



**Government of Pakistan
National Tariff Commission**

REPORT

ON

**PRELIMINARY DETERMINATION AND LEVY OF PROVISIONAL
ANTI-DUMPING DUTY ON DUMPED IMPORTS OF POLYESTER
STAPLE FIBRE (PSF) (NOT EXCEEDING 2.0 DENIER) INTO
PAKISTAN ORIGINATING IN AND/OR EXPORTED FROM THE
PEOPLE'S REPUBLIC OF CHINA.**

A.D.C No. 33/2015/NTC/PSF

October 2, 2015

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The National Tariff Commission (hereinafter referred to as the Commission) having regard to the Anti-Dumping Duties Act, 2015 (hereinafter referred to as the Act) and the Anti-Dumping Duties Rules, 2001 (hereinafter referred to as the Rules) relating to investigation and determination of dumping of goods into the Islamic Republic of Pakistan (hereinafter referred to as Pakistan), material injury to the domestic industry caused by such imports, and imposition of antidumping duties to offset the impact of such injurious dumping, and to ensure fair competition thereof and to the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (hereinafter referred to as the Agreement on Antidumping).

2. The Commission is conducting this investigation, on imports of Polyester Staple Fibre (not exceeding 2.0 denier) (hereinafter referred to as PSF) into Pakistan Originating in and/or exported from the People's Republic of China (China), under the Act and the Rules. The Commission has made preliminary determination in this investigation under Section 37 of the Act. This report on preliminary determination has been issued in accordance with the Rule 10 of the Rules.

3. In terms of Section 37 of the Act, the Commission shall make a preliminary determination of dumping and injury, if any, not earlier than sixty days and not later than one hundred and eighty days, after initiation of an investigation. Such preliminary determination shall be based on the information available to the Commission at that time. This investigation was initiated on April 24, 2015. The preliminary determination is based on the information available to the Commission at this time.

A. PROCEDURE

4. The procedure set out below has been followed with regard to this investigation.

5. Receipt of Application

5.1 On March 27, 2015, the Commission received a written application under Section 20 of the Antidumping Duties Ordinance, 2015 (now the Anti-Dumping Duties Act 2015) from Ibrahim Fibres Limited, and ICI Pakistan Limited, (the Applicants). The Applicants have alleged that PSF originating in and/or exported from China is being dumped into Pakistan, which has caused and is causing material injury to the domestic industry producing PSF.

5.2 The Commission informed the Embassy of China in Islamabad through note verbale dated March 31, 2015, of the receipt of application in accordance with the requirements of Section 21 of the Ordinance (now the Act).

6. Evaluation and Examination of the Application

6.1 The examination of the application showed that it met the requirements of Section 20 of the Ordinance (now the Act) as it contained sufficient evidence of dumping of PSF into Pakistan from the China and material injury to the domestic industry caused

therefrom. Requirements of Rule 3 of the Rules, which relate to the submission of information prescribed therein were also found to have been met.

7. The Domestic Industry

7.1 Section 2(d) of the Act defines domestic industry as:

“domestic industry” means the domestic producers as a whole of a domestic like product or those of them whose collective output of that product constitutes a major proportion of the total domestic production of that product, except that when any such domestic producers are related to the exporters or importers, or are themselves importers of the allegedly dumped investigated product in such a case “domestic industry” shall mean the rest of the domestic producers”. Explanation.- For the purposes of this clause, producers shall be deemed to be related to exporters or importers only if;

- (i) *one of them directly or indirectly controls the other;*
- (ii) *both of them are directly or indirectly controlled by the same third person; or*
- (iii) *together they directly or indirectly control a third person;*

Provided that there are grounds for believing or suspecting that the effect of the relationship is such as to cause the producer concerned to behave differently from non-related producers and for that purpose one shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the latter”.

7.2 The domestic industry of PSF comprises of 8 units, out of which 7 are operational. Dewan Salman Fibre Limited has ceased its operation after 2008. Therefore, it has not been considered as part of the domestic industry. The other 7 operational units are as follows;

- i. ICI Pakistan Limited
- ii. Ibrahim Fibres Limited
- iii. Pakistan Synthetics Limited
- iv. Rupali Polyester Limited
- v. Khalis Fibres Ltd
- vi. T&N Group
- vii. EVM

7.3 The Applicants are two out of these seven units. The above units are engaged in the manufacturing, marketing and distribution of PSF. The Applicants are neither related to importers and exporters of investigated product nor imported investigated product by themselves. Therefore, the Applicants are eligible to apply for application of anti-dumping duties.

8. Standing of the Application

8.1 In terms of Section 24(1) of the Act,

“ an application shall be considered to have been made by or on behalf of the domestic industry only if it is supported by those domestic producers whose collective output constitutes more than fifty percent of the total production of a domestic like product produced by that portion of the domestic industry expressing either support for or opposition to the application.”

Furthermore, Section 24(2) of the Act provides that:

“ no investigation shall be initiated when domestic producers expressly supporting an application account for less than twenty five percent of the total production of the domestic like product produced by the domestic industry.”

8.2 The Applicants are two out of seven domestic producers of PSF in Pakistan. The Applicants produced 84 percent of total domestic production of PSF during the period from January 1, 2014 to December 31, 2014. Details of the production of PSF by the domestic industry are as follows:

Table - I
Unit-wise Production during the year 2014

Sr.	Name	Share in Domestic Production %	Supporting/ Indifferent	Opposing/
1	Ibrahim Fibres Limited	54.97	Applicant	
2	ICI Pakistan Limited	29.03	Applicant	
3	Rupali Polyester Limited	7.25	Supporting	
4	Khalis Fibres Ltd	2.91	Indifferent	
5	Pakistan Synthetics Limited	2.36	Indifferent	
6	T&N Group	1.74	Indifferent	
7	EVM	1.74	Indifferent	
Total		100		

Source: Applicants

Note: To maintain confidentiality, actual figures have been indexed with respect to the total production of the domestic industry during POI

8.3 The Applicants represent 84% of the total domestic production by the domestic industry and supported by Rupali Polyester Ltd. which accounts for 7.3% of total domestic production. The Application is supported by 100% of the producers who are expressing their opinion on application and 91% of the total domestic production. Thus the standing requirements as given in section 24 of the Act are met and it is determined that the application is made by or on behalf of the domestic industry.

9. Applicants' Views

9.1 The Applicants, *inter alia*, raised the following issues in application regarding alleged dumping of PSF and material injury to the domestic industry caused therefrom:

- i. PSF imported from China into Pakistan and PSF produced in Pakistan by the domestic industry are like products;
- ii. Exporters/producers from China are exporting PSF to Pakistan at dumped prices; and
- iii. Exports of PSF by the exporters/producers from China to Pakistan at dumped prices has caused and is causing material injury to the domestic industry producing PSF mainly through:-
 - a. Volume of dumped imports
 - b. Price undercutting;
 - c. Price Suppression;
 - d. Price depression;
 - e. Decline in market share;
 - f. Negative effect on sales;
 - g. Decline in profit;
 - h. Negative effect in capacity utilization;
 - i. Negative effect on cash flow;
 - j. Negative effect on return on investment;
 - k. Negative effect on employment; and
 - l. Negative effect on ability to raise capital

9.2 The Applicants requested the Commission to address the injury, caused to the domestic industry which is evident from the above mentioned factors, by initiation of an anti-dumping investigation against dumped imports of PSF from China and imposition of anti-dumping duties on these imports. It has also been requested that provisional anti-dumping measures may be imposed to prevent injury being caused during the course of investigation.

10. **Exporters/Foreign Producers of PSF**

10.1 The Applicants have identified 108 foreign producers and 19 exporters involved in alleged dumping of the investigated product from China. The Applicants have provided contact addresses for 99 foreign producers and 12 exporters. The Applicants have stated that there may be other exporters and foreign producers of the investigated product, which are not known to it. Therefore, the Applicants have requested for imposition of antidumping duty on all imports of the investigated product originating in and/or exported from China.

11. **Initiation of Investigation**

11.1 The Commission, in accordance with Section 23 of the Ordinance (now the Act) examined the accuracy and adequacy of the evidence provided in application, and established that there was sufficient evidence of alleged dumping of PSF into Pakistan from China and consequent material injury to the domestic industry. Accordingly, the Commission issued a notice of initiation in accordance with Section 27 of the Ordinance, which was published in the Official Gazette¹ of Pakistan and in two widely circulated national newspapers² (one in English language and one in Urdu Language) on April 24, 2015. Investigation concerning alleged dumped imports of PSF into Pakistan {classified under PCT No³. 5503.2010} originating in and/or exported from China was thus initiated on April 24, 2015.

11.2 In pursuance of Section 27 of the Ordinance (now the Act), the Commission notified Embassy of China in Islamabad of the initiation of investigation (by sending a copy of the notice of initiation) on April 28, 2015 with a request to forward it to all exporters/producers involved in production, sales and export of PSF from China. Copy of the notice of initiation was also sent on April 28, 2015 to known exporters/producers of PSF from China whose addresses were available with the Commission with a request to be registered as an interested party in the investigation with-in 15 days of publication of the notice. Copy of the notice of initiation was also sent to known Pakistani importers and the Applicants on April 30, 2015.

