

**NOTICE 489 OF 2008**

**INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF  
SOUTH AFRICA**

**SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON LYSINE ORIGINATING IN OR  
IMPORTED FROM THE UNITED STATES OF AMERICA: FINAL DETERMINATION**

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 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 duty would likely lead to continuation or recurrence of dumping and injury.

On 26 May 2006 the International Trade Administration Commission of South Africa (the Commission) notified the interested parties through Notice No. 673 of 2006 in *Government Gazette* No. 28847, that unless a substantiated request is made indicating that the expiry of the anti-dumping duties on lysine originating in or imported from the United States of America (USA) would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duties on lysine originating in or imported from the USA will expire on 25 January 2007.

The investigation was initiated through Notice No. 6 in *Government Gazette* No. 29521 on 12 January 2007. The investigation was initiated after the Commission considered that there was *prima facie* proof that expiry of the duties would likely lead to the continuation or recurrence of dumping of the subject product originating in or imported from the USA and that there was *prima facie* proof of the likely continuation and/or recurrence of material injury.

After considering all parties' comments and representations in respect of the "essential facts" letters, the Commission made a final determination that the expiry of the duties is likely to lead to the continuation or recurrence of dumping of the subject product originating in or imported from the USA and that the expiry of the duties is likely to lead to the continuation or recurrence of material injury.

The Commission, therefore, recommended to the Minister of Trade and Industry that the anti-dumping duties on lysine originating in or imported from the USA, be maintained.

The Commission's detailed reasons for its decision are set out in Commission Report No.248 (Final report).

**Enquiries may be directed to the investigating officer, Ms Mandie Wagner at (012) 394 3593 or at fax (012) 394 0518.**