

REPORT NO. 713

**SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON CLEAR FLOAT GLASS
ORIGINATING IN OR IMPORTED FROM THE REPUBLIC OF INDONESIA: FINAL
DETERMINATION**

The International Trade Administration Commission of South Africa herewith presents its
**Report No. 713: SUNSET REVIEW OF THE ANTI-DUMPING DUTIES ON CLEAR FLOAT
GLASS ORIGINATING IN OR IMPORTED FROM THE REPUBLIC OF INDONESIA:
FINAL DETERMINATION**



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CHIEF COMMISSIONER**

**PRETORIA
25/04/2023**

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

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SYNOPSIS

On 15 June 2022, the International Trade Administration Commission (“the Commission”) notified interested parties through Notice No. 1087 of 2022 in *Government Gazette* No. 46550, that unless a substantiated request is made indicating that the expiry of the anti-dumping duties on imports of clear float glass (“the subject product”) originating in or imported from Indonesia would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duties on the subject product originating in or imported from Indonesia would expire on 01 February 2023.

PFG Building Glass, a division of PG Group (Pty) Ltd (“the Applicant”) submitted an application to the Commission on 12 August 2022. After all deficiencies were identified and addressed, an updated application was received on 13 September 2022.

The information submitted by the Applicant was verified on 7 September 2022. The verification report was sent to the Applicant on 14 September 2022. A response to the verification report was received on 15 September 2022. A letter confirming that the application was deemed to be properly documented was sent to the Applicant on 08 November 2022.

On 18 November 2022, the Commission initiated a sunset review of the anti-dumping duties on the subject product, originating in or imported from Indonesia through Notice No.1425 of 2022 published in *Government Gazette* No.47526.

The investigation was initiated after the Commission considered that the Applicant submitted *prima facie* information to indicate that there is a likelihood of the recurrence of dumping and the recurrence of material to the Southern African Customs Union (“SACU”) industry should the current anti-dumping duties expire.

Upon initiation of the investigation, the known manufacturers/exporters of the subject product in Indonesia were sent foreign manufacturers/exporters questionnaires to complete. Importers of the subject product were also sent questionnaires to complete.

No properly documented responses were received from any of manufacturers/exporters or importers.

The Commission made a final determination before essential facts that the expiry of the anti-dumping duties on the subject product originating in or imported from Indonesia would lead to the recurrence of dumping and the recurrence of material injury.

On 21 February 2023, essential facts letters were sent to all interested parties, informing them of “essential facts” which were being considered by the Commission and inviting interested parties to comment. Comments on the Commission’s essential facts letters were received from the Applicant on 7 March 2023.

After considering Applicant’s comments on the “essential facts letter”, the Commission made a final determination that the expiry of the anti-dumping duties on the subject product originating in or imported from Indonesia would likely to lead to the recurrence of dumping and the recurrence of material injury.

The Commission noted that this application was brought based on the recurrence of dumping and material injury. It further noted that there were no imports of the subject products from Indonesia during the major part of the period of investigation. It also noted that there were no properly documented responses from the manufacturers of the subject products to provide information on the calculation of normal value and export price and that the determination of the likelihood of the recurrence of dumping, was made on the best

information available, being that provided by the Applicant. In these circumstances, it is the Commission's practise to recommend that the anti-dumping duties be maintained at the current levels. The Commission did not find any compelling reasons to deviate from its practice.

The Commission therefore made a final determination to recommend to the Minister of Trade, Industry and Competition that the current anti-dumping duties on clear float glass originating in or imported from Indonesia be maintained as follows:

Tariff Heading/ Subheading	Description	Imported from or Originating In	Rate of Anti- Dumping Duty
7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2,5 mm but not exceeding 3 mm (excluding optical glass)	Indonesia	45%
7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding optical glass).	Indonesia	10%
7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding optical glass).	Indonesia	12.51%
7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass).	Indonesia	30.5%

1. APPLICATION AND PROCEDURE

1.1 LEGAL FRAMEWORK

This investigation was conducted in accordance with the International Trade Administration Act, 2002 (“ITA Act”), the International Trade Administration Commission Anti-dumping Regulations (“ADR”), read with the World Trade Organisation (“WTO”) Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade, 1994 (“ADA”).

The analytical framework in sunset review investigations

Regulation 54 of the ADR provides that duties shall remain in place for a period not longer than five years or until a sunset review is finalised, if such sunset review is initiated before the lapse of the anti-dumping duty.

Unlike in an original investigation, in a sunset review, ITAC determines whether the removal of the current anti-dumping duty will likely result in the continuation **or** recurrence of dumping and material injury. This is a forward looking analysis. In other words, whereas in an original investigation historical (past) injury and dumping data is analysed and will be the basis for a decision whether to impose an anti-dumping duty, in a sunset review investigation such historical data serves as a point of comparison against which estimates of future performance, if a duty were removed, are evaluated. This focus on estimates is not only because of the nature of such proceedings, but also because past data will likely be skewed, showing positive trends, in response to the duty that was imposed. Accordingly, critical in a sunset review are estimates because this data is key to assessing the (future) impact of removing an anti-dumping duty on a domestic industry.

Regarding estimates, the Anti-Dumping Regulations provide that the SACU industry is required to provide the Commission with information indicating the likelihood of a continuation or recurrence of dumping and injury in the event that the anti-dumping duty is removed.

In terms of injury, the Commission will consider –

- Whether the SACU industry submitted information to prove that there is a likelihood of the continuation of injury (in instances where imports continued after imposition of duties); and/or
- Whether the SACU industry submitted information to prove that there is a likelihood of the recurrence of injury (in instances where the applicant cannot prove that it is experiencing injury at present).

In terms of dumping, the Commission will consider whether the SACU industry submitted information to prove that there is –

- a likelihood of the continuation of dumping (in instances where imports continued after the imposition of duties) and/or
- a likelihood of the recurrence of dumping (in instances where there were no imports after the imposition of duties).

With respect to the determination of a likelihood of recurrence or continuation of dumping and injury, the Appellate Body in US — Corrosion-Resistant Steel Sunset Review noted that, as this likelihood determination is a prospective determination:

“the authorities must undertake a forward-looking analysis and seek to resolve the issue of what would be likely to occur if the duty were terminated”.

