



**Government of Pakistan
National Tariff Commission**

**Statement of Essential Facts
of**

**Antidumping Investigation Against Dumped Imports of Polyester
Staple Fiber (not Exceeding 2.0 Denier) into Pakistan Originating
in and /or Exported from Chinese Taipei, Indonesia and Thailand**

**A.D.C No. 59/2021/NTC/PSF
January 04, 2022**

Statement of Essential Facts of Anti-dumping Investigation against Dumped Imports of PSF into Pakistan Originating in and/or exported from Chinese Taipei, the Republic of Indonesia and the Kingdom of Thailand

A. Introduction

This Statement of Essential Facts (“SEF”) is prepared pursuant to Rule 14(8) of the Anti-Dumping Duties Rules, 2001 (the “Rules”) in relation to the investigation of dumping of Polyester Staple Fibre (PSF), PCT No. 5503.2010 (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber) (“PSF”) into Pakistan originating in and/or exported from Chinese Taipei, the Republic of Indonesia and the Kingdom of Thailand (the “Exporting Countries”) and consequent injury to the domestic industry producing PSF. The National Tariff Commission (the “Commission”) initiated this investigation on February 06, 2021, following receipt of an written application from domestic industry manufacturing PSF.

B. Purpose

2. In terms of Rule 14(8) of the Rules, at least thirty days before the proposed date of final determination, the Commission shall inform all interested parties, in writing, of the essential facts under consideration which shall form the basis of a decision whether to apply definitive anti-dumping measures under the Anti-Dumping Duties Act, 2015 (the “Act”).

3. The purpose of this SEF is to allow interested parties an opportunity to comment on essential facts before the final determination is made in terms of Section 39 of the Act. In terms of Rule 14(9) of the Rules, the interested parties may submit comments, if any, in writing on the information disclosed in this SEF, not later than fifteen days of such disclosure by the Commission.

4. Interested parties intending to respond to this SEF must also submit a non-confidential version of the confidential information in terms of Section 31 of the Act, to be placed in the public file maintained by the Commission under Rule 7 of the Rules. Submissions should be sent to:

Mr. Muhammad Arshad,
Director,
National Tariff Commission,
State Life Building No.5, Blue Area
Islamabad, Pakistan
Fax: +92-51-9209251
Email: arshad.ntc@outlook.com

5. Views, Comments and Hearing

5.1 In the notice of initiation of investigation and preliminary determination all interested parties were invited to make their views/comments known to the Commission and to submit information and documents (if any) with regard to this investigation. The Commission received

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written submissions/comments from Government of the Republic of Indonesia. None of the interested parties requested the Commission for hearing.

5.2 The views/comments submitted by the Government of the Republic of Indonesia on application and on preliminary determination are available in the public file for review and comments by the interested parties. The views/comments submitted by Government of Indonesia on preliminary determination made by the Commission are on the following issues:

- (a) standing of M/s ICI Pakistan Ltd.;
- (b) determination of Normal Value; and
- (c) material Injury to the domestic industry due to imports of PSF from Indonesia.

6. **Public File:**

The Commission, in accordance with Rule 7 of the Rules, has established and maintained a public file at its office. This file remains available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the investigation (except public holidays). This file contains non-confidential versions of the application, responses to the questionnaires, submissions, notices, correspondence, and other documents for disclosure to the interested parties.

7. **Confidentiality:**

7.1 In terms of Section 31 of the Act, the Commission shall keep confidential any information submitted to it, which is by nature confidential, or determined by the Commission to be of confidential nature for any other reason, or provided as confidential by parties to an investigation, upon good cause shown to be kept confidential.

7.2 The Applicants have requested to keep confidential the information, which is by nature confidential in terms of Section 31 of the Act. This information includes data relating to sales, sale prices, cost to make and sell, inventories, production, profit/(loss), return on investment, cash flow, growth, investment, salaries & wages, number of employees and capacity.

7.3 On the basis of request made by the Applicants, the Commission has determined the confidentiality in light of Section 31 of the Act and for the reasons that disclosure of such information may be of significant competitive advantage to a competitor, or because its disclosure would have a significant adverse effect upon the interested parties providing such information. Therefore, the Commission kept all such information confidential for which the Applicants made a request to keep it confidential.

7.4 However, in terms of sub-section (5) of Section 31, non-confidential summaries of all confidential information provided by the interested parties, which provides reasonable

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understanding of the substance, have been placed in public file.

C. Essential Facts of the Case

8. Receipt of Application:

8.1 On December 14, 2020, the Commission received a written application under Section 20 of the Act from M/s Ibrahim Fibres Limited, and M/s ICI Pakistan Limited, (the “Applicants”). The Applicants have alleged that PSF originating in and/or exported from Chinese Taipei, the Republic of Indonesia, the Republic of Korea and the Kingdom of Thailand is being dumped into Pakistan, which has caused and is causing material injury to the domestic industry producing PSF.

8.2 The Commission informed the Diplomatic Missions of the Republic of Indonesia, the Republic of Korea and the Kingdom of Thailand through note verbal(s) dated December 18, 2020 of the receipt of application in accordance with the requirements of Section 21 of the Act. On December 18, 2020 the Commission informed the Mission of Chinese Taipei to WTO through Pakistan’s Mission to WTO in Geneva, of the receipt of application in accordance with the requirements of Section 21 of the Act.

9. Evaluation and Examination of the Application:

9.1 The examination of the application showed that it met the requirements of Section 20 of the Act as it contained sufficient evidence of dumping of PSF into Pakistan from the Exporting Countries and material injury to the domestic industry caused therefrom. Requirements of Rule 3 of the Rules, which relate to the submission of information prescribed therein were also found to have been met.

9.2 The Commission found that volume of alleged dumped imports of investigated product from Korea was less than three percent of total imports of PSF i.e. 2.03 percent, therefore, anti-dumping investigation was not initiated against the Republic of Korea.

10. The Domestic Industry:

10.1 The domestic industry manufacturing PSF comprises of three units i.e. the Applicants and M/s Rupali Polyester Limited having installed production capacity of 537,347 MT per annum on three shifts basis. The Applicants (two units) constitute 95 percent of the domestic production, and their installed production capacity is 512,600 MT per annum on three shifts basis. M/s Rupali Polyester Limited (third unit) has production capacity of 24,747 MT per annum.

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10.2 Government of the Republic of Indonesia and importers of PSF have raised objection on initiation of antidumping investigation on the grounds that one of the Applicants namely M/s ICI Pakistan Limited did not qualify to be part of the domestic industry in terms of Section 2(d) of the Act, because its related companies M/s Gadoon Textiles Mills and M/s Yunus Textiles Mills have imported PSF from the Exporting Countries. The Government of the Republic of Indonesia has objected that M/s Ibrahim Fibres Limited has imported investigated product from the Exporting Countries and therefore, may be excluded from the scope of domestic industry.

