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## **South Africa - Republic of**

**Post:** Pretoria

### **South Africa Extends Anti-dumping Duties on U.S. Bone-in Chicken**

**Report Categories:**

Poultry and Products

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**Report Highlights:**

The United States bone-in broiler meat exports above the annual 65,000 ton anti-dumping duty free quota will continue to be subjected to an anti-dumping duty of R9.40 per kilogram. This comes after the South African International Trade Administration Commission (ITAC) investigation concluded that the expiry of the anti-dumping duties on bone-in broiler meat imported from the United States would likely lead to the recurrence of dumping and continuation or recurrence of material injury to the Southern African Customs Union (SACU) industry.

## **Outcome of the Sunset Review**

On November 24, 2017, ITAC released a [notice](#) stating that its investigation had established that the expiry of the anti-dumping duties on frozen bone-in broiler meat imported from the United States would likely lead to the recurrence of dumping and continuation or recurrence of material injury to the SACU industry. In addition, the South African Minister of Trade and Industry approved the extension of an anti-dumping duty of R9.40 per kilogram on frozen bone-in chicken from the United States. Currently, the United States may export up to 65,000 tons of bone-in chicken anti-dumping duty free. However, the United States bone-in chicken exports above the 65,000 ton anti-dumping duty free quota will continue to be subject to the anti-dumping duty for another five years.

In accordance with the relevant provisions in Article 53.1 of the Anti-Dumping Regulations, ITAC noted that “any definitive anti-dumping duty shall be terminated on a date not later than five years from its 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 within a reasonable period of time prior to that date, that the expiry of the duty would be likely to lead to continuation or recurrence of dumping and material injury to SACU industry”.

An ITAC [Gazette notice](#) in June 2016, invited the SACU broiler producers to submit requests for a review of the current anti-dumping duty before October 4, 2016. On April 10, 2017, ITAC released a [notice](#) stating that on October 25, 2016, the South African Poultry Association (SAPA) submitted an application for review of the anti-dumping duty order. ITAC noted that SAPA’s anti-dumping duty review application had enough *prima facie* evidence to trigger a sunset review investigation. The investigation period for dumping was July 1, 2015 to June 30, 2016. Furthermore, the injury investigation entailed assessments of data from July 1, 2013 to June 30, 2016, in order to assess whether the anti-dumping duty should be removed or not. Interestingly, for the period under review, the United States bone-in chicken exports to South Africa were negligible between 2013 and 2015, before increasing in 2016 to 22,000 tons under the 65,000 anti-dumping duty free quota (see, [Sunset review on anti-dumping duties South Africa](#)).

The United States bone-in chicken exports have been affected by an anti-dumping duty of R2.35 per kilogram originally by South Africa in 2000. The United States poultry exporters applied to have the anti-dumping ruling reviewed in 2005, but SAPA opposed the application and the anti-dumping duty was extended to 2011. In 2012, the Minister of Trade and Industry extended the anti-dumping for another five years and the rate was set at R9.40 per kilogram, which was set to expire on April 4, 2017 (also see, [South Africa Poultry Update: the supply and demand for broiler meat in South Africa](#)).