In this respect, the Appellate Body pointed to the important difference between original investigations and sunset reviews:

“In an original anti-dumping investigation, investigating authorities must determine whether dumping exists during the period of investigation. In contrast, in a sunset review of an anti-dumping duty, investigating authorities must determine whether the expiry of the duty that was imposed at the conclusion of an original investigation would be likely to lead to continuation or recurrence of dumping.”

Finally, the data that is provided by an applicant in a sunset review, although estimates, are not mere conjecture. Rather the data is normally based on the situation that an applicant faced before anti-dumping duties were imposed.

1.2 APPLICANT

The application was lodged by PFG Building Glass, a division of PG Group (Pty) Ltd (“Applicant”), being the only producer for the subject product in the SACU.

1.3 ACCEPTANCE OF APPLICATION

The application was accepted by the Commission as being properly documented in accordance with ADR 21 on 08 November 2022.

1.4 ALLEGATIONS BY THE APPLICANT

The Applicant alleged that the expiry of the anti-dumping duties on the subject product originating in or imported from Indonesia would likely lead to the recurrence of dumping and the recurrence of material injury.

The Applicant further alleged that as a result of the recurrence of dumping of the subject product from Indonesia, it will experience material injury in the form of:

- (a) Increase in volume of imports
- (b) Decline in sales volume
- (c) Decline in gross and net profit
- (d) Decline in output
- (e) Decline in market share
- (f) Decline in return on investment
- (g) Decline in productivity
- (h) Decline in cash flow
- (i) Decline in capacity utilisation
- (j) Ability to raise capital

1.5 INVESTIGATION PROCESS

The Applicant submitted an application to the Commission on 12 August 2022. The information submitted by the Applicant was verified on 7 September 2022. The

verification report was sent to the Applicant on 14 September 2022. A response to the verification report was received on 15 September 2022.

The Commission initiated an investigation into alleged dumping on clear float glass, originating in or imported from the Indonesia pursuant to Notice No. 1425 of 2022 in *Government Gazette* No. 47526 on 18 November 2022.

Prior to the initiation of the investigation, the trade representatives of the countries concerned were notified of the Commission's intention to investigate, in terms of ADR 27.1. All known interested parties were informed and requested to respond to the questionnaires and the non-confidential version of the application.

1.6 INVESTIGATION PERIODS

The investigation period for dumping is from 1 June 2021 to 31 May 2022, and the injury investigation involves evaluation of data for the period 1 June 2019 to 31 May 2022, and an estimate for 2023 in the event that the anti-dumping duties expire.

The Applicant submitted its application on the basis the recurrence of dumping and the recurrence of material injury, if the anti-dumping duties expire.

The Applicant requested the Commission to therefore apply a forward-looking analysis and seek to resolve the issue of what would be likely to occur if the anti-dumping duties are to be terminated. Thus, the likelihood determination is a prospective determination – recurrence. The Applicant indicated that although data regarding its financial performance was supplied to the Commission for the period 1 June 2019 to 31 May 2022 and the dumping period of investigation would normally be from 1 June 2021 to 31 May 2022, the estimate period in which there is a likelihood of injurious dumping to recur, should the anti-dumping duty be terminated, is from 01 June 2022 to 31 May 2023.

1.7 COMMENTS

The Commission did not receive any comments from interested parties with regard to the application and procedure.

1.8 PARTIES CONCERNED

1.8.1 SACU industry

The Applicant is the only producer for the subject product in the SACU and represents 100 percent of the domestic production.

1.8.2 Responses by Foreign Manufacturers/Exporters/Importers

No responses were received from any of manufacturers/exporters or importers.

Essential facts letters were sent to all interested parties, informing them of “essential facts” which were being considered by the Commission and inviting interested parties to comment. Comment on the essential facts letter were only received from the Applicant.

Comments by the Applicant to the Commission’s essential facts letter

The Applicant stated that it welcomes, agrees with, and supports the Commission’s proposed final determination that the expiry of the anti-dumping duties imposed on clear float glass would likely lead to the recurrence of dumping and the recurrence of material injury of the subject product originating in/or imported from Indonesia.

The Applicant also noted Commission’s consideration of making a final determination to recommend to the Minister of Trade, Industry and Competition to maintain the anti-dumping duties on clear float glass originating in or imported from Indonesia.

The Applicant further stated that new dumping margins presented in the Application have been calculated on the ex-factory and the Free On Board (“FOB”) import prices, which are substantially higher than the existing dumping duty margins. Therefore, to

ensure that there is not a recurrence of material injury, the Applicant requested the Commission to increase the existing residual anti-dumping duty margins to the new dumping margins calculated as percentages of the FOB import prices as set out in its application.

Commission's consideration

The Commission noted that this application was brought based on the recurrence of dumping and material injury. It further noted that there were no imports of the subject products from Indonesia during the major part of the period of investigation. It also noted that there were no properly documented responses from the manufacturers of the subject products to provide information on the calculation of normal value and export price and that the determination of the likelihood of the recurrence of dumping, was made on the best information available, being that provided by the Applicant. In these circumstances, it is the Commission's practise to recommend that the anti-dumping duties be maintained at the current levels. The Commission did not find any compelling reasons to deviate from its practice.

1.9 FINAL DETERMINATION AND RECOMMENDATION

After considering all interested parties' comments on the application and "essential facts letter", the Commission made a final determination that the expiry of the anti-dumping duties on the subject product originating in or imported from Indonesia would likely lead to the recurrence of dumping and the recurrence of material injury.

The Commission made a final determination to recommend to the Minister of Trade, Industry and Competition that the current anti-dumping duties on clear float glass originating in or imported from Indonesia be maintained as follows:

Tariff Heading/ Subheading	Description	Imported from or Originating In	Rate of Anti- Dumping Duty
7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2,5 mm but not exceeding 3 mm (excluding optical glass)	Indonesia	45%
7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding optical glass).	Indonesia	10%
7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding optical glass).	Indonesia	12.51%
7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass).	Indonesia	30.5%

2. PRODUCTS, TARIFF CLASSIFICATION AND DUTIES

2.1 SUBJECT PRODUCT

2.1.1 Description

The subject product is described as clear float glass of a thickness of 2.5 mm or more, but not exceeding 6 mm, described as 3 mm, 4 mm, 5 mm and 6 mm thicknesses (“subject products”).

2.1.2 Like product

In the original investigation the Commission found that the SACU product and the imported product are “like products” for purposes of comparison in terms of Section 1 of the ADR.

