

ADC No. 45/2016/NTC/Tiles
Government of Pakistan
National Tariff Commission

Notice of Final Determination and Levy of Definitive Anti-dumping Duty on Dumped Imports of Wall and Floor Tiles into Pakistan Originating in and/or Exported from the Peoples' Republic of China

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on February 19, 2016, under Section 23 of the Anti-Dumping Duties Act, 2015 (the "Act") after establishing that the application lodged by M/s Shabbir Tiles & Ceramics Limited, Karachi (the "Applicant"), on behalf of domestic industry producing Wall and Floor Tiles ("Tiles") was in accordance with Section 20 and 24 of the Act. This investigation is concerning dumping of Tiles, originating in and/or exported from the People's Republic of China ("China") into Pakistan and material injury caused therefrom to the domestic industry producing Tiles. In accordance with provisions of the Act and Anti-Dumping Duties Rules, 2001 (the "Rules"), the Commission has, after investigation, determined on the following basis:

Product under Investigation: The product being dumped into Pakistan is Wall and Floor Tiles which includes ceramic, porcelain, vitrified, granite, glazed/unglazed, polished/unpolished finish originating in and/or exported from China (the "Investigated Product"), classified under Pakistan Customs Tariff ("PCT") Heading Nos. 6907.1000, 6907.9000, 6908.1000, 6908.9010, 6908.9090. However, with effect from July 1, 2017 Wall and Floor Tiles are classified under following PCT headings: 6907.2111, 6907.2119, 6907.2190, 6907.2211, 6907.2219, 6907.2290, 6907.2311, 6907.2319 and 6907.2390.

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

For determination of dumping	From October 01, 2014 to September 30, 2015
For determination of material injury	From October 01, 2012 to September 30, 2015

Determination of Dumping: Individual dumping margins in this final determination are determined for the sampled producers of the investigated product from China on the basis of the information provided by them.

Dumping margin for the cooperating producers who were not selected in the sample from China is determined on the basis of the weighted average of dumping margin of sampled producers. Residual dumping margin/duty rate for non-cooperating exporters/producers from China has been determined as the highest dumping margin of the producer of Tiles in China.

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. The Commission has established that the domestic industry suffered material injury on account of increase in volume of dumped imports, price depression, price suppression, decline in market share, production, profits, sales, capacity utilization, return on investment, productivity and negative effect on inventories, employment, salaries & wages, growth and ability to raise capital. The Commission has also examined factors other than dumped imports under Section 18(2) and Section 18 (3) of the Act, which could at the same time cause injury to the domestic industry. Analysis showed that the domestic industry has not suffered material injury due to others factors.

Imposition of Definitive Anti-Dumping Duties: In reaching this determination, the Commission is satisfied that the investigated product has been imported from China at dumped prices. The Commission has decided to impose definitive anti-dumping duty at the rates mentioned below on C&F value in *ad val.* terms on imports of Tiles importable from China for a period of five years effective from February 18, 2017, on the following exporters/producers:

Name of Producers from China	Definitive Antidumping Duty Rate (%)
<u>Producers selected in the Sample</u>	
Fujian Mingqing Xinfeng Ceramics Company Limited	19.37
Guangdong Haosen Ceramics Company Limited	26.62
Heyuan Dongyuan Eagle Brand Ceramics Co. Limited	36.35
Eagle Brand Ceramics Industrial (Heyuan) Co. Limited	36.35
Huida Sanitary Ware Company Limited	9.35
Foshan Hexin Chuangzhan Ceramics Company Limited	9.35
Zibo Huabang Ceramics Company Limited	9.35
<u>Cooperating Producers not selected in the Sample</u>	
Guangdong Overland Ceramic Company Limited	17.83
Super Ceramics Company Limited	17.83
Foshan Huashengchang Ceramics Company Limited	17.83
Qingyuan Nafuna Ceramics Company Limited	17.83
Lixian Xinpeng Ceramics Company Limited	17.83
Guangdong Yongsheng Ceramics Company Limited	17.83
Foshan Chan Cheng Jinyi Ceramics Company Limited	17.83
All others	36.35

Acceptance of Price Undertaking:

China Chamber of Commerce of Metals, Minerals and Chemicals (“CCCMC”) on behalf of Chinese exporters and producers of the investigated product (wall/ceramic and floor/porcelain tiles) has offered price undertaking in accordance with provisions of Part XII of the Act. After due consideration, the Commission has accepted price undertaking offered by the CCCMC on behalf of Chinese exporters and producers of the investigated product. For the purposes of price undertaking the minimum export price of the investigated product i.e. wall/ceramic tiles and floor/ porcelain tiles are fixed as follows:

Size/ Area	CFR price (US\$/SQM)
Floor tile (Porcelain Tiles) up to 60X60 CM (Or up to 3600 Square CM)	5.25
Floor tile (Porcelain Tiles) above 60X60 CM (Or above 3600 Square CM)	6.35
Wall tile (Ceramics Tiles) up to 45X45 CM (Or up to 2025 Square CM)	3.55
Wall tile (Ceramics Tiles) above 45X45 CM (Or above 2025 Square CM)	4.35

The Chinese exporters/ producers who have submitted price undertaking will not export the investigated product to Pakistan below the prices given in the above table. The CCCMC will be responsible to monitor and ensure minimum export prices of the investigated product. Further, CCCMC will provide information on the exports of the investigated product to the Commission on quarterly basis in the prescribed format. However, the exporters who will not follow the minimum export prices given in the above table will be liable to the all others rate of antidumping duty i.e. 36.35%.

The Commission is satisfied that the minimum export price would eliminate injurious effects of dumped imports. The Federal Board of Revenue, Government of Pakistan will implement and monitor these price undertakings at the time of imports of Tiles.

Definitive antidumping duty rates will not be imposed on the exporters/producers whose price undertaking has been accepted.

Disclosure meeting: Pursuant to Rule 16 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.

Further Information: A non-confidential version of the report of final determination shall be placed on public file established and maintained by the Commission. It shall also be posted on the Commission's website: www.ntc.gov.pk

Authority under Law: This notice is published pursuant to Section 50 of the Act by order of the Commission.

(Ali Muhammad Shah)
Secretary
October 11, 2017