11.3 In accordance with Section 28 of the Ordinance (now the Act), on April 30, 2015 the Commission sent copy of full text of the written application (non-confidential version) and Exporter's Questionnaire to the exporters of China who got registered themselves as an interested party in this investigation. On April 30, 2015, copy of the full text of the written application along with Exporter's Questionnaire was also sent to Embassy of China in Pakistan with a request to forward it to all exporters/producers

¹ The official Gazette of Pakistan (Extraordinary) dated April 24, 2015.

² The 'Nation' and the 'Daily Ausaf' of April 24, 2015 issue.

³ PCT heading in Pakistan is equivalent to Harmonized Commodity Description and Coding System up to six-digit level.

involved in production and/or sale/export of PSF from China. The Importer's Questionnaire was also sent to the importers of PSF on April 30, 2015.

12. Investigated Product, Domestic Like Product and Like Product

12.1 Section 2 of the Act defines investigated product, domestic like product and like product as follows:

- i. Investigated Product:**
"a product, which is subject to an antidumping investigation as described in the notice of initiation of the investigation".
- ii. Domestic Like Product:**
"means a like product that is produced by the domestic industry".
- iii. Like Product:**
"a product which is alike in all respects to an investigated product or, in the absence of such a product, another product which, although not alike in all respects, has characteristics closely resembling those of the investigated product".

12.2 For the purposes of this investigation and given the definitions set out above, investigated product, domestic like product and like product are identified as follows:

12.3 Investigated Product:

12.3.1 The investigated product is PSF originating in and/or exported from China to Pakistan. It is classified under PCT No. 5503.2010. It is generally used in production of blended yarn and pure polyester sewing thread. The blended yarn is used to produce woven and knitted fabrics.

12.3.2 Tariff structure during the last three years applicable on import of PSF is given in the following table:

**Table-II
Tariff Structure**

S. #	Period	Customs Duty	Concessionary Rate*	Sales tax
1	2012-13	10%	6%	16%
2	2013-14	10%	6%	17%
3	2014-15	10%	6%	17%

*Under Fifth Schedule of Customs Act 1969.

12.4 **Domestic Like Product**

12.4.1 Under the Section 2(f) of the Act, "Domestic Like Product" means a like product that is produced by the domestic industry.

12.4.2 The domestic like product is PSF not exceeding 2 denier, produced by the domestic industry. The domestic like product is also classified under PCT No. 5503.2010. The domestic like product is generally used in production of blended yarn and Pure Polyester sewing thread. The blended yarn is used to produce woven and knitted fabrics Major uses of the domestic like product are, therefore, identical to those of the investigated product.

12.5 **Like Product:**

PSF produced by the domestic industry and imported from the China is comparable in terms of physical and chemical characteristics, product specifications, chemical formulation, end uses and tariff classification of the goods etc. Investigated product and domestic like product are technically and commercially identical. Domestically produced PSF and imported PSF are classified under the same PCT/HS Heading No. 5503.2010.

12.6 In light of the above, the Commission has determined that the investigated product and the domestic like product are like products.

13. **Period of Investigation**

13.1 In terms of Section 36 of the Act, Period of Investigation (hereinafter referred to as "POI") is:

i. *"for the purposes of an investigation of dumping, an investigation period shall normally cover twelve months preceding the month of initiation of the investigation for which data is available and in no case the investigation period shall be shorter than six months."*

ii. *"for the purposes of an investigation of injury, the investigation period shall normally cover thirty-six months:*

"Provided that the Commission may at its sole discretion, select a shorter or longer period if it deems it appropriate in view of the available information regarding domestic industry and an investigated product".

13.2 The Commission received the application on March 27, 2015 and initiated the investigation on April 24, 2015. The Applicants have provided the information/data up to December 31, 2014 in the application. Therefore, to fulfill the requirement of Section

36 of the Act, the POI selected by the Commission for dumping and injury are, 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

14. Information/Data Gathering

14.1 The Commission sent Exporter's Questionnaire to following 15 major exporters/foreign producers from China who constitute for more than 98% of total exports of PSF from China to Pakistan on April 30, 2015 for collection of data and information.

- i. Jiangyin Huahong Chemical Fibre Co., Huahong Industrial Zone, Zhouzhuang Town, Jiangyin City, Jiangsu Province, 214423, China.
- ii. Zhangjiagang Chengxin Chemical Fibre Co. Ltd., Houcheng Industrial Zone, Jingang Town, Zhianjiagang City, Jiangsu, China.
- iii. Jiangyin Hailun Chemical Fiber Co Limited, Zhouzhuang Town, Jiangyin, China.
- iv. Shanghai Hengyi Polyester, No. 333 Mu Hua Bei Road, Shanghai, Shanghai, China.
- v. Hangzhou Xiangsheng Import & Export Co. Ltd. Zhejiang Xiaoshan Dangshan, China.
- vi. Suzhou Guoxin Group Taicang 1 Shanghai Road, Economic Development Zone, Taicang, Jiangsu, China.
- vii. Suzhou Zhengbang Chemical Fiber Co., Ltd. Hope Industrial Park, Beiqiao Street, Xiangcheng District, Suzhou, Jiangsu, China.
- viii. Sunshinetex Group Limited Room 1603, Building No. 1, GuoSe Tian Xiang No, 273 Wusi North Rd, Fuzhou, Fujian, China.
- ix. Jiangyin Huafang Technological Synthetic Fibre Co. Ltd., No. 11, Xinhang Road, Changzhou Town, Jiangyin, Jiangsu, China.
- x. Nanyang Textile Co. Ltd., Mazhen Xuxiake Town, Jiangyin City, Jiangsu, China.
- xi. Zhangjiagang Zhengfang Textile Co. Ltd., Dongshan Village, Jingang Town, Co., Ltd., Zhangjiagang City, China.
- xii. Ningbo Dafa Chemical Fiber Co Ltd , Shengshan China Zhejiang Ningbo Cixi Shengshan Industrial Garden, China.
- xiii. Xiamen Xianglu Chemical Fiber Company Limited Lukeng, Haicang Investment Zone, Xiamen Fujian 361026, China.
- xiv. Fujian Zhengqi High-tech Fibre Technology Co., Ltd, Jinjiang Industrial Zone, Yinglin Town, Jinjiang City, Fujian Province, China.

- xv. Shanghai Polytex Co., Ltd., Room 2707 Building A, No.325 Tianyue qiao Road, Shanghai, China.

14.2 The exporters/foreign producers were asked to respond within 37 days of dispatch of the Questionnaire. On April 30, 2015 the Questionnaire was also sent to the Embassy of China in Islamabad with a request to forward it to the all exporters/foreign producers of the investigated product in China.

14.3 The following nine exporters/foreign producers responded to the Commission's request for supplying information on the prescribed Exporter's Questionnaire and requested for extension in time period (beyond 37 days) for submission of information:

- i. Jiangyin Huahong Chemical Fiber Co., Limited
- ii. Xiamen Xianglu Chemical Fiber Company Limited
- iii. Fujian Zhengqi High-Tech Fiber Technology Co., Ltd
- iv. Shanghai Hengyi Polyester Fiber Co., Ltd
- v. Jiangyin Hailun Chemical Fiber Co., Limited
- vi. Nanyang Textile Co., Limited.
- vii. Shanghai Polytex Co., Limited
- viii. Suzhou Zhenbang Chemical Fiber Co. Ltd
- ix. Zhangjianang Zhengfang Textiles Co. Ltd

14.4 After taking into account the due cause shown by these exporters/foreign producers in their requests, the Commission acceded to the requests and granted extension in time period for submission of information on Exporter's Questionnaire till June 14, 2015. Filled-in Exporter's Questionnaires from these exporters were received at the Commission on June 15, 2015 and June 22, 2015. Upon examination of the information received from these exporters/foreign producers, certain deficiencies were found in the information supplied. These deficiencies were communicated to the exporters/ foreign producers and were requested to supply the deficient information. Further details are given at paragraph 15 infra.

14.5 The Commission sent letter to the Embassy of China on September 2, 2015; (after expiry of 37 days period and extension granted) stating that so far no response has been received from exporters/producers other than the above stated 9 exporters/ producers from China on the Exporter's Questionnaire. The other exporters /producers of PSF in China may be advised to submit the data on prescribed questionnaire otherwise the Commission would be constrained to make preliminary determination of dumping in this investigation on the basis of best information available including those contained in the application submitted by the domestic industry, in terms of Section 32 of the Act.

14.6 The Commission also sent Questionnaire on May 19, 2015 to domestic producers of PSF other than the Applicants, requesting them to provide information within 37 days of the issuance of the questionnaire. Only one domestic producer i.e. Rupali Polyester

Pvt Ltd responded to the Commission's letter however it did not provide the data/information on the prescribed questionnaire to the Commission.