10.3 As per Section 2(d) of the Act:

“Producers shall be deemed to be related to exporter or importer only if:

- (i) One of them is directly or indirectly controls the other;*
- (ii) Both of them are directly or indirectly controlled by a third person; or*
- (iii) Together they directly or indirectly control a third person,*

Provided that there are grounds for believing or suspecting that the effect of the relationship is such as to cause the producer concerned to behave differently from non-related producers. For the purpose of this paragraph, one shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the later.”

10.4 The information gathered during this antidumping investigation revealed that M/s ICI Pakistan Ltd., and Group Companies of Yunus Brothers Group i.e. M/s Gadoon Textiles Mills and M/s Yunus Textiles Mills are the part of Yunus Brothers Group and have few common Directors. M/s Gadoon Textiles Mills and M/s Yunus Textiles Mills imported **** MT of PSF from the Exporting Countries for their own use and not under the instruction of M/s ICI Pakistan Limited nor sold the imported product to M/s ICI Pakistan Limited or in the domestic market. M/s ICI Pakistan Limited is an independent entity of Yunus Brothers Group maintaining its own financial accounts, submits separate income tax returns, has no profit and loss transfer agreement with M/s Gadoon Textiles Mills and M/s Yunus Textiles Mills. M/s ICI Pakistan Limited is the major producer of PSF and its share in domestic production during the POI was 31 percent. The other Applicant i.e. M/s Ibrahim Fibres Limited did not import the investigated product from the Exporting Countries during the POI.

10.5 The above issue was earlier examined during Preliminary Determination in this case. On receipt of subsequent objections, as stated at para 10.2, the Commission has re-examined the issue under the applicable law as quoted at para 10.3 above as well as facts on ground. This has resulted into the following:

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- a) none of the three (M/s ICI, M/s Gadoon Textiles Mills and M/s Younas Textiles Mill) directly or indirectly controls the other as explained at para 10.4;
- b) none of them is directly or indirectly controlled by a third party;
- c) all the three jointly or separately don't control a third party: and
- d) the investigations have also shown that their behavior was not different among themselves vis-à-vis non related parties.

Based on the above stated findings vide Section 2 (d) (i-iii) of the Act; the Commission has concluded that M/s ICI Pakistan Ltd and M/s Ibrahim Fibers limited fit in the definition of the domestic industry.

11. Standing of the Application:

11.1 The Applicants are major domestic producers of PSF in Pakistan. The Applicants produced 95 percent of total domestic production of PSF during the period from October 01, 2019, to September 30, 2020. Details of the production of PSF by the domestic industry are as follows:

**Table – I
Standing of Application**

S. No	Unit Name	Share in total production (% of total)	Status
(1)	(2)	(3)	(4)
i.	M/s ICI Pakistan Limited	31%	Applicant
ii.	M/s Ibrahim Fibers Limited	64%	Applicant
iii.	M/s Rupali Polyester Limited	5%	Supporting
	Total	100%	

Source: the domestic industry.

11.2 The Applicants represent 95 percent of the total domestic production of PSF by the domestic industry and the application is supported by third unit in the domestic industry i.e. M/s Rupali Polyester Ltd, which accounts for 5 percent of total domestic production. Thus, the Application is supported by the domestic producers whose output constitutes 100 percent of domestic production of PSF. Therefore, the Application fulfills the standing requirements of Section 24 of the Act and it is determined that the application is made by or on behalf of the domestic industry.

12. Anti-dumping Duties In-place on Dumped Imports of PSF:

12.1 The Commission imposed following definitive anti-dumping duties on dumped imports of PSF, importable from the People's Republic of China ("China"), for a period of five years effective from October 03, 2015 on the basis of its determination made in accordance with the provisions of the Act.

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**Table – II
Definitive Anti-Dumping Duty Rates**

Exporter/ Producer from China	Antidumping Duty Rates
(1)	(2)
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 %

12.2 The Commission under Sections 58 and 59 of the Act, initiated sunset and change circumstances reviews of antidumping duties imposed on exporters /producers of PSF from China on October 02, 2020, to determine whether expiry of the anti-dumping duties imposed on dumped imports of PSF from China would likely to lead to continuation or recurrence of dumping and injury and whether change of circumstances warrant continuation, removal or amendment of the anti-dumping duties. The Commission terminated the changed circumstances review and on conclusion of sunset review continued the anti-dumping duties imposed on exporters /producers of PSF from China as per the above-mentioned rates on ad valorem basis for further five years effective from October 02, 2020.

13. Initiation of Investigation:

13.1 The Commission in accordance with Section 23 of the Act examined the accuracy and adequacy of the evidence provided in application and established that the volume of alleged dumped imports of investigated product from the Republic of Korea account for less than three percent of total imports of a like product i.e. 2.03 percent during the period from October 01, 2019, to September 30, 2020, therefore, anti-dumping investigation was not initiated against the imports of PSF from the Republic of Korea.

13.2 It was *prima facie* found that there is sufficient evidence of alleged dumping of PSF into Pakistan from Chinese Taipei, Indonesia and Thailand (the “Exporting Countries”) and consequent material injury to the domestic industry during the period from October 01, 2017, to September 30, 2020. Accordingly, the Commission decided to initiate antidumping investigation and issued a notice of initiation in accordance with Section 27 of the Act, which was published in the Official Gazette¹ of Pakistan and in two widely circulated national newspapers² (one in English language and one in Urdu Language) on February 06, 2021. Investigation concerning alleged dumped imports of PSF into Pakistan [PCT No.³ 5503.2010]

¹ The official Gazette of Pakistan (Extraordinary) dated February 06, 2021.

² The ‘Business Recorded’ and the ‘Daily Assas’ of February 06, 2021.

³ PCT heading in Pakistan is equivalent to Harmonized Commodity Description and Coding System up to six-digit level.

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originating in and/or exported from the Exporting Countries was thus initiated on February 06, 2021.

13.3 In pursuance of Section 27 of the Act, the Commission notified the Diplomatic Missions of Indonesia and Thailand in Islamabad of the initiation of investigation (by sending a copy of the notice of initiation) on February 08, 2021, with a request to forward it to all exporters/producers involved in production, sales and export of PSF from their respective countries. The Commission sent copy of Notice of initiation of antidumping investigation to the Mission of Chinese Taipei to WTO through Pakistan's Mission to WTO in Geneva on February 8, 2021. Copy of the notice of initiation was also sent on February 11, 2021 to known exporters/ producers of PSF from the Exporting Countries, whose addresses were available with the Commission with a request to be registered as an interested party in the investigation with-in 15 days of publication of the notice of initiation. Copy of the notice of initiation was also sent to known Pakistani importers and the Applicants on February 11, 2021.