2.1.3 Tariff classification

The subject products are classifiable as follows:

Table 2.1.3: Tariff classification

HS Tariff subheading	Description	Statistical unit	Rate of duty					
			General	EU/UK	EFTA	SADC	MERCOSUR	AfCFTA
70.05	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked:							
7005.2	- Other non-wired glass:							
7007.29	-- Other:							
7007.29.17	- - - Of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding solar glass and optical glass)	m ²	10%	free	free	free	10%	8%
7007.29.23	- - - Of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass)	m ²	10%	free	free	free	10%	8%

7007.29.25	- - - Of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass)	m ²	10%	free	free	free	10%	8%
7007.29.35	- - - Of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	m ²	10%	free	free	free	10%	8%

2.1.4 Other applicable duties and rebates

The following anti-dumping duties are currently applicable:

Table 2.1.4: Other applicable duty

Item	Tariff heading	Description	Imported from or originating in	Rate of Anti-Dumping duty
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding solar glass and optical glass)	China	802c/m ²
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness of 3 mm (excluding solar glass and optical glass), manufactured by Guardian Egypt - Egyptian Glass Company SAE	Egypt	27,26%
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding solar glass and optical glass)	India	720c/m ²
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding solar glass and optical glass)	Indonesia	45%
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, with a thickness of 3 mm (excluding solar glass and optical glass)	Saudi Arabia	23,9%
213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, with a thickness of 3 mm (excluding solar glass and optical glass)	United Arab Emirates	16,8%

213.03	7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, with a thickness of 3 mm, produced by Guardian Zoujaj (excluding solar glass and optical glass)	United Arab Emirates	16,8%
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass)	China	802c/m ²
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass), manufactured by Guardian Egypt - Egyptian Glass Company SAE	Egypt	27,26%
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass)	India	886c/m ²
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass) (excluding that manufactured by PT Muliaglass Industrindo and PT Abdi Rakyat Bakti)	Indonesia	10%
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass)	Saudi Arabia	23,9%
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding solar glass and optical glass)	United Arab Emirates	16,8%
213.03	7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 3 mm but not exceeding 4 mm, produced by Guardian Zoujaj (excluding solar glass and optical glass)	United Arab Emirates	16,8%
213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass)	China	802c/m ²
213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass), manufactured by Guardian Egypt - Egyptian Glass Company SAE	Egypt	27,26%

213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass) (excluding that manufactured by PT Muliaglass Industrindo and PT Abdi Rakyat Bakti)	Indonesia	12,51%
213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass)	Saudi Arabia	23,9%
213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding solar glass and optical glass)	United Arab Emirates	16,8%
213.03	7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 4 mm but not exceeding 5 mm, produced by Guardian Zoujaj (excluding solar glass and optical glass)	United Arab Emirates	16,8%
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	China	802c/m ²
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass), manufactured by Guardian Egypt - Egyptian Glass Company SAE	Egypt	27,26%
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but otherwise not worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	India	1387c/m ²
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	Indonesia	30,5%
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	Saudi Arabia	23,9%
213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding solar glass and optical glass)	United Arab Emirates	16,8%

213.03	7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm, produced by Guardian Zoujaj (excluding solar glass and optical glass)	United Arab Emirates	16,8%
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3. SACU INDUSTRY

3.1 INDUSTRY STANDING

The Applicant is the only producer for the subject product in the SACU and represents 100 percent of the domestic production.

The Commission made a final determination that the application can be regarded as being made “by or on behalf of the domestic industry” in terms of Section 7 of the ADR.

4. RECURRENCE OF DUMPING

4.1 METHODOLOGY IN THIS INVESTIGATION FOR INDONESIA

As there were no responses received from any manufacturer/exporter in Indonesia, the Commission made a final determination to use the best information available, as contemplated in ADR 58.2, being the information provided by the Applicant.

4.1.1 Normal Value

In calculating the normal value for Indonesia, an independent consultant, on behalf of the Applicant, obtained a quotation for the domestic selling prices of the subject products in Indonesia.

The normal values were calculated as follows:

HS Code	Thickness (mm)	Price (IDR/m ²)	Rand/ m ²
7005.29.17	3mm	45,509	51.06
7005.29.23	4mm	57,740	64.78
7005.29.25	5mm	71,688	80.43
7005.29.35	6mm	75,138	84.30

No adjustments were made to the normal values as the prices were supplied at an ex-factory level.

4.1.2 Export Price

In calculating the export price for Indonesia, the Applicant stated that there were no imports of the subject products from Indonesia for the 3 mm, 5 mm and 6 mm categories in 2020, 2021 and 2022. However, imports of the subject product in the 4 mm category were recorded in 2021 and 2022. From the Indonesian normal value information obtained, the Applicant indicated that the 4 mm subject product imports

were exported into SACU in 2022 at dumped prices. The Applicant is therefore of the view that if the other subject products categories would have been imported in 2022, such products would also have been imported at dumped prices. The Applicant used this category and applied a 9 percent increase to determine export prices for the 3mm, 5mm and 6mm categories (4mm increased by 9 percent in January 2022).

The export prices were calculated to be as follows:

HS Code	Thickness (mm)	Rand/m ²
7005.29.17	3mm	31.88
7005.29.23	4mm	40.26
7005.29.25	5mm	49.92
7005.29.35	6mm	51.66

4.1.3 Dumping margin

The following dumping margins were calculated:

HS Code	Thickness (mm)	Dumping Margin Percentages
7005.29.17	3mm	60.16%
7005.29.23	4mm	60.90%
7005.29.25	5mm	61.12%
7005.29.35	6mm	63.18%

Based on the above information, the Commission made final determination that the expiry of the duties would likely lead to the recurrence of dumping of the subject product originating in or imported from Indonesia.

4.2 SUMMARY – DUMPING

The Commission made a final determination that there is sufficient information available to indicate that the expiry of the duties is likely to lead to the recurrence of dumping of the subject product from Indonesia.

5. RECURRENCE OF MATERIAL INJURY

The Applicant submitted its application on the basis of the recurrence of material injury if the anti-dumping duties should expire. The Commission therefore applied a forward-looking analysis of what would be likely to occur if the anti-dumping duties are to be terminated. Although the Applicant submitted information regarding its financial performance for the period 1 June 2019 to 31 May 2022, the Commission's analysis focused on the estimates provided, should the anti-dumping duties expire.