14.7 The Commission has access to database of import statistics of Pakistan Revenue Automation Limited ("PRAL"), the data processing arm of the Federal Board of Revenue, Government of Pakistan. For the purpose of this preliminary determination the Commission has used import data obtained from PRAL in addition to the information provided by the Applicants and the exporters.

14.8 Interested parties were also invited to make their views/comments and submit information (if any) relevant to this investigation within 45 days of initiation of investigation. An interested party *viz* All Pakistan Textiles Mills Association (APTMA) has made comments /submitted information which has also been considered while making this preliminary determination.

14.9 Thus, the Commission has sought from all available sources the relevant data and information deemed necessary for the purposes of preliminary determination of dumping and injury therefrom in this investigation.

15. Questionnaire(s) Response by Chinese Producers/Exporters:

15.1 Questionnaire Response by Jiangyin Huahong Chemical Fiber Co., Limited

15.1.1 The Commission sent the Exporter's Questionnaire to Jiangyin Huahong Chemical Fibre Co. Ltd (hereinafter referred to as "Huahong") on April 30, 2015. Huahong applied to the Commission in its letter dated May 29, 2015 for extension of time period for submission of response to questionnaire for two weeks. The Commission granted the extension for one week vide its letter dated June 9, 2015 after considering the reasons given in the request for extension. Its response was received in the Commission on June 14, 2015.

15.1.2 According to the information provided in response to the questionnaire, Huahong is a private limited company incorporated under the Chinese company laws. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.1.3 The information submitted by Huahong in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide the Commission's letter dated July 24, 2015.

15.1.4 Huahong was asked to provide the deficient information/data no later than 10 days of issuance of the letter, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Huahong responded to the deficiencies vide its letter dated August 17, 2015.

15.2 Questionnaire Response by Shanghai Hengyi Polyester Fiber Co. Ltd.

15.2.1 The Commission sent Exporter's Questionnaire to Shanghai Hengyi Polyester Fiber Co. Ltd. (hereinafter referred to as "Hengyi") on April 30, 2015. Hengyi applied to the Commission in its letter dated June 1, 2015 for extension of time period for submission of response to questionnaire for two weeks. The Commission granted extension for one week vide its letter dated June 9, 2015 after considering the reasons given in the request for extension. Its response was received in the Commission on June 22, 2015.

15.2.2 According to the information provided in response to the questionnaire, Hengyi is a limited liability company incorporated under the Chinese company laws. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.2.3 The information submitted by Hengyi in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated July 29, 2015.

15.2.4 Hengyi was asked to provide the deficient information/data no later than 10 days , so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Hengyi responded to the deficiencies vide its letter dated August 17, 2012.

15.3 Questionnaire Response by Xiamen Xianglu Chemical Fiber Company Ltd.:

15.3.1 The Commission sent the Exporter's Questionnaire to Xiamen Xianglu Chemical Fiber Company Limited (hereinafter referred to as "Xianglu") on April 30, 2015. Xianglu applied to the Commission in its letter dated May 28, 2015 for extension of time period for submission of response to questionnaire for two weeks. The Commission granted the extension for one week vide its letter dated June 9, 2015 after considering the reasons given in the request for extension. Its response was received in the Commission on June 22, 2015.

15.3.2 According to the information provided in response to the questionnaire, Xianglu is a company limited by shares (joint venture between Taiwan, Hong Kong, Macao and Mainland China). It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.3.3 The information submitted by Xianglu in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide the Commission's letter dated August 6, 2015.

15.3.4 Xianglu was asked to provide the deficient information/data no later than 10 days of issuance of this letter, so as to enable the Commission to consider and analyze

the same for the purposes of this investigation. Xianglu responded to the deficiencies vide its letter dated August 18, 2015.

15.4 Questionnaire Response by Jiangyin Hailun Chemical Fiber Co Limited:

15.4.1 The Commission sent Exporter's Questionnaire to Jiangyin Hailun Chemical Fiber Co Limited, (hereinafter referred to as "Hailun") on April 30, 2015. Hailun applied to the Commission in its letter dated June 1, 2015 for extension of time period for submission of response to questionnaire for two weeks. The Commission granted the extension for one week vide its letter dated June 9, 2015, after considering the reasons given in the request for extension. Its response was received in the Commission on June 22, 2015.

15.4.2 According to the information provided in response to the questionnaire, Hailun is a Sino-Foreign joint venture private limited company incorporated under the Chinese company laws. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.4.3 The information submitted by Hailun in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated July 29, 2015.

15.4.4 Hailun was asked to provide the deficient information/data no later than 10 days of issuance of this letter, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Hailun responded to the deficiencies vide its letter dated August 18, 2015.

15.5 Questionnaire Response by Nanyang Textile Co. Ltd.:

15.5.1 The Commission sent Exporter's questionnaire to the Nanyang Textile Co. Ltd. (hereinafter referred to as "Nanyang") on April 30, 2015. Accordingly, Nanyang applied to the Commission in its letter dated May 19, 2015 for extension of time period for submission of response to questionnaire for three weeks. The Commission granted the extension vide its letter dated May 27, 2015, after considering the reasons given in the request for extension. Nanyang responded by submitting information/data on the prescribed questionnaire dated June 15, 2015.

15.5.2 According to the information provided by Nanyang, it is a limited liability company incorporated under the Chinese company laws. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.5.3 The information submitted by Nanyang in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those deficiencies were communicated to it vide the Commission's letter dated August 12, 2015.

15.5.4 Nanyang was asked to provide the deficient information/data no later than August 22, 2015, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Nanyang responded to the deficiencies vide its letter dated August 30, 2015.

15.6 Questionnaire Response by Zhangjiagang Zhengfang Textile Co. Ltd.:

15.6.1 The Commission sent Exporter's questionnaire to Zhangjiagang Zhengfang Textile Co. Ltd. (hereinafter referred to as "Zhengfang") on April 30, 2015. Zhengfang responded by submitting information/data on the prescribed questionnaire dated June 15, 2015.

15.6.2 According to the information provided by Zhengfang, it is a limited liability company incorporated under the Chinese company laws. It has been engaged in the manufacture and sale of PSF in its domestic market during the POI.

15.6.3 The information submitted by Zhengfang in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those deficiencies were communicated to it vide the Commission's letter dated August 13, 2015.

15.6.4 Zhengfang was asked to provide the deficient information/data no later than August 22, 2015 so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Zhengfang responded to the deficiencies vide its letter dated August 30, 2015.

15.7 Questionnaire Response by Fujian Zhengqi High-Tech Fiber Technology Co., Ltd:

15.7.1 The Commission sent Exporter's Questionnaire to the Fujian Zhengqi High-Tech Fiber Technology Co., Ltd. (hereinafter referred to as "Zhengqi") on April 30, 2015. Accordingly, Zhengqi applied to the Commission in its letter dated May 29, 2015 for extension of time period for submission of response to questionnaire for three weeks. The Commission granted extension for one week vide its letter dated June 9, 2015, after considering the reasons given in the request for extension. Zhengqi responded by submitting information/data on the prescribed questionnaire dated June 15, 2015.

15.7.2 According to the information provided by Zhengqi, is a joint-venture limited liability company invested by Chinese company Jinjiang Jinfu Fibre Co., Ltd and Hongkong Hongda Holding Co., Ltd. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.7.3 The information submitted by Zhengqi in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those

deficiencies were communicated to it vide the Commission's letter dated August 12, 2015.

15.7.4 Zhengqi was asked to provide the deficient information/data no later than August 23, 2015, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Nanyang responded to the deficiencies vide its letter dated August 24, 2015.

15.8 Questionnaire Response by Suzhou Zhenbang Chemical Fiber Co. Ltd.:

15.8.1 The Commission sent exporter's questionnaire to the Suzhou Zhenbang Chemical Fiber Co. Ltd. (hereinafter referred to as "Zhengbang") on April 30, 2015. Accordingly, Suzhou applied to the Commission in its letter dated June 1, 2015 for extension of time period for submission of response to questionnaire for two weeks. The Commission granted the extension for one week vide its letter dated June 9, 2015, after considering the reasons given in the request for extension. Suzhou responded by submitting information/data on the prescribed questionnaire dated June 15, 2015.

15.8.2 According to the information provided by Zhenbang is a limited liability company incorporated in October 2007 in accordance with Company Law of the People's Republic of China. It has been engaged in the manufacture, sale and export of PSF to Pakistan as well as to other countries and in its domestic market during the POI.

15.8.3 The information submitted by Zhengbang in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those deficiencies were communicated to it vide the Commission's letter dated August 12, 2015.

15.8.4 Zhengbang was asked to provide the deficient information/data no later than August 22, 2015, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Zhengbang responded to the deficiencies vide its letter dated August 30, 2015.

15.9 Questionnaire Response by Shanghai Polytex Co., Limited.:

15.9.1 The Commission sent exporter's questionnaire to the Shanghai Polytex Co., Limited. (hereinafter referred to as "Polytex") on April 30, 2015. Accordingly, Polytex applied to the Commission in its letter dated May 19, 2015 for extension of time period for submission of response to questionnaire for three weeks. The Commission granted the extension for one week vide its letter dated May 27, 2015, after considering the reasons given in the request for extension. Polytex responded by submitting information/data on the prescribed questionnaire dated June 15, 2015.

