



**Government of Pakistan  
National Tariff Commission**

**Report on**

**Conclusion of Sunset Review of the Anti-dumping  
Duties Imposed on Dumped Imports of Cold Rolled  
Coils/Sheets Imported from People's Republic of  
China and Ukraine**

A.D.C No. 35/2015/NTC/CRC/SSR/2020  
January 06, 2022

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**A. Introduction**

The National Tariff Commission (the "Commission") having regard to the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (the "Agreement on Antidumping") and Anti-Dumping Duties Act, 2015 (the "Act") and the Anti-Dumping Duties Rules, 2001 (the "Rules") relating to the investigations/reviews and determination of dumping of goods into the Islamic Republic of Pakistan ("Pakistan"), material injury to the domestic industry caused by such imports, and imposition of anti-dumping duties to offset the impact of such injurious dumping, and to ensure fair competition thereof. Section 58 of the Act relates to review of anti-dumping duties imposed on dumped imports of the investigated products.

2. Having regard to the Section 58(1) of the Act, any definitive anti-dumping duty imposed by the Commission shall be terminated on a date not later than five years from the date of its imposition, however, as per Section 58(3) of the Act, a definitive anti-dumping duty shall not expire if the Commission determines in a review that the expiry of such anti-dumping duty would likely lead to continuation or recurrence of dumping and injury.

3. The Commission has conducted a sunset reviews of anti-dumping duties imposed on dumped imports of Cold Rolled Coils/Sheets ("CR Coils/Sheets") from the People's Republic of China and Ukraine (the "Exporting Countries") under the Act and the Rules. This report on conclusion of the review has been issued in accordance with Section 39(5) of the Act and Article 12.2 of the Agreement on Anti-dumping.

4. In terms of Section 62(2) of the Act, the sunset review under Sections 58 of the Act shall normally be completed within twelve months from its initiation. The sunset review in this case was initiated on January 08, 2021, therefore the Commission was required to conclude this review by January 07, 2021.

**B. Background**

**5. Definitive Anti-Dumping Duties in Place**

5.1 The Commission imposed following definitive anti-dumping duties on dumped imports of CR Coils/Sheets from the Exporting Countries for a period of five years effective from January 13, 2016:

**Table-I  
Original Antidumping Duty Rates**

<b>Country</b>	<b>Exporter / Producer Name</b>	<b>Antidumping Duty Rate (%)</b>
<b>China</b>		
	Shougang Casey Steel Company Ltd.	19.04
	Shougang Jingtang United Iron & Steel Co. Ltd.	19.04
	Beijing Shougang Cold Rolling Company Ltd.	16.27

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	Handan Iron & Steel Group Han-Bao Co. Ltd.	13.17
	Maanshan Iron & Steel Company Ltd.	19.04
	All others	19.04
Ukraine	Zaporizhstal Integrated Iron-and-Steel Works	18.92
	Ilyich Iron and Steel Works of Mariupol	18.36
	All others	18.92

5.2 The Commission also conducted another antidumping investigation on imports of Cold Rolled Coils/Sheets/Strips into Pakistan originating in and/or exported from Canada and Russian Federation and has imposed definitive anti-dumping duty at the rate of 13.94 percent with effect from September 20, 2019 on dumped imports of Cold Rolled Coils/Sheets/Strips from Canada and Russian Federation.

5.4 On request of the domestic industry, the Commission is also conducting an anti-dumping investigation against dumped imports of CR Coils/Sheets from European Union, South Korea, Chinese Taipei and Vietnam. That investigation was initiated on February 28, 2021, which is under process. The Commission made preliminary determination in this case and has imposed following provisional anti-dumping duties for a period of four months with effect from 23 August 2021:

**Table-II  
Provisional Anti-dumping Duty Rates**

<b>Country Name</b>	<b>Duty Rate (%of C&amp;F price)</b>
Chinese Taipei	6.18
European Union	6.50
South Korea	13.24
Vietnam	17.25

### **C. Procedure**

The procedure set out below has been followed with regard to this sunset review:

#### **6. Notice of Impending Expiry of Definitive Anti-dumping Duties**

The Commission published a notice of impending expiry of anti-dumping duties in this case in official Gazette and national press on October 09, 2020 in accordance with Section 58(2) of the Act.

#### **7. Receipt of Application**

7.1 In response to the notice of impending expiry, on November 20, 2020 the Commission received a written application under Section 58 of the Act from M/s Aisha Steel Mills Limited, Karachi and M/s International Steel Limited, Karachi (the "Applicants"), domestic producers of CR Coils/Sheets. However, the Commission acknowledged receipt of the application on November 30, 2020.

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7.2 The Applicants alleged that expiry of anti-dumping duties on CR Coils/Sheets imported from the Exporting Countries would likely lead to the continuation and recurrence of dumping of CR Coils/Sheets and material injury to the domestic industry. The Applicants requested the Commission for continuation of the antidumping duties for a period of further 5 years on dumped imports of CR Coils/Sheets originating in and/ or exported from the Exporting Countries to Pakistan.

**8. Domestic Industry and Standing**

8.1 Section 2(d) of the Act defines domestic industry as:

*“domestic industry” means the domestic producers as a whole of a domestic like product or those of them whose collective output of that product constitutes a major proportion of the total domestic production of that product, except that when any such domestic producers are related to the exporters or importers, or are themselves importers of the allegedly dumped investigated product in such a case “domestic industry” may mean the rest of the domestic producers”.*

*For the purposes of this clause, producers shall be deemed to be related to exporters or importers only if;*

- (i) one of them directly or indirectly controls the other;*
- (ii) both of them are directly or indirectly controlled by the same third person;*  
*or*
- (iii) together they directly or indirectly control a third person;*

*Provided that there are grounds for believing or suspecting that the effect of the relationship is such as to cause the producer concerned to behave differently from non-related producers and for that purpose one shall be deemed to control another when the former is legally or operationally in a position to exercise restraint or direction over the latter”.*

8.2 According to the information available with the Commission, the domestic industry producing CR Coils/Sheets consists of following five units:

- i. Aisha Steel Mills Limited (“ASL”), Karachi;
- ii. International Steel Limited (“ISL”), Karachi;
- iii. AHN Steel Pvt. Limited, Lahore; and
- iv. Hadeed Pakistan Pvt. Limited, Lahore
- v. Pakistan Steel Mills Limited, Karachi.

8.3 Out of these five units, two units i.e. M/s Aisha Steel Mills Limited, Karachi and M/s International Steel Limited, Karachi are Applicants in this sunset review investigation. The Commission on February 25, 2021 and May 25, 2021 sent questionnaire to AHN Steel Pvt., Ltd and Hadeed Pakistan Pvt. Ltd. respectively for necessary information. In response, AHN Steel Pvt., Ltd and Hadeed Pakistan Pvt. Ltd

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provided limited information only relating to production and installed capacity during October 2019 to September 2020.

8.4 As per available information the total installed production capacity CR Coils/v Sheets in Pakistan is 2,260,000 MT per annum. However, Pakistan Steel Mills Ltd. is not in operation since 2015, therefore, operational capacity of the domestic industry is 2,050,000 MT per annum. Further, both the Applicants also used CR Coils/Sheets inhouse for production of galvanized and coloured coils/ sheets. Their installed capacity for galvanized and coloured coils/ sheets is 796,000 MT per annum, therefore, domestic industry's current operational installed capacity for production and sale of CR Coils/ Sheets in the market is 1,254,000 MT:

8.5 In terms of Section 24(1) of the Act:

*".... an application shall be considered to have been made by or on behalf of the domestic industry only if it is supported by those domestic producers whose collective output constitutes more than fifty percent of the total production of a domestic like product produced by that portion of the domestic industry expressing either support for or opposition to the application."*

8.6 Furthermore, Section 24(2) of the Act provides that:

*"..... no investigation shall be initiated when domestic producers expressly supporting an application account for less than twenty five percent of the total production of the domestic like product produced by the domestic industry."*

8.7 The application is filed by the Applicants, who are major producers of CR Coils/ Sheets in Pakistan. The other units in operation (AHN Steel Pvt. Limited and Hadeed Pakistan Pvt. Ltd.) are minor units, whereas the fifth unit in the industry, i.e. Pakistan Steel Mills Ltd. is not in operation since 2015. The Applicants produced 89.34 percent of CR coils/ sheets of the total domestic production during October 01, 2019 to September 30, 2020 (the "POR"). Therefore, the application fulfills standing requirements of Section 24 of the Act. Following table shows unit-wise installed capacity, production and standing during POR:

**Table-III  
Unit-wise Current Installed Production Capacity (MT)**

S. No.	Unit Name	Installed Capacity*	Production (MT)	% of total production	Standing
i.	Aisha Steel Mills Limited	700,000	165,256	43.20	Applicant
ii.	International Steel Limited	1,000,000	176,505	46.14	Applicant
iii.	AHN Steel Limited	50,000	4,787	1.25	Indifferent
iv.	Hadeed Pakistan Pvt. Ltd.	300,000	35,963	9.40	indifferent
v.	Pakistan Steel Mills Limited	210,000	---	---	Closed
vi.	Total	2,260,000	382,511	100.00	

\*Installed capacity is determined on the basis of CR coils of 0.5/0.6 mm thickness on triple shift basis

\*Sources: the Applicants, AHN Steel Pvt. Ltd. and Hadeed Pakistan Ltd.

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**9. Initiation of Sunset Review**

9.1 Upon examination of the application, the Commission established that it met requirements of Sections 58 of the Act. Therefore, the Commission initiated sunset review on January 08, 2021, to determine whether there is likelihood of continuation or recurrence of dumping of the CR Coils/Sheets from the Exporting Countries and material injury to the domestic industry.

9.2 In terms of Section 27 of the Act, the Commission issued a notice of initiation of the sunset review of antidumping duties imposed on dumped imports of the investigated product from the Exporting Countries, which was published in the official Gazette<sup>1</sup> of Pakistan and in two widely circulated national newspapers<sup>2</sup> (one in English language and one in Urdu Language) on January 08, 2021.

9.3 The Commission notified the Diplomatic Missions of the Exporting Countries in Pakistan on January 08, 2021, of the initiation of review by sending a copy of the notice of initiation of sunset review. Copies of notice of initiation were also sent to the Applicant, known exporters/producers of CR Coils/Sheets from The Exporting Countries, and known importers on January 08, 2021, in accordance with the requirements of Section 27 of the Act.

9.4 In accordance with Section 28 of the Act, on January 08, 2021, the Commission also sent copy of full text of the written application (non-confidential version) to the Diplomatic Missions of the Exporting Countries in Pakistan and to the known exporters/producers of CR Coils/Sheets in the Exporting Countries.

**10. Period of Review**

The period of review ("POR") for this sunset review is from October 01, 2017 to September 30, 2020.

**11. The Product under Review and the Domestic Like Product**

**11.1 The Product under Review**

11.1.1 The product under review as defined in the notice of initiation of sunset review was flat-rolled products of iron or non-alloy steel, cold-rolled (cold-reduced), not clad, plated or coated coils and sheets (CR coils/sheets) of prime and secondary quality of a thickness of 0.15 to 2.50 mm and width of above 600 mm. It is classified under Pakistan Customs Tariff ("PCT") No. 7209.1610, 7209.1690, 7209.1710, 7209.1790, 7209.1810, 7209.1891, 7209.1899, 7209.2610, 7209.2690, 7209.2710, 7209.2790, 7209.2810 and 7209.2890.

