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GENERAL NOTICE

DEPARTMENT OF TRADE AND INDUSTRY

NOTICE 77 OF 1999

NOTICE OF PRELIMINARY DETERMINATION IN RESPECT OF THE INVESTIGATION INTO THE ALLEGED DUMPING OF ROCK WOOL AND ARTICLES THEREOF ORIGINATING IN AND/OR EXPORTED FROM THE NETHERLANDS

The Board on Tariffs and Trade (the Board) gave public notice of its investigation into the alleged dumping of rock wool and articles thereof originating in and/or imported from the Netherlands in Notice No. 766 of Government Gazette No. 18887 on 15 May 1998.

On the basis of the information available the Board made a preliminary determination that:

The product

The products produced by the Southern African Customs Union (SACU) industry are like products to those originating in and/or imported from the Netherlands. Conlit which was not manufactured by the SACU industry was, however, excluded from the investigation.

Dumping

The Board found that there was dumping and the weighted average dumping margin for rock wool wire matts, slabs and blocks originating in and/ or exported from the Netherlands was calculated to be 9.13%.

Material injury or a threat thereof

It was found that the SACU industry suffered material injury in respect of pipe sections, but not in respect of wire matts and slabs. Since the importer did not import pipe sections, but only blocks which are subsequently cut into pipe sections, the comparison was done on blocks (imported) compared with slabs (produced by the Petitioner) as the Board found that blocks and slabs cost the same to produce per unit of weight, by the exporter. It was also found that insufficient evidence was submitted to support a claim of a threat of material injury.

Causality

It was found that the injury on pipe sections was directly linked to the importation of blocks.

Price disadvantage

As the Board applies the lesser duty rule, any dumping duty should not be more than the amount of the price disadvantage. The ex factory price of the Petitioner in respect of slabs was compared to the landed cost of blocks. No price disadvantage was found.

Conclusion

The BTT therefore made a preliminary determination to recommend to the Minister of Trade and Industry that the investigation into the alleged dumping of rock wool and articles thereof originating in and/or exported from the Netherlands be terminated. A final recommendation to the Minister of Trade and Industry will however, only be made after the Board has considered all interested parties' comments on the preliminary determination and further representations, made within the time limit specified below.

All interested parties have 30 days from date of publication of this notice to respond to the BTT's preliminary determination. Report No 3917 containing the reasons for the BTT's preliminary decision is available on request.

Enquiries may be directed to the investigating Officers, Mr J Heukelman at telephone (012) 3109817 or Mr A Strydom at telephone (012) 3109610.

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