

NOTICE 700 OF 2010**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA****TERMINATION OF THE INVESTIGATION INTO THE ALLEGED DUMPING OF
PICKS ORIGINATING IN OR IMPORTED FROM INDIA**

On 23 October 2009, the International Trade Administration Commission of South Africa (the Commission) formally initiated an investigation into the alleged dumping of picks originating in or imported from the Republic of India (hereafter referred to as India). Notice of the initiation of the investigation was published in Notice No.1403 of *Government Gazette* No. 32645 dated 23 October 2009.

The application was lodged on behalf of the Southern African Customs Union (SACU) industry by Ussher Inventions (Pty) Ltd t/a Lasher Tools (the Applicant), being the only manufacturer of the subject product in the SACU, which claimed that the allegedly dumped products are threatening to cause 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, and is threatening to cause material injury to the SACU industry.

On initiation of the investigation, the known foreign producers of the subject product in India were sent foreign manufacturer/exporter questionnaires to complete. Importers of the subject product were also sent questionnaires to complete. No complete responses were received from any exporter or importer.

After considering all parties' comments, the Commission made a preliminary determination that the subject product was being dumped on the SACU market. However, the Commission made a preliminary determination that there is currently no threat of material injury to the SACU industry.

Based on this, the Commission made a preliminary determination to recommend to the Minister of Trade and Industry to terminate the investigation.

The Commission's detailed reasons for its preliminary determination are set out in Commission Report No. 329 (preliminary report).

The Commission's preliminary report was sent to all interested parties for comments. The only comments in disagreement with the preliminary findings were from the Applicant.

After considering the comments, the Commission, on 13 April 2010 indicated that it is considering making a final determination that the subject product is imported from India at dumped prices and that there is currently no threat of material injury to the SACU industry. The Commission requested that this be conveyed to interested parties in an essential facts letter for comment.

On 14 April 2010, essential facts letters were sent to all interested parties inviting them to comment on the Commission's proposed final determination. The only comment received was from the Applicant.

On 8 June 2010, the Commission, after considering all comments received, made a final determination to recommend to the Minister of Trade and Industry to terminate the investigation into the alleged dumping of picks originating in or imported from India.

The Commission's detailed reasons for its decision are set out in Commission Report No. 345 (Final determination).

Enquiries may be directed to the investigating officer, Mr André Zietsman at (012) 394 3673, or at fax (012) 394 0518.