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<sup>1</sup> The official Gazette of Pakistan (Extraordinary) dated January 08, 2021.

<sup>2</sup> Daily Express January 08, 2021 and daily Express Tribune of January 09, 2021

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11.1.2 The product under review is generally used in production of automotive parts, sub-assembly/inner body parts, fabrication of goods like doors/cabinets, pipes, tubes, refrigerators, washing machines, geysers, ovens etc.

11.1.3 CR Coils/Sheets that meet technical requirements, which are specified in the standards, are categorized as prime quality product and which do not meet technical requirements and specified criteria of the standards are termed as non-prime or secondary quality product, such as variation in specifications, chemical composition, deviation in mechanical properties i.e. tensile strength, yield strength, hardness surface imperfections, scratches, dents, cross break marks, rust, oxidation marks, wrinkles, metal sticking, damaged/torn/bent edges etc. Therefore, secondary quality CR Coils/Sheets are generated during production, slitting as well as sales of the product.

11.1.4 M/S Siddiqsons Tin Plate Limited ("STPL") a manufacturer of tinplate approached the Commission and submitted that the Applicants do not possess capability to produce Tin Mill Black Plate ("TMBP") which is used in production of tinplate. The Staff of the NTC discussed this issue with the Applicants in May, 2021 during *on- the-spot* verification visit conducted. The Applicants responded that they have the capability to produce TMBP on its production facility and during the POI they had sold the CRC to M/S STPL meant to be used for production of Tinplate. To verify this, the Staff obtained record of sales made to STPL by the Applicants during the POI. Details of the Applicants' sales to STPL were reported in on-the-spot investigation reports which were made available to interested parties including STPL by placing the same in the public file.

11.1.5 M/s STPL contested that they purchased CRC from the Applicants which was not TMBP. M/S Shamim Tin Merchant Pvt. Ltd and M/S Stamco Steel Corporation, also approached the Commission and submitted that TMBP was different from CRC in all aspects. According to them there were two types of TMBP i.e; SPCC which was not suitable for food packaging and MR type which was suitable for food packaging. Both of them pleaded that domestic industry was producing only SPCC grade and not MR type, therefore, they requested to exclude MR type TMBP from the scope of the investigation.

11.1.6 On 02.07.2020, a meeting chaired by the Chairperson NTC was held with M/s International Steel Mills Limited (ISL), M/s Aisha Steel Mills Limited (ASML) and Siddiqsons Tin Plate Limited (STPL) to discuss whether TMBP was locally produced or not. During the meeting STPL pointed out that TMBP was not locally produced and requested to exclude it from the scope of the investigated product. M/s ISL and ASML informed that they were "producing and selling TMBP in Pakistan". In view of the stated conflicting positions taken by all the three named parties, the Chairperson NTC decided to ask Engineering Development Board (EDB) to verify the local production status of TMBP which it had earlier confirmed during 2018. EDB was also asked to include

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representatives of NTC and STPL during verification process (Annex - I)

11.1.7 The EDB constituted a committee consisting of officers from EDB, NTC, FBR/Customs, Pakistan Council of Scientific and Industrial Research (PCSIR) and Pakistan Industrial Development Corporation (PIDC) for assessment of capability of the domestic industry to manufacture TMBP but did not include the representative of STPL. The Committee visited the manufacturing facilities of International Steel Limited and Aisha Steel Limited on October 7-8, 2021 and carried out analysis of the production facilities of the domestic industry. The Committee gave non-consensus reports (**Annex - II**) as the representative of FBR disagreed with other members of the Committee on actual production and capacity to produce TMBP by the domestic industry.

11.1.8 Findings of the above cited EDB Committee are summarized below:

(a) Findings relating to ISL:

- (i) ISL has the requisite facility that rolling mill can achieve minimum thickness of 0.15mm;
- (ii) ECL process is not available at manufacturing facility of ISL for which they have made arrangements with ASML for getting that process done over there;
- (iii) ISL supplied TMBP grade MRT2 & MRT3 to STPL; therefore; Committee recommended that current facility of ISL may be considered for manufacturing of TMBP and CRC.

(b) Findings relating to ASML:

- (i) ASML has the requisite facility that rolling mill can achieve minimum thickness of 0.15mm;
- (ii) ASML supplied the material to STPL to the extent of SAE1006 grade, therefore, Committee recommended that current facility of AMSL may be considered for manufacturing of TMBP and CRC.

11.1.9 In order to ensure transparency in the proceedings, the Commission decided to share the above cited reports of EDB with the Applicants as well as STPL and advised them to give views/comments thereon. Meanwhile, the Commission also scrutinized the findings of the report as well as contents of dissenting note of FBR's representative. Following was particularly noted by the Commission:

- (a) para 6 in both the reports stated the data provided by the firms included, *inter alia*, purchase orders issued by STPL and consequent sales tax invoices



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issued by ISL and ASML. This could be an appropriate and legally correct evidence but the FBR's rep stated in his dissenting note that despite demand from his side, no such documents were provided;

- (b) during the visit, NTC's rep was given a folder containing related documents. The Commission scrutinized this folder to see in particular the purchase orders issued by STPL during POI and sales invoices issued by ISL and ASML;
- (c) copies of four contracts issued by STPL to ASML were found. One contract related to POI while three others were out of POI. Eight sales invoices were issued by ASML – four within POI and four out of POI. All the four cited purchase orders were for 'CRC' and all the invoices were for 'CRC' with given thickness and width as in purchase orders. No invoice for Sale of TMBP;
- (d) in the cited folder copies of six purchase orders issued by STPL to ISL were found. Five out of six Orders related to 2021 i.e; post POI but one Order related to POI. Two sets of sales invoices – one consisting of 56 and other consisting of 86 invoices were there. In the set of 56 invoices which mostly related to POI, given description of product was, "CR Coil 0.150x1219 MILL EDGE STANDARD PACKED SPCC-1 BRIGHT FINISH OILED TENSION LEVELLED P" Thickness & width differed in certain invoices but other description remained the same. In all these 56 sales invoices, no corresponding purchase order number was mentioned, therefore, it could not be ascertained as to what was the description given in the Purchase Oder;
- (e) in 2<sup>nd</sup> set of 86 invoices, 73 invoices had no corresponding purchase order No. but 13 had corresponding purchase Order No. 21080002 dated 09.08.2021. This is one of the six purchase orders as quoted at (d) above. Description in cited purchase order no. vis-à-vis description in sales invoices is quoted below:

Description in purchase order <b>(Annex- III)</b>	Description in sales invoices. One sample invoice at <b>Annex - IV</b>
Prime cold rolled steel coil 0.28MMX 1025mm	
Prime cold rolled steel coil 0.25 mmx 914 mm	Tin mill black plate 0.250x0914 standard packed MRT3 bright finish un oiled tension levelled p

- (f) While the purchase order was for 'CRC' the corresponding sales invoice was for 'TMBP'. This description in sale invoices is there in all the 86 invoices. Since no corresponding purchase order was mentioned in remaining 129 (56+73)

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sales invoices, therefore, it was not possible to correlate the given purchase order with the given invoice but there was no doubt that all purchase orders were for CRC with given thickness and width;

- (g) in the EDB report relating to ISL it was mentioned that ECL process was not available at manufacturing facility of ISL for which they have made arrangements with ASML for getting that process done over there. This is an intermediary process and after getting ECL process from ASML, coils will be transported back to ISL (M/s ISL and ASML are not located adjacently – one is in Port Qasim area and other in Landhi Karachi, there is a long distance from one premises to other). This claim was not substantiated with any documentary evidence; no evidential contract with ASML was produced; no evidence showing exit gate passes from ISL and thereafter exit gate passes from ASML, no copies of sales tax invoices for value addition.

The Commission, after looking at the above came to the point that there were many unanswered questions. EDB report was materially deficient in many aspects.

11.1.10 During the public hearing held by the Commission on 27.09.2020, STPL again agitated that the Applicants do not have the capacity to produce TMBP and neither produced nor supplied the same to STPL during the POI/POR. Rather the Applicants supplied only CRC and never TMBP. The Commission responded to the STPL during the hearing that Applicants have furnished documents to the Staff of the Commission during on-the-spot verification showing sales invoices issued by the Applicants to STPL but STPL did not change their stance. Subsequent to the public hearing, NTC vide letter dated 29.09.2020 sent the sales invoices furnished by the Applicants for comments by the STPL. M/s STPL was also asked to explain differences between CRC Coils/Sheets and TMBP (**Annex - V**)

11.1.11 In response to NTC's letter dated 29.09.2020, STPL replied vide letter dated 05.10.2020 as under:

- (a) none of the sales invoices related to sales of TMBP and those mostly related to post POI which was irrelevant;
- (b) explained the differences between CRC & TMBP from input raw material to manufacturing processes and end uses of both the products;
- (c) in the preliminary determination (PD), NTC determined that the local industry had the capability to produce TMBP. M/s STPL furnished a summary of the sales invoices issued by the Applicants showing that CRC was ordered and CRC was supplied. STPL challenged NTC's findings in PD stating "had they manufactured TMBP, they would have

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supplied TMBP”:

- (d) STPL was suffering hardships on account of antidumping duty levied on imports of TMBP. As evidence to this statement, STPL furnished production data of the quarter July-Dec 2021 which was 14% of the quarterly installed capacity. As a result, local user industry of TMBP was suffering;
- (e) summaries of invoices of imported CRC and TMBP were furnished to establish STPL's claim that two products were different;
- (f) STPL supports Antidumping Duty when implemented on those products which were manufactured in Pakistan and at the same time dumped in Pakistan. Therefore, they had supported levy of Antidumping Duty on CRC as the same product was being manufactured in Pakistan but did not support levy of Antidumping Duty on TMBP as the same was not produced in Pakistan. They undertook and assured, the NTC that the day TMBP is produced in Pakistan, STPL shall support Antidumping Duty on TMBP as well; and
- (g) STPL, therefore, requested NTC to exclude TMBP from the imposition of Antidumping Duty and save the collapsing only tinsplate industry in Pakistan which is running in the backyard of a backward province, Baluchistan.

