

NOTICE 128 OF 2010

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA**

**PRELIMINARY DETERMINATION IN 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.

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).

Interested parties are invited to comment on the Commission's preliminary report.

The Commission will take all the comments on its preliminary report into consideration before making its final determination and recommendation to the Minister of Trade and Industry.

Enquiries may be directed to the investigating officers, Ms Mandie Wagner at telephone (012) 394 3593 and Mr André Zietsman at (012) 394 3673, or at fax (012) 395 0518.