5.1 IMPORT VOLUMES AND EFFECT ON PRICES

5.1.1 Import volumes

The following table shows the volume of allegedly dumped imports of the subject product obtained from SARS:

Table 5.1.1: Import volumes

Country	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Alleged dumped imports (Tons):				
Indonesia	0	59	35	15 187
Other imports (Tons)	14 215	6 916	2 944	2 944
Total Imports:	14 215	6 975	2 979	18 131
Alleged imports as a % of total imports:				
Indonesia	0.00%	0.8%	1.1%	83.7%
Other imports as a % of total imports	100%	99.2%	98.9%	16.3%
Total %	100%	100%	100%	100%

The Applicant stated that import volume from Indonesia in 2004, prior to the imposition of the anti-dumping duties was 15 187 tons, and that it can therefore reasonably be expected that if the anti-dumping duties are revoked, the dumped imports from Indonesia would initially again increase to the same volume as in 2004. Therefore, the estimate for the 2023 imports from Indonesia and injury, if the anti-dumping duties are revoked, is based on the import volume in 2004, prior to the imposition of anti-dumping duties.

The 15 187 tons were apportioned, based on the total import volumes in sqm of the respective subject product categories for the period of investigation (“POI”). These sqm volumes per each specific product category were converted to a ton equivalent, which were then added up to get a POI tonnage total. The POI contribution in ton per each category was calculated as a percentage of the total POI tonnage, in order to calculate a weighted average contribution, split among each specific product category. These percentages were then apportioned to the 15 187 tons, to calculate an estimate per each specific product category in ton. The calculated volumes in ton were then converted to sqm, to calculate the estimate sqm volume per each specific product category for the 2023 estimate period.

To substantiate the effect of increased Indonesian imports, the “other imports” volume was kept the same. The estimate for the 2023 volume for “other imports” is the equivalent of the 2022 “Other imports” volume, as obtained from SARS. The total 2023 volume estimate is the sum of the import volumes from Indonesia and other imports. The Applicant is of the view that the Indonesian imports in 2023, if the duties are revoked, will take away market share from the SACU Industry and not from the other importers.

There were no imports of the subject products from Indonesia in 2020, but in 2021 and 2022 there were 6 077 tons and 3 595 tons respectively of the 4 mm subject product category imported from Indonesia. There were no imports of the 3 mm, 5 mm and 6 mm subject product categories from Indonesia for the POI. The total “other imports” volume into SACU of the subject products decreased from 14 215 tons in 2020 to 6 975 tons in 2021, before further decreasing in 2022 to 2 979 tons. In 2023, it is estimated that the import volume of the subject products will increase to 18 131 tons, of which 15 187 tons will be from Indonesia based on the estimate that the same volume as in 2004 will be imported from Indonesia if the anti-dumping duties are revoked.

5.2 Effect on Domestic Prices

5.2.1 Price undercutting

Table 5.2.1: Price undercutting

HS 7005.29.17 (3 mm) (Rand per ton)	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Domestic Selling Price	100.00	117.94	168.33	176.75
Alleged Dumped products				
Import Price FOB	-	-	-	4 780.68
Import Price landed	-	-	-	9 207.85
Price undercutting	N/A	N/A	N/A	No
Price undercutting %	N/A	N/A	N/A	[CONFIDENTIAL] No (No undercutting margin of between 15 and 30 percent.)

HS 7005.29.23 (4 mm) (Rand per ton)	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Domestic Selling Price	100.00	122.32	175.00	183.75
Alleged Dumped products				
Import Price FOB	-	4 318.61	4 137.74	4 510.15
Import Price landed	-	6 848.64	6 571.49	9 001.31
Price undercutting	N/A	No	Yes	No
Price undercutting %	N/A	[CONFIDENTIAL] No (No undercutting margin of between 35 and 50 percent.)	[CONFIDENTIAL] Yes (Undercutting margin of between 0 and 15 percent.)	[CONFIDENTIAL] No (No undercutting margin of between 20 and 35 percent.)

HS 7005.29.25 (5 mm) (Rand per ton)	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Domestic Selling Price	100.00	116.02	164.86	173.11
Alleged Dumped products				
Import Price FOB	-	-	-	4 437.94
Import Price landed	-	-	-	9 025.63
Price undercutting	N/A	N/A	N/A	No
Price undercutting %	N/A	N/A	N/A	[CONFIDENTIAL] No (No undercutting margin of between 20 and 35 percent.)

HS 7005.29.35 (6 mm) (Rand per ton)	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Domestic Selling Price	100.00	117.91	168.08	176.49
Alleged Dumped products				
Import Price FOB	-	-	-	3 859.40
Import Price landed	-	-	-	8 414.94
Price undercutting	N/A	N/A	N/A	No
Price undercutting %	N/A	N/A	N/A	[CONFIDENTIAL] No (No undercutting margin of between 10 and 25 percent.)

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The information available indicates that should the anti-dumping duties expire,

the Applicant will not experience price undercutting. However, this does not mean that the Applicant is price competitive, as its selling prices will still be below the prices required to allow for the realisation of profit, in order to compete with dumped imports.

5.2.2 Price depression

The table below shows the domestic industry's selling price from 2019/2020 to 2021/2022 and an estimate in the event of the duties expiring:

Table 5.2.2: Price depression

Ex-factory selling price in SACU Rand/ton	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
HS 7005.29.17 (3 mm)	100	118	168	177
HS 7005.29.17 (4 mm)	100	122	175	184
HS 7005.29.17 (5 mm)	100	116	165	173
HS 7005.29.17 (6 mm)	100	118	168	176

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The information indicates that although it will not experience price depression should the anti-dumping duties be removed, its selling prices will still be below the prices required to allow for the realisation of profit, in order to compete with dumped imports.