**11.1.12 Views/comments sent by STPL, ISL and ASML on EDB's report are summarized below:**

**(a) M/s STPL's views: summarized para wise comments of STPL relating to ISL report (Annex - VI excluding cited Annexes in the report):**

- (i) product brochure of the ISL as available at its website shows that they produce CRC from 0.15mm to 3mm thickness. TMBP is not mentioned;
- (ii) steel sheet of same thickness can be CRC as well as TMBP. Thickness only do not determine a sheet to be TMBP. The steel sheet has to undergo different processes of production which defines TMBP. Input material (HRC) of certain grade does not mean that the final product shall be TMBP. TMBP production needs additional equipment and processes which is not available at ISL;
- (iii) during POI, ISL has supplied to STPL 17.37 M/Tons CRC only;
- (iv) no documentary evidence was relied upon to ensure that the total quantity of ISL (3,066 M/Tons) so called TMBP supplied after POI to STPL has undergone ECL processes at M/s. Aisha Steel Mills Limited. No Sales Tax Invoices were shared to verify that the Sales Tax on value addition process at M/s. ASML was paid. ECL is an intermediary process. It was surprising that so much of

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transportation was done from one unit to other carrying the total material and bringing it back, again for subjecting it in the ISL unit for the process of "ANNEALING", passing it through Skin Pass and the Recoiling Unit which may not have the Tension Leveler;

- (v) electrolytic cleaning line (ECL), Tension Leveler and Electrostatic oiler for applying a thin layer of DOS oil coating are the essential equipment, for the production process of TMBP, which finds no mention in this report. TMBP production Process Flow Chart based on international practice furnished;
- (vi) STPL gave purchase orders during POI for 4,000 M/Tons of TMBP in November 2017 which was not responded nor delivered;
- (vii) STPL placed another trial order on 01.07.2019 for 50 to 100 M/Tons of TMBP with ISL. During pre-delivery inspection of the material, produced at ISL's premises by SGS the same was rejected as it could not meet the specifications of TMBP;
- (viii) STPL placed an open order via email on 12.05.2020 for supply of TMBP. ISL explained that they don't have the input material and DOS oil for TMBP and instead supplied 17.37 M/Tons of CRC;
- (ix) STPL issued Purchase Order NO. 20070040 dated 27.07.2020 for the supply of 1,000 M/Tons Cold Rolled Steel Coils (CRC) during POI and the supply against this order was made after POI;
- (x) following purchase orders for CRC after POI were also given to ISL:
  - P/O No. 21020004 dated 02.02.2021
  - P/O No. 21070003 dated 09.07.2021
  - P/O No. 21080002 dated 09.08.2021
  - P/O No. 21080003 dated 13.08.2021
- (xi) sales tax invoices issued after POI for Purchase Order No. 20070040 issued during POI do not show the purchase order number of STPL and date. The mention of TMBP in fact is incorrect as CRC was supplied against the Purchase Order issued during POI. Sales tax invoices issued by ISL wherein they have incorrectly mentioned TMBP against CRC orders. These invoices did not show Purchase Order numbers. In some cases, against purchase order No. 21080002 of CRC, the Sales Tax invoices issued incorrectly for TMBP as well as CRC mentioning the same purchase order. STPL being a public limited company is audited by Chartered Accountants, they have also pointed out this anomaly wherein CRC was contracted and so called TMBP was invoiced;
- (xii) regarding physical property of so called TMBP supplied to STPL, ISL was requested to get the material tested from SGS which they refused vide their email dated 21.09.2021 thereby losing a given chance to establish their claim

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of producing TMBP. ISL had themselves admitted vide their letter dated 13.06.2017 that they do not produce TMBP;

- (xiii) SGS report on pre-delivery inspection of TMBP at ISL Plant in 2019 is on record which shows that no DOS oil was applied on the material in addition to other discrepancies which they claimed as TMBP and material was not accepted by STPL;
- (xiv) machines available with ISL are inadequate for producing TMBP. Producing steel sheet of minimum thickness do not qualify that material to be called TMBP. SGS has confirmed it. No mention of gate passes or contract between ISL and ASML with sales tax paid receipts on value addition for conducting ECL in M/s. ASML unit on the total quantity of so called TMBP supplied after POI, to verify its authenticity has been made;
- (xv) it is a matter of fact that ISL produces CRC of SPCC grade and not TMBP. Showing MR T2/T3 type material do not mean that the product TMBP of MR type is produced without undergoing due process. STPL has kept some coils of the material supplied by ISL for inspection from a reputable third party within or outside Pakistan. STPL undertakes to bear the cost of third-party inspection; and
- (xvi) STPL was not associated for doing the inspection and visiting the domestic industry despite the fact that NTC had asked EDB to associate and include STPL in the joint team. Thickness of 0.15mm and 0.22mm steel sheet do not qualify the steel sheet to be TMBP unless it has the properties, specifications and surface finish to be qualified as TMBP. ISL's own brochure shows the products they produce and available for sale, TMBP is not mentioned in the brochure.

**Comments by STPL on the dissenting note of the representative of FBR**

FBR representative has not commented on the report regarding the ECL on the material of ISL at M/s. ASML which, if have been done must have led to value addition and Sales Tax must have been paid on this value addition. The EDB report regarding the ECL (Electrolytic Cleaning Line) done at M/s. ASML on the consignment of alleged TMBP of ISL is silent. It would have been appropriate if the representative of FBR would have seen the contracts between ISL and ASML and verified all the Gate Passes of entry and exit between ISL and ASML units and the Sales Tax paid vouchers on value addition, on the total consignment to confirm that so called TMBP material supplied by ISL to STPL after POI has undergone this process at ASML.

***(b) Comments of STPL relating to ASML report (Annex - VII excluding cited Annexes in the report):***

- (i) ASML has mentioned the production of 380,000 M/Tons during 2020-2021. It

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does not show what quantities of TMBP were produced. In fact, STPL did not receive a single consignment of TMBP. Brochure of ASML shows that they only produce CRC and galvanized sheets / Coils. The CRC produced is of JIS G.3141 specification in SPCC and other grades. There is no mention of TMBP;

- (ii) thickness of steel sheets of CRC and TMBP is similar. It is the mechanical properties, due process of production and surface finish of TMBP which makes it a superior and different product than CRC;
- (iii) ASML mentions producing CRC/TMBP under the contract agreement with STPL. STPL would like to see the ASML contract where they had committed to produce and supply TMBP and have supplied;
- (iv) STPL supplied HRC to ASML to produce CRC – JIS G.3141 of SPCC grade knowing fully well that they cannot produce TMBP;
- (v) SAE 1006 grade is for HRC and is used to produce JIS G. 3141 CRC of SPCC and other grades. STPL got CRC of this grade from ASML;
- (vi) ECL, Tension Leveler and Electrostatic oiler for applying a thin layer of DOS oil coating are the essential equipment for the production process of TMBP, which finds no mention in the report;
- (vii) STPL did procure some quantity of CRC from ASML during POI. Summary of the CRC Sales Tax invoices issued by ASML are as follows:

S. No	Sales contract No. of ASML	Date	Description	Quantity (M/Tons)	ST Invoice No.	Date	QTY (M/Tons)
1	637468	18.05.2020	CRC	50	591/07/2020	10.07.202	10.522
					595/06/2020	16.06.202	29.17
					1278/07/202	21.07.202	11.042
2	637649	04.06.2020	CRC	1,000	587/09/20	11.09.202	19.87
					588/09/20	11.09.202	47.022
					633/09/20	12.09.202	50.006
					677/09/20	12.09.202	50.028
					678/09/20	12.09.202	50.09
					679/09/20	12.09.202	49.95
					680/09/20	12.09.202	49.922
					829/09/20	15.09.202	46.704
					830/09/20	15.09.202	44.624
					831/09/20	15.09.202	47.032
					833/09/20	15.09.202	47.346
					895/09/20	16.09.202	46.382
896/09/20	16.09.202	49.014					

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					1012/09/20	17.09.202	47.046
					1084/09/20	18.09.202	49.622
					1091/09/20	18.09.202	49.184
					1201/09/20	18.09.202	47.556
					1202/09/20	21.09.202	50.234
					1203/09/20	21.09.202	21.258

- (viii) Following sales contracts/agreement were made between ASML and STPL for purchase of CRC of JIS G.3141/SAE 1006 of SPCC grade:

S.No.	Sales Contract No.	Date	Quantity (M/Tons)
1	638772	15.07.2020	1550
2	638805	15.07.2020	1450
3	639512	13.08.2020	380
4	639569	13.08.2020	1330
5	639246	13.08.2020	1140

- (ix) HRC of SAE 1006 grade produces JIS G-3141 CRC of SPCC and other grades. This does not produce TMBP. In fact, ASML has never claimed nor supplied TMBP to STPL. Its product brochure shows the production and availability of CRC and Galvanized coils only; and
- (x) thickness of steel material is not the only criteria to become TMBP, the properties of TMBP are different and has superior surface finish than CRC.

**Comments of STPL on the dissenting notes of the representative of FBR**

No comments are required on this note since M/s. ASML neither claims to produce TMBP nor has supplied TMBP to STPL and their brochure is very clear on the products which they produce.

**11.1.13 Comments/views of ISL and ASML on EDB report:**

M/s S.U.Khan Associates submitted Comments relating to both ISL and ASML vide letter dated 03.12.2020 (**Annex - VIII**) which are summarized below:

- (a) EDB committee consisted of known institutions and the industry fully cooperated with the verification committee;
- (b) five members out of six were satisfied with the evidence shown by the

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industry. The committee recommended that the current manufacturing facilities of ASML/ISL may be considered for manufacturing of TMBP;

- (c) domestic industry fully agrees with the findings of the verification committee;
- (d) dissenting note of the representative of FBR was based on fugitive imaginations and mere assumptions that domestic industry was not capable of producing TMBP or it needed any additional process to manufacture TMBP;
- (e) issue of TMBP was not new from STPL side. Initially, STPL raised the issue that domestic industry did not produce CRC of less than 0.30mm thickness which was required for tinning process. Once domestic industry proved manufacturing of less than 0.30mm thickness of CRC then it started arguing that CRC and TMBP were two different products; and
- (f) CRC and TMBP are one and the same product. Domestic industry has the capability of producing CRC/TMBP.

**On-the-Spot Verifications Reports**

11.1.14 Three on the spot verification reports were conducted and issued – 1<sup>st</sup> from Aug 27-28, 2015 which related to ASML, 2<sup>nd</sup> from May 24-26, 2021 relating to ASML and 3<sup>rd</sup> from May 27-29,2021. In all these reports except mentioning relevant PCT heading there was no separate mention of TMBP or any discussion thereon. The NTC visiting Staff collected thickness-wise CRC data from the Applicants and lowest slab covered thickness from 0.15 to 0.5.

**Importance of the matter**

11.1.15 This is one of those important cases where two domestic industries – one (ISL & ASML) upstream and other downstream (STPL) are fighting on a product. **Section 2(e)** of the Act states;

(e) “Domestic like product” means a “like product” **that is produced by the domestic industry” (emphasis added)**

**Section 36 (1)** of the Act is quoted to highlight the limitations of the Commission:

“Assessments to be on the basis of data relating to defined periods. - (1) The Commission shall base its assessments of dumping and injury on data relating to defined periods which shall be the periods for which information is required



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by the Commission.”

The defined period in the cases in hand as stated at para 11.1.4 was from 1<sup>st</sup> Oct, 2017 to 30<sup>th</sup> Sep, 2020.

