

Notice of Conclusion of Sunset Review and Continuation of Anti-dumping Duties Imposed on Dumped Imports of Biaxially Oriented Polypropylene (BOPP) Film Imported from China, Oman, KSA and UAE

The National Tariff Commission (the "Commission") under Section 58 of the Anti-Dumping Duties Act 2015 (the "Act") has conducted a review ("Sunset Review") of anti-Dumping duties imposed on dumped imports of Biaxially Oriented Polypropylene ("BOPP") Film imported from the People's Republic of China, Sultanate of Oman, Kingdom of Saudi Arabia and the United Arab Emirates (the "Exporting Countries"). The Sunset Review was initiated on August 04, 2015 upon receipt of an application under Section 58(3) of the Act from M/s Tri-pack Films Ltd, Karachi (the "Applicant"), a domestic producer of BOPP Film. The Commission had imposed anti-dumping duties with effect from August 15, 2012 for a period of three years on BOPP Film imported from the Exporting Countries..

In accordance with provisions of the Act and the Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has conducted and concluded the Sunset Review as follows:

Product Under Review:

The product under review is BOPP Film imported from the Exporting Countries of thickness 8 or above microns excluding capacitor grade BOPP Film. It is classified under Pakistan Customs Tariff ("PCT")/ HS Code Nos. 3920.2010 (BOPP Film, plain) and 3920.2030 (BOPP Film, metallized). The product under review has large number of end-use applications for the purpose of packaging including confectionery, biscuits, soap, processed food items, tobacco, ice bars, candies, tea, garments and gift wrappers etc.

Period for Review (POR):

POR for this Sunset Review was from April 1, 2012 to March 31, 2015.

Likely Volume of Dumped Imports: After imposition of antidumping duties on dumped imports of the investigated product (the product under review) in August 2012, the exporters of the Exporting Countries reduced significantly their exports of the product under review to Pakistan. The Commission has concluded that removal of antidumping duties on dumped imports of the product under review would likely lead to significant increase in its volume.

Likelihood of Recurrence of Dumping from Exporting Countries: Based on the analysis of a number of factors, the Commission has determined that there is likelihood of continuation and/or recurrence of dumping of the product under review from the Exporting Countries if antidumping duties imposed on dumped imports of the product under review are terminated.

Likely Continuation and Recurrence of Injury to the Domestic Industry: Likelihood of continuation and/or recurrence of injury to the domestic industry has been determined by the Commission in accordance with Section 58 (3) of the Act. In this regard factors and indices listed in Sections 15 and 17 of the Act for injury analysis have been analyzed to determine the likelihood of continuation and/or recurrence of injury in case antidumping duties on BOPP Film are terminated. The Commission has determined that, should the anti-dumping duties lapse, the domestic industry would be likely to suffer material injury on account of volume of imports, negative effects on production, sales, capacity utilization, loss in market share and sales; price undercutting, negative effects on productivity, decline in profits etc.

Continuation of Definitive Anti-dumping Duties:

In view of the analysis and conclusions with regard to likely continuation and recurrence of dumping of the product under review from the Exporting Countries and likely material injury to the domestic industry, there is a need to continue imposition of definitive anti-dumping duties on dumped imports of the product under review. Thus, the Commission has decided to continue definitive anti-dumping duties as per following table for another period of 5 years with effect from August 4, 2015.

Exporting Country	Exporter Name	Antidumping Duty Rate
UAE	Taghleef LLC	29.70%
	All other exporters	57.09%
Oman	Taghleef SAOC	22.95%
	All other exporters	22.95%
China	All exporters	56.80%
Saudi Arabia	All exporters	26.91%

BOPP Films of capacitor grade and up to 7 microns imported from the Exporting Countries (China, Oman, KSA and UAE) and all types of BOPP Films imported from sources other than the Exporting Countries shall not be subject to antidumping duties.

In accordance with Section 51 of the Act, the antidumping duties 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 dumped imports of the product under review for free circulation in Pakistan shall be subject to imposition of such antidumping duties.

Definitive antidumping duties levied would be in addition to other taxes and duties leviable on import of the product under review under any other law.

The definitive antidumping 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.

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

By order of the Commission.

(Muhammad Anwar)
Secretary
December 01, 2016