5.2.3 Price suppression

The following table shows the Applicant's cost of production and its selling prices for the subject product for the years 2019/2020 to 2021/2022, and an estimate in the event the duties expire:

Table 5.2.3: Price suppression

HS 7005.29.17 (3 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Selling price (Ex-factory)	R/ton	100	118	168	177
Cost of production (Ex-Factory)	R/ton	100	105	100	118
Gross Profit	R/ton	100	89	59	67
Gross Profit %		100	100	100	100
Cost of production % selling price		100	105	100	118

HS 7005.29.23 (4 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Selling price (Ex-factory)	R/ton	100	122	175	184
Cost of production (Ex-Factory)	R/ton	100	105	100	121
Gross Profit	R/ton	100	86	57	66
Gross Profit %		100	100	100	100
Cost of production % selling price		100	105	100	121

HS 7005.29.25 (5 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Selling price (Ex-factory)	R/ton	100	116	165	173
Cost of production (Ex-Factory)	R/ton	100	104	99	119
Gross Profit	R/ton	100	90	60	69
Gross Profit %		100	100	100	100
Cost of production % selling price		100	104	99	119

HS 7005.29.35 (6 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Selling price (Ex-factory)	R/ton	100	118	168	176
Cost of production (Ex-Factory)	R/ton	100	104	99	125
Gross Profit	R/ton	100	89	59	71
Gross Profit %		100	100	100	100
Cost of production % selling price		100	104	99	125

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The Applicant indicated that it will experience price suppression will occur and increase in 2023, if the anti-dumping duties are removed. A situation will materialise in which prices would have to be reduced or the increased costs

would have to be absorbed by the Applicant in an attempt to retain SACU market share, preventing the required recovery of costs and this would lead to the SACU industry suffering material injury.

5.3.1 Economic factors and indices having a bearing on the state of the industry

5.3.1.1 Actual and potential decline in volumes

The following table shows the Applicant's sales volumes of clear float glass in 2019/2020 to 2021/2022, and an estimate in the event the duty expires:

Table 5.1.3.1 (a) Sales volume

Ton	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
HS 7005.29.17 (3 mm)	100	132	126	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 5 and 20 index points based on the 2020 base value.)
HS 7005.29.23 (4 mm)	100	144	147	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 30 and 45 index points based on the 2020 base value.)
HS 7005.29.25 (5 mm)	100	142	136	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 30 and 45 index points based on the 2020 base value.)
HS 7005.29.35 (6 mm)	100	123	140	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 15 and 30 index points based on the 2020 base value.)

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that if the anti-dumping duties on subject products from Indonesia are removed, it is estimated that its sales volumes will decline, causing the recurrence of material injury to the SACU Industry.

Commission's consideration

The Commission considered that the table above indicates that the sales volume of the Applicant increased for the period 2020 to 2021 because of current anti-dumping duties in place, but that the sales volumes will decrease significantly if the anti-dumping duty is revoked.

Table 5.3.1.1 (b): Sales values

Ton	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
HS 7005.29.17 (3 mm)	100	156	213	212
HS 7005.29.23 (4 mm)	100	176	258	212
HS 7005.29.25 (5 mm)	100	165	224	203
HS 7005.29.35 (6 mm)	100	145	236	142

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The information available indicates that should the anti-dumping duties expire, the Applicant's sales volumes will decline and therefore the sales value will also decline, leading to the recurrence of material injury to the SACU industry.

5.3.1.2 Profit

The following table shows the Applicant's profit before interest and tax for the year 2019/2020 to 2021/2022, and an estimate in the event the duty expires:

Table 5.3.1.2: Profit

HS 7005.29.17 (3 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Product Volumes Sold	ton	100	132	126	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 5 and 20 index points based on the 2020 base value.)
Total Gross profit	Rand	100	355	1 230	1 032
Total Net Profit	Rand	(100)	751	3 338	2 680
Total Gross profit per ton	R/ton	100	268.37	974.02	861.55
Total Net Profit per ton	R/ton	(100)	568.16	2 642.33	2 237.63

HS 7005.29.23 (4 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Product Volumes Sold	ton	100	144	147	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 25 and 40 index points based on the 2020 base value.)
Total Gross profit	Rand	(100)	339	2 042	1 299
Total Net Profit	Rand	(100)	27	475	276
Total Gross profit per ton	R/ton	(100)	234.66	1 387.57	1 125.78
Total Net Profit per ton	R/ton	(100)	18.52	322.94	238.85
HS 7005.29.25 (5 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Product Volumes Sold	ton	100	142	136	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 15 and 30 index points based on the 2020 base value.)
Total Gross profit	Rand	(100)	1 229	7 333	5 182
Total Net Profit	Rand	(100)	23	545	351
Total Gross profit per ton	R/ton	(100)	865.97	5 394.94	4 419.38
Total Net Profit per ton	R/ton	(100)	16.55	401.06	299.54
HS 7005.29.35 (6 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Product Volumes Sold	ton	100	123	140	[CONFIDENTIAL] (A decreasing variance from the 2021 figure, of between 50 and 80 index points based on the 2020 base value.)
Total Gross profit	Rand	(100)	11 611	67 947	29 170
Total Net Profit	Rand	(100)	57	678	258
Total Gross profit per ton	R/ton	(100)	9 415.44	48 407.30	36 243.75
Total Net Profit per ton	R/ton	(100)	46.33	482.99	320.13

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The above tables indicate that should the anti-dumping duties on the dumped subject products from Indonesia be removed, the Applicant's net profit for each of the subject products will decrease to well below the 2022 level, causing the recurrence of material injury to Applicant.

5.3.1.3 Output

The following table outlines the Applicant's domestic production volume of the subject product for the years 2019/2020 to 2021/2022 and estimate in the event the duties expires:

Table 5.3.1.3: Output

	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
HS 7005.29.17 (3 mm)	100	132	126	120
HS 7005.29.23 (4 mm)	100	144	147	115
HS 7005.29.25 (5 mm)	100	142	136	117
HS 7005.29.35 (6 mm)	100	28	140	80

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that if the anti-dumping duties are revoked, the import volumes from Indonesia is expected to increase, to the same volume as in 2004 prior to the imposition of the anti-dumping duties. Therefore, it is expected that the SACU sales volumes of subject products would decline in 2023 if the anti-dumping duties are revoked. Therefore, it is anticipated that the Applicant would have to reduce its production volumes resulting in the loss of sales volumes of the subject products, to prevent increased inventory levels causing the Applicant to again experience material injury.

