

駐南非代表處經濟組 函

受文者：經濟部國際貿易署

發文日期：中華民國113年12月9日

發文字號：南非經字第1133010105號

速別：普通件

密等及解密條件或保密期限：

附件：如文（南非經1133010105_Attach1.pdf、南非經1133010105_Attach2.pdf）

主旨：續陳報有關南非公告對自中國大陸、日本及台灣進口熱軋之鋼鐵扁軋製品實施反傾銷調查案，謹報請鑒察。

說明：

一、依據南非國際貿易管理委員會(International Trade Administration Commission of South Africa，以下簡稱ITAC)本(113)年12月5日致本處電子郵件及附件(如附件1與附件2)辦理。另本組本年10月9日南非經字第1133010085計蒙鈞察。

二、來函及附件略以：

(一)南非政府本年9月20日第51271公報第2730公告初步認定，調查期間旨揭產品(7208.10、7208.25、7208.26、7208.27、7208.36、7208.37、7208.38、7208.39、7208.51、7208.52、7225.30及7225.40等)輸銷南部非洲關稅同盟(SACU)地區導致該地區產業產生嚴重損害，爰有採取反傾銷調查之必要。

(二)本案申請人為Arcelor Mittal南非分公司，對從中國大陸、日本與我國進口之旨揭產品進行調查。另斐商

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Columbus Stainless Steel亦同意此次調查案。上述兩家公司佔SACU地區前揭產產品之所有生產量

- (三) ITAC前邀請各國受影響之產業於本年10月28日南非時間前提交調查問卷，俾利後續完成最終調查報告。最後共計收到14南非當地進口商、1家日本生產商與 32 家中國大陸之生產商、貿易商及出口商之回復資料。我國則無任何公司提供資料。
- (四) ITAC於本年12月2日會議表示，因中國大陸出口商數量眾多，因此做出將調查範圍限制在中國大陸合理出口商數量(reasonable number of exporters)之決定（亦稱抽樣(sampling)），且使用合理出口商數量一詞是指外國生產商(producer/exporters)，從而排除所有非生產之出口商(non-producing exporters)。
- (五) 此外，ITAC將確保進行抽樣之外國生產商/出口商之數量於該國產業具有代表性，或其數量之百分比已達一定數量門檻。由於該抽樣係對中國大陸業者，所以對來自日本之生產商/出口商會另決定反傾銷稅率。
- (六) ITAC將要求外國生產商/出口商提供其在傾銷調查期間向 SACU 之總出口量、出口產品及其稅號、估計產能與產量等資料。ITAC將視上述資料為機密，惟亦將視需要提供上述資料相關利害關係人。
- (七) 相關廠商應在 7日內(亦即12月12日)將上述相關資料透過電子郵件提交至ITAC。ITAC收件人及調查官連絡方式如下：

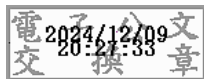
1、收件人：Trade Remedies II, International Trade

Administration of South Africa (ITAC)

2、調查官連絡方式：Mr. Edwin Mkwanazi，電話：
+27123945848，電子郵件：emkwanazi@itac.org.
za。

正本：經濟部國際貿易署

副本：



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Mr Wei-Chung Chou
Taiwan Liaison Office
259 Baines Street
Hatfield
Pretoria

Dear Mr. Chou,

INVESTIGATION INTO THE ALLEGED DUMPING OF CERTAIN FLAT-ROLLED PRODUCTS OF IRON, NON-ALLOY OR OTHER ALLOY STEEL OF A WIDTH OF 600MM OR MORE, WHETHER OR NOT IN COILS (INCLUDING PRODUCTS CUT-TO-LENGTH), NOT FURTHER WORKED THAN HOT-ROLLED, INCLUDING PICKLED AND OILED, HOT ROLLED, NOT CLAD, PLATED OR COATED, (EXCLUDING STAINLESS AND GRAIN-ORIENTED SILICON ELECTRICAL STEEL) ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA, CHINESE TAIPEI, AND JAPAN.

