2005

6. Sampling: In view of the apparent large number of exporters/foreign producers involved in this investigation, the Commission intended to use samples in terms of Section 14(2) of the Ordinance and therefore, requested all exporters/foreign producers from the Exporting Countries to provide the requisite information. None of the exporters/producers from Exporting Countries responded within the given time period and, therefore, the Commission could not resort to sampling.

7. Determination of Dumping: As the exporters/foreign producers did not provide information in response to the exporter's questionnaire, normal value has been worked out for each of the Exporting Countries on the basis of the best information available in terms of Section 32 of the Ordinance.

8. To determine normal value for the Exporting Countries, the Commission relied on the information provided by the Applicant in the application.

9. To determine export price for the investigated product, the Commission has used import data obtained from Pakistan Revenue Automation Limited (PRAL), the data processing arm of the Central Board of Revenue, Government of Pakistan.

10. Dumping Margin: The dumping margins have been calculated in accordance with Section 12(1) of the Ordinance by comparing the weighted average normal value at ex-factory level with the weighted average export price at ex-factory level for each Exporting Country. The dumping margins determined on the basis of the best information available with the Commission expressed as percentage of weighted average adjusted export price and weighted average C&F export price thus work out as follows:

<u>S. No.</u>	<u>Country Name</u>	<u>Dumping margin as percentage of</u>	
		<u>Adjusted export price</u>	<u>C&F export price</u>
01	France	56.99	49.47
02	Germany	48.20	42.34
03	Italy	58.07	50.35
04	UK	107.54	90.36
05	USA	75.79	65.22

11. Injury to the Domestic Industry: Injury to the domestic industry has been determined in accordance with Part VI of the Ordinance. The injury analysis carried out by the Commission shows that there has been no increase in the volume of dumped imports during the POI, rather the dumped imports decreased significantly in absolute terms during the POI. Volume of dumped imports decreased by 22.78 percent in FY 2004 over FY 2003 and by 31.86 percent in FY 2005 over FY 2004. The Applicant was able to increase its sales volume by 19.16 percent in Fiscal Year (“FY”) 2004 and by 25.48 percent in FY 2005. Similarly, the market share of the Applicant also increased from 47 percent to 64 percent in FY 2004 and further increased to 74 percent in FY 2005. The market share of dumped as well as other imports decreased during the POI.

12. Analysis of injury factors further shows that although the landed cost of investigated product undercut the ex-factory sales price of domestic like product, it did not affect the volume of sales and market share of domestic like product, as its sales and market share increased throughout the POI. Similarly, despite facing price undercutting due to dumped imports the Applicant increased its ex-factory sales prices through out the POI (14.93% in FY 2004 and 31.22% in FY 2005) and did not suffer price depression or suppression. The increased volume of sales at higher ex-factory prices resulted in higher profit levels and the profit increased by 56.80 percent in FY 2004 and 85.40 percent in FY 2005. The return on investment therefore, increased from 25.91percent to 51.28 percent.

13. Although the domestic industry appears to have suffered injury during the POI on account of employment, production, productivity and salaries and wages in FY 2005, nonetheless, it was able to increase its sales, market share and profits during the POI. The Commission has therefore, determined that injury suffered by the domestic industry during the POI is negligible.

14. Injury Factors other than Dumped Imports: As the injury suffered by the domestic industry during the POI is negligible the issue of examination of other factors is not germane to the investigation.

15. Termination: In view of the fact that the injury suffered by the domestic industry during the POI is negligible, the antidumping investigation against dumped imports of tinplate into Pakistan originating in and/or exported from France, Germany, Italy, U.K and USA is hereby terminated in terms of Section 41 of the Ordinance.

16. Further Information: A non-confidential version of the report of termination of investigation has been placed on public file established and maintained by the Commission. It has also been posted on the Commission’s website: www.ntc.gov.pk. The public file shall be available to interested parties, registered with the Commission for the purposes of this investigation, for review and copying at the offices of the Commission, from Monday to Thursday between 1100 hrs to 1300 hrs.

17. Authority Under Law This investigation has been conducted under the Ordinance (No. LXV of 2000). This notice is published pursuant to Section 42(2) of the Ordinance.

By order of the Commission.

(Batool Iqbal Qureshi)
Secretary
June 3, 2006