

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 1277 OF 2022

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA (ITAC)**SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON POLYETHYLENE
TEREPHTHALATE (“PET”) ORIGINATING IN OR IMPORTED FROM CHINESE
TAIPEI, THE REPUBLIC OF KOREA (SOUTH KOREA) AND INDIA: FINAL
DETERMINATION**

In accordance with the provisions in the Anti-Dumping Regulations (ADR), any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of imposition, unless the authorities determine, in a review initiated before that date on their own initiative or upon a duly substantiated request made by or on behalf of the domestic industry, that the expiry of the duty would likely lead to the continuation and/or recurrence of dumping and injury.

On 03 July 2020, the International Trade Administration Commission of South Africa (the Commission) notified interested parties through Notice No. 367 of 2020 in *Government Gazette* No. 43495, that unless a substantiated request is made indicating that the expiry of the anti-dumping duties against imports of polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea will expire on 07 July 2021.

A detailed response to the Commission’s sunset review questionnaire was received from Safripol (Pty) Ltd (the Applicant) on 08 April 2021. After all deficiencies were identified and addressed, an updated final application was received on 27 May 2021.

The sunset review investigation was initiated pursuant to Notice No: 369 of 2021 in *Government Gazette* No. 44724, published on 18 June 2021.

Initiation letters to interested parties were sent on 21 June 2021. The due date for responses was 28 July 2021.

The investigation was initiated after the Commission considered that the expiry of the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea would likely lead to the continuation or recurrence of dumping and the recurrence of material injury.

No properly documented responses were received from any of the interested parties identified in the investigation.

After considering all information submitted, the Commission issued essential facts letters indicating that it was considering making a final determination that the expiry of the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea would likely lead to the continuation or recurrence of dumping and the recurrence of material injury. Comments to the “Essential facts” letters were only received from the Applicant.

Considering all the comments received, the Commission made a final determination that the expiry of the anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea would likely lead to the continuation or recurrence of dumping and the recurrence of material injury.

The Commission, therefore, decided to recommend to the Minister of Trade, Industry and Competition that the current anti-dumping duties on polyethylene terephthalate originating in or imported from Chinese Taipei, India and South Korea be maintained.

The Minister approved the Commission’s recommendation. The Commission’s detailed reasons for its decision are set out in Commission’s Report No. 676 (Final determination report).

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