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PART III

Other Notifications, Orders, etc.

GOVERNMENT OF PAKISTAN
NATIONAL TARIFF COMMISSION

NOTICE

Islamabad, the 7th April, 2022

Notice of Final Determination in Anti-dumping Investigation against Dumped Imports of Offset Printing Ink into Pakistan Originating in and/or Exported from the People's Republic of China and the Republic of Korea

ADC No. 40/2015/NTC/OPI.— The National Tariff Commission (the “Commission”) initiated an anti-dumping investigation on December 07, 2015, under Section 23 of the Anti-Dumping Duties Act, 2015 (the “Act”) after establishing that the application lodged by M/s DIC Pakistan Limited, Lahore (the “Applicant”), on behalf of domestic industry producing Offset Printing Ink in the form of paste also known as paste ink or oil based Offset Printing Ink, but does not include water based, UV based,

(679)

Price: Rs. 6.00

[7620(2022)/Ex. Gaz.]

solvent based, flexographic rotogravure and other inks in liquid, powder or solid form (“Offset Printing Ink”) against dumped imports from the People’s Republic of China and the Republic of Korea (the “Exporting Countries”) was in accordance with Section 20 and 24 of the Act. The Commission made final determination in this investigation under Section 39 of the Act on July 14, 2017 and notice of final determination was published in the official Gazette and press on July 21, 2017. Pursuant to the Final Determination made by the Commission, the Applicant being aggrieved of the non-imposition of antidumping duties, filed appeal before the Anti-Dumping Appellate Tribunal (“the Tribunal”) under Section 70 (1) (ii) of the Act on August 31, 2017. The Tribunal remanded the case back to the Commission on February 22, 2022 for de novo determination in the light of observations made strictly in accordance with law.

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

Product under Investigation: The investigated product is Offset Printing Ink in the form of paste also known as paste ink or oil-based Offset Printing Ink, but does not include water based, UV based, solvent based, flexographic rotogravure and other inks in liquid, powder or solid form (“Offset Printing Ink”) falling under PCT Heading Nos. 3215.1110, 3215.1190, 3215.1910, 3215.1990 (the “Investigated Product”). Investigated product is mainly used for printing of packaging material, POS printing, text book printing, publishing etc.

Injury to the domestic industry: Injury to the domestic industry has been determined in accordance with Part VI of the Act. The Commission has determined that the domestic industry suffered material injury on account of increase in volume of dumped imports, price undercutting, price suppression, decline in market share, profits, sales, capacity utilization, and negative effect on inventories, productivity and salaries & wages. The Commission has also examined factors other than dumped imports under Section 18(2) and Section 18 (3) of the Act, which could at the same time cause injury to the domestic industry. Analysis of the data related to material injury showed that the domestic industry has not suffered material injury due to others factors.

Imposition of Definitive Anti-Dumping Duties: In reaching this final determination, the Commission is satisfied that the investigated product has been imported from the Exporting Countries at dumped prices. For the purpose of imposition of lesser duty in terms of Section 50(2) of the Act, the Commission has calculated injury margin to ascertain whether a lower duty would be adequate to remove injury being suffered by the domestic industry due to dumped imports of investigated product from the Exporting Countries. Injury margin calculated are above the dumping margins, 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 Offset Printing Ink importable from the Exporting Countries till July 20, 2022 from the date of publication of this notice in the press, on the following exporters/producers, however, it would not be levied in terms of Section 51(1)(e) of the Act on imports that are to be used as inputs in products destined solely for exports:

Country	Exporter/ Producer	Definitive Duty Rate (%)
(1)	(2)	(3)
China	Exporters chosen as sample;	
	• Jinan Crown Ink Co. Ltd.	17.92
	• Shanghai Silian Printing Ink Chemical Co. Ltd.	16.67
	Cooperated Exporter;	
	• Shanghai Peony Printing Ink Co., Ltd.	17.43
	Others	17.92
Korea	Exporters chosen as sample;	
	• Daihan Ink Co. Ltd	2.16
	• Dong Yang Ink Co. Ltd.	12.88
	Cooperated Exporter;	
	• Kwang Myung Ink Co. Ltd	6.95
	• Joeun Ink and Chemical Co. Ltd	6.95
	• Korean Printing Ink Co. Ltd.	6.95
	Others	12.88

In accordance with Section 51 of the Act, the definitive 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 investigated product for free circulation in Pakistan shall be subject to imposition of such antidumping duties.

Definitive antidumping duties levied would be in addition to other taxes and duties leviable on import of the investigated product 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.

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

ALI MUHAMMAD SHAH ,
Secretary (NTC).