As you are aware, the International Trade Administration Commission of South Africa (the Commission) through General Notice 2730 of 2024, published in Government Gazette Number 51271 on 20 September 2024, initiated an investigation into the alleged dumping of certain flat-rolled products of iron, non-alloy or other alloy steel of a width of 600mm or more, whether or not in coils (including products cut-to-length), not further worked than hot-rolled, including pickled and oiled, hot rolled, not clad, plated or coated, (excluding stainless and grain-oriented silicon electrical steel) originating in or imported from the People's Republic of China (PRC), Taiwan, and Japan. The investigation was initiated following a properly documented application by Arcelor Mittal South Africa (AMSA) (the Applicant), supported by Columbus Stainless Steel (Pty) Ltd. (Columbus), which together constitute 100% of SACU's domestic production of the subject product (classifiable under tariff sub-headings 7208.10, 7208.25, 7208.26, 7208.27, 7208.36, 7208.37, 7208.38, 7208.39, 7208.51, 7208.52, 7225.30 and 7225.40).

Following the initiation of the investigation the Commission received numerous responses comprising of 14 importers, 1 foreign producer response (inclusive of related traders and exporters) from Japan and 32 responses (inclusive of foreign producers, traders and exporters) from the PRC. There were no responses received from Taiwan.

Due to the large number of exporters from the PRC, the Commission at its meeting of 02 December 2024, made a determination to limit its examination to a reasonable number of exporters (a process commonly referred to as “sampling”) from the PRC in accordance with South Africa’s Anti-Dumping Regulation (ADR) 8.6. The Commission further determined that the reasonable number of exporters will be determined on volume terms in accordance with ADR8.6(a), “the largest percentage of exports” from the PRC, “which can be reasonably be investigated”.

The Commission wishes to emphasise that the use of the words “reasonable number of exporters”, refers to foreign producers, thereby excluding “all non-producing exporters”. Also, the interchangeable use of the words foreign producers/exporters excludes “all non-producing exporters” as the focus of the investigation into the existence of dumping, is based on the pricing behaviour of producers, notwithstanding the existence of known exporters responsible for making the export sales under investigation.

The Commission will, in addition, ensure that the foreign producers/exporters accounting for that volume are representative of the industry in the exporting country, or that the percentage of the volume represented by the foreign producers/exporters selected for the sample reaches some quantitative threshold. It should be noted that the sampling decision is for foreign producers/exporters from the PRC. Therefore, the Commission will determine an individual margin of dumping for the foreign producer/exporter from Japan.

In making the decision to sample PRC exporters, the Commission considered that with the current resources (investigation team) deployed, and the number of responses received from the PRC exporters, it would make it impracticable to complete the investigation within the required 18-month period. It was further considered that even if sufficient additional resources (investigators) were available, this would not be an efficient use of ITAC’s limited resource as it could materially delay other investigations.

Following the Commission’s decision to conduct sampling, it will be consulting with foreign producers/exporters in its selection of “the relevant exporters” in accordance with ADR8.7. Although the ADR only makes provision for consultation with exporters, all other participating interested parties may make submissions and comments regarding the Commission’s decision, and throughout the consultation process.

In its consultation process with foreign producers/exporters, the Commission will request foreign producers/exporters selected, to make available to all interested parties their total export volumes to SACU during the period of investigation for dumping, the applicable tariff sub-headings of exports to SACU and their estimated capacity and production (e.g. 0 – 5 000 000 metric tons a year, etc.). It is noted that the above exporters’ information is confidential. However, due to the sampling decision taken by the Commission and in consultation with exporters, the Commission may require that all foreign producers/exporters and interested parties have access to such information for their consideration and in order demonstrate that the selection of foreign producers/exporters conforms to ADR 8.6(a).

Interested parties are therefore invited to make submissions regarding the Commission's decision on sampling, and these submissions including non-confidential copies, should be submitted not later than 7 days from the date of this correspondence. The submissions should be done electronically (via email) to the investigation officers, for the attention of the Senior Manager: Trade Remedies II. Late submissions will not be accepted except with the prior written consent of the Commission.

Should you have any queries, please do not hesitate to contact the investigating officers: Mr. Edwin Mkwazi at email address emkwazi@itac.org.za, Ms. Portia Chuma at email address pchuma@itac.org.za, Ms. Phindile Mabona at email address pmabona@itac.org.za, or Ms. Azwitamisi Mathada at email address amathada@itac.org.za.

Yours Sincerely

A handwritten signature in black ink, appearing to be 'AC', with a long horizontal stroke extending to the right.

MR AYABONGA CAWE
CHIEF COMMISSIONER
Date: 5/11/2024