15.9.2 According to the information provided by Polytex, it is a limited liability company established on May 07, 2012. Polytex is a trading company having no domestic sales and

production. It exported the investigated product purchased from un-affiliated companies during the period of investigation.

15.9.3 The information submitted by Polytex in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those deficiencies were communicated to it vide the Commission's letter dated August 13, 2015.

15.9.4 Polytex was asked to provide the deficient information/data no later than August 23, 2015, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Polytex responded to the deficiencies vide its letter dated August 30, 2015.

16. Verification of the Information

16.1 In terms of Sections 32(4) and 35 of the Act and Rule 12 of the Rules, during the course of an investigation, the Commission shall satisfy itself as to the accuracy of the information and for this purpose verify the information supplied by the interested parties. Accordingly the Commission has satisfied itself as to the accuracy and adequacy of information supplied by the interested parties to the extent possible for the purposes of this preliminary determination.

16.2 In order to verify information/data provided by the Applicants and to obtain further information (if any), officers of the Commission conducted on-the-spot investigation at the office and plant of the Applicants from June 11 to 17, 2015.

16.3 On-the-spot investigations at the premises of exporters/producers from China, who provided information/data in response to the questionnaire would be conducted after this preliminary determination

17. Public File

The Commission, in accordance with Rule 7 of the Rules, has established and maintained a public file at its office. This file remains available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the investigation (except public holidays). This file contains non-confidential versions of the application, responses to the questionnaires, submissions, notices, correspondence, and other documents for disclosure to the interested parties.

18. Confidentiality

18.1 In terms of Section 31 of the Act, the Commission shall keep confidential any information submitted to it, which is by nature confidential, or determined by the Commission to be of confidential nature for any other reason, or provided as confidential by parties to an investigation, upon good cause shown to be kept confidential.

18.2 The Applicants have requested to keep confidential the information, which is by nature confidential in terms of Section 31 of the Act. This information includes data relating to sales, sale prices, cost to make and sell, inventories, production, profit/(loss), return on investment, cash flow, growth, investment, salaries & wages, number of employees and capacity.

18.3 On the basis of request made by the Applicants, the Commission has determined the confidentiality in light of Section 31 of the Act and for the reasons that disclosure of such information may be of significant competitive advantage to a competitor, or because its disclosure would have a significant adverse effect upon the interested parties providing such information. Therefore, the Commission kept all such information confidential for which the Applicants made a request to keep it confidential.

18.4 However, in terms of Sub-Section (5) of Section 31, non-confidential summaries of all confidential information, which provides reasonable understanding of the substance, have been placed in public file.

19. Views/Comments of Interested Parties

19.1 The Commission received views/comments from All Pakistan Textile Mills Association (APTMA) which have also been considered while making this preliminary determination.

B. DETERMINATION OF DUMPING

20. Dumping

In terms of Section 4 of the Act dumping is defined as follows:

"an investigated product shall be considered to be dumped if it is introduced into the commerce of Pakistan at a price which is less than its normal value".

21. Normal Value

21.1 In terms of Section 5 of the Act "normal value" is defined as follows:

"a comparable price paid or payable, in the ordinary course of trade, for sales of a like product when destined for consumption in an exporting country".

21.2 Further, Section 6 of the Act states:

"(1) when there are no sales of like product in the ordinary course of trade in domestic market of an exporting country, or when such sales do not permit a proper comparison because of any particular market situation or low volume of the sales in the domestic

market of the exporting country, the Commission shall establish normal value of an investigated product on the basis of either:

- “a) the comparable price of the like product when exported to an appropriate third country provided that this price is representative; or*
- “b) the cost of production in the exporting country plus a reasonable amount for administrative, selling and general costs and for profits.*

“(2) Sales of a like product destined for consumption in domestic market of an exporting country or sales to an appropriate third country may be considered to be a sufficient quantity for the determination of normal value if such sales constitute five per cent or more of the sales of an investigated product to Pakistan.”.

21.3 Ordinary course of trade is defined in Section 7 of the Act as follows:

“(1) The Commission may treat sales of a like product in domestic market of an exporting country or sales to a third country at prices below per unit, fixed and variable, cost of production plus administrative, selling and other costs as not being in the ordinary course of trade by reason of price and may disregard such sales in determining normal value only if the Commission determines that such sales were made –

- “(a) within an extended period of time which shall normally be a period of one year and in no case less than a period of six months;*
- “(b) in substantial quantities; and*
- “(c) at prices which do not provide for the recovery of all costs within a reasonable period of time.*

“(2) For the purposes of sub-clause (b) of sub-section (1), sales below per unit cost shall be deemed to be in substantial quantities if the Commission establishes that –

- “(a) a weighted average selling price of transactions under consideration for the determination of normal value is below a weighted average cost; or*
- “(b) the volume of sales below per unit cost represents twenty per cent or more of the volume sold in transactions under consideration for the determination of normal value.*

“(3) If prices which are below per unit cost at the time of sale are above the weighted average cost for the period of investigation, the Commission shall consider such prices as providing for recovery of costs within a reasonable period of time.”

22. Export Price

The “export price” is defined in Section 10 of the Act as “a price actually paid or payable for an investigated product when sold for export from an exporting country to Pakistan”.

23. Dumping Determination

23.1 As stated earlier (paragraph 10 supra) the Applicants identified 108 producers and 19 foreign producers from China involved in alleged dumping of the investigated product. The Commission sent Exporter’s Questionnaire to 15 major exporters/foreign producers from China who constitute for more than 98% of total exports of PSF from China to Pakistan on April 30, 2015 for collection of data and information. Questionnaire was also provided to the Embassy of China in Islamabad with a request to forward it to all exporters/foreign producers of the investigated product based in China to submit information to the Commission.

23.2 Nine exporters/foreign producers, provided information in response to the questionnaire, (paragraphs 14.2 and 15 supra). However, the Commission has limited its examination to only three exporters namely, Huahong, Hengyi and Hailun as the Commission is satisfied in terms of Section 14(3) of the Act that the number of the exporters involved is so large as it is impracticable to determine an individual dumping margin of all exporters who have responded to the Commission. However, a residual dumping margin/duty rate has been determined for all other exporters/foreign producers of the Exporting Countries.

24. Determination of Normal Value

24.1 The Commission received information on domestic sales and cost of production etc. of the like product from the eight exporters/foreign producers namely Huahong, Hailun, Xianglu, Nanyang, Hengyi, Zhenbang, Zhengfang and Zhengqi in response to the questionnaires. However, the information submitted by exporters selected for detailed examination, has been used for determination of normal value as discussed below. Normal value for other non-cooperating Chinese exporters/producers has been determined on the basis of best information available in accordance with Section 32 and Schedule to the Act.

24.2 Determination of Normal Value for Hengyi, China

24.2.1 Normal value for Hengyi has been determined on the basis of the information provided by it on its domestic sales and cost to make and sell during the POI. According to the information, Hengyi sold investigated product in its domestic market during the POI. It exported the investigated product to Pakistan during the POI.

24.2.2 Hengyi sold the like product in its domestic market during the POI. These sales are in sufficient quantities to determine normal value in terms of Section 6(2) of the Act,

as these are more than 5 percent of the export sales of the investigated product exported by it to Pakistan during the POI. It sold like product to un-related customers in its domestic market. Section 7 of the Act requires the Commission to determine ordinary course of trade for domestic sales to determine normal value. Determination of ordinary course of trade in terms of Section 7 of the Act requires determination of cost to make and sell of an investigated product. The cost of raw materials during the POI does not commensurate with the raw material purchases reported by Hengyi. The Commission has determined the cost of raw material on the basis of raw material purchases reported by Hengyi. This raw material cost was used to determine cost to make and sell of investigated product. Investigation has revealed that below costs sales were in substantial quantities in terms of Section 7(2) of the Act. Furthermore, below costs sales were in extended period of time and its prices did not provide for recovery of all costs within a reasonable period of time. Thus, in determination of normal value for the investigated product, the Commission has disregarded sales, which were not in the ordinary course of trade in accordance with provisions of Section 7 of the Act.

24.2.3 According to Hengyi, during the POI, it sold like product in its domestic market at delivered basis. To arrive at the ex-factory price, Hengyi has claimed adjustment on account of inland freight. The Commission has accepted the adjustment for preliminary determination as a principle and the amount of these adjustments would be verified during on the spot verification. Normal value at ex-factory level for the like product is worked out by deducting values of this adjustment.

24.3 Determination of Normal Value for Huahong, China

24.3.1 Normal value for Huahong has been determined on the basis of the information provided by it on its domestic sales and cost to make and sell during the POI. According to the information, Huahong sold investigated product in its domestic market during the POI. Huahong sells PSF in the domestic market of different grades i.e. Grade A, Grade B and Grade C. However, it exports only Grade A to Pakistan, details of sales of Grade A have separately been provided for comparison with exports. For like to like comparison, normal value has been determined on the basis of sales of Grade A.