5.3.1.4 Market share

The following table shows the market share for the subject product for the years 2019/2020 to 2021/2022 and an estimate in the event of the expiry of the duties:

Table 5.3.1.4: Market share (Volume)

HS 7005.29.17 (3 mm)		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant market share	ton	100	100	132	106	126	107	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 0 and 15 index points based on the 2020 base value.)
Other SACU producers	ton	-	0%	-	0%	-	0%	-
Total SACU producers	ton	100	100	132	106	126	107	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 0 and 15 index points based on the 2020 base value.)
Market share: Imports								
Indonesia	ton	-	0.00%	-	0.00%	-	0.00%	[CONFIDENTIAL]
Other countries	ton	4 224	100	1 152	22	509	10	[CONFIDENTIAL]
Total imports	ton	4 224	6.97%	1 152	1.52%	509	0.71%	[CONFIDENTIAL]
Total Market	ton	100	100	125	100	118	100	100
HS 7005.29.23 (4 mm)		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant market share	ton	100	100	144	125	147	131	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 0 and 15 index points based on the 2020 base value.)
Other SACU producers	ton	-	0%	-	0%	-	0%	-
Total SACU producers	ton	100	100	144	125	147	131	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 0 and 15 index points based on the 2020 base value.)

Market share: Imports								
Indonesia	ton	-	0.00%	59	0.17%	35	0.10%	[CONFIDENTIAL]
Other countries	ton	7 773	100	2 537	28	899	10	[CONFIDENTIAL]
Total imports	ton	7 773	100	2 595	29	934	11	[CONFIDENTIAL]
Total Market	ton	100	100	116	100	112	100	100
HS 7005.29.25 (5 mm)		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant market share	ton	100	100	142	111	136	114	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 40 and 55 index points based on the 2020 base value.)
Other SACU producers	ton	-	0%	-	0%	-	0%	-
Total SACU producers	ton	100	100	142	111	136	114	98
Market share: Imports								
Indonesia	ton	-	0.00%	-	0.00%	-	0.00%	[CONFIDENTIAL]
Other countries	ton	1 129	100	549	38	273	20	[CONFIDENTIAL]
Total imports	ton	1 129	100	549	38	273	20	[CONFIDENTIAL]
Total Market	ton	100	100	128	100	120	100	100
HS 7005.29.35 (6 mm)		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant market share	ton	100	100	123	85	140	103	[CONFIDENTIAL] (A decreasing variance from the 2022 figure, of between 40 and 55 index points based on the 2020 base value.)
Other SACU producers	ton	-	0%	-	0%	-	0%	-
Total SACU producers	ton	100	100	123	85	140	103	59
Market share: Imports								
Indonesia	ton	-	0.00%	-	0.00%	-	0.00%	[CONFIDENTIAL]
Other countries	ton	1 090	100	2 678	170	1 264	85	[CONFIDENTIAL]
Total imports	ton	1 090	100	2 678	170	1 264	85	[CONFIDENTIAL]
Total Market	ton	100	100	144	100	136	100	100

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The information available indicates that the sales volumes of the Applicant will decline, if the anti-dumping duties are revoked. Consequently, as a result of the declining sales volumes of the Applicant and the increased imports from Indonesia, the market share of the Applicant will also decline, while the Indonesian market share will increase substantially, causing the Applicant to suffer material injury.

5.3.1.5 Productivity

The following table shows the Applicant's productivity for the subject product for the years 2019/2020 to 2021/2022, and an estimate in the event of the expiry of the duties:

Table 5.3.1.5: Productivity

HS 7005.29.17 (3 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Total production volume	ton	100	132	126	120
Number of employees (Production)	No	25	28	21	25
Ton per employee	ton	4	5	6	5
HS 7005.29.23 (4 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Total production volume	ton	100	144	147	115
Number of employees (Production)	No	25	30	25	24
Ton per employee	ton	4	5	6	5
HS 7005.29.25 (5 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Total production volume	ton	100	142	136	117
Number of employees (Production)	No	25	30	23	25
Ton per employee	ton	4	5	6	5
HS 7005.29.35 (6 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Total production volume	ton	100	28	140	80
Number of employees (Production)	No	25	6	23	17
Ton per employee	ton	4	5	6	5
Subject Products		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Total production volume	ton	400	447	550	433
Number of employees (Production)	No	100	94	92	92
Ton per employee	ton	4	5	6	5

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The Applicant indicated although the cost of production in 2023 is based on the same production volume as in 2022, it is expected that its sales volumes will

decline if the anti-dumping duties are revoked and therefore production levels would eventually have to be reduced to manage the inventory levels.

Should the production decline and the number of employees are not reduced, the same productivity levels cannot be maintained as in 2022 and thus will decline in 2023. Therefore, the Applicant will experience material injury as a result of the revoking of the anti-dumping duties.

However, should the Applicant want to maintain the same productivity as in 2022, it would have to reduce the number of employees, resulting in the Applicant experiencing material injury.

5.3.1.6 Return on investment

The following table shows the Applicant's return on investment on earnings before interest and tax basis, and an estimate in the event the duties expire:

Table 5.3.1.6: Return on investment

All Products (3 mm, 4 mm, 5 mm and 6 mm)		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimates if duties expire
Net profit (product concerned) (Rand)	Rand	(100)	192	1 147	825
Total Investment (product concerned) (Rand)	Rand	100	100	100	100
Net assets (product concerned) (Rand)	Rand	100	86	75	65
Return on Total Investment (%) (product concerned)	Rand	(100)	192	1 147	825
Return on net assets (%) (product concerned)		(100)	224	1 521	1 267

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The above table indicates that should the anti-dumping duties be revoked, a decrease in the return on net assets will occur. This will be due to the decline in sales volumes and values of the Applicant, with the resulting reduction in production realising lower profits, all caused by the increase in dumped import volumes of the subject products from Indonesia re-entering the SACU market. Therefore, there will be a recurrence of material injury to the Applicant.

5.3.1.7 Utilization of production capacity

The following table provides the Applicant's capacity and production for the subject products for the years 2019/2020 to 2021/2022, and an estimate in the event the duties expire:

Table 5.3.1.7: Utilization of production capacity

Clear Float Glass - All product (ton)	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Applicant's glass capacity	100	100	100	100
Applicant's actual production	100	111	126	114
Capacity utilisation %	100	111	126	114

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that if sales volumes decline, as estimated should the dumped imports increase following the expiry of the duties, production will also be reduced to ensure that the inventory levels are not increased. As a result, capacity utilisation will decrease in 2023, causing the Applicant to experience a recurrence of material injury.

