DEPARTMENT OF TRADE, INDUSTRY AND COMPETITION

NOTICE 4152 OF 2026

INTERNATIONAL TRADE ADMINISTRATION COMMISSION

NOTICE OF INITIATION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF POLYETHYLENE TEREPHTHALATE CLASSIFIABLE UNDER TARIFF SUBHEADING 3907.6 ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA AND PRODUCED BY THE JIANGSU SANFANGXIANG GROUP OF COMPANIES, COMPRISING OF JIANGYIN XINGYU NEW MATERIAL CO., LTD., JIANGYIN XINGTAI NEW MATERIAL CO., LTD., AND JIANGSU XINGYE PLASTIC CO., LTD. , THE ARAB REPUBLIC OF EGYPT AND THE SULTANATE OF OMAN

The International Trade Administration Commission of South Africa ("the Commission") accepted an application alleging that Polyethylene Terephthalate ("PET") originating in or exported from the People's Republic of China ("PRC") and produced by the Jiangsu Sanfangxiang Group of companies, comprising of Jiangyin Xingyu New Material Co., Ltd, Jiangyin Xingtai New Material Co., Ltd and Jiangsu Xingye Plastic Co., Ltd (the "JS Group"), the Arab Republic of Egypt ("Egypt") and the Sultanate of Oman ("Oman") is being dumped into the Southern African Custom Union ("SACU") market, causing material injury and/or threatening to cause material injury to the SACU industry concerned.

THE APPLICANT

The application is lodged by Safripol (Pty) Ltd., ("Safripol" or "the Applicant"), a major producer of virgin PET in the SACU. Safripol, represents a major proportion of the total SACU production of the subject product.

The Applicant submitted sufficient evidence and established a *prima facie* case to enable the Commission to arrive at a reasonable conclusion that an investigation should be initiated on the basis of dumping, material injury, threat of material injury and causality.

THE PRODUCT

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The product allegedly being dumped is virgin polyethylene terephthalate ("PET") classifiable under tariff sub-heading 3907.6. The subject product originates in or is imported from the PRC and produced by the JS Group, Egypt and Oman.

THE ALLEGATION OF DUMPING

The dumping allegation is based on comparing the provided normal values and the export prices from the PRC by the JS Group, Egypt and Oman. The Commission made a determination that normal values be determined based on export prices to third countries for Egypt and Oman, and domestic market prices for the PRC on the subject product produced by the JS Group.

The Commission considered that the JS Group was excluded from the imposition of anti-dumping duties in the original investigation because its margin of dumping was found to be *de minimis*. In accordance with Article 5.8 of the World Trade Organization's ("WTO") Anti-Dumping Agreement ("ADA"), that investigation was therefore terminated in respect of the JS Group, and the JS Group was not subject to the subsequent sunset review. The Commission further considered that the JS Group's *de minimis* margin of dumping in the original investigation does not preclude it being subject to a subsequent new anti-dumping investigation, provided that such investigation is based on new facts and a new period of investigation ("POI") and that the applicable requirements for initiation under the ADA and the Anti-Dumping Regulations of the International Trade Administration Commission ("ADR") are satisfied.

The Commission made a determination that export prices from the PRC by the JS Group, Egypt and Oman be based on official import statistics from the South African Revenue Service ("SARS").

On this basis, the Commission found that there was *prima facie* proof of dumping of the subject product originating in or imported from the PRC by the JS Group, Egypt and Oman.

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THE ALLEGATION OF INJURY

The Commission made a determination to cumulatively assess the impact of imports from the PRC produced by the JS Group, Egypt and Oman.

The Applicant submitted *prima facie* evidence to show price undercutting, price suppression and price depression. The Applicant's information also indicated declines in sales volumes, output, productivity, capacity utilisation, profits, cash flow, market share, growth, return on investment, capital investment and an increase in inventory levels.

On this basis, the Commission found that there was *prima facie* proof of material injury.

THE ALLEGATION OF THREAT OF MATERIAL INJURY

The Applicant submitted information alleging that there is freely disposable capacity or an imminent substantial increase in PET capacity in the PRC by the JS Group, Egypt and Oman, a significant increase of allegedly dumped imports into the SACU market, the subject product is entering the SACU market at prices that will have a significant depressing and suppressing effect on SACU prices, there is an increase in the exporters' inventories, and the state of economies of the countries of export/origin and its influence on the operations of manufacturers and exporters.

On this basis, the Commission found that there was *prima facie* proof of a threat of material injury.

CAUSAL LINK

On this basis, the Commission found *prima facie* proof of material injury to the SACU industry, threat of material injury and that there is a causal link between the alleged dumped imports and the material injury suffered by the SACU industry or threat of material injury.

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PERIOD OF INVESTIGATION

The POI to determine the dumping margin is from 01 March 2025 to 28 February 2026.The POI to determine material injury is from 01 March 2023 to 28 February 2026.

LEGAL PROCEDURAL FRAMEWORK

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an anti-dumping investigation, the Commission has begun an investigation in terms of section 16 of the International Trade Administration Act, 2002 ("the ITA Act").

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

PROCEDURES AND TIME FRAMES

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

The Senior Manager: Trade Remedies II, should receive all responses, including non - confidential copies of the responses, not later than 30 days from the date hereof, or from the date on which the letter accompanying the abovementioned questionnaire was received.

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Late submissions will not be accepted except with the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original 30-days period. Merely citing insufficient time is not an acceptable reason for extension. Please note that the Commission will not consider requests for extension by Embassies on behalf of exporters.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information, within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted would subsequently be available for verification.

It is planned that verification of the information submitted by the exporters within three to five weeks subsequent to submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to consultants will not be considered to be good cause.

Parties should also ensure when they engage consultants that they will be available at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the rules of the Anti-Dumping Agreement. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. Failure to submit an adequate non-confidential version of the response that complies with the rules set out under the heading ***Confidential Information*** and in

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the questionnaire will be regarded as an incomplete submission.

Parties who experience difficulty in furnishing the information required, or submitting in the format required, are therefore urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that can satisfy the Commission's requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing at any stage of the investigation in accordance with Section 5 of the ADR, provided that the party indicates reasons for not relying on written submissions only. The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of a determination.

Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request.

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 Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

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

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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 Commission, 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 interested parties.

If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, 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 representations 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;

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(b) financial accounts of a private company;

(c) actual and individual sales prices;

(d) actual costs, including cost of production and importation cost;

(e) actual sales volumes;

(f) individual sales prices;

(g) information, the release of which could have serious consequences for the person that provided such information; and

(h) information that would be of significant competitive advantage to a competitor; Provided that a party submitting such information indicates it to be confidential."

ADDRESS

The response to the questionnaire and any information regarding this matter and any arguments concerning the allegation of dumping and the resulting threat of material injury must be submitted in writing to the following address:

Physical address

The Senior Manager: Trade Remedies II
International Trade Administration Commission
Block E – The DTI Campus
77 Meintjies Street
SUNNYSIDE
PRETORIA
SOUTH AFRICA

Postal address

The Senior Manager
Trade Remedies II
Private Bag X753
PRETORIA
0001
SOUTH AFRICA

Enquiries may be directed to the investigating officers, Mr. Siphumele Edwin Mkwanazi at email address: emkwanazi@itac.org.za or Ms. Phindile Mabona at email address: pmabona@itac.org.za

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