

**Notice of Conclusion of Sunset Review of Price Undertakings and Antidumping Duties Imposed on Dumped Imports of Polyester Filament Yarn Originating in and/or Exported from Indonesia, Korea, Malaysia and Thailand**

The National Tariff Commission (the "Commission") under Section 58 of the Anti-Dumping Duties Ordinance, 2000 (the "Ordinance") conducted a review ("Sunset Review") of anti-Dumping duties imposed on dumped imports of Polyester Filament Yarn ("PFY") originating in and/or exported from the Republic of Indonesia, ("Indonesia"), the Republic of Korea ("Korea"), Malaysia, and the Kingdom of Thailand ("Thailand") (the "Exporting Countries"). The Sunset Review was initiated on December 04, 2010 upon receipt of an application under Section 58(3) of the Ordinance from Gatron (Industries) Limited, Karachi, Rupali Polyester Limited, Lahore and Rupafil Limited, Lahore (the "Applicants"), domestic producers of PFY. The Commission had imposed anti-dumping duties with effect from November 12, 2005 for a period of five years on PFY imported from the Exporting Countries. The Commission also accepted price undertakings from fifteen exporters/foreign producers of the Exporting Countries in this case.

In accordance with the Ordinance 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 PFY (DTY and FDY) exported by the exporters and foreign producers from the Exporting Countries. It is classified under Pakistan Customs Tariff ("PCT") Nos. 5402.3300 and 5402.4700. The product under review is an industrial raw material, mainly used in the manufacturing of art silk fabrics and garments.

**Period for Review (POR):**

POR for this Sunset Review was from July 1, 2007 to June 30, 2010.

**Likely Volume of Dumped Imports:** After imposition of antidumping duties on dumped imports of the investigated product (the product under review) in November 2005, 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:** 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 recurrence of injury to the domestic industry has been determined by the Commission in accordance with Section 58 (3) of the Ordinance. In this regard factors and indices listed in Sections 15 and 17 of the Ordinance for injury analysis have been analyzed to determine the likelihood of continuation and/or recurrence of injury in case antidumping duties on PFY 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 and capacity utilization, loss in market share and sales; price undercutting, negative effects on productivity, negative effects on cash flows, decline in profit, and decrease in return on investment.

**Injury Factors other than Dumped Imports:** The Commission has also examined factors other than dumped imports, and found that the domestic industry was also affected due to imports of PFY other than dumped imports during the POR.

**Continuation of Definitive Anti-dumping Duties:**

In view of the analysis and conclusions with regard to likely continuation and recurrence of dumping of PFY 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 impose definitive anti-dumping as per following table for another period of 3 years with effect from December 04, 2010.

Country/Exporter/Foreign Producer	Antidumping Duty rate (%)
<b>Indonesia</b>	
PT. Indorama Synthetics Tbk	0.00
P.T. Sulindafin	0.00
All others	4.32
<b>Malaysia</b>	
Recron (M) Sdn Bhd	0.00
All others	3.67
<b>Thailand</b>	
Jong Stit Co. Limited	0.00
Indorama Polyester Industries Co. Ltd.	0.00
Chiem Patana Synthetic Fibers Co. Ltd.	6.76
All others	8.41
<b>Korea</b>	
TK Chemical Corporation	0.00
All others	6.92

**Termination of Price Undertakings:** The Commission accepted price under takings in this case from fifteen exporters/foreign producers of the Exporting Countries under Part XII of the Ordinance. The Commission has reviewed price undertakings and reached at the conclusion that price undertakings were/are not being implemented properly in terms of Section 49 of the Ordinance. Therefore, the Commission has decided to terminate all price undertakings accepted in this case with effect from January 17, 2012.

**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 been also posted on the Commission's website: [www.ntc.gov.pk](http://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 Shahid)  
Secretary  
January 17, 2012