
GENERAL NOTICES • ALGEMENE KENNISGEWINGS

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 1209 OF 2022

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

AMENDMENT OF NOTICE NO 1179 OF 2022 IN GOVERNMENT GAZETTE NO 47156 DATED 1 AUGUST 2022: NOTICE OF CONCLUSION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF FROZEN BONE-IN PORTIONS OF FOWLS OF THE SPECIES *GALLUS DOMESTICUS* ORIGINATING IN OR IMPORTED FROM BRAZIL, DENMARK, IRELAND, POLAND AND SPAIN

NOTICE NO 1179 OF 2022 IN GOVERNMENT GAZETTE NO 47156 DATED 1 AUGUST 2022 IS HEREBY REPLACED BY THIS NOTICE

The International Trade Administration Commission of South Africa (“the Commission”) initiated an anti-dumping investigation on frozen bone-in portions of fowls of the species *gallus domesticus* (“the subject product”) originating in or imported from Brazil, Denmark, Ireland, Poland and Spain (“subject countries”) through Notice No. 54 of 2021 in *Government Gazette* No. 44173 dated 05 February 2021.

The investigation was initiated after the Commission considered that there was *prima facie* evidence to show that the subject product was being imported at dumped prices, causing material injury to the SACU industry.

On initiation of the investigation, the known producers and exporters of the subject product in the subject countries were sent foreign manufacturers/exporters questionnaires to complete. Diplomatic representatives of the subject countries were also sent questionnaires to inform unknown producers in those countries. Importers of the subject product were also sent questionnaires to complete.

The Commission at its meeting of 09 November 2021, made a preliminary determination, contained in its preliminary report No. 678, to impose provisional payments published through Notice No. 1631 of 2021 in *Government Gazette* No. 45668 dated 17 December 2021.

After considering comments from interested parties, the Commission issued essential facts letters that it was considering making a final determination that the subject product

originating in or imported from the subject countries was being dumped into the SACU market, thereby causing material injury to the SACU industry.

After considering comments to the essential facts letters, the Commission made a final determination that the subject product originating in or imported from the subject countries was being dumped into the SACU market, causing material injury to the SACU industry.

The Commission, therefore, made a recommendation to the Minister of Trade, Industry and Competition ("the Minister") to impose definitive anti-dumping duties on the subject product originating in or imported from Brazil, Denmark, Ireland, Poland and Spain.

The Minister approved the Commission's recommendation. However, in making its decision, the Minister considered the current rapid rise in food prices in the SACU market and globally and the significant impact this has, especially on the poor, as well as the impact that the imposition of the anti-dumping duties may have on the price of chicken as one of the more affordable protein sources. The Minister, therefore, decided to suspend the imposition of the anti-dumping duties for a period of twelve (12) months or a shorter period of time depending on the prevailing circumstances at the time. Should circumstances in 12 months time warrant the extension of the implementation date, the Minister will undertake timeous consultations with affected parties before doing so. The five(5) year period that the anti-dumping duties may stay in place before the duties lapsed if a sunset review is not initiated, will be counted from the publication date of the notice of 1 August 2022.

Enquiries may be directed to the investigating officer, Mr Busman Makakola at Bmakakola@itac.org.za or Ms Mosa Sebe at Msebe@itac.org.za or Mr Thabelo Tshikomba at TTshikomba@itac.org.za.