

NOTICE 634 OF 2014

INTERNATIONAL TRADE ADMINISTRATION COMMISSION
NOTICE OF CONCLUSION OF AN INVESTIGATION INTO THE ALLEGED DUMPING
OF FROZEN POTATO CHIPS ORIGINATING IN OR IMPORTED FROM BELGIUM
AND THE NETHERLANDS.

The International Trade Administration Commission of South Africa (the Commission) initiated an investigation into the alleged dumping of frozen potato chips originating in or imported from Belgium and the Netherlands through Notice No. 635 of Government Gazette No. 36575 published on 21 June 2013.

The application was lodged on behalf of the South African Customs Union (SACU) by McCain Foods (SA) (Pty) Ltd., a major producer of frozen potato chips in the SACU, supported by Nature's Choice Products (Pty) Ltd, Lamberts Bay Foods Ltd and Potatoes South Africa. 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.

On initiation of the investigation, the known producers and exporters of the subject product in Belgium and the Netherlands were sent foreign manufacturers/exporters questionnaires to complete. Diplomatic representatives of Belgium, the Netherlands and the European Union were also sent questionnaires to inform unknown producers in Belgium and the Netherlands. Importers of the subject product were also sent questionnaires to complete.

The Commission at its meeting of 10 December 2013, made a preliminary determination, contained in its preliminary report No. 458, to impose provisional payments published through Notice No. R.1024 of Government Gazette No. 37175 on 20 December 2013.

After considering comments from interested parties, the Commission issued essential facts letters that it was considering making a final determination that the subject product originating in or imported from Belgium (excluding those produced by Agristo Harelbeke) and the Netherlands (excluding those excluding those produced by Lam Weston/Meijer) was being dumped into the SACU market, thereby causing material injury to the SACU industry.

After considering comments to the essential facts letters, the Commission made a final determination that the subject product originating in or imported from Belgium (excluding those produced by Agristo Harelbeke) and the Netherlands (excluding those excluding those produced by Lam Weston/Meijer) was being dumped into the SACU market, causing material injury to the SACU industry.

The Commission, therefore, made a recommendation to the Minister of Trade and Industry to impose definitive anti-dumping duties on the subject product originating in or imported from Belgium and the Netherlands.

The Minister of Trade and industry decided to suspend the imposition of the anti-dumping duties until the termination of the safeguard duty on frozen potato chips.

Enquiries may be directed to the investigating officer, Mr Edwin Mkwana at +27 12 394 3742 or Mr Sandile Mantolo at +27 12 394 3902 or Ms Mercy Mukwevho at +27 12 394 3907 and Ms Boniswa Mehlomakulu at +27 394 3818 or at fax number 012 394 0518.