13.4 In accordance with Section 28 of the Act, on February 11, 2021, the Commission sent copy of full text of the written application (non-confidential version) and Exporter's Questionnaire to the exporters /producers of PSF in the Exporting Countries. On February 11, 2021, copy of the full text of the written application along with Exporter's Questionnaire was also sent to Diplomatic Missions of Indonesia and Thailand in Islamabad with a request to forward it to all exporters/producers involved in production and sale /export of PSF from their respective country. The Commission sent copy of full text of the written application (non-confidential version) and Exporter's Questionnaire, to the exporters /producers of PSF in Chinese Taipei through its Mission to WTO through Pakistan's Mission to WTO in Geneva. The Importer's Questionnaire was also sent to the importers of PSF on February 11, 2021.

14. Investigated Product, Domestic Like Product and Like Product:

14.1 For the purposes of this investigation investigated product, domestic like product and like product are identified as follows:

14.2 Investigated Product:

The investigated product is Polyester Staple Fibre (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber) originating in and/or exported from the Exporting Countries to Pakistan. It is classified under PCT No. 5503.2010. It is generally used in production of blended yarn and pure polyester sewing thread. The blended yarn is used to produce woven and knitted fabrics. Tariff structure for the financial year 2019-20 applicable on import of PSF is given in the following table:

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**Table – III
Tariff Structure of Polyester Staple Fiber during POI**

PCT Code	Description	CD	ACD	RD	Concessions/ FTA Rates
(1)	(2)	(3)	(4)	(5)	(6)
5503.2010	Synthetic staple fibers, not carded, combed or otherwise processed for spinning -of polyesters --- of polyesters not exceeding 2.22 decitex	11%	2%*	0%	Fifth schedule Part -III CD 7%, SAFTA 5%

* exempted in 5th schedule

14.3 Domestic Like Product:

The domestic like product is Polyester Staple Fibre (Not Exceeding 2.0 Denier & Excluding Colored and Regenerated Polyester Staple Fiber), produced by the domestic industry. The domestic like product is also classified under PCT No. 5503.2010. The domestic like product is used in production of blended yarn and Pure Polyester sewing thread. The blended yarn is used to produce woven and knitted fabrics. Major uses of the domestic like product are, therefore, identical to those of the investigated product.

14.4 Like Product:

Polyester Staple Fibre (Not Exceeding 2.0 Denier & Excluding Colored Polyester Staple Fiber and Regenerated Polyester Staple Fiber) produced by the domestic industry and imported from the Exporting Countries is comparable in terms of physical and chemical characteristics, product specifications, chemical formulation, end uses and tariff classification etc. Investigated product and domestic like product are technically and commercially identical. Domestically produced PSF and imported PSF are classified under the same PCT/HS Heading No. 5503.2010.

14.5 In light of the above, the Commission has determined that the investigated product and the domestic like product are like products.

15. Period of Investigation:

In terms of Section 36 of the Act, Period of Investigation (“POI”) fixed for the purposes of this investigation for determination of dumping and material injury are, 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

16. Information/Data Gathering:

16.1 As stated earlier, the Commission sent questionnaires on February 11, 2021 to the Diplomatic Missions of the Exporting Countries with a request to forward it to all exporters/ producers of the investigated product in their respective country. Exporter's questionnaire was also sent directly to exporters/ producers based in the Exporting Countries whose addresses were available with the Commission on February 11, 2021, for collection of requisite data and information necessary for this investigation. The exporters/ producers were asked to supply data /information within 37 days of the dispatch of questionnaire.

16.2 Following six exporters/ foreign producers of PSF from the Exporting Countries responded to the Commission's request for supplying information on the prescribed Exporter's Questionnaire and requested for extension in time period (beyond 37 days) for submission of information:

- (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.

16.3 After taking into account the due cause shown by these exporters/ foreign producers of PSF from the Exporting Countries in their requests, the Commission granted extension in time period for submission of data/ information on Exporter's Questionnaire till April 30, 2021. Filled-in Exporter's Questionnaires from these exporters / foreign producers were received at the Commission within the extended time period. Upon examination of the data /information received from these exporters/ foreign producers, certain deficiencies were found in the furnished data /information. These deficiencies were communicated to the exporters/ foreign producers and were requested to supply the deficient data /information. The same was provided to the Commission.

16.4 The Commission also sent Questionnaire on May 03, 2021 to Rupali Polyester (Pvt) Limited which is other domestic producer of PSF besides the Applicants. Rupali Polyester (Pvt) Ltd provided the data /information to the Commission on May 21, 2021.

16.5 On February 11, 2021 questionnaires were sent to Pakistani importers of the investigated product known to the Commission and the importers were asked to respond to the Commission within 37 days of the dispatch of the questionnaires. Following importers provided the data /information to the Commission:

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- (a) M/s Feroze 1888 Mills Limited;
- (b) M/s Naveena Group Export Limited;
- (c) M/s Master Textile Mills Limited;
- (d) M/s Masood Textiles Mills Limited;
- (e) M/s N.M Corporation Private Limited;
- (f) M/s Nishat Chunian Limited;
- (g) M/s Fazal Cloth Mills Limited; and
- (h) M/s Ahmed Fine Textile Mills Limited.
- (i) M/s Ali Nawaz Textile (Pvt.) Limited.

16.6 No other exporters / foreign producers of PSF from the Exporting Countries and importers except the above listed importers of PSF (paragraph 16.2 & 16.5 supra) have responded to the Commission. Therefore, letters were issued to the non -cooperating exporters/ foreign producers and importers on June 15, 2021, informing that as no response to the questionnaire was submitted by them, therefore, the Commission will be constrained to make preliminary and final determinations in this investigation on the basis of “best information available” in terms of Section 32 of the Act.

16.7 The Commission has access to database of import statistics of Pakistan Revenue Automation Limited (“PRAL”), the data processing arm of the Federal Board of Revenue, Government of Pakistan. For the purpose of this investigation the Commission has used import data obtained from PRAL in addition to the information provided by the Applicants, the exporters and the importers.

16.8 Interested parties were also invited through notice of initiation of investigation to submit their views/comments and provide information (if any) relevant to this investigation within 45 days of initiation of investigation. Ministry of Trade, Government of Indonesia and Khyber-Pakhtunkhwa Textiles Mills Association have filed comments which have also been considered in this investigation.

16.9 Thus, the Commission has sought from all available sources the relevant data and information deemed necessary for the purposes of dumping and injury therefrom in this investigation.

17. Questionnaire(s) Response from Chinese Taipei:

Questionnaire Response by Chung Shing Textile Marketing Limited, Chinese Taipei

17.1 The Commission sent the Exporter’s Questionnaire to Chung Shing Textile Marketing Limited, Chinese Taipei (“Chung Shing”) on February 11, 2021. Chung Shing in its e-mail dated April 09, 2021, applied to the Commission for extension of 37 days in the time period for submission of response to questionnaire. The Commission after considering the reasons given

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in the request for extension, granted extension for 25 days vide its letter/email dated April 09, 2021. Chung Shing vide its e-mail dated April 14, 2021 again requested the Commission for extension of time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension, granted the extension for 15 days vide its letter/email dated April 19, 2021. Chung Shing response was received in the Commission on April 29, 2021.

