

NOTICE 1126 OF 2008**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA****TERMINATION OF THE INVESTIGATION INTO THE ALLEGED DUMPING OF CITRIC ACID ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA: FINAL DETERMINATION**

On 23 February 2007, the International Trade Administration Commission of South Africa (the Commission) formally initiated an investigation into the alleged dumping of citric acid originating in or imported from the People's Republic of China (PRC). Notice of initiation of the investigation was published in Notice No. 194 of 2007 of *Government Gazette* No. 29636 dated 23 February 2007.

The Application was lodged on behalf of the Southern African Customs Union (SACU) industry by Isegen South Africa (Pty) Ltd (Isegen), being the sole manufacturer of malic acid in SACU, which claimed that dumped imports were causing it material injury.

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.

On 31 August 2007, after considering information submitted by the interested parties, and the research conducted, the Commission made a preliminary determination that citric acid originating in or imported from the PRC, and malic acid manufactured locally by the applicant, are not like products for purposes of comparison, in terms of section 2.6 of the Anti-Dumping Agreement. Based on the above, the Commission made a preliminary determination to terminate the investigation. The Commission's reasons for its decision were detailed in its Report No.246. Interested parties were invited to comment on its preliminary report.

On 11 March 2008, after undertaking further research on the issue of “like” product, and considering comments submitted by interested parties to its preliminary report, the Commission made a final determination that citric acid and malic acid are not “like” products, for purposes of comparison in terms of the ADR and Article 2.6 of the WTO Anti-Dumping Agreement.

The Commission’s detailed reasons for its decision are set out in Commission Report No.267.

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