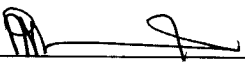


Report No. 149

Termination of the anti-dumping duties on prepared or preserved meat of fowls of the species *Gallus Domesticus* cut in pieces with bone-in, originating in or imported from the United States of America

The International Trade Administration Commission herewith presents its
Report No. 149: TERMINATION OF THE ANTI-DUMPING DUTIES ON
PREPARED OR PRESERVED MEAT OF FOWLS OF THE SPECIES *GALLUS*
DOMESTICUS CUT IN PIECES WITH BONE-IN, ORIGINATING IN OR
IMPORTED FROM THE UNITED STATES OF AMERICA



Ms N.P. MAIMELA
CHIEF COMMISSIONER

PRETORIA

01 / 12 / 2005

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

TERMINATION OF THE ANTI-DUMPING DUTIES ON PREPARED OR PRESERVED MEAT OF FOWLS OF THE SPECIES *GALLUS DOMESTICUS* CUT IN PIECES WITH BONE-IN, ORIGINATING IN OR IMPORTED FROM THE UNITED STATES OF AMERICA

Background

1. On 27 December 2000, final anti-dumping duties were imposed on the importation of prepared or preserved meat of fowls of the species *Gallus Domesticus*, cut in pieces with bone-in, originating in or imported from the United States of America, classifiable under tariff subheading 1602.32. The then Board on Tariffs and Trade, predecessor of the International Trade Administration Commission of South Africa (the Commission) found that the products were dumped on the SACU market causing material injury to the SACU industry.
2. 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.

Discussion

3. 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 on chicken meat portions originating in or imported from the United States of America, will expire on 27 December 2005.
4. 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 27 June 2005.
5. Information in their view substantiating the claim that the expiry of the duties would lead to continuation or recurrence of dumping and material injury was submitted by the South African Poultry Association (SAPA).
6. In the original investigation the anti-dumping duties were imposed on both frozen meat of fowls of the species *Gallus Domesticus*, cut in pieces with bone-in, classifiable under tariff subheading 0207.14 and on prepared or preserved meat of fowls of the species *Gallus Domesticus*, cut in pieces with bone-in, originating in or imported from the United States of America, classifiable under tariff subheading 1602.32.
7. No information was submitted by SAPA on the continuation or recurrence of dumping or material injury on prepared or preserved meat of fowls of the species *Gallus Domesticus*, cut in pieces with bone-in, originating in or imported from the United States of America,

classifiable under tariff subheading 1602.32.

RECOMMENDATION

8. The Commission, therefore, decided to recommend to the Minister of Trade and Industry that the anti-dumping duties on prepared or preserved meat of fowls of the species *Gallus Domesticus*, cut in pieces with bone-in, originating in or imported from the United States of America, classifiable under tariff subheading 1602.32, be withdrawn on the date of the five year expiry of the duty, that is 27 December 2005.