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# Government Gazette Staatskoerant

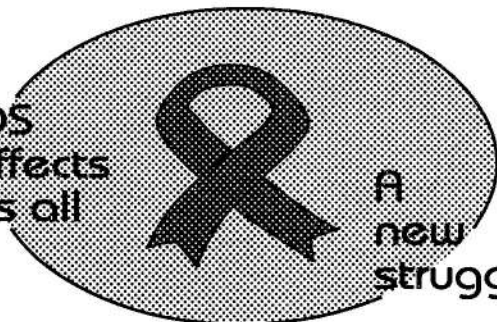
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PRETORIA, 15 JUNE  
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No. 21277

**We all have the power to prevent AIDS**

AIDS  
affects  
us all



A  
new  
struggle

**Prevention is the cure**

**AIDS  
HELPUNE**

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DEPARTMENT OF HEALTH

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## GENERAL NOTICE

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### NOTICE 2207 OF 2000

### BOARD ON TARIFFS AND TRADE

#### **NOTICE OF INITIATION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF DOOR LOCKS AND DOOR HANDLES ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA**

The Board on Tariffs and Trade (the Board) received a petition alleging that door locks and door handles originating in or imported from The People's Republic of China (PRC) are being dumped on the Southern African Customs Union (SACU) market, causing material injury to the SACU industry concerned.

#### **THE PETITIONER**

The petition was lodged by Viro Locks (SA) (Pty) Ltd, the domestic manufacturer of the product under investigation in the SACU. The Petitioner alleges that it cannot compete with the low prices charged by the importers and that the allegedly dumped products are causing material injury and/or a threat of material injury. The Petitioner submitted sufficient evidence and established a *prima facie* case to enable the Board to arrive at a reasonable conclusion that an investigation should be initiated on the basis of dumping, material injury and causality.

#### **THE PRODUCT**

The product allegedly being dumped is door locks and door handles, being locks, with or without handles, of a kind designed to be fitted to doors, classifiable under tariff subheading 830140.00 and door handles, classifiable under tariff subheading 830241.00, which together make up a lockset. The handles, including the backplate, may be completely zinc diecast, or the handles may be zinc diecast and the backplate made from steel.

### **THE ALLEGATION OF DUMPING**

The allegation of dumping is based on the comparison between the normal value and the export price. The PRC is considered to be a country with a non-market economy and therefore Section 1(2) of the BTT Act applies. Turkey was used as a surrogate country for the PRC, as the industries were considered to be at a similar level of development and the information was accessible. The normal value was determined based on documentary proof of the domestic selling price of a manufacturer of locksets in Turkey. The export price was determined based on an FOB export price from the PRC to the SACU. On this basis, the Board found that there was *prima facie* proof of dumping.

### **THE ALLEGATION OF MATERIAL INJURY**

The Petitioner alleges and submitted sufficient evidence to show that there is price undercutting and that the imports in question are suppressing and depressing its selling prices. The Petitioner's information indicated a decline in sales, profit margins (to a loss situation), output, market share, productivity and capacity utilisation. It was also evident that the decrease in market share has been at the expense of a corresponding increase in the market share of the allegedly dumped goods. On this basis the Board found that there was *prima facie* proof of material injury and causal link.

### **PERIOD OF INVESTIGATION**

The period of investigation for purposes of determining the dumping margins in the respective exporting countries or countries of origin will be from 1 July 1998 to 30 June 1999. The period of investigation for purposes of determining injury will be for the years 1997, 1998 and 1999. If there are subsequent events that are relevant to injury the Board may later request and consider further, more recent information.

### **PROCEDURAL FRAMEWORK**

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Board has begun an investigation in terms of section

4 of the Board on Tariffs and Trade Act, 1986 (the BTT Act). The Board will conduct its investigation in accordance with the BTT Act and the World Trade Organisation Agreement on Implementation of Article VI of the GATT 1994 (the Anti-Dumping Agreement). A copy of the Anti-Dumping Agreement is available from the Board's office on request.

In order to obtain the information it deems necessary for its investigation, the Board will send non-confidential versions of the petition and questionnaires to all known importers and exporters, and known representative associations. The trade representatives of the exporting countries have also been notified. Importers, exporters and other interested parties are invited to contact the Board as soon as possible in order to determine whether they have been listed and have been sent the relevant documents. If not, they should immediately ensure that they are sent copies. The questionnaire has to be completed and any other representations must be made within the time limit set out below.

#### **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 parties and to all correspondence with and submissions to the Board, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other

period to respond and by prior arrangement with the Directorate. Such oral representations must be made within the same period as the written representations, unless prior written consent of the Board has been obtained for the oral representations to be made at a later date, which shall in any event not be later than 14 days after the written representations have been submitted. Oral representations will be limited to one hour for SACU manufacturers and exporters and thirty minutes for importers.

If the required information and arguments are not received in a satisfactory form within the time limit specified above, or if verification of the information cannot take place, the Board may disregard the information submitted and make provisional or final findings on the basis of the facts available to it.

**Enquiries may be directed to the investigating officers, Mr Greg Kuhn at telephone (012) 310-9610 and Mr Ebenezer Tladi at (012) 310-9826.**

[BTT Ref. T5/2/6/2/1]

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