24.3.2 Huahong sold Grade A PSF in domestic market. Out of total domestic sales of PSF, major sales were sales of like product while there were some sales other than investigated product. These sales are in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these are more than 5 percent of the export sales of the investigated product exported by it to Pakistan during the POI. It sold like product to un-related customers in its domestic market. Section 7 of the Act requires the Commission to determine ordinary course of trade for domestic sales to determine normal value. Determination of ordinary course of trade in terms of Section 7 of the Act requires determination of cost to make and sell of an investigated product. The value of raw materials during the POI does not commensurate with the raw material purchases reported by Huahong. The Commission has determined the value of raw material on the basis of raw material purchases reported by Huahong. This raw material cost was used to determine cost to make and sell of investigated product. Investigation has revealed

that below costs sales were in substantial quantities in terms of Section 7(2) of the Act. Furthermore, below costs sales were in extended period of time and its prices did not provide for recovery of all costs within a reasonable period of time. Thus, in determination of normal value for the above-mentioned types, the Commission has disregarded sales, which were not in the ordinary course of trade in accordance with provisions of Section 7 of the Act.

24.3.3 According to Huahong, during the POI, it sold like product in its domestic market at delivered basis. To arrive at the ex-factory price, Huahong has claimed adjustments on account of indirect tax, credit cost and inland freight. The Commission has accepted the adjustment for preliminary determination as a principle and the amount of these adjustments would be verified during on the spot verification. Normal value at ex-factory level for the like product is worked out by deducting values of these adjustments.

24.4 Determination of Normal Value for Hailun, China

24.4.1 Normal value for Hailun has been determined on the basis of the information provided by it on its domestic sales and cost to make and sell during the POI. According to the information, Hailun sold investigated product in its domestic market during the POI. It exported the investigated product to Pakistan during the POI.

24.4.2 Hailun sold like product in its domestic market during the POI. These sales are in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these are more than 5 percent of the export sales of the investigated product exported by it to Pakistan during the POI. It sold like product to un-related customers in its domestic market. Section 7 of the Act requires the Commission to determine ordinary course of trade for domestic sales to determine normal value. Investigation has revealed that below costs sales were not in substantial quantities in terms of Section 7(2) of the Act. Thus, in determination of normal value for the investigated product, the Commission did not disregard sales, which were not in the ordinary course of trade in accordance with provisions of Section 7 of the Act.

24.4.3 According to Hailun, during the POI, it sold like product in its domestic market at delivered basis. To arrive at the ex-factory price, Hailun has claimed adjustment on account of inland freight. The Commission has accepted the adjustment as a principle and the amount of these adjustments would be verified during on the spot verification. Normal value at ex-factory level for the like product is worked out by deducting values of these adjustments.

24.5 Determination of Normal Value for All Other Exporters/Producers from China

24.5.1 The Commission has determined normal value for all others non-cooperating exporters/producers from China on the basis of best information available in accordance with Section 32 of the Act.

24.5.2 For the purposes of determination of normal value for all other exporters of the investigated product from China, the information provided by Hengyi, in response to the questionnaire, on its cost of production plus admin, selling and general costs, and financial expenses is used. The Commission is of the view that it is appropriate to use this information as the best available information for normal value of non-cooperating exporters. The normal value for Hengyi has been adopted for all non-cooperating exporters.

25. Determination of Export Price

25.1 The Commission received information on export sales of the investigated product from eight Chinese exporters/foreign producers namely Hengyi, Huahong, Hailun, Xianglu, Zhengqi, Nanyang, Zhenbang and Polytex in response to the questionnaires sent to various exporters/foreign producers of China. However, the information submitted by exporters selected for calculation of dumping margin has been used for determination on export price as discussed below. Export price for other exporters/foreign producers has been determined on the basis of the information obtained from PRAL.

25.2 Determination of Export Price for Hengyi, China

25.2.1 Export price for Hengyi is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during the POI.

25.2.2 According to the information, Hengyi exported the investigated product to Pakistan during the POI. All export sales to Pakistan, during the POI, were made to unrelated customers.

25.2.3 During the POI, Hengyi exported investigated product on LC at sight basis. To arrive at the ex-factory level, it has reported adjustments on account of commission, inland freight, handling cost, ocean freight, and bank charges. In response to the deficiency letter, Hengyi stated that it sold the investigated product in Pakistan through two agents namely Alriaz Agencies (Pvt.) Ltd. and Landmark Trading Company. The commission paid to Alriaz Agencies (Pvt.) Ltd. is decided on transaction by transaction basis. Hengyi claims that it didn't pay commission to the other agent Landmark Trading Company during the POI. However, the commission has deducted commission expense, at the same rate the commission was paid to Alriaz Agencies (Pvt.) Ltd., from the export price for the sales made through Landmark Trading Company. The Commission has provisionally accepted other adjustments. The adjustments claimed would be verified during on-the-spot investigation visit. The export price at ex-factory level is worked out by deducting values reported for accepted adjustments from the gross value of sales transactions.

25.3 Determination of Export Price for Huahong, China

25.3.1 Export price for Huahong is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during the POI.

25.3.2 According to the information, Huahong exported the investigated product to Pakistan during the POI. All export sales to Pakistan, during POI, were made to unrelated customers.

25.3.3 During the POI, Huahong exported investigated product mostly on LC at sight at delivered basis. To arrive at the ex-factory level, it has reported adjustments on account of credit cost, commission, handling cost and bank charges. The Commission has provisionally accepted these adjustments. However, the adjustments claimed would be verified during on the spot investigation. The export price at ex-factory level is worked out by deducting values reported for accepted adjustments from the gross value of sales transactions.

25.4 Determination of Export Price for Hailun, China

25.4.1 Export price for Hailun is determined on the basis of the information provided by it on its export sales of the investigated product to Pakistan made during the POI.

25.4.2 According to the information, Hailun exported the investigated product to Pakistan during the POI. All export sales to Pakistan, during the POI, were made to unrelated customers.

25.4.3 During the POI, Hailun exported investigated product mostly at delivered basis. To arrive at the ex-factory level, it has reported adjustments on account of credit cost, commission, inland freight, ocean freight and bank charges. The Commission has provisionally accepted these adjustments. However, the adjustments claimed would be verified during on the spot investigation. The export price at ex-factory level is worked out by deducting values reported for accepted adjustments from the gross value of sales transactions.

25.10 Determination of Export Price for All Other Exporters from China.

25.10.1 Export price for non-cooperating exporters from China has been determined on the basis of best information available in accordance with Section 32 of the Act. Information obtained from PRAL is used for the purposes of determination of export price for non-cooperating exporters from China. This is the only information available with the Commission on export sales of the investigated product by the non-cooperating exporters from China.

25.10.2 Values in PRAL's information are reported at C&F level. The C&F export price has been adjusted to the ex-factory level. For this purpose, adjustments on account of Commission, inland freight, ocean freight, handling cost and bank charges have been

made in the C&F price. Information submitted by Hengyi on these adjustments has been used for non-cooperating exporters/producers.

26. Dumping Margin

26.1 The Act defines “dumping margin” in relation to a product to mean “*the amount by which its normal value exceeds its export price*”. In terms of Section 14(1) of the Act the Commission shall determine an individual dumping margin for each known exporter or producer of an investigated product. In this preliminary determination, the Commission has determined individual dumping margin for the eight exporters who cooperated with the Commission and supplied necessary information and the provisional antidumping duty rate for these exporters is established on the basis of individual dumping margin determined for each exporter. However, residual dumping margins/antidumping duty rates have been determined for non-cooperating exporters/foreign producers of the China.

26.2 Section 12 of the Act provides three methods for fair comparison of normal value and export price in order to establish dumping margin. The Commission has established dumping margin by comparing weighted average normal value with weighted average export price at ex-factory level.

26.3 The Commission has also complied with the requirements of Section 11 of the Act which states that;

“the Commission shall, where possible, compare export price and normal value with the same characteristics in terms of level of trade, time of sale, quantities, taxes, physical characteristics, conditions and terms of sale and delivery at the same place”.

26.4 Taking into account all requirements set out above, the dumping margins have been determined as follows:

**Table-III
Dumping Margin**

Country	Exporter Name	Dumping margin as % of	
		Export price	C & F price
China	Hengyi	11.30	10.53
	Huahong	7.57	7.18
	Hailun	6.81	6.41
	All others	16.06	14.92

26.5 Weighted average duty rate has been calculated for 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 Ordinance. Weighted average duty rate for others cooperating Chinese exporters/producers is 7.17%.

27. De minimis Dumping Margin and Negligible Volume of Alleged Dumped Imports

27.1 In terms of Section 41(2) of the Act “an investigation shall be immediately terminated if Commission determines that the dumping margin is negligible or that volume of dumped imports, actual or potential, or injury is negligible.”

27.2 Section 41(3) of the Act states that the dumping margin shall be considered to be negligible if it is less than two percent, expressed as a percentage of the export price. Dumping margin for the alleged dumped imports of the investigated product, set out in paragraph 23.4 supra, appear to be above negligible (*de minimis*) level.

