

ADC No. 46/2015/NTC/PFY
Government of Pakistan
National Tariff Commission

Notice of Final Determination and Levy of Definitive Antidumping Duties on Dumped Imports of Polyester Filament Yarn into Pakistan Originating in and/or Exported from the Peoples' Republic of China and Malaysia

The National Tariff Commission (the "Commission") initiated an anti-dumping investigation on February 27, 2016, under Section 23 of the Anti-Dumping Duties Act, 2015 (the "Act") after establishing that the application lodged by Gatron Industries Limited, Karachi and Rupali Polyester Limited, Lahore (the "Applicants"), on behalf of domestic industry producing Polyester Filament Yarn ("PFY"), was in accordance with Sections 20 and 24 of the Act. The Commission made final determination in this investigation under Section 39 of the Act on August 25, 2017. Pursuant to the Final Determination made by the Commission, importers and exporters of PFY being aggrieved of the imposition of antidumping duties, filed appeals before the Anti-Dumping Appellate Tribunal ("the Tribunal") under Section 70 (1) (ii) of the Act. The Tribunal remanded the case back to the Commission to re-investigate the matter strictly in accordance with the law.

In the light of the Judgment of the Tribunal, the Commission has determined the following on definitive basis:-

Product under Investigation: The product being dumped into Pakistan is PFY, excluding colored PFY originating in and/or exported from the Exporting Countries and is classified under Pakistan Customs Tariff Heading Nos. 5402.3300, 5402.4700 and 5402.6200 (the "investigated product").

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 injury: | From October 01, 2012 to September 30, 2015 |

Determination of Dumping: Dumping margin in this final determination was determined for Appellants namely M/s Suzhou Shenghong Fiber Co. Ltd., China, M/s Jiangsu Zhonglu Technology Development Co. Ltd., China, M/s Jiangsu Guowang High-Technique Fiber Co. Ltd., China, M/s Recron (Malaysia) SDN. BHD., M/s Zhejiang Hengyi Petrochemicals Co. Ltd., China, M/s Tongkun Group Company Limited, China, M/s Tongkun Group Zhejiang Hengsheng Chemical, China and M/s Fujian Jinlun Fiber Shareholding Co. Ltd Fiber Co. Ltd., China, on the basis of the information provided by them. In accordance with Section 51(3) of the Act, the Commission has revised the definitive antidumping duty rate for exporters/producers not included in the sample for examination. Further, a residual dumping margin and antidumping duty rate for all other exporters from the Exporting Countries, who did not cooperate, was determined on the basis of best available information in terms of Section 32 of the Act.

Injury to the domestic industry: Examination of the volume and prices of the dumped imports show a causal relationship between dumped imports of the investigated product and material injury suffered by the domestic industry during the POI, as volume of dumped imports increased significantly at dumped prices which simultaneously undercut and depress prices of the domestic like product and adversely affected market share, capacity utilization, cash flows, return on investment, profitability and productivity of the domestic industry. Information and analysis of the “Other factors” has shown that these factors were not cause of the material injury to the domestic industry during the POI for dumping.

Imposition of Definitive Anti-Dumping Duties: In reaching this final determination, the Commission is satisfied that the investigated product has been imported at dumped prices. Therefore, the Commission is required to impose antidumping duty on dumped imports under Section 50 (1) of the Act. The Commission, pursuant to the powers conferred upon it under Section 50 of the Act, has decided to impose definitive anti-dumping duties at the rates mentioned below on C&F value in *ad val.* terms on imports of PFY excluding colored PFY falling under PCT Nos. 5402.3300, 5402.4700 and 5402.6200 importable from the Exporting Countries. Hence, antidumping duties shall be applicable from the date of publication of this notice in the newspaper till August 25, 2022 on the following exporters/producers:-

Definitive Antidumping Duty Rates

| Country | Exporter Name | Definitive Antidumping Duty (%) |
|----------|---|------------------------------------|
| China | i) Zhejiang Hengyi Petrochemicals Co. Ltd. | 6.82 |
| | ii) Shaoxing Huaqing Polyester and Textile Co. Ltd. | 4.90 |
| | iii) Fujian Jinlun Fiber Shareholding Co. Ltd | 6.39 |
| | iv) Suzhou Shenghong Fiber Co. Ltd formerly known as Jiangsu Shenghong Science and Technology Corp. Ltd | 2.79 |
| | v) Jiangsu Guowang High-Technique Fiber Co., Ltd. | |
| | vi) Jiangsu Zhonglu Technology Development Co Ltd. | |
| | vii) Jiangsu Shenghong Petro Chemical Group Ltd | |
| | viii) Jiangsu Shenghong Technology Trading Co., Ltd | |
| | ix) Tongkun Group Co. Ltd. | 2.78 |
| | x) Tongkun Group Zhejiang Hengsheng | |
| | xi) All other cooperating exporters/producers | |
| | | xii) All other exporters/producers |
| Malaysia | xiii) Recron (M) Sdn, Bhd | 3.16 |
| | xiv) All other exporters/producers | 3.16 |

Authority under Law: This notice is published pursuant to Section 39 of the Act by order of the Commission.

(Ali Muhammad Shah)
Secretary
 January 26, 2022