



International Trade Administration Commission of South Africa

Report No. 70

**TERMINATION OF THE ANTI-DUMPING DUTY ON NUTS OF IRON
OR STEEL ORIGINATING IN OR IMPORTED FROM AUSTRALIA**

The International Trade Administration Commission herewith presents its
Report No. 70: TERMINATION OF THE ANTI-DUMPING DUTY ON NUTS OF
IRON OR STEEL ORIGINATING IN OR IMPORTED FROM AUSTRALIA


Ms N.P. Maimela

CHIEF COMMISSIONER

23 July 2004

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

TERMINATION OF THE ANTI-DUMPING DUTY ON NUTS OF IRON OR STEEL ORIGINATING IN OR IMPORTED FROM AUSTRALIA

Background

1. On 06 August 1999, final anti-dumping duties were imposed on the importation of nuts of iron or steel originating in or imported from *inter alia* Australia. The then Board on Tariffs and Trade, predecessor of the International Trade Administration Commission (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 30 May 2003, the Commission notified all interested parties, through Notice No. 1560 of Government Gazette No. 24893, 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 nuts of iron or steel originating in or imported from *inter alia* Australia, will expire on 6 August 2004.

4. Known interested parties were also informed that should a request be submitted before 30 June 2003, duly substantiating information, as per the Commission's Applicant Sunset Review Questionnaire, should be submitted to the Commission by 06 February 2004.
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 Fasteners Manufacturers Association (SAFMA).
6. The Commission considered the information submitted by SAFMA and found that it did not submit *prima facie* information to indicate that the expiry of the duty is likely to lead to continuation or recurrence of dumping of nuts of iron or steel 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 nuts of iron or steel classifiable under tariff subheading 7318.16.90, originating in or imported from Australia, be withdrawn on the date of the five year expiry of the duty, that is 6 August 2004.