27.3 As regards the volume of dumped imports, Section 41(3) of the Act provides that the volume of such imports shall normally be regarded as negligible if the volume of dumped imports of an investigated product is found to account for less than three percent of total imports of a like product unless imports of the investigated product from all countries under investigation which individually account for less than three percent of the total imports of a like product collectively account for more than seven per cent of the imports of like product. The information/data on alleged dumped imports of the investigated product and other imports of PSF has been obtained from PRAL. Volume of alleged dumped imports of the investigated product and the PSF imported from other sources during the POI (January 1, 2014 to December 31, 2014) is given in a table below:

**Table-IV
Volume of Imports of PSF during POI**

Country	Volume of Imports in:
	Percentage
China	93.4
Other Sources	6.6
Total	100.0

Period: January 1, 2014 to December 31, 2014

Source: PRAL

Note: To maintain confidentiality, actual figures have been indexed with respect to the total imports during POI

27.4 On the basis of above information, the Commission has preliminary determined that the volume of dumped imports of the investigated product from China was well above the negligible threshold (less than three percent of volume of total imports of the like product) during the POI.

C. INJURY TO DOMESTIC INDUSTRY

28. Determination of Injury

28.1 Section 15 of the Act sets out the principles for determination of material injury to the domestic industry in the following words:

“A determination of injury shall be based on an objective examination of all relevant factors by the Commission which may include but shall not be limited to:

- a. volume of dumped imports;*
- b. effect of dumped imports on prices in domestic market for like products; and*
- c. consequent impact of dumped imports on domestic producers of such products...”*

28.2 Section 15 of the Act further provides that:

“ No one or several of the factors identified shall be deemed to necessarily give decisive guidance and the Commission may take into account such other factors as it considers relevant for the determination of injury” .

28.3 The Commission has taken into account all factors in order to determine whether domestic industry suffered material injury during POI. Material injury to the domestic industry has been analyzed in the following paragraphs in accordance with Part VI of the Act.

29. Domestic Industry

29.1 As stated in Para 7.2 above, For the purposes of this preliminary determination, the Commission has determined that domestic industry manufacturing domestic like product consists of 7 operational unit. The 7 operational units are as follows;

- i. ICI Pakistan Limited
- ii. Ibrahim Fibres Limited
- iii. Pakistan Synthetics Limited
- iv. Rupali Polyester Limited
- v. Khalis Fibres Ltd
- vi. T&N Group
- vii. EVM

29.2 Two of these seven units (mentioned at S. Nos. i, and ii, above) constitute the “Applicants”. Among other five units, only one unit namely Rupali Polyester Ltd supported the application and provided the data in response to the questionnaire sent to

it subsequently, however the data was deficient and not as required under the prescribed questionnaire. The other four units namely Pakistan Synthetics Limited, Khalis Fibres, T&N Group and EVM are indifferent in this investigation, in that these four units have not responded in any manner including the notice of initiation or to the questionnaires sent subsequently. The information in case of these five units has been submitted by the Applicants.

29.3 Details of production of the domestic industry during January 1, 2014 to December 31, 2014 are as follows:

Table V
Unit-wise Production during the year 2014

Sr.	Name	Share in Domestic Production %	Supporting/ Opposing/ Indifferent
1	Ibrahim Fibres Limited	54.97	Applicant
2	ICI Pakistan Limited	29.03	Applicant
3	Rupali Polyester Limited	7.25	Supporting
4	Khalis Fibres Ltd	2.91	Indifferent
5	Pakistan Synthetics Limited	2.36	Indifferent
6	T&N Group	1.74	Indifferent
7	EVM	1.74	Indifferent
Total		100	

Source: Applicants

Note: To maintain confidentiality, actual figures have been indexed with respect to the total production of the domestic industry during POI

29.4 According to the above information, the Applicants produced 84 percent of total domestic production of the domestic like product during the POI for dumping. The Commission's investigation also revealed that neither the Applicants were themselves importers of the investigated product nor were related to the Chinese exporters involved in dumping of the investigated product into Pakistan.

29.5 On the basis of the above information and analysis, for the purposes of this investigation, the Applicants are considered as the "domestic industry" in terms of Section 2(d) of the Act as they constitute a major proportion of the total domestic production of the domestic like product.

29.6 The other five units in the domestic industry representing about 16 percent of the total domestic production of the domestic like product were asked to provide information on injury factors for the POI, but none of them provided the requisite information on prescribed questionnaire. The Applicants have furnished some information (production capacity, quantity produced and sold) of these units.

29.7 Analysis of injury factors carried out in this preliminary determination in the following paragraphs is, therefore, based on the information submitted by Applicants. Any inference drawn in this regard from the data of the Applicants would apply to the entire domestic industry.

30 Volume of Dumped Imports

Facts

30.1 With regard to the volume of dumped imports, in terms of Section 15(2) of the Act, the Commission considered whether there has been a significant increase in dumped imports, either in absolute terms or relative to the domestic production or consumption of the domestic like product manufactured by the domestic industry during POI.

30.2 In order to assess the impact of volume of dumped imports of the investigated product in relation to production and consumption of the domestic like product, the information obtained from PRAL has been used. The following table shows imports of the investigated product and production of the domestic like product during the POI;

Table-VI
Imports of PSF

Year	Dumped Imports	Increase/ (decrease) in dumped imports	Other Imports	Increase/ (decrease) in Other imports	Total Imports
2012	84.54	---	15.46	---	100.00
2013	80.74	(3.80)	14.72	(0.74)	95.46
2014	127.25	46.51	9.04	(5.68)	136.29

Source: PRAL

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the total imports during 2012

Analysis

30.3 The above table shows that the volume of dumped imports increased in absolute terms in year 2013 to year 2014 showing 57.60% increase in year 2014 as compared to year 2013, which is a significant increase in volume of dumped imports in absolute terms.

30.4 The data in Table given below shows whether there is significant increase in dumped imports of PSF from China relative to domestic production of domestic like product during the POI:

Table - VII
Domestic Production and Dumped Imports of PSF

Year	Domestic Production	Dumped Imports of PSF from China	Dumped imports as % age of D.P	Increase/ (Decrease) in Dumped Imports relative to D.P.
2012	100.00	25.36	25.36	
2013	110.81	24.23	21.86	(3.50)
2014	106.43	38.18	35.87	14.01

Source: PRAL and the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the total imports during 2012

30.5 the above table shows that Volume of dumped imports relative to domestic production decreased by 3.50% in year 2013 as compared to year 2012 however it increased by 14.01% in the year 2014 as compared to year 2013. This shows an increase in volume of dumped imports relative to domestic production

Conclusion

30.4 On the basis of the above information and analysis, the Commission has preliminarily concluded that the dumped imports of the investigated product increased significantly in absolute terms as well as relative to domestic production during POI.

31. Price Effects

Effect of dumped imports on sales price of domestic like product in the domestic market has been examined to establish whether there was significant price undercutting (the extent to which the price of the investigated product was lower than the price of the domestic like product), price depression (the extent to which the domestic industry experienced a decrease in its selling prices of domestic like product over time), or price suppression (the extent to which increased cost of production could not be recovered by way of increase in selling price of the domestic like product). Effects of dumped imports on price of the domestic like product are analyzed in following paragraphs:

31.2 Price undercutting

Facts

31.2.1 Weighted average ex-factory price of the domestic like product has been calculated from the information submitted by the Applicants on quantity and value of sales during POI. Landed cost of the investigated product has been calculated from the information obtained from PRAL. Comparison of weighted average ex-factory price of the domestic like product with the weighted average landed cost of the investigated product during POI is given in following table:

**Table-VIII
Price Undercutting**

Period	Ex-factory price of domestic like product	Landed cost of investigated product*	Price under-cutting	
			Absolute	%age
2012	100.00	99.79	0.21	0.21
2013	105.92	106.65	---	---
2014	96.65	90.25	6.40	6.62

Source: the Applicants and PRAL

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the average ex-factory price of domestic like product during 2012

Analysis

31.2.2 The information provided in the above table shows that the weighted average landed cost of the investigated product remained lower than the weighted average ex-factory price of the domestic like product during the POI for dumping i.e. in year 2014. The landed cost of the investigated product undercut the price of the domestic like product by 6.62% in the POI for dumping. Due to this lower landed cost, the import from dumped sources increased during the POI for dumping.

Conclusion

31.2.3 On the basis of the above, the Commission has concluded that the prices of the investigated product undercut the prices of domestic like product during the POI. The domestic industry suffered material injury on account of price undercutting due to dumped imports.

31.3 Price Depression

Facts

31.3.1 Applicants prices of the domestic like product during the last three years are given in table below:

Table - IX
Calculation of Price Depression

Year	Average ex- factory price of domestic like product	Price Depression	
		Absolute	Percentage (%)
2012	100.00	0.00	
2013	105.92	0.00	
2014	96.65	9.27	9.59

Source: The Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the average ex-factory price of domestic like product during 2012

Analysis

31.3.2 The table above shows that the Applicants industry had to reduce the prices of the domestic like product during the POI for dumping i.e. year 2014. The domestic industry reduced prices during the year 2014 as compared to year 2013.

