

ADC No. 32/2015/NTC/SB
Government of Pakistan
National Tariff Commission

Notice of Final Determination and levy of Definitive Antidumping Duty on Import of Sorbitol 70% Solution into Pakistan Originating in and/or Exported from the Republic of India.

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on March 29, 2015, under Section 23 of the Anti-Dumping Duties Ordinance, 2015 (the "Ordinance") (now the Act) after establishing that the application lodged by Habib ADM Pvt Limited (the "Applicant"), on behalf of domestic industry producing Sorbitol 70% Solution ("Sorbitol") was in accordance with Section 20 and 24 of the Ordinance. The investigation pertains to dumping of Sorbitol, originating in and/or exported from the Republic of India ("India") into Pakistan and material injury caused therefrom to the domestic industry producing Sorbitol. The Commission made a preliminary determination in this case in terms of Section 37 of the Ordinance on August 25, 2015. In accordance with the Anti-Dumping Duties Act, 2015 ("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 product being dumped into Pakistan is Sorbitol originating in and/or exported from India and is classified under Pakistan Customs Tariff Heading Nos. 2905.4400 and 3824.6000 (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

Determination of Dumping: The normal value and export price of the Sorbitol has been determined on the basis of best information available in terms of Section 32 and Schedule of the Act, as no exporter/foreign producer provided the requisite information to the Commission. Dumping margin expressed as percentage of weighted average C&F price for all exporters/producers from India is 16.97%.

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 definitive basis established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price suppression, decline in production, sales, market share, negative effect on capacity utilization, profitability, productivity, salaries and wages per MT and growth. The Commission is also satisfied that further imports are imminent and that, unless protective action is taken, further material injury shall occur.

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 the Sorbitol has been imported at dumped prices. The Commission is of the view that level of injury is sufficient to justify imposition of definitive measures. As no exporter/foreign producer from India cooperated with the Commission during the investigation, a residual dumping margin and

antidumping duty rate for all the exporters/producers from India is determined on the basis of best available information in terms of Section 32 of the Ordinance.

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 on Sorbitol importable from India at the rate of 16.97% of C&F value in *ad val.* terms on all imports of the Sorbitol classified under PCT heading No. 2905.4400 and 3824.6000 for a period of five years effective from August 25, 2015.

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

December 23, 2015