17.2 The information submitted by Chung Shing in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those deficiencies were communicated to Chung Shing vide the Commission's letter dated May 31, 2021. Chung Shing was asked to provide the deficient data / information by June 07, 2021. Chung Shing responded to the deficiencies vide its e-mail dated June 15, 2021. The information provided by Chung Shing was analyzed and again found deficient. The Commission again communicated the data / deficiencies to Chung Shing on June 17, 2021. Chung Shing responded to the deficiencies on June 25, 2021. However, the same was still deficient and the Commission vide its letter dated July 01, 2021, asked Chung Shing to provide the deficient data /information. Chung Shing response in this regard was received on July 08, 2021, which was still deficient. The Commission again requested on October 22, 2021 Ching Shing to provide deficient data and informed that in case it failed to provide requisite data/information, the Commission will be constrained to use "best information available" in terms of Section 32 of the Act. However, Ching Shing failed to provide requisite deficient data/information to the Commission.

18. **Questionnaire(s) Response from the Republic of Indonesia:**

18.1 **Questionnaire Response by PT. Indorama Polychem, Indonesia**

18.1.1 The Commission sent Exporter's Questionnaire to P.T. Indorama Polychem, Indonesia ("Indorama Polychem") on February 11, 2021. Indorama Polychem requested the Commission vide its letter dated March 18, 2021, for 30 days extension in time period for submission of data /information in response to questionnaire. The Commission granted extension for two weeks vide its letter dated March 29, 2021, after considering the reasons given in the request for extension. Indorama Polychem vide its letter dated April 02, 2021 again requested the Commission for 14 days extension in time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension granted 10 days extension vide its letter dated April 09, 2021. Indorama Polychem vide its letter dated April 12, 2021, requested the Commission for extension of time period for submission of response to questionnaire for further two weeks. The Commission after considering the reasons given in the request for extension granted final extension for two weeks vide its letter dated April 19, 2021. Indorama Polychem's response was received in the Commission on April 30, 2021.

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18.1.2 The information submitted by Indorama Polychem in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated June 16, 2021. Indorama Polychem was asked to provide the deficient data /information no later than 09 days, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Indorama Polychem responded to the deficiencies vide its letter dated June 25, 2021. However, the same was still deficient and the Commission vide its letter dated July 08, 2021, asked for the deficient data/ information. Indorama Polychem's response to deficiencies was received on July 13, 2021.

18.2 Questionnaire Response by PT. Indorama Synthetics TBK, Indonesia

18.2.1 The Commission sent Exporter's Questionnaire to P.T. Indorama Synthetics TBK, Indonesia ("Indorama Synthetics") on February 11, 2021. Indorama Synthetics requested the Commission for 30 days extension in time period for submission of data /information vide its letter dated March 18, 2021. The Commission granted extension for two weeks vide its letter dated March 29, 2021, after considering the reasons given in the request for extension. Indorama Synthetics vide its letter dated April 02, 2021, again requested the Commission for extension of time period for submission of response to questionnaire for two weeks. The Commission after considering the reasons given in the request for extension, granted 10 days extension vide its letter dated April 09, 2021. Indorama Synthetics vide its letter dated April 12, 2021, once again requested the Commission for extension in time period for submission of response to questionnaire for another two weeks. The Commission after considering the reasons given in the request for extension granted final two weeks extension vide its letter dated April 19, 2021. Indorama Synthetics' response was received in the Commission on April 30, 2021.

18.2.2 The information submitted by Indorama Synthetics in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated June 16, 2021. Indorama Synthetics was asked to provide the deficient data /information no later than 09 days, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Indorama Synthetics responded to the deficiencies vide its letter dated June 25, 2021. However, the same was still deficient and the Commission vide its letter dated July 08, 2021 asked for the deficient data /information. Indorama Synthetics' response addressing deficiencies was received on July 13, 2021.

19. Questionnaire(s) Response from the Kingdom of Thailand:

19.1 Questionnaire Response by Indorama Polyester Industries Public Company Limited, Thailand

19.1.1 The Commission sent Exporter’s Questionnaire to Indorama Polyester Industries Public Company Limited, Thailand (“Indorama Polyester”) on February 11, 2021. Indorama Polyester requested the Commission for 30 days extension of time period for submission of response to questionnaire vide its letter dated March 18, 2021. The Commission granted extension for two weeks vide its letter dated March 29, 2021 after considering the reasons given in the request for extension. Indorama Polyester vide its letter dated April 02, 2021 again requested the Commission for two weeks extension in time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension granted 10 days extension vide its letter dated April 09, 2021. Indorama Polyester vide its letter dated April 12, 2021 again requested the Commission for two weeks extension in time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension granted final two weeks extension vide its letter dated April 19, 2021. Indorama Polyester response was received in the Commission on April 30, 2021.

19.1.2 The information submitted by Indorama Polyester in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission’s letter dated June 16, 2021. Indorama Polyester was asked to provide the deficient information/data no later than 09 days, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Indorama Polyester responded to the deficiencies vide its letter dated June 25, 2021. However, the same was still deficient and the Commission vide its letter dated July 08, 2021 asked for the deficient data /information. Indorama Polyester’s response addressing deficiencies in this regard was received on July 13, 2021.

19.2 Questionnaire Response by Kangwal Polyester Co. Limited, Thailand

19.2.1 The Commission sent Exporter’s Questionnaire to Kangwal Polyester Co. Limited, Thailand (“Kangwal Polyester”) on February 11, 2021. Kangwal Polyester requested the Commission vide its letter dated March 18, 2021 for 30 days extension in time period for submission of response to questionnaire. The Commission granted two weeks extension for providing data/ information on Exporter’s Questionnaire vide its letter dated March 29, 2021 after considering the reasons given in the request for extension. Kangwal Polyester vide its letter dated April 02, 2021 again requested the Commission for another two weeks extension of time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension granted 10 days extension vide its letter dated April 09, 2021. Kangwal Polyester vide its letter dated April 12, 2021 requested the Commission for further two weeks extension in time period for submission of response to questionnaire. The

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Commission after considering the reasons given in the request for extension, granted final two weeks extension vide its letter dated April 19, 2021. Kangwal Polyester response was received in the Commission on April 30, 2021.

19.2.2 The information submitted by Kangwal Polyester in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated June 16, 2021. Kangwal Polyester was asked to provide the deficient information/data no later than 09 days, so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Kangwal Polyester responded to the deficiencies vide its letter dated June 25, 2021.

