

NOTICE 316 OF 2002

BOARD ON TARIFFS AND TRADE

NOTICE OF FINAL DETERMINATION OF THE SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON SHOVELS AND SPADES, FORKS, HOES, PICKS AND RAKES ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA (PRC)

The Board on Tariffs and Trade (the Board) gave public notice of the initiation of a sunset review of the anti-dumping duty on shovels and spades, garden forks, picks, hoes and rakes, originating in and/or exported from the People's Republic of China (PRC), through Notice No.2703, in Government Gazette No. 20711 dated 17 December 1999. This Notice was subsequently amended by correction Notice No. 263, of *Government Gazette* No. 22011 published on 2 February 2001. The effect of the correction notice of 02 February 2001 was that picks and rakes were included in this investigation since they were omitted from the original Government Gazette Notice.

On 10 May 2000, the Board decided that Lasher Tools a Division of Ussher Inventions (Lasher Tools), the manufacturer of spades and shovels, forks, picks, hoes and rakes in the South African Customs Union (SACU) submitted prima facie information to indicate that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury.

On 01 October 2001, the Board informed interested parties of its intended recommendation. In terms of Article 6.9 of the Anti-Dumping Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, parties were informed of the "essential facts" as set out in the letter of notification, that would be considered by the Board in making its final determination.

On the basis of this information and other submissions made by interested parties, on 11 October 2001 the Board, made a final determination that the expiry of the anti-dumping duty would be likely to lead to a continuation or recurrence of dumping and material injury.

The Board therefore recommended to the Minister of Trade and Industry that the existing anti-dumping duties as set out in the following table be maintained.

Tariff subheading	Description of Product	Country	Anti-dumping duty
8201.10.10	Spades and shovels, of a maximum blade width of more than 200mm but not exceeding 320mm.	People's Republic of China	387c/u
8201.20.10	Forks, with a prong length exceeding 150mm (excluding forks with 8 or more prongs)	People's Republic of China	1056c/u
8201.30.03	Picks	People's Republic of China	788c/u
8201.30.20	Hoes with a working edge of a width not exceeding 320mm	People's Republic of China	59%
8201.30.40	Rakes with more than 8 prongs	People's Republic of China	411c/u

This recommendation was accepted by the Minister of Trade and Industry.

A copy of the Board's report No. 4136 is available on request.

Enquiries may be directed to the investigating officers, Mr J Heukelman or Mr E Mogashoa, at Telephone (012) 428 7721/34