Conclusion

31.3.3 The Commission has concluded on the basis of the above information and analysis that domestic industry suffered price depression during the POI.

31.4 Price Suppression

Facts

31.4.1 Weighted average cost to make and sell and ex-factory prices of the domestic like product for the POI, calculated on the basis of information provided by the Applicants, are given in the following table:

Table - X
Cost to Make and Sell and Ex-factory Price of the Domestic Like Product

Year	Average cost of production of domestic like product	Average ex-factory price of domestic like product	Price Suppression		
			Increase/(decrease) in cost of production	Increase/(decrease) in price	Price suppression
2012	100.00	104.77			----
2013	114.29	110.97	14.29	6.20	8.09
2014	109.96	101.26	(4.34)	(9.71)	----

Source: Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the Cost to make and sell of domestic like product during 2012

Analysis

31.4.2 Above table shows that cost to make and sell of the domestic like product increased by 14.29% in year 2013 as compared to year 2012 however it decreased by 3.79% in the year 2014 as compared to year 2013. The sale price of domestic industry increased by 5.92% in the year 2013 over the preceding year i.e. 2012 and decreased by and 8.75% in the year 2014 over the year 2013. The domestic industry only suffered price suppression during the year 2013, however during the POI i.e. year 2014 the domestic industry did not experience price suppression.

Conclusion

31.4.3 On the basis of the above information and analysis, the Commission has concluded that the domestic industry did not suffer material injury on account of price suppression during the POI.

31. Effects on Market Share**Facts**

32.1 The total domestic demand of PSF in Pakistan is met through local production and imports. Following table shows the market share from imports and domestic production during the POI.

**Table - XI
Market Share**

Year	Share of Applicants in the Domestic Market	Share of Other Units in the Domestic Market	Share of Dumped Imports in Domestic market	Share of Other Imports in Domestic Market	Total Domestic Market
2012	60.97	19.58	16.44	3.01	100.00
2013	64.24	16.75	15.71	2.86	99.56
2014	64.37	13.14	24.75	1.76	104.03

Source: PRAL and the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the total domestic market of domestic like product during 2012

Analysis

32.2 The above table reveals that during the year 2013, the share of domestic industry in the total domestic market was 64.52% but in year 2014, the share of domestic industry decreased and came down to 61.88%, inspite of the fact that the total domestic market increased during the same period.

32.3 The share of dumped imports increased from 15.77% in year 2013 to to 23.79% during the year 2014 while the share of other imports decreased from 2.88% to 1.69% in the same period.

Conclusion

32.3 On the basis of above information and analysis, the Commission has concluded that the domestic industry suffered material injury on account of loss of market share due to imports of the investigated product during POI.

33. Effects on Sales

Facts

33.1 The sales of the domestic like product by the Applicants have been provided in the following table:

**Table XII
Sales by the Domestic Industry**

Year	Sales
2012	100.00
2013	105.37
2014	105.59

Source: the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the sales of domestic industry of domestic like product during 2012.

Analysis

33.2 The above table shows that the sales of domestic industry increased by 5.37 percent in the year 2013 as compared to year 2012 and further increased by 0.21 percent in the year 2014 as compared to year 2013. The increase in sales of the domestic industry in year 2013 was due to decrease of sales of the other domestic producers in the domestic market.

Conclusion

33.3 On the basis of above information and analysis, the Commission has concluded that sales of the domestic like product increased during the POI. However, the domestic industry was not able to increase its share in the increased market size though its capacity was enough to meet the domestic requirement of PSF.

34. Effects on Production and Capacity Utilization

Facts

34.1 Quantity produced and the capacity utilized by the domestic industry during POI was as follows;

Table-XIII
Installed Capacity, Quantity Produced and Capacity Utilization

Year	Capacity	Production	Capacity Utilization (%)
2012	100.00	93.87	93.87
2013	141.29	104.02	73.62
2014	155.05	99.91	64.43

Source: the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the installed capacity of domestic industry of domestic like product during 2012

Analysis

34.2 It may be noted that the installed production capacity of the Applicants increased during the POI. However, the domestic industry was not able to take benefit of the increased capacity due to unfair competition offered by dumped imports. This is evident from decrease in production in the POI.

Conclusion

34.3 On the basis of the above information and analysis, the Commission has concluded that the domestic industry suffered material injury on account of production and capacity utilization.

35. Effects on Inventories

Facts

35.1 The Applicants provided data relating to its inventories of the domestic like product during POI. Data for opening and closing inventories for the domestic like product of the POI is given in the following table:

Table-XIV
Inventories of Domestic Like Product (MT)

Year	Opening inventory	Production	Sales	Inter Unit transfer sales (IFL)	Closing inventory
2012	5.79	100.00	94.04	7.44	4.31
2013	4.31	110.81	99.09	7.60	8.43
2014	8.43	106.43	99.29	7.44	8.13

Source: the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the production of domestic industry of domestic like product during 2012.

Analysis

35.2 The data given in the table above shows that the inventory of the domestic like product slightly decreased in year 2014 as compared to the year 2013.

Conclusion

35.3 On the basis of the above facts and analysis, the Commission has concluded that the domestic industry did not suffer material injury on account of increase in inventories of the domestic like product during POI.

36. Effects on Profit/Loss

Facts

36.1 As explained earlier, the Applicants are multi-product companies. The profit & loss on the basis of PSF duly adjusted is given below:

**Table -XV
Profit/(Loss) of the Applicants**

Year*	Net Profit/ (Loss)
2012	100.00
2013	(73.19)
2014	(192.26)

Source: on the spot investigation report

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to the profit & loss of domestic industry of domestic like product during 2012.

Analysis

36.2 The above table shows that the losses incurred by the Applicants are increasing each year. The net loss of the domestic industry increased by 163% in the POI for dumping i.e. year 2014 as compared to year 2013.

Conclusion

36.3 On the basis of the above facts, the Commission has concluded that the domestic industry suffered material injury on account of profitability.

37. Effects on Cash Flow**Facts**

37.1 The data provided by the applicants in regard of cash flows and it has been observed that one of the applicants, IFL, reports Cash Flows at group level, i.e., Ibrahim Group, which has other business interests also and, therefore, Cash Flows are not reflective of the PSF business. During the on the spot investigation the IFL was asked to provide separate cash flow for polyester business. The IFL stated it was not possible to separate the cash flow for each product. Hence the table below shows only cash flow figures of ICI from operation, which has separate record with regard cash flow for PSF business. The verified figures of cash flow are as under:

Table -XVI
Cash generated from operations

Year*	Cash flow from operations
2012	100.00
2013	106.02
2014	137.71

* Year is from 1st January to 31st December

Note: To maintain confidentiality, actual figures have been indexed with respect to the cash flow of domestic industry during 2012

Analysis

37.2 The above table shows that the net cash flow of the Applicants increased during the POI.

Conclusion

37.3 On the basis of the above, the Commission does not conclude on effects of cash flow.

38. Effects on Employment, Productivity and Salaries & Wages**Facts**

38.1 Effects on domestic industry's employment, productivity and salaries & wages on yearly basis are ascertained in the table given below:

Table - XVII
Employment, Wages and Productivity

Period	Average Number of Employees (Direct)	Salaries & Wages	Domestic Production	Productivity Per Worker	Salaries and Wages Per MT.
2012	100.00	100.00	100.00	100.00	100.00
2013	105.80	93.53	110.81	104.62	84.41
2014	105.13	99.34	106.43	101.16	93.36

Source: the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to, employees, production, productivity per worker, salaries and wages and salaries and wages per MT by domestic industry during 2012

Analysis

38.2 The above data reveals that number of employees slightly decreased in year 2014 as compared to year 2013. The productivity of the domestic industry also decreased in the year 2014. However, the salaries and wages per MT increased during the same period because of the fact that the production of domestic industry decreased during the year 2014.

Conclusion

38.3 Based on the above information and analysis, the Commission has concluded that the domestic industry suffered material injury on account of productivity and salaries and wages per MT.

39. Effects on Return on Investment

Facts

39.1 The information regarding return on investment provided by the Applicants in the antidumping application during the POI was on the consolidated basis. During the on the spot investigation of the Applicants premises, the investigation team was told that the Applicants does not maintain a segregated record of the equity injected for its various segments. Therefore the investigation team calculated investment figures for the purpose of calculation of return on investment on the basis of assets employed for each segment of business of Applicants. The total amount of investment has been arrived out by deducting current liability figure from total assets figure provided in the audited annual accounts of the Applicants. Percentage of assets employed for each business segment has been worked out on the basis of depreciation charged. Percentage of assets being utilized by the each segment has been multiplied by total investment figure to calculate investment for each segment. Return comprises of segment wise profit plus financial charges. The calculated figures of the Applicants return on investment for PSF business is given below:

Table XVIII
Return on Investment

Year/Period	Return on Investment (%)
2012	100.00
2013	(3.35)
2014	(56.79)

Source: the Applicants

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to, return on investment of domestic industry during 2012

Analysis

39.2 The above table shows that the investment in the domestic industry increased and returns on investment decreased through-out the POI.