19.3 Questionnaire Response by Sunflag Thailand Limited, Thailand

19.3.1 The Commission sent Exporter's Questionnaire to Sunflag Thailand Limited, Thailand ("Sunflag") on February 11, 2021. Sunflag requested the Commission, vide its e-mail dated March 16, 2021 for extension in time period for 30 days submission of response to questionnaire. The Commission granted two weeks extension vide its letter dated March 29, 2021, after considering the reasons given in the request for extension. Sunflag vide its e-mail dated April 03, 2021 again requested the Commission for another 15 days extension in time period for submission of response to questionnaire. The Commission after considering the reasons given in the request for extension, granted 10 days extension vide its letter dated April 09, 2021. Sunflag response was received in the Commission on April 15, 2021.

19.3.2 The information submitted by Sunflag in response to the questionnaire was analyzed at the Commission and certain deficiencies were identified. Accordingly, those data deficiencies were communicated to it vide Commission's letter dated June 16, 2021. Indorama Polyester was asked to provide the deficient data /information no later than 09 days so as to enable the Commission to consider and analyze the same for the purposes of this investigation. Sunflag responded to the deficiencies vide its letter dated July 01, 2021. However, the same was still deficient and the Commission vide its letter dated July 08, 2021 asked for the deficient information. Sunflag's response addressing deficiencies was received on July 13, 2021.

20. Verification of the Information:

20.1 In terms of Sections 32(4) and 35 of the Act and Rule 12 of the Rules, during the course of an antidumping investigation, the Commission is required to satisfy itself as to the accuracy of the data /information provided to it and to verify the data/ information supplied by the interested parties. Accordingly, the Commission has satisfied itself as to the accuracy and adequacy of information supplied by the interested parties to the extent possible for the purposes of this investigation.

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20.2 The officers of the Commission conducted on-the-spot verification at the office(s) and plant(s) of the Applicants and M/s Rupali Polyester Ltd., in the Sunset and Change Circumstances Reviews of antidumping duties imposed on dumped imports of PSF from China and verified their respective data for the period from July 1, 2017 to June 30, 2020. Since, in this investigation, the period of injury is from October 2017 to September 2020 and data for period from July 1, 2017 to June 30, 2020 (33 out of 36 months of POI) was already verified, therefore, the Commission did not conduct on-the-spot investigation at the premises of Applicants and Rupali Polyester Ltd. in this investigation. However, desk verification was conducted to verify the data for one quarter of the POI i.e. July - September 2021.

20.3 In order to verify the data/information provided by the exporters /foreign producers of PSF in response to Exporter's Questionnaire, a team of the Commission officers conducted on-the-spot investigations at the offices of PT. Indorama Polychem, Indonesia; PT. Indorama Synthetics TBK, Indonesia; Indorama Polyester Industries Public Company Limited, Thailand; Kangwal Polyester Co. Limited, Thailand; and Sunflag Thailand Limited, Thailand from November 21, to December 02, 2021. The Commission finalized the non-confidential reports of the verification and placed the same in the public file.

21. Preliminary Determination

21.1 The Commission made preliminary determination in this investigation on August 04, 2021 and determined that the Commission is satisfied that the investigated product is imported from the Exporting Countries at dumped prices and such dumping caused injury to the domestic industry. However, the Commission was of the view that the imposition of provisional antidumping duty on dumped imports of the investigated product was not necessary to prevent injury being caused to the domestic industry during the course of investigation in accordance with Section 43 of the Act.

21.2 The Commission issued a notice of preliminary determination, which was published on August 04, 2021, in Official Gazette of Pakistan and in two widely circulated national newspapers (the "The Nation" and "Daily Jang") in accordance with Section 37 (4) of the Act.

21.3 On August 04, 2021, the Commission also sent copy of the notice of preliminary determination to the Diplomatic Missions of the Exporting Countries, the exporters, the importers, domestic producers and the Applicants in accordance with the requirements of Section 37(4) of the Act. The report (non-confidential version) of the preliminary determination was placed at the public file maintained at the Commission and was also posted on Commission's website www.ntc.gov.pk.

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22. Disclosure Meeting:

The officers of the Commission on requests made by cooperating exporters/ producers of PSF from Indonesia and Thailand held separate meetings on August 24, 2021 with their representatives to explain the methodology used in calculations of dumping margins. In the said meetings copies of dumping calculations /methodologies were also provided to the representatives of exporters/ producers of PSF from Indonesia and Thailand.

23. Determination of Dumping:

23.1 The Commission received data /information in response to the questionnaires from the following exporters/producers of PSF from the Exporting Countries:

- (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.

23.2 Normal value, export price and individual dumping margins for the above-mentioned exporters/producers of PSF from the Exporting Countries will be determined in accordance with Part III, IV and V of the Act on the basis of the information provided by them. However, dumping margin/duty rate for all other non-cooperating exporters/producers from the Exporting Countries will be determined on the basis of the best information available.

24. Determination of Export Price for Chung Shing Textile Marketing Limited (“Chung Shing”)

24.1 Export price for Chung Shing will be determined on the basis of the information provided by Chung Shing on its export sales to Pakistan made during the POI.

24.2 According to the information, Chung Shing exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI. Chung Shing exported different types of the investigated product to Pakistan during the POI. Export sales to Pakistan during POI through an un-related sales agent i.e. Avon Commercial Corporation.

24.3 Chung Shing exported investigated product at CIF basis. To arrive at the ex-factory level, Chung Shing has reported adjustments on account of commission, ocean freight, insurance and customs fee. The Commission will accept these adjustments and the export price

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at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the sales transactions.

25. Determination of Normal Value for Chung Shing

25.1 Normal value for Chung Shing will be determined on the basis of the information provided by Chung Shing on its domestic sales made during the POI.

25.2 According to the information, Chung Shing sold different types of PSF in its domestic market including the types which were alike to the types of the investigated product exported to Pakistan during the POI. Chung Shing sold *** MT in the domestic market during POI. Chung Shing also provided monthly ex-factory price list of different types of PSF. As the prices of raw materials of PSF fluctuated significantly during the POI and Chung Shing did not provide monthly cost to make & sell of the investigated product, therefore, the Commission will use monthly price lists for determination of normal value. For the purposes of like-to-like comparison, normal value (price list) will be determined only for those types which were comparable to the types of the investigated product.

26. Determination of Export Price for PT. Indorama Polychem, Indonesia (“Indorama Polychem”)

26.1 Export price for Indorama Polychem will be determined on the basis of the information provided by Indorama Polychem on its export sales to Pakistan made during the POI.

26.2 According to the information, Indorama Polychem exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI. Indorama Polychem exported different types of the investigated product to Pakistan during the POI. Export sales to Pakistan during POI were made directly to unrelated customers and through un-related sales agent.

26.3 Indorama Polychem exported investigated product at CIF basis. To arrive at the ex-factory level, Indorama Polychem has reported adjustments on account of credit cost, commission, inland freight, ocean freight, insurance and bank charges. The Commission will accept these adjustments and the export price at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the sales transactions.

27. Determination of Normal Value for Indorama Polychem

27.1 Normal value for Indorama Polychem will be determined on the basis of the information provided by Indorama Polychem on its domestic sales made during the POI.