5.3.1.8 Actual and potential negative effects on cash flow

The following table provides the Applicant's cash flow for year 2019/2020 to 2021/2022, and an estimate in the event the duties expire:

Table 5.3.1.8: Cash flow

HS 7005.29.17 (3 mm)	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Cash flow: incoming	100	155	194	186
Cash flow: outgoing	100	133	134	140
Net cash flow	100	3 012	8 205	6 253
Debtors (value)	100	156	211	200
Debtors: average days outstanding	100	100	100	100

HS 7005.29.23 (4 mm)	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Cash flow: incoming	100	173	230	186
Cash flow: outgoing	100	160	182	162
Net cash flow	(100)	4 513	17 316	8 464
Debtors (value)	100	176	260	200
Debtors: average days outstanding	100	100	100	100
HS 7005.29.25 (5 mm)	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Cash flow: incoming	100	164	208	182
Cash flow: outgoing	100	141	162	160
Net cash flow	(100)	102	320	64
Debtors (value)	100	165	223	192
Debtors: average days outstanding	100	100	100	100
HS 7005.29.35 (6 mm)	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Cash flow: incoming	100	164	215	132
Cash flow: outgoing	100	113	166	114
Net cash flow	(100)	229	167	8
Debtors (value)	100	145	250	134
Debtors: average days outstanding	100	100	100	100
Total Subject Product	June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Cash flow: incoming	100	160	205	182
Cash flow: outgoing	100	139	149	145
Net cash flow	(100)	1 855	5 025	3 342
Debtors (value)	100	161	225	196
Debtors: average days outstanding	100	100	100	100

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The Applicant stated that based on reduced sales volumes and values that if the anti-dumping duties are revoked, the net cash flow will decline in 2023 compared to 2022 as result of declining sales values and volumes, causing the SACU industry to suffer a recurrence of material injury.

5.3.1.9 Inventories

The Applicant provided the following levels of inventories for 2019/2020 to 2021/2022, and an estimate in the event of the expiry of the duties:

Table 5.3.1.9: Inventories

HS 7005.29.17 (3 mm)		June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Volume	Ton	100	57	50	51
Value	Rand	100	58	59	67
Value per ton	R/ton	100	103	116	130
HS 7005.29.23 (4 mm)		June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Volume	Ton	100	59	121	184
Value	Rand	100	62	143	243
Value per ton	R/ton	100	105	118	132
HS 7005.29.25 (5 mm)		June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Volume	Ton	100	85	155	225
Value	Rand	100	87	179	297
Value per ton	R/ton	100	103	116	132
HS 7005.29.35 (6 mm)		June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Volume	Ton	100	35	85	135
Value	Rand	100	36	118	188
Value per ton	R/ton	100	103	139	139
Total Subject Product		June 2019 – May 2020	June 2019 – May 2020	June 2021 – May 2022	Estimate if duties expire
Volume	Ton	100	57	81	108
Value	Rand	100	59	97	144
Value per ton	R/ton	100	103	120	133

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that should it maintain the same production in 2023 as in 2022, with the estimated increase in dumped imports from Indonesia entering the SACU market if the anti-dumping duties are revoked, the inventory levels are expected to increase to an injurious level.

It further stated that import volumes of the subject product from Indonesia will increase by 15 187 tons which was the volume of imports from Indonesia in 2004, prior to the imposition of the anti-dumping duties. Therefore, as its sales volumes are estimated to decline, it will be forced to reduce production in an attempt to retain inventory levels as close as possible to those of 2022. Therefore, if production

continued at the same level as 2022 without any reduction, whilst sales volumes of the Applicant decline, the inventory levels are estimated to increase, causing the Applicant to suffer a recurrence of material injury.

5.3.1.10 Employment

The following table shows the Applicant's employment level for the years 2019/2020 to 2021/2022 and an estimate in the event duties expire:

Table 5.3.1.10: Employment

Clear Float Glass - All products	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimate if duties expire
Direct labour (units) : production	100	94	92	92
Indirect labour (units) : production	100	122	116	116
Total labour (units) : production	100	105	101	101

***Table information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that it aims to retain the same employment level in 2023 as in 2022. However, should the productivity decrease in 2023 as result of dumped imports from Indonesia, a cutback on production from the 2022 to 2023 would be required to decrease inventory, as sales will decline. As a result of the decline in production, the Applicant will subsequently be forced to reduce production employment, in an attempt to retain the same productivity as in 2022. If the anti-dumping duties against dumped imports of the subject products from Indonesia are removed, its total number of production employees of the subject products is expected to be reduced, in order to maintain the same productivity levels as in 2022. This employment reduction will cause the SACU industry to experience material injury.

5.3.1.11 Wages

Using the production wages and employment figures sourced from the Applicant, its production wages per employee in respect of the subject product are as follows:

Table 5.3.1.11: Wages

Rand	June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimate if duties expire
Direct Wages: Production	100	129	123	131
Indirect Wages: Production	100	65	161	148
SGA Wages: Production	100	118	130	133
Total wages: Production	100	100	103	116

***The information above was indexed using 2019/2020 as base year, due to confidentiality**

The Applicant stated that wages are not an indicator of recurrence of material injury, as wages are expected to increase in line with the CPI margin increase. However, if all employees are retained in the event of the expiry of the duty, the increase in wages will increase production costs further, resulting in material injury being experienced by the SACU industry.

5.3.1.12 Growth

The following table provides the Applicant's growth information for the years 2019/2020 to 2021/2022 and an estimate in the event the duties expire.

