

ADC No. 47/2016/NTC/PA
Government of Pakistan
National Tariff Commission

**Notice of Preliminary Determination
in Anti-dumping Investigation Against Dumped Imports of Phthalic Anhydride
Into Pakistan Originating in and/or Exported From Russian Federation**

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on December 03, 2016, under Section 23 of the Anti-Dumping Duties Act, 2015 (the "Act") after establishing that the application lodged by Nimir Chemicals Pakistan Limited, Lahore (the "Applicant"), on behalf of domestic industry producing Phthalic Anhydride ("PA") was in accordance with Sections 20 and 24 of the Act. The investigation concerns dumping of PA, originating in and/or exported from the Russian Federation ("Russia") into Pakistan and material injury caused therefrom to the domestic industry producing PA. In accordance with provisions of the Act, and Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has, after investigation, determined the following on preliminary basis:

Product under Investigation: The product being dumped into Pakistan is PA originating in and/or exported from Russia and is classified under Pakistan Customs Tariff Headings No. 2917.3500 (the "investigated product").

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

For determination of dumping:	From July 01, 2015 to June 30, 2016
For determination of injury:	From July 01, 2013 to June 30, 2016

Determination of Dumping: The normal value and export price of PA has been determined on the basis of best information available in terms of Section 32 and Schedule of the Act, as none of the exporter/foreign producer from Russia provided the requisite information to the Commission. Dumping margin is 13.87 percent of C&F price for exporters/foreign producers from Russia.

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 established 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 inventories, cash flow, return on investment and growth. The Commission has also examined factors other than dumped imports under Section 18(2) and 18 (3) of the Act, which could at the same time cause injury to the domestic industry. Analysis showed that there are no other factors causing injury to the domestic industry.

Imposition of Provisional Anti-Dumping Duty: In reaching this preliminary determination, the Commission is satisfied that the investigated product has been imported from the Russia at dumped prices. In terms of Section 43(1) of the Act injury margin has been calculated for Russia to ascertain whether a lower duty would be adequate to remove injury being suffered by the domestic industry due to dumped imports of the investigated product. Injury margin calculated for the imports of the investigated product from the Russia is 13.68 percent which is less than dumping margin.

In order to prevent material injury during the course of this investigation, the Commission, pursuant to the powers conferred upon it under Section 43 of the Act, has decided to impose provisional anti-dumping duties at the rate 13.68 percent on C&F value in *ad val.* terms on imports of PA (PCT Heading No. 2917.3500) importable from Russia for a period of four months effective from the date of publication of notice in the press, 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 exports.

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.

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

-Sd-
(Syed Ali Muhammad Shah)
Secretary
May 31, 2017