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27.2 According to the information, Indorama Polychem sold different types of PSF in its domestic market including the types, which were alike to the types of the investigated product exported to Pakistan during the POI. Indorama Polychem sold *** MT in the domestic market during POI. These sales were in sufficient quantities to determine normal value in terms of Section 6(2) of the Act as these sales were more than 5 percent of the export sales of the investigated product exported to Pakistan during the POI. For the purposes of like-to-like comparison, normal value will be determined only for those types which were comparable to the types of the investigated product.

27.3 To determine the normal value the Commission will disregard sales which were not in ordinary course of trade in accordance with Section 7 of the Act. Therefore, normal value for those types whose 100 percent sales were not in ordinary course of trade will be constructed on the basis of cost of production plus administrative, selling and general costs and reasonable profit for the said exporter/producer of PSF from Indonesia in accordance with Section 6 of the Act.

27.4 To arrive at the ex-factory level from delivered price, Indorama Polychem has reported adjustment on account of credit cost, inland freight, bank charges, exchange loss and insurance. The Commission will accept these adjustments and the normal value at ex-factory level will be worked out by deducting values reported for this adjustment from delivered value of sales transactions.

28. Determination of Export Price for PT. Indorama Synthetics TBK, Indonesia (“Indorama Synthetics”)

28.1 Export price for Indorama Synthetics will be determined on the basis of the information provided by Indorama Synthetics on its export sales to Pakistan made during the POI.

28.2 According to the information, Indorama Synthetics exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI. Indorama Synthetics exported different types of the investigated product to Pakistan during the POI. Export sales to Pakistan during POI were made directly to unrelated customers.

28.3 Indorama Synthetics exported investigated product at CIF basis. To arrive at the ex-factory level, Indorama Synthetics has reported adjustments on account of credit cost, inland freight, ocean freight, insurance and bank charges. The Commission will accept these adjustments and the export price at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the export sales transactions.

29. Determination of Normal Value for Indorama Synthetics

29.1 Normal value for Indorama Synthetics will be determined on the basis of the information provided by Indorama Synthetics on its domestic sales made during the POI.

29.2 According to the information, Indorama Synthetics sold different types of PSF in its domestic market including the types which were like the investigated product exported to Pakistan during the POI. Indorama Synthetics sold *** MT in the domestic market during POI. These sales were in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these domestic sales were more than 5 percent of the export sales of the investigated product exported to Pakistan during the POI. For the purposes of like-to-like comparison, normal value will be determined only for those types which were comparable to the types of the investigated product.

29.3 For the purposes of determination of normal value, the Commission will disregard sales, which were not in ordinary course of trade in accordance with Section 7 of the Act. Therefore, normal value for those types of investigated product whose 100 percent sales were not in ordinary course of trade will be constructed on the basis of cost of production plus administrative, selling and general costs and reasonable profit for the exporter/producer in accordance with Section 6 of the Act.

29.4 To arrive at the ex-factory level from delivered price, Indorama Synthetics has reported adjustment on account of credit cost, inland freight, insurance, exchange loss and bank charges. The Commission will accept these adjustments and the normal value at ex-factory level will be worked out by deducting values reported for these adjustments from delivered value of sales transactions.

30. Determination of Export Price for Indorama Polyester Industries Public Company Limited, Thailand (“Indorama Polyester”)

30.1 Export price for Indorama Polyester will be determined on the basis of the information provided by Indorama Polyester on its export sales to Pakistan made during the POI.

30.2 According to the information, Indorama Polyester exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI. Indorama Polyester exported different types of the investigated product to Pakistan during the POI. Export sales to Pakistan during POI were made directly to unrelated customers and through un-related sales agents.

30.3 Indorama Polyester exported investigated product at CIF basis. To arrive at the ex-factory level, Indorama Polyester has reported adjustments on account of commission, credit cost, inland freight, ocean freight, handling cost, duty draw back, others and bank charges. The

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Commission will accept these adjustments and the export price at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the export sales transactions.

31. Determination of Normal Value for Indorama Polyester

31.1 Normal value for Indorama Polyester will be determined on the basis of the information provided by Indorama Polyester on its domestic sales made during the POI.

31.2 According to the information, Indorama Polyester sold different types of PSF in its domestic market including the types which were alike to the types of the investigated product exported to Pakistan during the POI. Indorama Polyester sold *** MT in the domestic market during POI. These sales were in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these domestic sales were more than 5 percent of the export sales of the investigated product exported to Pakistan during the POI. For the purposes of like-to-like comparison, normal value will be determined only for those types which were comparable to the types of the investigated product.

31.3 For the purposes of determination of normal value the Commission will disregard sales, which were not in ordinary course of trade in accordance with Section 7 of the Act. Therefore, normal value for those types whose 100 percent sales were not in ordinary course of trade will be constructed on the basis of cost of production plus administrative, selling and general costs and reasonable profit percent of the exporter/producer in accordance with Section 6 of the Act.

31.4 To arrive at the ex-factory level from delivered price, Indorama Polyester has reported adjustment on account of credit cost, commission, inland freight, insurance, bank charges and other (cost of credit insurance). The Commission will accept these adjustments and the normal value at ex-factory level will be worked out by deducting values reported for these adjustments from delivered value of domestic sales transactions.

32. Determination of Export Price for Kangwal Polyester Co. Limited, Thailand (“Kangwal Polyester”)

32.1 Export price for Kangwal Polyester will be determined on the basis of the information provided by Kangwal Polyester on its export sales to Pakistan made during the POI.

32.2 According to the information, Kangwal Polyester exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI (in the months of Jan, Feb, Apr, May, Jun, Jul, Aug 2020). Kangwal Polyester exported different types of the investigated product to Pakistan during the POI. Export sales to Pakistan made during the POI were through un-related sale agent i.e. English Fibre and Yarn.

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32.3 Kangwal Polyester exported investigated product at CIF basis. To arrive at the ex-factory level, Kangwal Polyester has reported adjustments on account of commission, credit cost, inland freight, ocean freight, handling cost, duty draw back, others (terminal handling and BL Charges) and bank charges. The Commission will accept these adjustments and the export price at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the export sales transactions.

33. Determination of Normal Value for Kangwal Polyester

33.1 Normal value for Kangwal Polyester will be determined on the basis of the information provided by Kangwal Polyester on its domestic sales made during the POI.

33.2 According to the information, Kangwal Polyester sold different types of PSF in its domestic market including the types, which were alike to the types of the investigated product exported to Pakistan during the POI. Kangwal Polyester sold *** MT in the domestic market during POI. These sales were in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these domestic sales were more than 5 percent of the export sales of the investigated product exported to Pakistan during the POI. For the purposes of like-to-like comparison, normal value will be determined only for those types which were comparable to the types of the investigated product and for the comparable months of export sales to Pakistan.

