

ADC No. 33/2015/NTC/PSF/SSR&CCR/2020

**Government of Pakistan
National Tariff Commission**

Notice of Conclusion of Sunset and Changed Circumstances Reviews of Anti-dumping Duties Levied on Dumped Imports of Polyester Staple Fiber (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber) from China

National Tariff Commission (the “Commission”) has conducted Sunset and Changed Circumstances Reviews (the “Reviews”) of anti-dumping duties imposed on dumped imports of Polyester Staple Fiber (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber), (“PSF”) into Pakistan originating in and/or exporting from the People’s Republic of China (“China”) under Section 58(3) and 59(1) of the Anti-Dumping Duties Act, 2015 (the “Act”). These Reviews were initiated on October 02, 2020 upon receipt of an application from M/s. ICI Pakistan Limited and M/s Ibrahim Fibres Limited (the “Applicants”), domestic producers of PSF. In accordance with the provisions of the Act and the Anti-Dumping Duties Rules, 2001 (the “Rules”), the Commission has conducted and concluded the Reviews as follows:

Product under Review

The product under review is Polyester Staple Fiber (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber) originating in and/or exported from China. It is classified under Pakistan Customs Tariff number 5503.2010.

Anti-dumping Duty in force

The Commission imposed definitive anti-dumping duties @ 2.82 to 11.51 percent *ad val* on dumped imports of PSF imported from China w.e.f. October 03, 2015 for a period of five years.

Period for the Review (“POR”)

The POR for Sunset Review was from July 01, 2017 to June 30, 2020, whereas the POR for dumping determination (changed circumstances) was from July 01, 2019 to June 30, 2020

Changed Circumstances Review

The Commission has determined that available data does not support the claim of changed circumstances made by the Exporters, APTMA and the Applicants. Therefore, the Commission has concluded that re-determination of anti-dumping duty is not required and hence, terminates the changed circumstance review.

Likelihood of Continuation of Dumping of the Product Under Review

After investigation the Commission has determined that there is likelihood of continuation of dumping of the product under review as China has huge export surplus of the product under review, Pakistan is a major export destination of the product under review and Chinese exporters have continued to export after imposition of anti-dumping duty on the product under review.

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 duty on PSF is terminated. The Commission has determined that, should the anti-dumping duty 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, price depression and price suppression, negative effects on profits/profitability, cash flows, return on investment and productivity etc.

Continuation of the Anti-dumping Duty

In view of the analysis and conclusions with regard to likely continuation and recurrence of dumping of the product under review from China and likely continuation/recurrence of material injury to the domestic industry, there is a need to continue imposition of definitive anti-dumping duty on dumped imports of the product under review. The Commission has, therefore, decided to continue anti-dumping duties as per following rates on *ad valorem* basis for further five years effective from October 02, 2020.

Definitive Anti-Dumping Duty Rates

Exporter/Foreign Producer from China	Antidumping Duty Rates (%)
Shanghai Hengyi Polyester Fiber Co., Limited	7.88
Jiangyin Huahong Chemical Fiber Co., Limited	2.82
Jiangyin Hailun Chemical Fiber Co., Limited	8.22
Xiamen Xianglu Chemical Fiber Co. Limited	7.81
Fujian Zhengqi High-Tech Fiber Technology Co. Limited	7.72
All other exporters	11.51

In accordance with Section 51 of the Act, the antidumping duty 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 anti-dumping duty.

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

The definitive anti-dumping duty 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 the Reviews has been placed on public file established and maintained by the Commission for these Reviews. 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 these Reviews, for review and copying at the office of the Commission, from Monday to Thursday (except public holidays) between 1100 hrs to 1300 hrs.

By order of the Commission.

(Ali Muhammad Shah)
Secretary, NTC
October 06, 2021