



International Trade Administration Commission of South Africa

Report No. 85

Sunset review of the anti-dumping duties on stainless steel sinks originating in or imported from Egypt, Korea and Malaysia

The International Trade Administration Commission of South Africa herewith presents
its **Report No. 85: SUNSET REVIEW OF THE ANTI- DUMPING DUTIES ON
STAINLESS STEEL SINKS ORIGINATING IN OR IMPORTED FROM EGYPT, KOREA
AND MALAYSIA**



MS N MAIMELA
CHIEF COMMISSIONER

PRETORIA

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INTERNATIONAL TRADE ADMINISTRATION COMMISSION

SUNSET REVIEW OF THE ANTI- DUMPING DUTIES ON STAINLESS STEEL SINKS ORIGINATING IN OR IMPORTED FROM EGYPT, KOREA AND MALAYSIA

The International Trade Administration Commission of South Africa (the Commission) was established on 1 June 2003 in terms of the International Trade Administration Act 2002 (Act 71 of 2002) (the ITA Act), which replaced the Board on Tariffs and Trade Act 1986 (Act 107 of 1986) (the BTT Act). As regards anti-dumping matters the Commission superseded the Board on Tariffs and Trade (the Board) in all respects. For sake of simplicity all references in this report are to the Commission. All references in this report referring to the Commission, and which relate to the period prior to 1 June 2003, should be understood to be a reference to the Board, and all references to the ITA Act, which relates to the period prior to 1 June 2003, should be understood to be a reference to the BTT Act.

1. In accordance with the provisions in Article 11.3 of the World Trade Organisation 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 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 within a reasonable period of time prior to that date, that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and injury.
2. On 30 May 2003, the Board on Tariffs and Trade (the Board) notified all interested parties, through Notice No. 1560 of Government Gazette No. 24893, that unless a request was made by or on behalf of the domestic industry for the duty to be reviewed prior to the expiry thereof, the anti-dumping duties on stainless steel sinks, originating in or imported from Egypt, Korea and Malaysia, would expire on 17 December 2004.

3. The trade representatives of the countries involved were notified and provided with a copy of the notice, which was published in the Government Gazette.
4. All known manufacturers of the subject products in the SACU, as well as the representative organisations were notified and informed that, unless a request to review the anti-dumping duties was made by or on behalf of the domestic industry before 30 June 2003, the Board would recommend to the Minister of Trade and Industry that the duties be terminated on the date of expiry during 2004.
5. Known interested parties were also informed that should a request be submitted before 30 June 2003, that duly substantiating information, as per the Board's Petition Review Questionnaire, should be submitted to the Board by a certain specified date.
6. A request for the Board to consider the initiation of a review in respect of stainless sinks was received within the specified time period from Franke, a manufacturer of stainless steel sinks. However, no substantiating information was received on the specified date for submission.
7. Franke was contacted by the Commission and it was confirmed that the industry would not submit further information and did not wish to pursue the review of the existing anti-dumping duties.
8. In accordance with the procedures set out in Notice No. 1560 of *Government Gazette* No. 24893, the anti-dumping duties on stainless steel sinks, originating in or imported from Egypt, Korea and Malaysia, should therefore be terminated.

RECOMMENDATION:

9. The Commission, therefore, decided to recommend to the Minister of Trade and Industry that the anti-dumping duties on stainless steel sinks, originating in or imported from Egypt, Korea and Malaysia, be withdrawn on the date of the five year expiry of the duty, that is 17 December 2004.