

ADC No. 50/2016/NTC/PVC
Government of Pakistan
National Tariff Commission

Notice of Preliminary Determination and Levy of Provisional Anti-Dumping Duties on Dumped Imports of Polyvinyl Chloride Resin into Pakistan Originating in and/or Exported from China, Chinese Taipei, South Korea, and Thailand.

The National Tariff Commission (the “Commission”) initiated an anti-dumping investigation on November 29, 2016 under Section 23 of the Anti-Dumping Duties Act, 2015 after establishing that the application lodged by M/s Engro Polymer & Chemicals Ltd., Karachi, (the “Applicant”) has been filed under Section 20 and 24 of the Anti-Dumping Duties Act, 2015 (the “ACT”) by the domestic industry producing PVC Resin Suspension Grade originating in and/or exported from China, Chinese Taipei, South Korea, and Thailand (the “Exporting Countries”) is being dumped into Pakistan, which has caused and is causing material injury to the domestic industry producing PVC Resin Suspension Grade. In accordance with the provisions of the Act and the Antidumping Duties Rules, 2001 (the “Rules”) the Commission has, after investigation, determined the following on a preliminary basis:

Product under Investigation: The investigated product is PVC Resin Suspension Grade originating in and/or exported from the Exporting Countries and is classified under Pakistan Customs Tariff classification number 3904.1090 (the “investigated product”). The investigated product is used as a basic raw materials used for pipes & fittings, garden house, shoes, cable, films & sheets, compounding, packing etc.

Period of Investigation (POI): For determination of dumping and injury, the POI is as follows:

For determination of dumping: From July 1, 2015 to June 30, 2016
For determination of material injury: From July 1, 2013 to June 30, 2016

Determination of Dumping: Individual dumping margins in this preliminary determination have been determined for six exporters / producers of the investigated product from China and Korea (who have cooperated with the Commission by providing information / data on Exporter’s Questionnaire) on the basis of data/information provided by them. For the exporters / producers of the investigated product from Chinese Taipei, and Thailand dumping margin has been determined on the basis of Best Information Available in terms of Section 32 of the Act and Article 6.8 and Annex II of the Agreement on Antidumping.

Injury to the Domestic Industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. The Commission has on preliminary basis determined that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price depression, decline in market share, negative effect on ability to raise capital, and growth.

Imposition of Provisional Anti-dumping Duties: In reaching this preliminary determination, the Commission is satisfied that the investigated product has been imported at dumped prices from the Exporting Countries. This has caused material injury to the domestic industry during the POI. In order to prevent material injury being caused to the domestic industry during the course of this investigation, the Commission, pursuant to powers conferred upon it under Section 43 of the Act, has decided to impose provisional antidumping duties on import of the investigated product, at the rates mentioned below on C&F value in *ad val* terms on imports of PVC Resin Suspension Grade originating in and/or exported from the Exporting Countries. Residual dumping margins/duty rates for non-cooperating exporters/producers from China and Korea have been determined as the highest dumping margin of the exporters/producers from China and Korea:

Exporters/Producers	Provisional Antidumping Duties %
China	
• Tianjin LG Bohai Chemical Co. Ltd;	31.98
• Inner Mongolia Wuhai Chemical Industry Co., Ltd;	32.76
• Tianjin Dagu Chemical Co., Ltd;	35.11
• Xinjiang Tianye (Group) Foreign Trade Co. Ltd.;	37.43
• All Exporters	37.43

South Korea	
<ul style="list-style-type: none"> • LG Chem Ltd., • All exporters 	11.18
	11.18
Thailand	36.52
Chinese Taipei	42.41

Provisional anti-dumping duties shall take the form of security by way of cash deposit in Commission's Non-lapsable PLD Account No. 187 with Federal Treasury Office Islamabad. Provisional anti-dumping duties would be collected in the same manner as customs duty under the Customs Act, 1969 (IV of 1969).

Disclosure meeting: Pursuant to Rule 11 of the Rules, the exporters / producers of the investigated product may request for a disclosure meeting within 15 days of the date of publication of this notice.

Hearing: Any party registered as an interested party in this case may, if it so wishes, request a hearing in accordance with Rule 14 of the Rules within 30 days of the publication of this notice by contacting Secretary, National Tariff Commission, State Life Building No.5, Blue Area, Islamabad. Telephone No. +92-51-9202839, Fax No.+92-51-9221205.

Final Determination: In terms of Section 39 of the Act the Commission is required to make final determination within 180 days of publication of the notice of preliminary determination.

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

Authority under Law: This notice is published pursuant to Section 37 of the Act by the order of the Commission.

(Ali Muhammad Shah)
Secretary, NTC
June 13, 2017