

Report No. 127

Termination of the anti-dumping duties on carbon black originating in or imported from Australia

**The International Trade Administration Commission herewith presents its Report
No. 127: SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON CARBON CLACK
ORIGINATING IN OR IMPORTED FROM AUSTRALIA**



CHIEF COMMISSIONER

PRETORIA

19 / 07 2005

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON CARBON BLACK ORIGINATING IN OR IMPORTED FROM AUSTRALIA

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 be likely to lead to the continuation or recurrence of dumping and injury.
2. On 28 May 2004, the Commission notified all interested parties, through Notice No. 947 of Government Gazette No. 26374, that unless a request is made by or on behalf of the SACU industry for the duty to be reviewed prior to the expiry thereof, the anti-dumping duties applicable to carbon black originating in or imported from Australia, will expire on 13 October 2005.
3. The trade representatives of the countries involved were notified and provided with a copy of the Government Gazette notice.
4. All known manufacturers were invited to submit information indicating that the expiry of the anti-dumping duties is likely to lead to the continuation or recurrence of dumping and injury. JLA Corporate Management Consultants, on behalf of Algorax (Pty) Ltd, indicated its intention to submit information in this regard.

5. Known interested parties were also informed that should a request be submitted before 30 June 2004, duly substantiating information, as per the Commission's Applicant Sunset Review Questionnaire, should be submitted to the Commission by 13 April 2005.
6. The Applicant stated that the sole Australian producer has recently ceased operating, and therefore did not provide any information to indicate that the expiry of the duty is likely to lead to the continuation or recurrence of dumping of carbon black originating in or imported from Australia.

RECOMMENDATION:

7. The Commission therefore, decided to recommend to the Minister of Trade and Industry that the anti-dumping duty on carbon black, originating in or imported from Australia be withdrawn on the date of the five year expiry of the duty, that is 13 October 2005.