

**ADC No. 54/2018/NTC/ABC  
Government of Pakistan  
National Tariff Commission**

**Notice of Final Determination and Non-Imposition of Anti-Dumping duties on dumped Imports of Aluminium Beverage Cans into Pakistan originating in and / or Exported from Jordan, Sri Lanka and UAE**

The National Tariff Commission (the “Commission”) initiated an anti-dumping investigation on November 01, 2018, under Section 23 of the Anti-Dumping Duties Act, 2015 (the “Act”) after establishing that the application lodged by M/s Pakistan Aluminium Beverage Cans Limited (the “Applicant”), on behalf of domestic industry producing Aluminium Beverage Cans (“Cans”) was in accordance with Section 20 and 24 of the Act. The investigation is conducted on dumping of Cans originating in and/or exported from Jordan, Sri Lanka, Turkey and UAE (the “Exporting Countries”) said to have caused and is causing material retardation to the establishment of Pakistan’s domestic industry producing Cans. The Commission made a preliminary determination in this case in terms of Section 37 of the Act on May 03, 2019. While, making preliminary determination in this investigation, the investigation in respect of product originating from Turkey was terminated. In accordance with provisions of the Act and Anti-Dumping Duties Rules, 2001 (the “Rules”), the Commission has, after investigation, made final determination in this case as follows:-

**Product under Investigation:** The product being dumped into Pakistan is Aluminium Beverage Cans of capacities 250 ml to 300 ml imported from Jordan, Sri Lanka and UAE classified under Pakistan Customs Tariff (“PCT”) Heading Nos. 7612.9010 and 7612.9030 (the “investigated product”). Basic raw material used for the production of the investigated product is Aluminium Coil.

**Period of Investigation (POI):** For determination of dumping and injury, the POI is as follows:

For determination of dumping:	From September 01, 2017 to June 30, 2018
For determination of material retardation of establishment of domestic industry:	From September 01, 2017 to June 30, 2018

**Determination of Dumping:** Individual dumping margin in this final determination is determined for Ceylon Beverage Cans, Sri Lanka on the basis of the information provided by it. For determination of dumping margin for the exporters/producers of Jordan and UAE, the Commission has relied on the information provided by the co-operating exporter of Sri Lanka and data obtained from Pakistan Customs, being the Best Available Information in terms of Section 32 of the Act.

**Material Retardation to the Establishment of the Domestic industry:** The Commission has examined the factors that lead to material retardation to the establishment of the domestic industry. It was noted that production has increased over the time and production trend does not depicts that the domestic industry faced a start and stop condition of its production. The criteria of breakeven point are not relevant due to two reasons: (i) the domestic industry could not control its fixed costs as per projections. (ii) the domestic industry itself projected to achieve the breakeven in 2019 which is outside the scope of POI. The volume of dumped imports (in absolute terms) decreased during the last quarter of the POI. The dumped imports relative to domestic production and consumption, both projected and actual also declined overtime. The projected and actual domestic prices were in the same range. In view of this it can be assumed that the price undercutting was projected. Another reason is delay in getting approval from the users by the domestic industry.

**Conclusion of investigation without imposition of measures:-** In reaching this final determination, in view of the analysis and conclusions with regard to dumping and material retardation to the establishment of domestic industry, the Commission has decided to conclude this investigation without imposition of measures under Section 42 of the Act.

**Authority under Law:** This notice is published pursuant to Section 42 of the Act by order of the Commission.

**(Ali Muhammad Shah)  
Secretary  
February 21, 2020**