11.1.16 The Commission felt while reviewing the case that available information/data was not sufficient and precise information was needed. The Commission sought precise information in the following '**Format**' from three parties i.e; ISL, ASML and STPL and strictly relating to POI:

Purchaser's information (M/S STPL)			Seller's Information (M/S ASML/ISL)				
Purchase Order No. & Date	Description and Specs	Qty (MT)	Delivery Order No. & Date	Sales Tax (ST) Invoice No. & Date	Description and Specs in ST Invoice	QTY (MT)	Remarks
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)

Note:

1. Complete information relating to POR/POI (01-10-2017 to 30-09-2020)
2. Sequential order for information be followed starting from 01-10-2017 (first thing first)
3. Information, preferably on MS excel sheet
4. Entries relating to TMBP should be highlighted into the relevant rows
5. Hard copy of each document be attached in sequential order

11.1.17 M/s ASML and M/s ISL furnished the information on the given format on 29.11.2020 and 01.12.2020 respectively (**Annex – IX & X (filled formats)**) and M/s STPL also on 01.12.2020 (**Annex – XI (filled format)**). Upshot of this information follows as under:

- (a) during POI/POR, ISL sold 31.60 MT of CRC to M/s STPL against three purchase orders. Purchase orders were for CRC and three sales invoices issued by ISL were also for CRC. No supply of TMBP;
- (b) during POI/POR, ASML sold 863 MT of CRC to M/s STPL against one purchase order. Purchase order was for CRC and 19 sales invoices issued by ASML were also for CRC. No supply of TMBP. In one purchase order of 5MT, STPL had mentioned 'CRC for TMBP'. Three sales invoices issued by ASML for this supply were for CRC. ASML termed it as trial lot for TMBP; and

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- (c) during POI/POR, STPL had issued two purchase orders to ISL for TMBP but there was no mention of these orders in the filled Format; and

Above summarized information was quite revealing for the Commission that during POI/POR no production or supply of TMBP either by ISL or ASML.

11.1.18 After submission of the above cited information on the given 'Format' M/s S.U.Khan Legal Consultants of ISL & ASML made a presentation to the Commission vide letter No. SUK/21/4988-a dated 09.12.2020 reiterating the following:

- (a) TMBP and CRC are same;
- (b) domestic industry produces CRC of thickness less than 0.30mm meant for use in production of tin plate;
- (c) in previous investigations, the Commission has determined that TMBP was part of product scope;
- (d) in case of earlier investigations relating to China and Ukraine concluding on 13.01.2017, TMBP was part of product scope. (This is now under sun set review);
- (e) m/s STPL challenged this investigation before the Anti-dumping Appellate Tribunal vide Appeal No. 103 of 2017 wherein Commission's determination was up held;
- (f) m/s STPL challenged the decision in the Hon'able Islamabad High Court which is pending adjudication. In this position, the Commission can't take a different view;
- (g) EDB in its current report has recommended that current manufacturing facilities of ASML/ISL may be considered for manufacturing TMBP. Domestic industry fully agrees with the findings of the Committee; and
- (h) sales data of ASML/ISL during POI and post POI has been sent to the Commission to show that thousands of tons of CRC/TMBP was sold to STPL.

11.1.19 The Commission reviewed the position and decided to re-examine the matter which was being agitated for more than six years on the following parameters:

- (a) whether CRC and TMBP are different products or the same;
- (b) whether thickness of CRC is the determining factor to be CRC or TMBP;
- (c) whether domestic steel industry is following Japanese or American standard while manufacturing their products;
- (d) whether internationally there are different industrial standards for

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- TMBP or CRC or only one standard for both the products;
- (e) whether input steel is same for CRC and TMBP;
  - (f) whether there is any price difference between CRC and TMBP;
  - (g) whether M/s STPL placed any specific orders to ASML/ISL for supply of TMBP;
  - (h) in Pakistan, a specific PCT heading was created in Pakistan Customs Tariff vide Finance Act, 2019. Was there any international instance where separate HS heading was created for TMBP in the Customs Tariff of the country;
  - (i) whether any pre-shipment inspection was done for supply of TMBP by the Applicants to STPL;
  - (j) whether domestic industry sold TMBP to any other buyer in the local market;
  - (k) whether domestic industry exported TMBP to any foreign country because there were substantial exports done by the industry;
  - (l) Whether any lab test was done for determining TMBP or CRC;
  - (m) whether presence of MRT2, MRT3, MRT4 etc. in any product will make it TMBP;
  - (n) whether use of MR steel will make the product TMBP;
  - (o) whether STPL besides purchases from domestic industry has also been importing TMBP;
  - (p) whether in import documents STPL was mentioning specific TMBP standard;
  - (q) was there any clarification on the part of STPL that they were manufacturing 'A', 'B' and 'C' grade tin plates;
  - (r) whether findings/report of any Committee constituted on the advice of the Commission, be it EDB's Committee are binding on the Commission;
  - (s) whether the Commission can take a different view in the present investigations than the earlier one; and
  - (t) whether in presence of pending Appeal in the Hon'able High Court, the Commission can examine and decide this matter at its own merits.

11.1.20 Before adjudicating on different dimensions of the case as listed in above para, the Commission decided to ask specific questions from three parties. Accordingly, ASML was asked 22 questions, ISL 24 and STPL 22 and their respective responses are pasted at **(a), (b) and (c)** below as a referral to the conclusions drawn under para 11.1.21 below (*Annexes with the answers are not being pasted below because of bulk of information but that is part of official record and available for consultation by any interested party*):

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(a) Response of Aisha Steel Mills Limited to questions asked by the Commission

<b>S.No</b>	<b>Commission's Question</b>	<b>M/s ASML's Response</b>
1	Is ASML following Japanese Industrial Standard in manufacturing of its steel products?	Yes. ASML is following Japanese Industrial Standards in manufacturing of its steel products.
2	What is Japanese Industrial standard (JIS) for CRC. Please provide copy of it.	JIS G-3141 provides physical tolerances as well as chemical composition. Copy of Standard JIS 3141 is provided as <b>Annexure A</b>
3	What is SPCC as mentioned in Purchase Orders of STPL? Is it symbol of grade CRC?	SPCC is a commercial quality cold rolled steel. Yes, SPCC is a symbol of grade of CRC. JIS G-3303 applies for TMBP. However, this standard gives physical tolerances and does not say anything about chemical composition.
4	Is there is a separate JIS for TMBP. If yes, then provide copy of that.	JIS G-3303 applies for TMBP which provides physical tolerances only. Copy is attached as <b>Annexure B.</b>
5	Is there one JIS for both CRC and TMBP. Please provide copy of it which clarifies this point.	JIS 3141 standard is applicable for CRC which provides both physical tolerances as well as chemical composition. However, for TMBP as well as Electrolytic Tinplate, standard JIS -G-3303 is applicable. JIS-G-3303 only provides physical tolerances for TMBP for which chemical composition is defined through JIS 3141/SAE 1006. As far as CRC for Tinning is concerned both the standards JIS-G-3303 and JIS-G-3141 overlap.
6	M/S STPL gave Contract No. 637468 dated 18.5.2020 for 50 MT of CRC. Given standard in the cited contract is JIS 3141/SAE1006. Sales tax invoices furnished by ASML to the Commission show the same space as given in the Contract. JIS 3141/SAE 1006 is for CRC of TMBP. PI explain	The chemical composition of SAE 1006 can be used both for CRC and TMBP.
7		

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	<p>M/s STPL issued following Sales Contracts for supply of CRC to ASML during the POI: (Copies Enclosed).</p> <p>i. 638772 dated 15.7.20 for 1550 MT. ii. 638805 dated 15.7.20 for 1450 MT. iii. 639512 dated 13.8.20 for 380 MT iv. 639569 date 13.8.20 for 1330 MT v. 639246 date 13.8.20 for 1140 MT</p> <p>Whether supplies were made during POI? If yes then furnish information on the earlier given format.</p>	<p>Sales Contracts were issued during POI but supplies were made afterwards in post POI/ POR period.</p>
8	<p>Has ASML supplied TMBP to any buyer in local market other than STPL during POI. If yes then provide information on the given format.</p>	<p>As per our information, there is only one unit in Pakistan which produces Tinplate i.e. Siddiqsons Tinplate Limited. This fact can be ascertained from final determination of the NTC in antidumping investigation of tinplate (ADC No. A.D.C No. 53/2018/NTC/TP). All supplies of CRC meant for tinning process/ TMBP were made to Siddiqsons only. Siddiqsons sold the material purchased from ASML after tinning to its customers under the tag of TMBP. It is important to note that Siddiqsons purchased material from ASML as CRC and itself sold the material under the tag TMBP after tinning. This shows that TMBP and CRC are same.</p>
9	<p>Is ASML is also exporting its products to different countries. If TMBP has been exported to any country during the POI then provide information on the given format.</p>	<p>Yes ASML has exported its products to different countries, but not in TMBP tag .</p>
10	<p>Is there any price differential between CRC and TMBP? Please provide evidence both in case yes or No.</p>	<p>Typically thin CRC is used in TMBP &amp; the additional cleaning requirements are mandatory for shiny Tin coating. Because of additional process of cleaning TMBP has slightly higher price than other CRC. .</p>
11	<p>PI provide colored Flow Chart/Diagram showing stepwise processes involved while converting HRC to CRC and TMBP. Wherever there is any difference in processing step then highlighted.</p>	<p>Process flow Diagram is attached as <b>Annexure G</b>.</p>

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12	Is the HRC used for CRC and TMBP is of same grade/standard?	Yes, same grade standard i.e. SAE 1006. This is because JIS-G-3303 does not provide separate chemical composition for TMBP as it only defines physical tolerances. Siddiqsons got all the material from ASML through toll manufacturing i.e. HRC was arranged by Siddiqsons and cold rolling was done by ASML. Siddiqsons purchased/ arranged the HRC of same standard/ grade which is normally used by ASML for its CRC i.e. SAE 1006. This shows that HRC of same grade/ standard is used in CRC and TMBP.
13	What is JIS HRC used in TMBP. PI provide copy of that.	Relevant standard for HRC to be used in both CRC and TMBP is JIS-G-3131 (attached as <b>Annexure D</b> ). There is no specific standard for HRC to be used in TMBP or CRC.
14	What is MR type steel? It is used for CRC or TMBP? PI provide documentary evidence.	MR grade refers to low residual element in base steel for TMBP which is equivalent to SAE 1006 used for CRC.
15	In above cited covering letter, ASML has stated that the Appellate Tribunal in Appeal No. 103/2017 has decided that TMBP and CRC are same. PI provide precise relevant evidence to the Commission which was earlier furnished to the Tribunal.	The documents submitted to the Tribunal in Appeal No. 103/2017 including parawise reply to Appeal (with annexures), written arguments and documents supporting the oral arguments are provided as <b>Annexure E</b> . Furthermore, 1) As JIS –G-3303 clearly mentioned that black plate is produced from non-alloy cold reduced low-carbon(CRC) steel sheets and strips(reference clause 3.1 std G-3303). (2) Austen International Steel Traders depicted on their web page that TMBP is produced through hot rolling process followed by Cold reducing through a cold mill to the desired thickness.(3) JFE steel cooperation Japan points out the TMBP originally was used for Tin coating. Subsequently, it is now being used for many different applications as well as CRC. from Austen International Steel Traders and JFE Black Plate brochure are included in the Tribunal documents.
16	Is any country other than Pakistan has separate HS code/heading for TMBP?	We are attaching herewith extracts from the website of World Trade Organization (Attached as <b>Annexure F</b> ) having 8 digit custom classification of different countries including India, Turkey, China and Korea. For these countries there is no separate classification for TMBP as per our information