33.3 For the purposes of determination of normal value the Commission will disregard sales, which were not in ordinary course of trade in accordance with Section 7 of the Act. Therefore, normal value for those types whose 100 percent sales were not in ordinary course of trade will be constructed on the basis of cost of production plus administrative, selling and general costs and reasonable profit for the exporter/producer in accordance with Section 6 of the Act.

33.4 To arrive at the ex-factory level from delivered price, Kangwal Polyester has reported adjustment on account of credit cost and inland freight. The Commission will accept these adjustments and the normal value at ex-factory level will be worked out by deducting values reported for these adjustments from delivered value of domestic sales transactions.

34. Determination of Export Price for Sunflag Thailand Limited, Thailand (“Sunflag”)

34.1 Export price for Sunflag will be determined on the basis of the information provided by Sunflag on its export sales to Pakistan made during the POI.

34.2 According to the information, Sunflag exported *** MT of PSF to all export markets including Pakistan. It exported *** MT of the investigated product to Pakistan during the POI (in the months of Jan, Feb, May, Jun, Jul 2020). Sunflag exported different types of the

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investigated product to Pakistan during the POI. Export sales to Pakistan during the POI were to un-related customers.

34.3 Sunflag exported investigated product at CIF basis. To arrive at ex-factory level, Sunflag has reported adjustments on account of credit cost, inland freight, ocean freight, handling cost, duty draw back, custom fee and bank charges. The Commission will accept these adjustments and the export price at ex-factory level will be worked out by deducting values reported for these adjustments from CIF value of the export sales transactions.

35. Determination of Normal Value for Sunflag

35.1 Normal value for Sunflag will be determined on the basis of the information provided by Sunflag on its domestic sales made during the POI.

35.2 According to the information, Sunflag sold different types of PSF in its domestic market including the types, which were alike to the types of the investigated product exported to Pakistan during the POI. Sunflag sold *** MT in the domestic market during the POI. These sales were in sufficient quantities to determine normal value in terms of Section 6(2) of the Act, as these sales were more than 5 percent of the export sales of the investigated product exported to Pakistan during the POI. For the purposes of like-to-like comparison, normal value will be determined only for those types which were comparable to the types of the investigated product and for the comparable months of export sales to Pakistan.

35.3 For the purposes of determination of normal value the Commission will disregard sales, which were not in ordinary course of trade in accordance with Section 7 of the Act. Therefore, normal value for those types whose 100 percent sales were not in ordinary course of trade will be constructed on the basis of cost of production plus administrative, selling and general costs and reasonable profit for the exporter/producer in accordance with Section 6 of the Act.

35.4 To arrive at the ex-factory level from delivered price, Sunflag has reported adjustment on account of credit cost and inland freight. The Commission will accept these adjustments and the normal value at ex-factory level will be worked out by deducting values reported for these adjustments from delivered value of domestic sales transactions.

36. Determination of Dumping for Non-cooperating Exporters

36.1 The Commission will determine dumping for the exporters/foreign producers of PSF from the Exporting Countries, who did not cooperate with the Commission and did not supply necessary information on the basis of best information available in accordance with Section 32 of the Act. Details are given in following paragraphs.

36.2 Determination of Dumping for Non-cooperating Exporters from Chinese Taipei

A residual dumping margin and antidumping duty rate for all other exporters /producers of PSF from Chinese Taipei will be determined on the basis of best information available in terms of Section 32 of the Act, which will be the highest rate of dumping for individual exporter who cooperated from Chinese Taipei among the investigated exporters/foreign producers.

36.3 Determination of Dumping for Non-cooperating Exporters from Indonesia

As level of cooperation from Indonesia was very high (exporters who cooperated in this investigation exported almost 100 percent of the investigated product from Indonesia during the POI). A residual dumping margin and antidumping duty rate for all other exporters from Indonesia will be determined on the basis of best information available in terms of Section 32 of the Act, which will be the highest rate of dumping margin for individual exporters who cooperated from Indonesia among the investigated exporters/foreign producers.

36.4 Determination of Dumping for Non-cooperating Exporters from Thailand

36.4.1 Normal value for non-cooperating exporters from Thailand will be determined on the basis of the information supplied by Kangwal in response to the questionnaire. The Commission considered that the information supplied by Kangwal was the best information available for the purposes of determination of normal value for noncooperating exporters /producers of PSF on the basis that it was the largest exporter of the investigated product to Pakistan during the POI.

36.4.2 As information on types and deniers exported by the non-cooperating exporter is not available, normal value for them will be determined on the basis of Kangwal's cost of production plus administrative, selling, general and financial expenses and reasonable profit.

36.4.3 Information obtained from PRAL is used for the purposes of determination of export price for non-cooperating exporters from Thailand. This is the only information available with the Commission on export sales of the investigated product by the non-cooperating exporters. Values in PRAL's information are recorded at CIF level. The CIF export price will be adjusted to the ex-factory level. For this purpose same adjustments will be made which were reported by the Indorama Polyester for its own exports of the investigated product.

37. Dumping Margin

Section 12 of the Act provides three methods for fair comparison of normal value and export price in order to establish dumping margin. The Commission will comply with requirements of Sections 11 and 12 of the Act in determination of dumping margins.

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38. De minimis Dumping Margin and Negligible Volume of Dumped Imports:

38.1 In terms of Section 41(3) of the Act which states that the dumping margin shall be considered to be negligible if it is less than two percent, expressed as a percentage of the export price. Dumping margin for the dumped imports of the investigated product set out in preliminary determination report are above the *de minimis* level.

38.2 In terms of Section 41(3) of the Act provides that the volume of such imports shall normally be regarded as negligible if the volume of dumped imports of an investigated product is found to account for less than three percent of total imports of a like product unless imports of the investigated product from all countries under investigation which individually account for less than three percent of the total imports of a like product collectively account for more than seven per cent of the imports of like product. The data /information on dumped imports of the investigated product and other imports of PSF has been obtained from PRAL and Cooperative Exporters. Volume of dumped imports of the investigated product and PSF imported from other sources during the POI (Oct 2019-Sep 2020) is given in a table below:

**Table – IV
Volume of Dumped Imports**

Source of Import	% of total imports
(1)	(2)
Chinese Taipei	12.01
Indonesia	35.75
Thailand	24.44
China (other dumped source)	25.93
Other Sources	1.87
Total Imports	100.00

Source: PRAL and Cooperative Exporters

39. Determination of Injury:

39.1 The Commission will take into account all injury factors in order to determine whether domestic industry suffered material injury during the POI. Material injury to the domestic industry is analyzed in the following paragraphs in accordance with Part VI of the Act.

39.2 ICI Pakistan Limited, Ibrahim Fibres Limited and Rupali Polyester Limited produced 100 percent of the total production of PSF during the POI, therefore these units are considered as domestic industry for the purpose of this investigation.

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40. Cumulation of Dumped Imports:

40.1 Dumping margin for each Exporting Country is more than the negligible amount Volume of dumped imports during the POI from each Exporting Country individually was also well above the negligible quantity.

