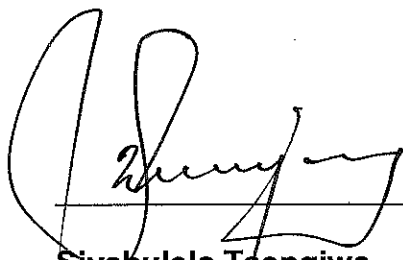


Report No. 307

**TERMINATION OF THE ANTI-DUMPING DUTIES ON ACRYLIC
FABRICS ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S
REPUBLIC OF CHINA**

The International Trade Administration Commission of South Africa
herewith presents its Report No. 307 : TERMINATION OF THE ANTI-
DUMPING DUTIES ON ACRYLIC FABRICS ORIGINATING IN OR IMPORTED
FROM THE PEOPLE'S REPUBLIC OF CHINA

A handwritten signature in black ink, appearing to read 'Siyabulela Tsengiwe', is written over a horizontal line.

Siyabulela Tsengiwe
CHIEF COMMISSIONER

PRETORIA
23/06/ 2009

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

Report No. 307

SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON ACRYLIC FABRICS ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA

1. In accordance with the provisions of Article 11.3 of the World Trade Organisation Agreement on the 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 likely lead to the continuation or recurrence of dumping and injury.
2. On 25 January 2008, ITAC published a notice in the Government Gazette indicating that the anti-dumping duties on acrylic fabrics originating in or imported from the People's Republic of China (PRC) that were imposed on 25 June 2004, would expire on 25 June 2009, unless a substantiated request is made indicating that the expiry of the anti-dumping duties would likely result in the recurrence of injurious dumping.
3. The trade representative of the PRC was notified and provided with a copy of the Government Gazette notice.
4. All known manufacturers of the subject product in the SACU, as well as

their representative associations 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 25 December 2008, the Commission would recommend to the Minister of Trade and Industry that the duties be terminated at the five year expiry date of the duties.

5. On 11 May 2009, a response to the Commission's sunset review questionnaire was received from the Textile Federation, on behalf of the domestic manufacturer and original applicant, Aranda Textiles, indicating that the expiry of the anti-dumping duties on acrylic fabrics originating in or imported from the PRC would likely lead to the continuation or recurrence of dumping and injury.
6. However, the application received was highly deficient as the applicant failed to provide the requisite key information such as the domestic selling price in the exporting country, financial information for the product under consideration to determine material injury, and substantiated estimates of material injury should the duty be removed.
7. Over and above the deficiencies not being rectified, the investigators were in no position to analyse the information provided, conduct the verification exercise, and timeously prepare a merit submission for the Commission's consideration and decision, before the expiry date of the duty, which is 25 June 2009.
8. The Commission, therefore, decided to recommend that the anti-dumping duties on acrylic fabrics originating in or imported from the PRC be withdrawn on 25 June 2009, the five-year expiry date of the duty.

RECOMMENDATION

The Commission therefore recommends that the anti-dumping duties on acrylic fabrics originating in or imported from the PRC be withdrawn at the five year expiry date of the duty, which is 25 June 2009.