

DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION
NOTICE 2238 OF 2028
INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF
SOUTH AFRICA

NOTICE OF FINAL DETERMINATION OF A SUNSET REVIEW OF THE ANTI-DUMPING DUTY ON UNFRAMED GLASS MIRRORS ORIGINATING IN OR IMPORTED FROM THE REPUBLIC OF INDONESIA.

In accordance with the provisions of Section 53 of the Anti-Dumping Regulations and Article 11.3 of the World Trade Organization Agreement on 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 its 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 duties would likely lead to continuation or recurrence of dumping and injury.

On 25 June 2020 the International Trade Administration Commission of South Africa ("the Commission") notified interested parties through Notice No. 387 of 2021 in *Government Gazette* No. 444761, that unless a substantiated request is made indicating that the expiry of the anti-dumping duty against imports of unframed glass mirrors originating in or imported from Republic of Indonesia would likely lead to the continuation or recurrence of dumping and injury, the anti-dumping duty on unframed glass mirrors originating in or imported from the Indonesia would expire on 05 October 2022.

PFG Building Glass, a division of PG Group (Pty) Ltd ("the Applicant") submitted an application to the Commission on 04 April 2022. After all deficiencies were identified and addressed, an updated final application was received on 28 April 2022.

On 22 July 2022, the Commission initiated a sunset review investigation of the anti-dumping duty on unframed glass mirrors, originating in or imported from Indonesia through Notice No.1166 of 2022 in *Government Gazette* No.47061.

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 injury to the Southern African Customs Union ("SACU") industry should the current anti-dumping duty expire.

Upon initiation of the investigation, the known producers/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 exporters and importers of the subject product. However, comments were received from one importer Glass Edge (Pty) Ltd; two exporters, namely PT Asahimas Flat Glass and PT Matahari Silverindo Jaya; Indonesia Glass Association and the Ministry of Trade of the Republic of Indonesia, which were taken into consideration by the Commission.

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.

Essential facts letters were sent to all interested parties on 18 October 2022, 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 on 25 October 2022.

After considering all interested parties' comments on the application and the "essential facts letter", the Commission made a final determination that the expiry of the anti-dumping duty 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, therefore, decided to recommended to the Minister of Trade, Industry and Competition that the current anti-dumping duties on unframed glass mirrors originating in or imported from Indonesia be maintained.

The Minister approved the Commission's recommendation. The Commission's detailed reasons for its decision are set out in Commission's Report No. 705 (Final determination report).

Should you have any queries, please do not hesitate to contact us at the following e-mail addresses; Mr Zuko Ntsangani at zntsangani@itac.org.za or Mr Brian Same at bsame@itac.org.za.

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