40.2 Information obtained from PRAL showed that during the POI landed cost of the investigated product from the Exporting Countries was in the same range. Therefore, there was a competition between dumped imports of the investigated product. Weighted average landed cost of the investigated product from the Exporting Countries during the POI for dumping is provided in the table below:

**Table – V
Landed Cost of Dumped Imports****

Description	Chinese Taipei	Indonesia	Thailand
(1)	(2)	(3)	(4)
C& F price	109	101	100
Landed cost*	119	110	109

Source: PRAL and Cooperative Exporter * Landed cost = customs duty@7%+ incidentals@2%

**Actual figures have been indexed with respect to of C&F price of Thailand by taking it equal to 100 to maintain confidentiality

41. Volume of Dumped Imports:

41.1 In order to ascertain the increase in the volume of dumped imports of the investigated product, the Commission has obtained import data for the POI from PRAL.

41.2 With regard to the volume of dumped imports, in terms of Section 15(2) of the Act, the Commission considered whether there has been a significant increase in volume of dumped imports, either in absolute terms or relative to the production of the domestic like product in Pakistan. The following table shows imports of the investigated product and production of domestic like product during the POI:

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**Table – VI
Volume of Dumped Imports***

Period	Imports from:				Domestic production	Dumped imports as % of:	
	Dumped Sources (Exporting Countries)	Dumped Source; China	Other Sources	Total		Total imports	Domestic production
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Oct 2017 – Sep 2018	2.48	7.77	0.24	10.50	100.00	23.62	2.48
Oct 2018 – Sep 2019	6.15	6.02	0.37	12.54	85.64	49.00	7.18
Oct 2019 – Sep 2020	21.68	7.79	0.56	30.02	69.93	72.20	31.00

Sources: PRAL, Cooperative Exporters & the domestic industry

*Actual figures have been indexed with respect to domestic product's price in the period Oct 17-Sep 18 by taking it equal to 100 to maintain confidentiality.

42. Market Share:

The total domestic demand of PSF in Pakistan is met through local production and imports. Size of the domestic market is established by adding sales of domestic like product and imports of the investigated product from dumped sources & from other sources. Following table shows the market share from each source of supply during the POI.

**Table – VII
Market Share**

Period	Domestic industry	Sources of Imports:			Total domestic market
		Dumped sources (Exporting Countries)	China (other dumped source)	Others Sources	
(1)	(2)	(3)	(4)	(5)	(6)
Oct 2017 – Sep 2018	89.68	2.44	7.65	0.24	100.00
Oct 2018 – Sep 2019	87.10	6.32	6.20	0.38	95.59
Oct 2019 – Sep 2020	69.25	22.2	7.98	0.57	96.02

Sources: PRAL, Cooperative Exporters & the domestic industry.

* Actual figures have been indexed w.r.t. the figure of total domestic market of the period Oct 17-Sep18 by taking it equal to 100 to maintain confidentiality.

43. Domestic Industry's Capacity, Production Sales and Inventories

Information on domestic industry's installed capacity, production, sales and inventories of the domestic like product during the POI is provided in the following table:

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**Table – VIII
Capacity, Production, Sales and Inventories***

Period	Installed Capacity	Production	Sales	Opening Inventory	Closing Inventory
(1)	(2)	(3)	(4)	(5)	(6)
Oct 2017 – Sep 2018	100.00	92.54	83.42	3.16	7.45
Oct 2018 – Sep 2019	100.00	80.00	77.45	7.45	4.45
Oct 2019 – Sep 2020	100.00	65.27	61.85	4.45	2.94

Sources: the domestic industry

*Actual figures have been indexed w.r.t the installed capacity of the period Oct 17 – Sep 18 by taking it equal to 100 to maintain confidentiality. It may be further noted that production includes production of domestic like product, colored PSF and regenerated PSF

44. Price, Cost to Make & Sell of the Domestic Like Product and Landed Cost of the Investigated Product

Ex-factory price and cost to make and sell of the domestic like product has been calculated from the information submitted by the cooperating producers on the basis of their quantity and value of sales and cost of sales of the domestic like product during the POI. Landed cost of the investigated product has been calculated from the information obtained from PRAL. Following table shows the weighted average ex-factory price, cost to make and sell of the domestic like product and landed cost of the investigated product during the POI:

**Table-IX
Price, Cost to Make & Sell and Landed Cost ***

Period	Domestic Like Product		Landed Cost of dumped imports
	Cost to make & sell	Price	
(1)	(2)	(3)	(4)
Oct 2017 – Sep 2018	95.30	100.00	98.45
Oct 2018 – Sep 2019	119.11	119.63	115.10
Oct 2019 – Sep 2020	105.47	106.37	89.83

* Actual figures have been indexed with respect to domestic product's price in the period Oct 17-Sep 18 by taking it equal to 100 to maintain confidentiality.

45. Profits/Loss, Cash Flows and Return on Investment

Domestic industry's profits/(loss) of PSF, cash flows and return on investment for entire operations of the domestic industry during the POI is provided in the following table:

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**Table – XV
Profit/(Loss), Cash Flows and ROI***

Period	Profit/(Loss)	Cash Flows	Return on Investment (%)
(1)	(2)	(3)	(4)
Oct 2017 – Sep 2018	100.00	(100.00)	2.37
Oct 2018 – Sep 2019	10.18	3,325.40	0.58
Oct 2019 – Sep 2020	14.07	3,353.65	0.04

Source: the domestic industry

* Actual figures of profit/loss and cashflows have been indexed w.r.t the figure of the period Oct 17 – Sep 18 by taking it equal to 100 of respective column to maintain confidentiality.

46. Employment, Productivity and Wages

The data on employment in the domestic industry, productivity and the wages paid during the POI is provided in the following table:

**Table – XVI
Employment, Productivity and Wages***

Year/ Period	Number of Employees	Salaries and wages	Productivity per worker
(1)	(2)	(3)	(4)
Oct 2017 – Sep 2018	100.00	100.00	100.00
Oct 2018 – Sep 2019	95.48	104.86	90.38
Oct 2019 – Sep 2020	72.16	93.65	97.60

Source: the domestic industry

* Actual figures have been indexed w.r.t the figures of the period Oct 17 – Sep 18 by taking it equal to 100 of each respective column to maintain confidentiality.

47. Other Factors:

The Commission will examine factors other than dumped imports which could at the same time cause injury to the domestic industry in order to ensure that possible injury caused by other factors is not attributed to the injury caused by dumped imports in accordance with Section 18(2) and 18(3) of the Act, which inter alia include the following:

- (a) volume and price of imports not sold at the dumped prices;
- (b) contraction in demand or changes in the patterns of consumption;
- (c) trade restrictive practices of and competition between foreign and domestic producers;
- (d) development in technology;
- (e) export performance and productivity of domestic industry; and
- (f) Impact of COVID-19.