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ADC. No. 59/2021/NTC/PSF
Government of Pakistan
National Tariff Commission

Subject: Final Determination of Anti-dumping Investigation Against Dumped Imports of Polyester Staple Fiber into Pakistan Originating in and/or Exported from Chinese Taipei, the Republic of Indonesia and the Kingdom of Thailand.

National Tariff Commission's (the "Commission"), Government of Islamic Republic of Pakistan presents its compliments to the esteemed Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu to the World Trade Organization and has the honour to invite its attention to this Commission's Note Verbale of even number dated January 04, 2022, enclosing therewith a copy of Statement of Essential Facts in subject anti-dumping investigation.

The Commission has made a final determination in this investigation and a notice of final determination in this regard has been published in the national press and the official Gazette on February 04, 2022. Article 12.2 of the Agreement on Implementation of Article VI of the GATT 1994, and Section 39 (6) of Anti-Dumping Duties Act 2015 (the "Act"), requires the Commission to forward a copy of the notice of final determination to the government of exporting country, the product of which is subject to such determination. Accordingly, a copy of notice of final determination is attached herewith.

If the esteemed Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu to the World Trade Organization has any questions on this matter, it may please contact:

Mr. Muhammad Arshad,
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The National Tariff Commission, Government of Islamic Republic of Pakistan avails itself of this opportunity to renew to the esteemed Permanent Mission of the Separate Customs Territory of Taiwan, Penghu, Kinmen and Matsu to the World Trade Organization the assurances of its highest consideration.

February 04, 2022

His Excellency, the Ambassador,
Permanent Mission of the Separate Customs Territory of Taiwan,
Penghu, Kinmen and Matsu to the World Trade Organization,
Avenue de Tournay 7, 1292 Chambes, Genève (Geneva), Switzerland.

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**Notice of Final Determination and Levy of Antidumping Duties on Dumped Imports of Polyester Staple Fiber into Pakistan Originating in and / or Exported from
Chinese Taipei, Indonesia and Thailand**

The National Tariff Commission (the "Commission") initiated an antidumping investigation on February 06, 2021 under Section 23 of the Anti-Dumping Duties Act, 2015 (the "Act") concerning dumping of Polyester Staple Fiber ("PSF") from Chinese Taipei, Indonesia and Thailand (the "Exporting Countries") into Pakistan and consequent material injury caused by such dumped imports to the domestic industry manufacturing PSF. The application for this investigation was lodged by M/s Ibrahim Fibres Limited and M/s ICI Pakistan Limited (the "Applicants"). The Applicants are the major producers of PSF in Pakistan. The Commission made a preliminary determination in this investigation in terms of Section 37 of the Act on August 04, 2021. The Commission, after investigation in accordance with provisions of the Act and the Anti-Dumping Duties Rules, 2001 (the "Rules"), has made an affirmative final determination in this investigation as follows:

Investigated Product: The investigated product is Polyester Staple Fibre (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber). The investigated product falls under Pakistan Customs Tariff ("PCT") Code No 5503.2010. It is generally used in production of blended yarn and pure polyester sewing thread. The blended yarn is then used to produce woven and knitted fabrics.

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

For determination of dumping: From October 01, 2019 to September 30, 2020
For determination of injury: From October 01, 2017 to September 30, 2020

Determination of Dumping: The following six exporters /producers of PSF from the Exporting Countries provided complete data /information on Exporter's Questionnaire for the purposes of this investigation:

- (a) Chung Shing Textile Marketing Limited, Chinese Taipei;
- (b) PT. Indorama Polychem, Indonesia;
- (c) PT. Indorama Synthetics TBK, Indonesia;
- (d) Indorama Polyester Industries Public Company Limited, Thailand;
- (e) Kangwal Polyester Co. Limited, Thailand, and
- (f) Sunflag Thailand Limited, Thailand.

Normal value and export price of the investigated product for these six exporters/ producers have been determined in accordance with relevant provisions of the Act, on the basis of the information provided by these exporters/producers in response to the Commission's Questionnaire and verified during the verification visit. Accordingly, the Commission has worked out individual dumping margins for these exporters /producers of PSF from the Exporting Countries. However, residual dumping margins have been determined for all other non-cooperating exporters /producers of PSF from the Exporting Countries on the basis of "best information available" in terms of Section 32 of the Act.

Injury to the Domestic Industry: Dumped imports of the investigated product have caused material injury to the domestic industry producing PSF during the POI. Main reasons for material injury to domestic industry were the volume and prices of the dumped imports of the investigated product, as both happened simultaneously during the POI. Thus, there were consequential effects of volume and prices of the dumped imports on domestic industry by way of decline in sales, profits, production, market share, productivity, capacity utilization and negative effect on salaries and wages per MT. Further, there were no other factors that caused material injury to the domestic industry during the POI.

Imposition of Definitive Anti-dumping Duties: In reaching this final determination, the Commission is satisfied that the investigated product has been exported at dumped prices from the Exporting Countries, which has caused material injury to the domestic industry. For the purpose of imposition of lesser duty in accordance with Section 50(2) of the Act, the Commission has calculated injury margin and determined that injury margins are more than the dumping margins at C&F level for each exporter/foreign producer except the exporters/foreign producers from Chinese Taipei. Therefore, definitive antidumping duty rates for Chinese Taipei will be equal to injury margins and exporters/foreign producers from Indonesia and Thailand will be equal to their respective dumping margins. In order to prevent material injury to the domestic industry, the Commission, pursuant to powers conferred under Section 50 (1) 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 PSF, classified under PCT Heading No. 5503.2010, from the Exporting Countries for a period of five years with effect from February 04, 2022:


Exporter/ Producer	Definitive Antidumping Duty Rate (%)
(1)	(2)
Chinese Taipei	
• Chung Shing Textile Marketing Limited	12.47
• All others	12.47
Indonesia	
• PT. Indorama Polychem	2.39
• PT. Indorama Synthetics TBK	2.39
• All others	3.55
Thailand	
• Indorama Polyester Industries Public Co Ltd	2.54
• Kangwal Polyester Co. Limited	6.28
• Sunflag Thailand Limited	7.57
• All others	10.96

In accordance with Section 51(1)(e) of the Act, definitive antidumping duty will not be levied on imports of the investigated product that are to be used as inputs in products destined solely for exports and are covered under any scheme that exempts customs duty for exports under the Customs Act 1969.

Definitive antidumping duties levied on import of the investigated product would be in addition to other taxes and duties leviable on its imports under any other law. The definitive antidumping duties 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 detailed report of final determination is placed on the public file established and maintained by the Commission. The same is also posted on the Commission website www.ntc.gov.pk.

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


 (Ali Muhammad Shah)
 Secretary, NTC
 February 04, 2022