Conclusion

39.3 On the basis of the above, the Commission has concluded that the domestic industry suffered material injury on account of return on investment.

40. Effects on Growth

Facts/Analysis

40.1 During POI, Ibrahim Fiber Limited has made new investment and installed a new plant. Resultantly, total installed production capacities of the domestic industry for production of the domestic like product increased. A perusal of the table XI reveals that domestic industry has excess capacity than the total demand of PSF in the domestic market.

Conclusion

40.2 On the basis of the above, the Commission has concluded that the domestic industry did not suffer material injury on account of growth and investment during POI.

41. Ability to Raise Capital

Facts/Analysis

41.1 The Applicants ability to raise capital is significantly impacted on account of loss of sales volume and market share, margin erosion and resulting serious financial losses, declining utilization of production capacity, negative cash flows, increasing inventory, declining output per worker and negative ROI, all resulting on account of dumping of PSF from China

Conclusion

41.2 On the basis of the above, the Commission has concluded that the domestic industry has suffered material injury on account of ability to raise capital.

42. Magnitude of Dumping Margins

Facts/Analysis

42.1 Dumping margin calculated ranges from 6.81 percent to 16.06 percent which can be considered as enough to damage the domestic industry. Further, injury factors discussed above show that domestic industry has suffered materially due to dumping of exporters from China.

Conclusion

42.2 On the basis of above, the Commission has concluded that the domestic industry has suffered material injury on account of magnitude of dumping.

41. Summing up of Material Injury

41.1 Facts and analysis in the preceding paragraphs shows that the domestic industry has suffered material injury due to dumped imports of the investigated product during POI on account of:

- a. Volume of dumped imports;
- b. Price undercutting;
- c. Price depression
- d. Decline in market share;
- e. Decline in Production;
- f. Negative effect on capacity utilization;
- g. Negative effect on Profitability;
- h. Negative effect Productivity and salaries and wages per MT;
- i. Negative effect on Return on Investment;
- j. Negative effect on Ability to Raise Capital; and
- k. Magnitude of Dumping Margin.

D. CAUSATION

42. Effect of Dumped Imports

42.1 On the basis of the analysis and conclusions, the Commission has concluded that there was a causal link between dumped imports of the investigated product and material injury suffered by the domestic industry.

42.2 The investigation has revealed that the following happened simultaneously during POI:

- i. Volume of dumped imports of the investigated product increased significantly in absolute as well as relative to production of the domestic like product;
- ii. Domestic industry experienced price undercutting due to dumped imports of the investigated product;
- iii. Domestic industry experienced price depression was due to increase in dumped imports during POI.
- iv. Market share of dumped imports of the investigated product increased significantly whereas market share of the domestic like product declined simultaneously;
- v. Production of the domestic like product decreased due to increased share of the dumped imports in domestic market;
- vi. The capacity utilization of the domestic industry decreased due to dumped imports as well as expansion in installed capacity of IFL;
- vii. Domestic industry faced negative effect on profitability;
- viii. Domestic industry faced negative effect on productivity and salaries and wages per MT;
- ix. Domestic industry faced negative effect on return on investment;

43. Other Factors

43.1 In accordance with Section 18(2) of the Act, the Commission also examined factors, other than dumped imports of the investigated product, which could at the same time cause injury to the domestic industry, in order to ensure that possible injury caused by other factors is not attributed to the dumped imports.

43.2 The Commission's investigation showed that the domestic industry did not suffer injury due to imports of the like product from sources other than the China during POI. The imports from sources other than China were insignificant quantities and have reduced. The landed cost of such imports were higher than ex-factory price of the domestic like product and landed cost of investigated product. Following table shows volume and landed cost of PSF imported from dumped sources and other sources during POI:

Table XIX

Year	Imports from Dumped Sources (MT)	Landed cost from Dumped sources (Rs/kg)	Imports from Other Sources (MT)	Landed cost from other sources (Rs/kg)
2012	100.00	100.00	18.29	115.53
2013	95.51	106.87	17.41	124.87
2014	150.53	90.44	10.70	122.23

Source: PRAL

Year: January 1 to December 31

Note: To maintain confidentiality, actual figures have been indexed with respect to, imports from dumped sources and landed cost of dumped sources of investigated product during 2012.

43.3 The factors mentioned in Section 18(3) of the Act were also examined and it was determined that:

- i. There was no contraction in demand;
- ii. There was no considerable change in technology to produce PSF; and
- iii. The domestic industry did not export PSF during the POI meaning thereby that injury to domestic industry is not because of export performance similarly the productivity alone cannot be considered as a major source of injury to the domestic industry.
- iv. During the POI there was no change in trade restrictive practices.

E. CONCLUSIONS

44. The conclusions, after taking into account all considerations for this preliminary determination, are as follows:

- i. the application was filed by the domestic industry as the Applicants are the largest producers of the domestic like product in domestic market;
- ii. the investigated product and the domestic like product are like products;
- iii. during POI, the investigated product was exported to Pakistan by the exporters/foreign producers from China at prices below its normal value;
- iv. the volume of dumped imports of the investigated product and the dumping margins established for the exporters/producers of the investigated product from China were above the negligible and *de minimis* levels respectively.
- v. the domestic industry suffered material injury during POI on account of significant increase in volume of dumped imports, price undercutting, price depression, decline in market share, production, negative effect on capacity utilization, Profitability, Productivity and salaries and wages per MT and return on investment in terms of Section 15 and 17 of the Act; and
- vi. There was a causal relationship between dumped imports of the investigated product and the material injury suffered by the domestic industry.
- vii. The Commission is of view that injury to the domestic industry is material to justify imposition of provisional measures. Therefore, provisional measures are recommended.

45. In reaching this preliminary affirmative determination, the Commission is satisfied that the investigated product has been imported at dumped prices from the China. This has caused material injury to domestic industry during the POI.

F. IMPOSITION OF PROVISIONAL ANTIDUMPING DUTY

46. In view of the analysis and conclusions with regard to dumping, material injury, and causation, the Commission is of the view that imposition of provisional anti-dumping duty on the investigated product is necessary to prevent injury being caused to the domestic industry due to dumped imports during the course of an investigation.

47. Individual dumping margins have been determined for the exporters/foreign producers from China who have provided the information/data during the investigation and have been selected for detailed examination during investigation. The anti-dumping duty rates for the exporters, who cooperated with the Commission but were not included in the detailed examination, have been calculated in accordance with Section 51(3) of the Act on the basis of weighted average dumping margins of those exporters who were selected for detailed examination. A residual dumping margin and anti-dumping duty rate for all the non-cooperating exporters/producers from China is determined on the basis of best available information in terms of Section 32 of the Act.

48. For the purpose of imposition of lesser duty rule in terms of Section 43 (1) of the Act the Commission has considered injury margin to see whether a lower duty would be adequate to remove injury of the domestic industry. The calculations of injury margin for dumping POI are given below:

Table-XX
Calculation of Injury Margin (Rs.)

Cost to make & Sell of Domestic industry	100.00
Estimated Profits (5% of cost to make & sell)	5.00
Estimated non-injurious price	105.00
C & F price of investigated product	79.63
Landed cost of investigated product	86.00
Injury Margin (Non-injurious price-landed cost)/C & F Price *100	23.86 %

Note: To maintain confidentiality, actual figures have been indexed with respect to, cost to make and sell of domestic industry during year 2014.

It may be observed from the above that injury margin i.e. 23.86 percent is considerably higher from the dumping margins.

49. In terms of Section 43 of the Act provisional duties are necessary to prevent injury being caused during the course of the investigation, therefore, provisional antidumping duties given in the following table are hereby imposed on the dumped imports of the investigated product classified under PCT heading No. 5503.2010 importable from China for a period of four months effective from publication of notice in the press. The provisional anti-dumping duty rates are determined on C&F value in ad val. terms as under;

Table-XXI
Provisional Anti-dumping Duty Rates

Exporter Name		Provisional Antidumping Duty Rate (%)
Exporters cooperating and examined in detail	Hengyi	10.53
	Huahong	7.18
	Hailun	6.41
Exporters Cooperating but not examined in detail	Xianglu	7.17
	Nanyang	7.17
	Zhengbang	7.17
	Zhengqui	7.17
	Polytex	7.17
All others		14.92

50. In accordance with Section 51 of the Act, the provisional antidumping duty shall take the form of ad-valorem duty and be held in a non-lapsable personal ledger account established and maintained by the Commission for the purpose. Release of the investigated product for free circulation in Pakistan shall be subject to imposition of such antidumping duty.

51. Provisional anti-dumping duties levied would be in addition to other taxes and duties leviable on import of the investigated product under any other law. 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 export.

52. The provisional anti-dumping duties would be collected in the same manner as customs duty is collected under the Customs Act, 1969 (IV of 1969) and would be deposited in Commission's Non-lapsable PLD account No. 187 with Federal Treasury Office, Islamabad.

(Niamat Ullah Khan)
Member
October 2, 2015

(Shah Jahan Shah)
Member
October 2, 2015

(M. Abbas Raza)
Chairman
October 2, 2015