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17	Is there a separate HS code/heading for TMBP in Japan? If yeas, then what is the code.	Please refer to the attached <b>Annexure G</b> for PCT Classification in Japan for Cold Rolled Coils less than 0.5mm.
18	AS per information furnished by ASML to the commission vide above cited letter dated 29.11.2021, twenty-two (22) sales tax invoices were issued by ASML to STPL during POL STPL contracts/purchase orders were for CRC. All invoices were for CRC. STPL Contract stated CRC for TMBP and the given JIS is 3141/SAE 1006. Does CRC for TMBP means TMBP or this is an input for TMBP? PI explain.	For all sales to Siddiqsons, HRC was arranged by Siddiqsons and ASML provided only tolling services (i.e. conversion of HRC into CRC/TMBP). Therefore this CRC was purchased by Siddiqsons as CRC for TMBP.
19	Is CRC thickness of 0.30 mm or less is TMBP as per ASML position? Is it internationally so?	AS per JIS standard 3303, manufacturing of TMBP thicknesses specified form 0.150 mm to 0.60mm. ASML can produce whole range of thicknesses.
20	Can CRC and TMBP is distinguishable through naked eye?	No both CRC and TMBP cannot be distinguished from naked eye. Infact TMBP is low gauge and low carbon CRC which cannot be seen from the naked eye.
21	Whether there was any lab test report conducted by 3rd party before making supply to STPL. Since this was years old dispute, why this course was not adopted.	No lab test was conducted by any third party because it was not required by the customer. In our sales to Siddiqsons mostly the HRC was arranged by Siddiqsons and ASML only provided tolling services. That is why there was no required for 3rd party lab tests.
22	Whether any pre-shipment inspection was conducted for supplies to STPL by any credible Pre-Shipment Inspection Agency. Why this course was not adopted?	The reply is same as given in point 21 above. ASML have no confusion in CRC and TMBP, both are same product. Third party pre-inspection was not required by customer and hence was not adopted.

**(b) Response of International Steel Mills Limited to the questions asked by the Commission**

	<b>Commission's Question</b>	<b>ISL's Response</b>
1	Attention of ISL is drawn to its above quoted letter dated 01.12.2021 wherewith filled Format was sent to NTC. Nos. and dates of the Purchase Orders of M/s Siddiqsons Tin Plate Ltd (STPL) have neither been quoted in the Format nor copies furnished as Annexes to the Format. First of all, please furnish requisitioned information on the given Format.	We would like to submit before the Commission that prior to this, STPL was not buying the product under consideration from local manufacturers and this 32 MT of sales during POI / POR was a trial production as per the requirements of STPL and we haven't received a formal purchase order. The confirmation from

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		STPL in this regard have already submitted as correspondence between STPL & ISL with the Commission as Annexure-I(a) of the said letter dated 01-12-2021.
2	Is ISL following Japanese industrial standard in manufacturing of its steel products?	ISL Manufactures Cold rolled and coated Steel in JIS (Japanese) and equivalent grades.
3	What is Japanese Industrial standard (JIS) for CRC. Please provide copy of it.	JIS G 3141 and equivalent Copy of the Standard is enclosed as <b>Annexure A.</b>
4	What is SPCC as mentioned in ISL invoices? Is it symbol of grade of CRC?	SPCC steel is a commercial quality cold rolled steel. SPCC is a material grade and designation defined in JIS G 3141.
5	Is there a separate JIS for TMBP? If yes, then provide copy of that.	JIS G-3303 applies for TMBP which provides for physical tolerances only. Copy is attached as <b>Annexure B.</b>
6	Is there is only one JIS for both CRC and TMBP? Please provide copy of it to clarify this point.	JIS 3141 standard is applicable for CRC which provides both physical tolerances as well as chemical composition. However, for TMBP as well as Electrolytic Tinplate, standard JIS -G-3303 is applicable. JIS-G-3303 only provides physical tolerances for TMBP for which chemical composition is defined through JIS 3141/SAE 1006. As far as CRC for Tinning is concerned both the standards JIS-G-3303 and JIS-G-3141 overlap.
7	M/s Siddiqsons Tin Plate Limited (STPL) placed an order for 4,000 MT of TMBP vide email dated 25.11.2017 followed by letter No. STPL ISL/ dated 25.11.2017. Copies attached at Annex-I & II. What happened to it. Was supply made during PO1? Please provide information on the already given Format.	<p>STPL sent an inquiry to ISL, on 25<sup>th</sup> Nov 2017. Subsequently, ISL sent a quote on 13<sup>th</sup> Dec 2017.</p> <p>STPL declined ISL's Offer on 15<sup>th</sup> Dec 2017 - The detailed correspondence is attached for reference as <b>Annexure C.</b></p> <p>Since STPL declined ISL's offer due to disagreement on commercial terms hence, no supplies were made against the PO1.</p>
8	M/s STPL placed another Order for 50-100 MT of TMBP vide email dated 01.7.2019 giving detailed specs therein. Copy attached as Annex III. Payment was made in advance. Was there a pre-supply inspection at the premises of ISL by SGS for this Order. Oder was cancelled by STPL based upon findings of SGS (Annex IV). Advance payment made by STPL for this Order was adjusted against subsequent supply of GI coils. If it is not	<p>Material was produced on 16<sup>th</sup> July 2019 – 23MT.</p> <p>Payment received by ISL: 26<sup>th</sup> July 2019 – PKR 2.123mn</p> <p>Yes, there was a pre-supply inspection conducted by SGS dated 23<sup>rd</sup> Aug 2019.</p>



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	<p>correct, was any supply made against the cited order during POI. If yes then provide information on the already given Format OR explain your position with reference to Annex-IV with documentary evidence.</p>	<p>After the said inspection; SGS shared a report with ISL for which ISL shared a detailed response with SGS, this was also shared with STPL. (Response of ISL on the SGS report is provided at <b>Annexure-D.</b>)</p> <p>ISL notified STPL vide email dated 20<sup>th</sup> Nov 2019 that ISL is confident of supplying TMBP Material to STPL – no response received from STPL's end regarding this; however, stream of orders was received from STPL in 2020 (e.g PO # 20070040 dated 27<sup>th</sup> July 2020). Had ISL not able to produce TMBP, STPL would not have placed further orders. Here it is important to note that SGS has no where stated in its report that the product was not TMBP. SGS has itself noted that the material grade was MR which specifies it as TMBP. As regards DOS oil, ISL clarified that DOS oil was applied and evidence was provided to Siddiqsons. SGS report mainly highlighted regular operational issues which does not deny the capability of the domestic industry to produce TMBP. Detailed comments on SGS reports included in above referred annexure D.</p>
9	<p>M/s STPL issued Purchase order No.20070040 dated 27.7.2020 for purchase of 1,000 MT CRC. Copy attached at Annex.V. Whether supply was made during POI? If yes then furnish information on the given Format.</p>	<p><i>PO for this transaction was issued by Siddiqsons on 27.07.2020 whereas invoice against supply was issued in the month of February 2021. Details of this PO has already been shared with the Commission. However, ISL is again attaching herewith the said PO alongwith the invoices issued against this PO as <b>Annexure-E-4.</b> From PO included in the said attachment, it can be seen that the description of goods used by Siddiqsons is "<b>Cold Rolled Steel In Coils 0.22 x 800 T-2 – Prime Quality</b>". T-2 Tamper of the material is specifically required in TMBP whereas Siddiqsons regarded the material in its PO as Cold Rolled Steel in Coils. This shows that Siddiqsons is also clear that TMBP is actually CRC. Furthermore, it is also evident from the invoices issued by ISL against this PO with product description of Tin Mill Black Plate which confirms the end use requirement of Siddiqsons.</i></p>

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10	Has ISL supplied TMBP to any buyer in local market other than STPL during POI?. If yes then provide information on the given format.	As per information of ISL, there is only one unit in Pakistan which produces Tinsplate i.e. Siddiqsons Tinsplate Limited. This fact can be ascertained from final determination of the NTC in antidumping investigation of tinsplate (ADC No. A.D.C No. 53/2018/NTC/TP). All supplies of TMBP were made to Siddiqsons only.
11	M/s ISL is also exporting its products to different countries. If TMBP has been exported to any country during the POT then provide information on the given format.	Yes, ISL has significant exports of CRC to many countries. However, ISL has not exported TMBP.
12	Is there any price differential between CRC and TMBP both in local and international market? Please provide evidence both in case of Yes or NO.	The difference in price of commercial quality CRC and TMBP is due to two factors i.e cleaning operation and special material. However, special material (i.e. HR of T-2, T-3 tamper) is only used when it is required by the customer TMBP of T2 and T3 grade. If Siddiqsons requires CRC for its tinning process under SAE 1006/ JIS-G-3141, the difference will only be due to cleaning operation.
13	Please provide colored Flow Chart/diagram showing stepwise processes involved while converting HRC to CRC and TMBP. Wherever there is any difference in processing step then that be highlighted.	Process flow chart is attached as <b>Annexure E-2</b> .
14	Is the HRC used for CRC and TMBP is of same grade/standard?	It depends on the requirement of the customer. If customers asked for CRC for Tinning process under SAE 1006 HRC will be the same. However, If customers asks for T-2 or T-3 tamper, there will be a slight difference in chemical composition. The HRC used to produce CRC is defined in standard as SPHC in JIS G 3131.
15	What is JIS for HRC used in TMBP? Please provide copy of that.	There is no separate JIS for HRC to be used in CRC for tinning process. JIS-G-3131 is relevant for mild Hot Rolled Steel which is applicable for both CRC and TMBP. It is further added that ISL uses HRC of tamper T-2 and T-3 as per the requirement of Siddiqsons. Copy of JIS-G-3131 is attached as <b>Annexure F</b> .
16	What is MR type steel? Is it used for CRC or TMBP? PI provide documentary evidence.	MR Type is a typical steel grade used for black plates, MR is base steel, low in residual elements, that has high corrosion resistance and

**Conclusion of Sunset Review of the Anti-dumping Duties Imposed on Dumped Imports of Cold Rolled Coils/Sheets Imported from People's Republic of China and Ukraine**

		is widely used in general applications such as containers. It is slightly different from CRC based on its base steel chemical composition. (Mill Test Certificates of HR for TMBP and HR for CRC attached).
17	In above cited covering letter dated 01.12.2021, ISL has stated that the Appellate Tribunal in Appeal No. 103/2017 has decided that TMBP and CRC are same. PI provide precise relevant documentary evidence furnished to the Tribunal.	Relevant documents are attached as <b>Annexure G</b> .
18	Is any country other than Pakistan has separate HS code/heading for TMBP? If yes name the country.	We are attaching herewith extracts from the website of World Trade Organization (Attached as <b>Annexure H</b> ) having 8 digit custom classification of different countries including India, Turkey, China and Korea. For these countries there is no separate classification for TMBP as per our information
19	Is there a separate HS code/heading for TMBP in Japan? If yes, then what is the code	Please refer to the attached <b>Annexure-I</b> for PCT Classification in Japan for Cold Rolled Coils less than 0.5mm.
20	As per information furnished by ISL vide above cited letter dated 01.12.2021, three sales tax invoices were issued by ISL to STPL during POI. STPL Purchase Orders were for CRC. All the three invoices shared with the Commission relate to CRC. Where is TMBP?	This is a regular demand of CR by customer for the purpose of producing bailing hoops for packing purpose. CR was demanded by customer and was supplied accordingly. This does not fall in the scope of TMBP material.
21	Is CRC thickness of 0.30 mm or less is TMBP as per ISL position? Is it internationally so?	AS per JIS standard 3303, manufacturing of TMBP thicknesses specified form 0.150 mm to 0.60mm. ISL can produce whole range of thicknesses.
22	Can CRC and TMBP is distinguishable through naked eye?	TMBP and CRC are identical in their finished forms. The only differentiating factor are the physical properties which cannot be seen through naked eye.
23	Whether there was any lab report conducted by 3rd party before making supply to STPL. Since this was years old dispute, why this course was not adopted.	No 3 <sup>rd</sup> party lab test was conducted as it was not required.
24	Whether any pre-shipment inspection was conducted for supplies to STPL by any credible Pre-Shipment Inspection Agency. Why this course was not adopted?	<i>As mentioned in response number 8, yes, there was a pre-supply inspection conducted by SGS dated 23<sup>rd</sup> Aug 2019.</i>

