

NOTICE 1422 OF 2006

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****TERMINATION OF THE INVESTIGATION INTO THE ALLEGED
DUMPING OF TOUGHENED GLASS FOR INCORPORATION IN
VEHICLES ORIGINATING IN OR IMPORTED FROM THE
PEOPLE'S REPUBLIC OF CHINA: FINAL DETERMINATION**

The International Trade Administration Commission of South Africa (the Commission) initiated an investigation into the alleged dumping of toughened glass for incorporation in vehicles originating in or imported from the People's Republic of China (PRC) through Notice No. 1802 of *Government Gazette* No. **28053** published on 30 September 2005.

The application was lodged on behalf of the South African Customs Union (SACU) by the Automotive Glass Manufacturers' Association (the Applicant), being the industrial organisation for the subject product in SACU, representing the domestic manufacturers of the product under investigation. The Applicant alleged that the subject product was being dumped into the SACU market, causing material injury to the SACU industry.

The investigation was initiated after the Commission considered that there was *prima facie* evidence to show that the subject product was being imported at dumped prices, causing material injury to the SACU industry.

Upon initiation of the investigation, all known producers and exporters of the subject product in the PRC were sent foreign *manufacturers/exporters* questionnaires to complete. Importers of the subject product were also sent questionnaires to complete.

The Commission made a preliminary determination that dumping of toughened glass for incorporation in vehicles originating in or imported from the PRC was taking place, and that the SACU industry was suffering material injury. However, the Commission found that there were factors other than dumping detracting from the causal link between the dumping of the subject product and the material injury experienced by the SACU industry. The Commission, therefore, made a preliminary decision to terminate the investigation.

All interested parties were invited to comment on the Commission's preliminary report. All interested parties were also informed of the "essential facts" being considered by the Commission for purposes of its final determination and were given an opportunity to comment.

After considering all the comments received from interested parties, the Commission made a final determination that the subject product originating in or imported from the cooperating exporters in the PRC was not being dumped on the SACU market. Non-cooperating exporters were found to be dumping with a margin of 73 per cent. The Commission found that the SACU industry is suffering material injury. However, based on the significant difference between the margin of dumping and the margin of injury that could not be causally linked to dumping, the Commission found that factors other than dumping, including the volume of imports from the PRC at prices that are not dumped, caused injury and therefore detracted from the causal link between dumping and the material injury experienced by the SACU industry.

The Commission, therefore, decided to recommend to the Minister of Trade and Industry that the investigation into the alleged dumping of toughened glass for incorporation in vehicles, originating in or imported from the PRC, be terminated.

The Commission's detailed reasons for its decision are set out in Commission Report No. 184.

Enquiries may be directed to the investigating officers, Mr Albert Strydom at telephone (012) 394 3597 or Mr Jeffrey Maphagela at telephone at (012) 394 3639.