

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION
NOTICE 1398 OF 2022
INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA

NOTICE OF FINAL DETERMINATION OF A SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON UNFRAMED GLASS MIRRORS ORIGINATING IN OR IMPORTED FROM THE REPUBLIC OF INDIA

In accordance with the provisions of Section 53 of the Anti-Dumping Regulations and Article 11.3 of the World Trade Organization Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, any definitive anti-dumping duty shall be terminated on a date not later than five years from its 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 within a reasonable period of time prior to that date, that the expiry of the duties would likely lead to continuation 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 duty against imports of unframed glass mirrors originating in or imported from Republic of India (“India”) would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duty on unframed glass mirrors originating in or imported from the India would expire on 04 August 2021.

PFG Building Glass, a division of PG Group (Pty) Ltd (“the Applicant”) submitted an application to the Commission on 25 February 2021. After all deficiencies were identified and addressed, an updated final application was received on 29 March 2021.

On 08 June 2021, the Commission initiated a sunset review investigation of the anti-dumping duty on unframed glass mirrors, originating in or imported from India through Notice No.371 of 2021 in *Government Gazette* No.44724 on 18 June 2021. The deadline for comment was 27 July 2021.

The investigation was initiated after the Commission considered that the Applicant submitted *prima facie* information to indicate that there is a likelihood of the recurrence of dumping and the recurrence of material injury to the Southern African Customs Union (“SACU”) industry should the current anti-dumping duty expire.

No properly documented responses were received from any of the manufacturers/exporters in India nor from any SACU importers. Comments received from two importers, namely Glass Edge (Pty) Ltd and Amber Bay Investments 71 (Pty) Ltd, were taken into consideration by the Commission

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 duty on the subject product originating in or imported from India would likely lead to the recurrence of dumping and the recurrence of material injury. Comments on the Commission’s “Essential Facts” letters received from interested parties were taken into consideration by the Commission.

Considering all the comments received, the Commission made a final determination that the expiry of the anti-dumping duties on unframed glass mirrors originating in or imported from India would likely lead to the recurrence of dumping and material injury.

The Commission therefore made a final determination to recommend to the Minister of Trade, Industry, and Competition that the current anti-dumping duty on unframed glass mirrors originating in or imported from India, 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. 677 (Final determination report).

Should you have any queries, please do not hesitate to contact us at the following e-mail addresses; Mr Zuko Ntsangani at zntsangani@itac.org.za or Mr Thabelo Tshikomba at TTshikomba@itac.org.za.