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**(c) Response of STPL to the questions asked by the Commission**

S. No.	Commission's Question	M/s STPL's Response
1.	Are M/s International Steel Limited (ISL) and Aisha Steel Mills Limited (ASML) following Japanese or American industrial standard in manufacturing of its steel products? PI give proof.	ISL is following Japanese Industrial Standard, whereas ASML is following Japanese Industrial Standard and American Standard for producing the steel products as shown in their websites, for M/s ASML ( <a href="http://www.aishasteel.com">www.aishasteel.com</a> ) and for M/s. ISL ( <a href="http://www.isl.pk">www.isl.pk</a> ). The products manufactured as per the websites are ( <del>Annex-A</del> ) for ASML and ( <del>Annex-B</del> ) for ISL.
2.	What is Japanese Industrial standard (JIS) for CRC. Please provide copy of it.	Japanese Industrial Standard manual categorizes steel products. These products are given different numbers e.g., CRC is classified under JIS G 3141 ( <del>Annex-C</del> )
3.	What is SPCC mentioned in STPL Purchase Orders? Is it symbol of grade of CRC?	CRC is produced in different grades. SPCC is one of the CRC Grade under the Japanese Industrial Standard. ( <del>Annex-C</del> )
4.	Is there a separate JIS for TMBP? If yes, then provide copy of that.	Yes, TMBP has a separate JIS number and is classified under JIS G 3303 ( <del>Annex-D</del> )
5.	Is there only one JIS for both CRC and TMBP? Please provide copy of it. Which clarifies this point.	No. There is separate JIS for CRC (JIS G 3141) and separate for TMBP (JIS G 3303) ( <del>Annex-C and D</del> )
6.	ISL and ASML are of the view that STPL has been changing its position from time to time. First it was pleading that local industry was not capable of Producing CRC/TMBP below 0.30 mm thickness. Industry has established that it has been producing products of less than 0.30 mm thickness and supplying to STPL. Now, STPL is stating that local industry is not producing or is not capable to produce TMBP. When STPL is getting CRC of the required thickness then what is the issue. As per Applicants, STPL is interested in getting imports on dumped prices and there is no other issue. PI explain your position with documentary evidence.	<p>STPL requires thin input material to produce Electrolytic Tin Plate. The thickness of the material has to be between 0.15mm to 0.30mm. Initially, during the earlier POI (01.04.2012 to 31.03.2015) STPL purchased 166 M/Tons CRC from ASML of gauge varying from 0.25mm to 0.29mm which did not produce the Tinplate of desired quality. Later, the quality of CRC in thinner gauges was improved and STPL placed its purchase orders with M/s. ASML on 06.05.2020 and M/s. ISL on 01.05.2020.</p> <p>The allegation of ASML and ISL charging STPL with the intention to import TMBP at dumped prices is not correct. ASML and ISL have upgraded their equipment to produce the thinner grades of CRC, therefore, STPL has placed purchase orders for CRC during and after POI for thousands of tons. Presently, STPL has not contested CRC being subjected to Anti-Dumping Duty. In fact, STPL imports TMBP as it is not produced locally. The day ASML and ISL produces TMBP, STPL shall purchase from them.</p>
7.	Local industry is maintaining its position that CRC and TMBP are one and the same product. PI	CRC and TMBP are two separate products and are sold as such, internationally. The JIS manual ( <del>Annex-C &amp; D</del> ) shows that CRC and

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	<p>provide documentary evidence that these are two different products.</p>	<p>TMBP are separate products. The explanation of following companies also show that CRC and TMBP are different products.</p> <p>(i). Ton Yi Industrial Corp., producer of CRC and TMBP (<del>Annex-E</del>)</p> <p>(ii). Shandong Better Way Imp. &amp; Exp. Corp., Traders of metals. (<del>Annex-E1</del>)</p>
<p>8.</p>	<p>During public hearing STPL has stated that it is manufacturing 'A' 'B' and 'C' grade tin plates for different types of clients. CRC purchased from local industry is used for making 'B' and 'C' grade and for making 'A' grade TMBP is imported. PI explain the following:</p> <p>a) Provide write up explaining your processes for making different grade of tin plates. A colored flow Chart/ diagram is needed to see your processes;</p> <p>b) Explain uses of different grades of tin plates;</p> <p>c) Provide verifiable list of your grade wise clients; and</p> <p>d) What was your quantum of purchases from local industry vis-a-vis imports of CRC and TMBP during POI?</p>	<p>a. Uniform process is followed to produce Tinplate. "A", "B" and "C" category of Tinplate depends upon the input material and its quality. (colored copy of the production line <del>Annex-F</del>)</p> <p>b. "A" category Tinplate is used for the packing of Vegetable Oil / Ghee and some other products. "B" and "C" grade Tinplate is used to produce containers for paint industry and for price conscious general users of vegetable oil / ghee and the containers used for packing of vegetable oil / ghee for commercial purposes. The customers who buy "B" and "C" grade Tinplate, normally import secondary Tinplate or buy it from the market.</p> <p>Remarks: The import of secondary Tinplate in Pakistan during the POI was 135300 M/Tons. STPL in order to compete and be in market sell the Tinplate produced from CRC to mostly the users of imported secondary Tinplate.</p> <p>c. Client wise list of "A", "B" and "C" categories (<del>Annex-G</del>)</p> <p>d. During POI, 17 M/Tons of CRC was received from ISL and 914 M/Tons from ASML, totaling 931M/Tons. 60814 M/Ton of TMBP was imported to produce Tinplate for local supply and export and 4,758 M/Tons of CRC.</p>
<p>9.</p>	<p>Provide copies of GDs/invoices showing specs of TMBP imported during POI.</p>	<p>Some Import GD's along with their invoices of TMBP, during POI period (<del>Annex-H1, H2, H3...H10</del>). Remaining invoices of imported TMBP (<del>Annex-J1</del> includes 87 invoices). The total quantity of TMBP imported during POI was 60814 M/tons,</p> <p>Remark: All the import GD's have not been submitted as the downloading of GD's from website takes time. Since this response is time bound therefore, some GD's are being enclosed. 100% of GD's can be submitted after some time.</p>

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10.	Is there any price differential between CRC and TMBP? Please provide evidence both in case of Yes or NO.	<p>There is price difference between CRC and TMBP. TMBP is expensive even if the thickness and width of both materials is same. A leading trading company who deals in first class mills material indicates the latest TMBP and CRC price. (<del>Annex-K</del>)</p> <p>Price of local CRC is PKRs. 117000/- for thickness 0.25mm in May 2020 (<del>Annex-L</del>).</p> <p>Landed cost of TMBP is PKRs 124049/- for Thickness 0.25mm booked in May 2020. Sales Contract of TMBP for RMB 4440/MT. Imported through this consignment. (<del>Annex-M</del>)</p> <p>The prices are for the same period and thickness.</p> <p>Remark: We were importing expensive material from abroad as local similar material was not available.</p>
11.	PI provide colored Flow Chart/Diagram showing stepwise processes involved while converting HRC to CRC and TMBP. Wherever there is any difference in processing step then that be highlighted.	Colored Flow chart / diagram showing step wise processes of HRC conversion into CRC and TMBP ( <del>Annex-N</del> )
12.	Is the HRC used for CRC and TMBP is of same grade/ standard?	No.
13	What is JIS for HRC used in TMBP. PI provide copy of that.	Japanese Industrial Standard used for HRC to produce TMBP is JIS G 3131 ( <del>Annex-O</del> ).
14,	What is MR type steel? Is it used for CRC or TMBP? PI provide documentary evidence.	MR is one of the TMBP type steel. MR stands for "Low in metalloids and residual elements". It is covered in JIS G 3303 ( <del>Annex-D</del> ).
15.	What is the difference between JIS G 3303 and JIS G 3141	The difference between CRC and TMBP as per JIS G 3141 and JIS G 3303 is about standards, material, chemical properties, mechanical properties, thickness characteristic and surface oiling. ( <del>Annex-P</del> )
16.	M/S. ISL and ASML have stated in response to NTC that the Appellate Tribunal in Appeal No. 103/2017 has decided that TMBP and CRC are same. This shows that your submissions were duly considered by the Commission while investigating the earlier case which went to the Tribunal. What is new in your current submissions	<p>The learned counsel in the Antidumping Appellant Tribunal Islamabad has submitted in Appeal No. 103/2017 that there is no difference between CRC and TMBP basing his input on the composition of the material. Had that been so, the Japanese Industrial Standard would not categorize these two products (CRC &amp; TMBP) separately giving separate code headings. Chemical composition is one parameter for determining a metal, there are many other parameters as well for such determination</p> <p>Being different products the producers of TMBP and CRC issue separate catalogues (<del>Annex-Q, Q1</del>)</p>

