



Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA
REPUBLIEK VAN SUID-AFRIKA

Vol. 438

Pretoria, 13 December 2001
Desember

No. 22947



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GENERAL NOTICE

NOTICE 2381 OF 2001

BOARD ON TARIFFS AND TRADE

NOTICE OF FINAL TERMINATION OF AN INVESTIGATION INTO THE ALLEGED DUMPING AND/OR SUBSIDISED EXPORT OF FOOTWEAR ORIGINATING IN OR IMPORTED FROM INDIA

The Board on Tariffs and Trade (the Board) gave public notice of its investigation into the alleged dumping and/or subsidised export of footwear originating in or imported from India in *Government Gazette* No. 21549 dated 15 September 2000 (Notice Nos. 3201 and 3203).

On the basis of the information available, the Board made a preliminary determination that the subject product was being dumped on the SACU market and also exported at subsidised prices and as a result these imports were causing material injury to the SACU industry. The Board, therefore, requested the Commissioner for South African Revenue Service to impose provisional payments on the subject products originating in or imported from India, to prevent further injury to the SACU industry during the finalisation of the investigation. The provisional anti-dumping and countervailing duties were imposed pursuant to Notice Nos. R. 621 and R622, which were published in *Government Gazette* No.22450 on 6 July 2001.

The Board's detailed reasons for its decision were set out in Board Report No.4118 (preliminary report), which was forwarded to interested parties for comments.

After considering all parties' comments and representations in respect of the preliminary report, the Board made a final determination, as contained in its Report No. 4145, to terminate the investigation, which was accepted by the Minister of Trade and Industry.

The Board made a final determination that the subject product was being dumped on the SACU market and also exported at subsidised prices and that the SACU industry

was suffering material injury. The Board, however, found that although there was some degree of causal link between the dumping and/or subsidised imports and the material injury experienced by the SACU industry, the decline in the imports of the dumped and/or subsidised product, the relatively small quantum of such imports as a percentage of the total imports and the decline in the market share of the dumped and/or subsidised imports, materially detracted from the causal link. The Board, therefore, found that there was not a sufficient causal link between the dumping and/or subsidised imports and the material injury experienced by the SACU industry.

The Board, therefore, recommended to the Minister of Trade and Industry that the investigation into the alleged dumping and/or subsidised export of footwear originating in or imported from India, be terminated.

Based on the report and the information submitted, the Minister of Trade and Industry approved the Board's recommendation that the investigation be terminated.

Enquiries may be directed to the investigating officers, Ms Mandie Wagner at telephone (012) 428-7729 and Ms Edith Rakgole at (012) 428-7733, or at fax no. (012) 428-7736.

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