

NOTICE 995 OF 2008**INTERNATIONAL TRADE ADMINISTRATION COMMISSION****ANTI-DUMPING DUTIES EXPIRING DURING 2009**

In accordance with the provisions in Article 53.1 of the Anti-Dumping Regulations, any definitive anti-dumping duty shall be terminated on a date not later than five years from the date of 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, that the expiry of the duty would likely lead to continuation or recurrence of dumping and injury.

The International Trade Administration Commission (ITAC) hereby notifies all interested parties that, unless a duly substantiated request is made by or on behalf of the SACU industry, indicating that the expiry of the duty would likely lead to continuation or recurrence of dumping and injury, the following anti-dumping duties will expire during 2009:

	PRODUCT	COUNTRY	DATE OF IMPOSITION OF THE DUTY	DATE OF EXPIRY OF DUTY
1	Uncoated woodfree paper	Brazil, Poland	20/02/04	19/02/09
2	Float glass	China, India	05/11/04	04/11/09
3	Flat glass	China, India	05/11/04	04/11/09

PROCEDURAL FRAMEWORK

The Commission will conduct its investigation in accordance with the relevant sections of the ITA Act, the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 (the Anti-Dumping Agreement) and the Anti-Dumping Regulations of the International Trade Administration Commission of South Africa (ADR). Both the ITA Act and the ADR are available from the Commission's website (www.itac.org.za) or from the Trade Remedies section, on request.

Manufacturers in the Southern African Custom Union (SACU) of the subject products listed above, who wish to submit a request for the duty to be reviewed prior to the expiry thereof, are requested to do so within the time limit set out below. In instances where no reply is received from the SACU manufacturers within these time limits, the Commission will recommend the termination of the duties on the date of expiry.

SACU manufacturers, who do submit a request within the time limit set out below, are requested to submit duly substantiated information, indicating that the expiry of the duty would likely lead to continuation or recurrence of dumping and material injury, to the Commission, on or before the dates as specified below:

	PRODUCT	COUNTRY	DATE OF IMPOSITION OF THE DUTY	DATE OF SUBMISSION
1	Uncoated woodfree paper	Brazil, Poland	20/02/04	30/09/08
2	Float glass	China, India	05/11/04	04/05/09
3	Flat glass	China, India	05/11/04	04/05/09

The Commission will consider the information submitted in order to determine whether *prima facie* evidence exist to justify the initiation of a review. Should the Commission decide to initiate a review, notice will be given in the Government Gazette in terms of which other interested parties, being exporters and importers of the subject products, will be requested to comment and provide information.

CONFIDENTIAL INFORMATION

Please note that if any information is considered to be confidential then a non-confidential version of the information must be submitted for the public file, simultaneously with the confidential version. In submitting a non-confidential version the following rules are strictly applicable and parties must indicate:

- Where confidential information has been omitted and the nature of such information;
- Reasons for such confidentiality;

- A summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

This rule applies to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed in the public file and be made available to other interested parties.

If a party considers that any document of another party, on which that party is submitting representation, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representation, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representation on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Section 2.3 of the ADR provides as follows:

"The following list indicates "information that is by nature confidential" as per section 33(1) (a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):

- (a) management accounts;*
- (b) financial accounts of a private company;*
- (c) actual and individual sales prices;*
- (d) actual costs, including cost of production and importation cost;*