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<p>which can convince the Commission to arrive at different findings. PI provide all relevant but precise information.</p>	<p>The learned counsel of the local producers claimed before the Antidumping Appellant Tribunal as mentioned in the decision, that Arcelor Mittal the biggest producer of steel has categorized TMBP as CRC and extract from their website was quoted. In fact, Arcelor Mittal Packaging Product's catalogue on their website (<a href="https://packaging.arcelormittal.com/repository2/Unassigned/ArcelorMittal%20Packaging%20-%20product%20catalogue.pdf">https://packaging.arcelormittal.com/repository2/Unassigned/ArcelorMittal%20Packaging%20-%20product%20catalogue.pdf</a> ) categorically shows the production line of TMBP and Tinplate and states that Tinplate is produced from Black Plate (TMBP) (<del>Annex-R</del>). Had CRC been same as Black Plate, it would have also been mentioned and showed in the production line. Arcelor Mittal have also given separate specification of TMBP and CRC vide letter dated 10.12.2021 (<del>Annex-S</del>). Nowhere, TMBP appears to be interchangeable with CRC.</p> <p>Not being satisfied with the decision of Antidumping Appellant Tribunal Islamabad STPL filed an Appeal No. 174/2017 with the Islamabad High Court and the matter is pending in the court.</p> <p>M/s. ISL vide their letter dated 03.02.2016 has confirmed that they only produce CRC of more than 0.23mm (<del>Annex-T</del>). M/s. ISL, vide their other letter dated 13.06.2017 had also confirmed that they do not produce TMBP (<del>Annex-U</del>)</p> <p>Initially, when antidumping duty was imposed in January 2017 on import from Ukraine and China on the basis of POI (01.04.2012 to 31.03.2015) TMBP was not classified separately and therefore the issue was not raised. In the non-confidential notes kept with the SEF it has been mentioned that while verifying the sales figures of the applicant M/s. STPL was found to be one of their “<b>main customer</b>” of CRC of less than 0.30mm thickness. It is pointed out that not a single consignment of CRC having less than 0.30mm thickness was supplied by ISL and only 166 M/Tons of CRC was supplied by ASML and due to quality issues the purchase was discontinued. STPL imported 39203 M/Tons TMBP and 31938 M/Tons CRC during the earlier POI period. How can STPL be a major customer with such a small supply of CRC from the applicants during this POI period? Based on these inputs Antidumping Duty on CRC was imposed on all gauges with some exclusions. In fact, STPL was supplied less than 1/4<sup>th</sup> of 1% of the imported quantity of CRC and TMBP during the POI (01.04.2012 to 31.03.2015).</p> <p>Remark: Landed cost of imported TMBP was higher than the price of the locally produced CRC.</p> <p>NTC has also recommended to FBR vide their letter No. 36/2016/NTC-CRC-887, dated 22<sup>nd</sup> may 2017 (<del>Annex-V</del>) to create separate heading of TMBP. The recommendation by itself proves that NTC had also agreed that TMBP is a separate product.</p> <p>The applicant have showed the end use of locally produced CRC to be used in different inedible products. In fact, the end use of the products produced by STPL i.e. Tinplate is mostly, for edible purposes.</p>
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		Under the current POI (01.10.2017 to 30.09 2020) the applicant had requested for Antidumping Duty on CRC and also quoted HS Code No. 7209.1891 and 7209.1899 which is of TMBP and have not been excluded. The HS code headings of TMBP need to be excluded in line with those categories of CRC which are not produced locally and used in auto industry and have been excluded.																																										
17.	Is any country other than Pakistan has separate HS code/heading for TMBP? If yes name the country and provide relevant HS code No. of that country	<p>Some of the countries having separate HS codes for CRC and TMBP are as under</p> <table border="1"> <thead> <tr> <th>S. No.</th> <th>Country</th> <th>Product</th> <th>H.S. Code</th> <th>Product</th> <th>HS Code</th> <th>Remarks</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>JAPAN</td> <td>CRC</td> <td>7209.1801</td> <td>TMBP</td> <td>7209.18092</td> <td>CRC HS Code of Japan and TMBP Invoice showing the HS Code Number (Annex-ZA1)</td> </tr> <tr> <td>2</td> <td>USA</td> <td>CRC</td> <td>7209.18.15.30</td> <td>TMBP</td> <td>7209.18.25.20</td> <td>US, Tariff HS code Enclosed (Annex-ZA2)</td> </tr> <tr> <td>3</td> <td>VIETNAM</td> <td>CRC</td> <td>7209.1899</td> <td>TMBP</td> <td>7209.1810</td> <td>Vietnam, Tariff HS Code Enclosed. (Annex-ZA3)</td> </tr> <tr> <td>4</td> <td>INDIA</td> <td>CRC</td> <td>7209.1899</td> <td>TMBP</td> <td>7209.1890</td> <td></td> </tr> <tr> <td>5</td> <td>TAIWAN</td> <td>CRC</td> <td>7209.1810.21-8</td> <td>TMBP</td> <td>7209.1830.29-6</td> <td>Taiwan, Customs Representation information. (Annex-ZA4)</td> </tr> </tbody> </table>	S. No.	Country	Product	H.S. Code	Product	HS Code	Remarks	1	JAPAN	CRC	7209.1801	TMBP	7209.18092	CRC HS Code of Japan and TMBP Invoice showing the HS Code Number (Annex-ZA1)	2	USA	CRC	7209.18.15.30	TMBP	7209.18.25.20	US, Tariff HS code Enclosed (Annex-ZA2)	3	VIETNAM	CRC	7209.1899	TMBP	7209.1810	Vietnam, Tariff HS Code Enclosed. (Annex-ZA3)	4	INDIA	CRC	7209.1899	TMBP	7209.1890		5	TAIWAN	CRC	7209.1810.21-8	TMBP	7209.1830.29-6	Taiwan, Customs Representation information. (Annex-ZA4)
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18.	Is there a separate HS code/heading for TMBP in Japan? If yes, then what is the code.	Yes, in Japan they have separate HS Codes as given at serial number 1 in Para R17 at above.																																										
19.	Can CRC and TMBP is distinguishable through naked eye?	It is difficult to judge and only highly skilled professional may differentiate.																																										
20.	Whether there was any lab test report conducted by 3 <sup>rd</sup> party before making supply to STPL by local industry. Since this was years old dispute, why STPL did not take up this matter with the local suppliers.	<p>Only 17 M/Ton of CRC was purchased from ISL during the POI and CRC is not under dispute, therefore, no lab test of CRC was required.</p> <p>913 M/Tons of CRC was purchased during POI from ASML. There was no dispute on CRC thus there was no need to have a third-party lab test.</p> <p>No order of TMBP was placed with local industry before 01.07.2019 as earlier they had not responded to our P.O. for TMBP.</p>																																										
21.	Whether any pre-shipment inspection was conducted before making supplies to STPL by any credible Pre-Shipment Inspection Agency. If not, why STPL did not resort to this mechanism?	STPL had placed a Purchase Order of TMBP with ISL via email dated 01.07.2019 (Annex-W). This material was subject to pre-delivery inspection by a third party. STPL nominated SGS Pakistan to do the inspection at the ISL premises, before dispatch of the TMBP to STPL. SGS confirmed that the product is not TMBP as per the specification given in the purchase order (Annex-X). Based on the SGS Inspection report STPL did not lift the steel. (Annex-Y).																																										



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<p>22.</p>	<p>As per the data/information submitted by domestic industry and your earlier submission, STPL has purchased CRC/TMBP around 34 MT from International Steel Limited and 913 MT from Aisha Steel Mills Limited during the POI. Please explain for what purposes the above-mentioned quantity of CRC/TMBP was purchased from Domestic industry. Please provide consumption details of said purchased quantities by STPL and provide documentary evidence in respect of Consumption</p>	<p>NTC is requested not to write "CRC/TMBP" as this gives an impression as if both are the same products and internationally, they are not so. We have categorically mentioned in our report to NTC that during POI, ISL had supplied 17 M/Tons of CRC and 913 M/Tons of CRC was supplied by ASML. STPL had not received a single tonnage of TMBP during POI.</p> <p>The CRC was purchased to produce Tinplate and its quality was ascertained as "B" and "C" and the Tinplate produced was sold to various customers (<del>Annex-Z</del>).</p> <p>The supply record of Tinplate showing details and sold to various customers of "B" and "C" grades is enclosed. (<del>Annex-Z1, Z2</del>). Quality of the Tinplate is graded by quality control department as per STPL internal standards (<del>Annex-ZA5</del>).</p>
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11.1.21 With the given information furnished by M/s ASML, ISL and STPL and the documentary evidence in response to questions the Commission came to the following conclusions:

- (a) domestic steel industry is following Japanese industrial standards (JIS) in manufacturing steel products;
- (b) there are separate JIS standards for TMBP and CRC. For TMBP, JIS G. 3303, for CRC, JIS G. 3141. All the three parties have furnished copies of the cited standards. Copies furnished by ASML and ISL are more elaborate. Consultation of the cited standards confirms that TMBP and CRC are totally different products starting from input material to end process and the product;
- (c) ASML in response to question 18 and ISL in response to question 20 has unambiguously stated that during POI/POR, CRC was demanded by STPL and CRC was supplied and there was no question of TMBP. This settles down the core issue. No production and supply of TMBP;
- (d) STPL issued one Purchase Order to ISL vide letter dated 25.11.2017 for 4,000 MT TMBP (**Annex - XII**) as quoted by STPL on given 'Format'. Complete specs including JIS standard G. 3303 of required TMBP were given. In return ISL offered product while quoting JIS standard G. 3141 (**Annex - XIII**). M/s ISL has reported to the Commission that this order did not materialize. In the 2nd Purchase Order for TMBP given to ISL on 01.07.2019, M/s STPL had made advance payment. Order was for 50-100 MT. This material was inspected by SGS at pre-supply stage on 23.8.2019 and reported that instead of JIS G. 3303 for TMBP, prepared material was of JIS G. 3141 which was CRC. Numerous other deviations were also reported vis-à-vis given specs of TMBP to ISL. Consequently, STPL cancelled this contract and advance payment was adjusted against subsequent supplies from ISL. Had

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the industry enjoyed capacity to produce TMBP, it would have supplied the ordered quantity. This has proved that domestic industry had no capability to produce TMBP during POR/POI;

- (e) in answer to the questions whether industry has sold TMBP to any buyer in domestic market or exported the same during POR/POI, response was 'no'. This again established that industry was only exporting CRC or selling CRC in domestic market. At the websites of both the firms, there is no mention of manufacturing or marketing of TMBP, whereas; they are publicizing CRC and other products;
- (f) in answers to the questions, all the three have responded that there is a price difference in TMBP and CRC because TMBP involves additional processes/treatment. Domestic industry has not provided any evidence as to what is the extent of additional price. M/s STPL has furnished evidence, that during POI/POR price of CRC was Rs 117,000/mt and price of TMBP was Rs 124,000/mt. As per another evidence furnished by STPL, with the same specs of thickness, price differential in international market was around US \$ 250/mt. This fact also proves that TMBP and CRC were two separate products;
- (g) information made available to the Commission has shown that except in one case there were no pre-shipment inspections or lab tests. As per STPL stance, since Orders were for CRC and CRC was being supplied, therefore, there was no need for lab test or pre-inspection. In case of one Order for TMBP, there was a pre-supply inspection by SGS on the basis of which that Order was cancelled;
- (h) ISL has claimed that against one Order of STPL, they have supplied material of T2, T3 etc. which was TMBP. STPL has contested this stance and explained that presence of T2 or T3 does not make the product TMBP. Commission's consultation of JIS G. 3303 (TMBP) and JIS G. 3141 (CRC) has shown that **'T' in both the cited standards refers to 'temper' which is hardness of the product. This ranges from T1-T8 and this is common in both the standards. This hardness will not make the product TMBP. In fact, there are other related processes which have to be done for making the product TMBP;**
- (i) Domestic industry has claimed that in one Order of STPL, MR steel was used which makes the product TMBP. Commission's consultation of the above cited JIS for TMBP and CRC have shown that no doubt there is specific type of steel (MR) which is used for TMBP but this will not make it automatically TMBP. Processes laid down in the relevant standard (G. 3303) have to be followed so that end product becomes TMBP. In the above cited case, where there was pre-inspection, despite use of MR steel, SGS noted numerous deviations from the given standard and gave its finding that instead of G.3303 (TMBP) which was in the Order, it was product of G. 3141 (CRC). This established that MR alone will not make the product TMBP;