Table 5.3.1.12: Growth

HS 7005.29.17 (3 mm)		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant	ton	100		132	100	126	(14)	Confidential
Other SACU producers	ton	-		-	-	-	-	-
Total SACU producers	ton	100		132	100	126	(14)	Confidential
Imports:								
Indonesia	ton	-		-	-	-	-	3 698
Other countries	ton	4 224		1 152	(1)	509	(1)	509
Total imports	ton	4 224		1 152	(1)	509	(1)	4 207
Total SACU Market	ton	100		125	100	118	(21)	118

HS 7005.29.23 (4 mm)								
		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant	ton	100		144	100	147	5	Confidential
Other SACU producers	ton	-		-	-	-	-	-
Total SACU producers	ton	100		144	100	147	5	Confidential
Imports:								
Indonesia	ton	-		59	-	35	(0)	7 102
Other countries	ton	7 773		2 537	(1)	899	(1)	899
Total imports	ton	7 773		2 595	(1)	934	(1)	8 001
Total SACU Market	ton	100		116	100	112	(19)	112
HS 7005.29.25 (5 mm)								
		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant	ton	100		142	100	136	(10)	Confidential
Other SACU producers	ton	-		-	-	-	-	-
Total SACU producers	ton	100		142	100	136	(10)	Confidential
Imports:								
Indonesia	ton	-		-	-	-	-	1 226
Other countries	ton	1 129		549	(1)	273	(1)	273
Total imports	ton	1 129		549	(1)	273	(1)	1 499
Total SACU Market	ton	100		128	100	120	(24)	120
HS 7005.29.35 (6 mm)								
		June 2019 – May 2020	%	June 2020 – May 2021	%	June 2021 – May 2022	%	Estimate if duties expire
Applicant	ton	100		123	100	140	59	Confidential
Other SACU producers	ton	-		-	-	-	-	-
Total SACU producers	ton	100		123	100	140	59	80
Imports:								
Indonesia	ton	-		-	-	-	-	3 162
Other countries	ton	1 090		2 678	1	1 264	(1)	1 264
Total imports	ton	1 090		2 678	1	1 264	(1)	4 425
Total SACU Market	ton	100		144	100	136	(13)	136

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The Applicant indicated that since its sales volumes are expected to decline, should the anti-dumping duties expire, it expects a negative growth in 2023 with regard to all four subject products, while the imports from Indonesia will show substantial growth, which will cause the Applicant to experience material injury.

5.3.1.13 Ability to raise capital or investments

The following table shows the Applicant's ability to raise capital and investment for the years 2019/2020 to 2021/2022, and an estimate in the event the duties expire:

Table 5.3.1.13: Ability to raise capital or investment

All Products		June 2019 – May 2020	June 2020 – May 2021	June 2021 – May 2022	Estimate if duties expire
Total Investment in the subject product	Rand	100	100	100	100
Capital expenditure during year	Rand	100	7	4	-
Total Net assets	Rand	100	86	75	65

*The information above was indexed using 2019/2020 as base year, due to confidentiality

The Applicant stated that reductions in sales/production volumes which are expected should the anti-dumping duties expire, will prevent any further capital investment and increase the risk of the closure of the plant.

5.4 SUMMARY – RECURRENCE OF MATERIAL INJURY

In this industry, the injury is likely to show in volume indicators rather than in price indicators, since the industry has to continuously produce due to the nature of the manufacturing process.

It is evident from the information submitted by the Applicant that although the Applicant is not currently experiencing material injury due to the anti-dumping duties in place, the expiry of these duties will result in the dumped imports again entering the SACU market, resulting in the recurrence of material injury to the Applicant, as it will experience price suppression and a reduction in sales, net profit, output, productivity, market share, return on investment, capacity utilisation, cash flow and the ability to raise capital.

The Commission made a final determination that the expiry of the duties would likely lead to the recurrence of material injury to the SACU industry.

6. SUMMARY OF FINDINGS

6.1 RECURRENCE OF DUMPING

As there were no properly documented responses received from any manufacturer/exporter in Indonesia, the Commission made a final determination to use the best information available to determine the likelihood of recurrence of dumping, as contemplated in ADR 58.2, being the information provided by the Applicant.

The Commission made a final determination that there is sufficient information available to indicate that the expiry of the duties is likely to lead to the recurrence of dumping of the subject products from Indonesia.

6.2 RECURRENCE OF MATERIAL INJURY

The Commission made a final determination that there is sufficient information to indicate that the expiry of the anti-dumping duties would likely lead to the recurrence of material injury to the Applicant as it will experience price suppression and there will be a reduction in sales, net profit, output, productivity, market share, return on investment, capacity utilisation, cash flow and the ability to raise capital.

The Commission therefore made a final determination that the expiry of the anti-dumping duties would likely lead to the recurrence of material injury.

7. FINAL DUTIES

7.1 Amount of duties

The table below is provided for the purposes of comparison between the applicable anti-dumping duties and the calculated anti-dumping margins in the investigation:

Tariff Heading/ Subheading	Description	Imported from or Originating In	Rate of Anti-Dumping Duty	Calculated anti-dumping margin
7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2,5 mm but not exceeding 3 mm (excluding optical glass)	Indonesia	45%	60.16%
7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding optical glass).	Indonesia	10%	60.90%
7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding optical glass).	Indonesia	12.51%	61.12%
7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass).	Indonesia	30.5%	63.18%

Applicant's comments on the essential facts letter

The Applicant stated that new dumping margins presented in the Application have been calculated on the ex-factory and the FOB import prices, which are substantially

higher than the existing dumping duty margins. Therefore, to ensure that there is not a recurrence of material injury, the Applicant requested the Commission to increase the existing residual anti-dumping duty margins, to the new dumping margins calculated as percentages of the FOB import prices as set out in its application.

Commission' consideration

The Commission noted that this application was brought based on the recurrence of dumping and material injury. It further noted that there were no imports of the subject products from Indonesia during the major part of the period of investigation. It also noted that there were no properly documented responses from the manufacturers of the subject products to provide information on the calculation of normal value and export price and that the determination of the likelihood of the recurrence of dumping, was made on the best information available, being that provided by the Applicant. In these circumstances, it is the Commission's practise to recommend that the anti-dumping duties be maintained at the current levels. The Commission did not find any compelling reasons to deviate from its practice.

The Commission made a final determination to the Minister of Trade, Industry and Competition that the existing duties on the subject products originating in or imported from Indonesia be maintained.

8. RECOMMENDATION

The Commission made a final determination that there is sufficient information to indicate that the expiry of the duty would lead to the recurrence of dumping and the recurrence of material injury.

The Commission therefore decide to recommend to the Minister of Trade, Industry and Competition that the current anti-dumping duties on clear float glass originating in or imported from Indonesia be maintained as follows:

Tariff Subheading	Description	Imported from or Originating In	Rate of Anti-Dumping Duty
7005.29.17	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2,5 mm but not exceeding 3 mm (excluding optical glass)	Indonesia	45%
7005.29.23	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 3 mm but not exceeding 4 mm (excluding optical glass).	Indonesia	10%
7005.29.25	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 4 mm but not exceeding 5 mm (excluding optical glass).	Indonesia	12.51%
7005.29.35	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass).	Indonesia	30.5%