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- (j) STPL was questioned to provide evidence of its imports of TMBP. Commission intended to see whether in the import documents STPL mentioned JIS G.3303 (TMBP) or not. STPL furnished copies of Customs GDs and invoices relating to POR/POI which clearly mentioned JIS G.3303;
- (k) during public hearing as well as in other presentations, STPL pleaded that they were purchasing CRC from domestic industry which was used for manufacturing of 'B' and 'C' grade tin plates. **For manufacturing of 'A' grade tin plate, they have been importing TMBP which was used for packaging of quality food products.** Detailed information was provided in this regard which is part of official record;
- (l) stance of the domestic industry as cited at earlier paras that Commission can't change its earlier view, was duly considered by the Commission and came to the conclusion that the Commission has to see the evidence in hand, examine objectively/impartially to arrive at legally and factually correct findings. The Commission also came to the conclusion that evidence laid down at preceding paras has never been before the Commission at the time of earlier investigations in case of China and Ukraine and PD in new investigations relating to four countries. Thus, a decision is being taken on merit as per exhaustive evidence gathered during this review and investigation process;
- (m) The point whether any finding of a committee constituted by the Commission are binding on it, be it EDB Committee. The Commission concluded that assistance of any person or committee can legally be obtained but their findings are recommendatory which can only be accepted factually and legally correct, otherwise, those can be disregarded. The Commission while reviewing the findings of the EDB Committee have already pointed out serious flaws in it as listed at para 11.1.9. The Committee did not question the Applicants that data provided during the visit was deficient and most of the documents related to post POI. There was no correlation between the presented sales invoices and the purchase orders. There was no supply of TMBP during POR/POI which the industry accepted itself in response to Commission's questions. No contract for transfer of so called TMBP coils from ISL to ASML for processing and transportation back, no gate passes or sales tax invoices issued by ASML for value addition. Had the Committee seen that there was no production or sale of TMBP during POR/POI then its findings would have been more meaningful. What new evidence was presented by the industry that they have now developed the capability to manufacture TMBP? Which new machinery was imported and installed, there is no documentary evidence in this regard even - no mention in the report. Neither related information demanded nor furnished by the domestic industry. Hence, findings/recommendations of the Committee due to serious flaws therein were found to be not acceptable by the Commission;
- (n) domestic industry has also raised the point that since earlier case is pending in the Hon'able Islamabad High Court, therefore, Commission can't take a decision on

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this issue. M/s STPL is Appellant in that case. The Commission is quite clear in its understanding that any decision in the present review/investigations will have no bearing on the case pending in the Hon'able court. Any decision in that case will be binding for all, be that the industry or Commission. Current review/investigations relate to future and not past case pending in the Hon'able Court;

- (o) domestic industry has also raised the issue that STPL got created a separate PCT heading No. 7209.1891 for TMBP through Finance Act, 2019. The Commission asked questions to the three parties whether any other country has also created specific HS heading for TMBP. Domestic industry has responded that there is no such specific heading for TMBP. M/s STPL has reported in response to question No.17, that precedence of five countries is there. The Commission has checked up this position at its level and have found that USA, Singapore, Vietnam and Cambodia have specific heading for TMBP in their national Customs Tariffs Classifications. Copies of relevant Customs Tariff pages are attached at **Annex – XIV**. This does establish that TMBP is a separate commodity than CRC.
- (p) Notwithstanding the position, whether any other country has a specific HS heading for TMBP or not, legal '*locus standi*' of separate heading in Pakistan Customs Tariff needs to be understood. This PCT was created by the Parliament of this country vide Finance Act, 2019 and became operative w.e.f 1<sup>st</sup> July, 2019. This clearly meant that TMBP was a separate and different commodity than CRC and it was not a name of a process. If any application is filed for imposition of ADD on CRC, it will not automatically include TMBP through inclusion of its PCT code. Any misreading on this count needs to be avoided. Commission's staff was required to collect separate production and sales data of TMBP of PCT code 7209.1891 during any investigation where it was alleged by the domestic industry that TMBP was being dumped and causing injury to the industry. This was required to be followed with effect from 1<sup>st</sup> July, 2019. This clarity was also required on the part of the Staff. This is the reason that during on-the-spot verification conducted in May, 2021, erroneously, no separate data for production and sale of TMBP was obtained, analyzed or reported. The domestic industry has not separately established in application that dumping of TMBP has caused injury or there is a threat of injury. Thus, TMBP is not domestic like product and its inclusion in investigated product is incorrect.

11.1.22 In view of the above findings, the Commission has decided to exclude TMBP from the product scope of 'domestic like product'.

11.1.23 Before parting with TMBP part of the report, the Commission has decided to respond to the repeated submissions of the domestic industry that it has sold thousands of tons of TMBP to STPL. At the cost of repetition, assessment given at para 11.1.9 (e) & (f) relating to post POI supply of said to be TMBP by ISL to STPL is pasted below:

*"in 2<sup>nd</sup> set of 86 invoices, 73 invoices have no corresponding purchase order number but 13 have corresponding Order number 21080002 dated 09.8.2021.*

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*This is one of the six purchase orders as quoted at (d) above. Description in cited purchase order no. vis-à-vis description in sales invoices is quoted below:*

<i>Description in purchase order (Annex III)</i>	<i>Description in sales invoices. One sample invoice at Annex - IV</i>
<i>Prime cold rolled steel coil 0.28MMX 1025mm</i>	
<i>Prime cold rolled steel coil 0.25 mmx 914 mm</i>	<i>Tin mill black plate 0.250x0914 standard packed MRT3 bright finish un oiled tension levelled p</i>

*Purchase order was for CRC and corresponding invoice was for TMBP. This description in sale invoices is there in all the 86 invoices. How EDB relied on this information, no explanation given. Since no corresponding purchase order was quoted in remaining 129 sales invoices, therefore, it was not possible to correlate the given purchase order with the given invoice but there was no doubt that all purchase orders were for CRC with given thickness and width”.*

11.1.24 The above is a typical example of maintaining concocted and misleading description in sales invoices on the part of ISL to show that it was producing TMBP. This information has misled Commission’s Staff as well as EDB Committee. There could be no such example in any commercial transaction where buyer is giving purchase order for “CRC” and manufacturer is supplying “TMBP” as shown at the above table which is an expensive product but without any additional cost. The Commission has noted the behavior of ISL with concern which creates questions on reliability of the data provided by it even other than TMBP. Case of ASML was simpler, all purchase orders were given for CRC and supply was also CRC as mentioned in the relevant sales invoices. No discrepancy in description was noted in the sales invoices vis-à-vis purchase orders issued by ASML.

11.1.25 **Dissenting View Point of the Chair Person on the Issue of TMBP**

I do not agree with the majority determination at paragraphs 11.1. 5 to 11.1.24 supra and 11.1. 28 infra to exclude TMBP, HS 7209.1891 from scope of domestic product (as not being manufactured locally) on following grounds:

- a) By definition, Tin Mill Blackplate (“TMBP”) is thin annealed Cold Rolled (CR) steel, which is often used as substrate for tinplate (ETP) and tin-free steel (TFS/ECCS). Generally CRC of lower gauge ranging between 0.15mm to 0.35 mm is characterised as TMBP. The conclusion drawn in paragraphs 11.1. 5 to 11.1.24 supra and 11.1. 28 infra is based on a very narrow definition of TMBP i.e. JIS G 3303, whereas TMBP can be classified according to specification, steel type, temper designation, annealing

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method, surface finish and other characteristics and these classifications are the same as those for tin plate and tin free sheets (Annex-XV).

- b) Appellate Tribunal in Appeal No. 103/2017 dated 16 November 2017 after a thorough discussion decided that “ we don't see any reason to accept TMBP and CRC (of thickness ranging from 0.15 mm-2.50 mm) as two different products, especially when both the products were capable of serving the same purpose or similar end uses having identical practical utility”.
- c) Even the SGS Pre Delivery Inspection Report dated September 04, 2019, (as mentioned in para ...) did not say that material offered by ISL is not TMBP. It acknowledged that material offered by ISL has Steel Type MR, Temper Tolerance T4 (61) +-3, Annealing BA and thickness 0.25. All this clearly specifies the material as TMBP.
- d) All evidence of sale and purchase orders shows that secondary quality TMBP was supplied by ASML and ISL to STPL during and after POI. It is also accepted by STPL that they have received this material and produced secondary quality Tin Plate with this material. A report by Fortune Securities dated December 08, 2020 (Annex-XVI) further proves this point. The report clearly states that, “Siddiqsons entered into a contract with Aisha Steel Mills Limited (ASL) for monthly supply of 2,500-3,000 tons of secondary grade Tin Mill Black Plate (TMBP). Following surplus capacity in the CRC market, ASL has now started producing TMBP in a toll manufacturing setup, exclusively for STPL.”
- e) The important question here is whether industry can produce TMBP or not. Earlier, on this issue, the Appellate Tribunal in Appeal No. 103/2017 dated 16 November 2017 concluded that “we find no reason to accept that the domestic industry was not capable of manufacturing TMBP/ CRC sheets of 0.3 mm thickness and lower suitable for tinning.”
- f) A recent Report by EDB has comprehensively looked into this issue and concluded that domestic industry has the capacity to produce TMBP. All the relevant evidences, including minimum thickness rolled i.e.0.15 mm, supplier Mill Test Certificate of TMBP manufacturing material i.e. HRC, tensile result of TMBP 0.25 mm MR T3, thickness tolerance of 0.25 mm & 0.28 mm and delivery notes from ISL for Electrolysis Cleaning Service are attached with the report. (Annex-II).
- g) TMBP is classified in Pakistan Customs Tariff under HS 7209.1891 as TMBP of thickness less than 0.3 mm, without any specific standard or primary / secondary distinction. Exclusion of HS 7209.1891 would not only exclude TMBP JIS G 3303 but any product with any standard or specification of TMBP having thickness less than 0.3 mm.

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- h) It's a well established fact in business that new products are developed through cooperation of buyer and supplier. All the information apparent from different agreements between STPL and ASML & ISL purchase and supply orders suggest that this process of development is going on. Domestic industry has the capacity to produce the material as per requirement of STPL thus exclusion from definition of domestic product is not warranted.

11.1.26 During the course of this Review Pak Suzuki Limited, the Pakistan Auto parts Manufacturers Association ("PAMA") and Karachi Iron and Steel Merchant Association approached the Commission and submitted that several grades of CR Coils/Sheets that are used in automobiles are not being produced by the domestic industry. During the on-spot verification visits at premises of the Applicants they were asked to provide list of grades that they produced and sold to the automotive sector during POR. In response, the Applicants submitted that CR Coils/Sheets used in auto parts are of various grades and they produce and supply CR Coils/Sheets to auto parts manufacturers. However, CR Coils/Sheets used in outer skin parts, structures and other high-end applications such as trunk boot, door panels, pillars etc. in four-wheel vehicles is high grade high tensile material which is not produced by the domestic industry during the POR. This fact as well as details of the Applicants' sales to Automotive Sector are reported in on-the-spot investigations reports. The on-the-spot reports were made available to interested parties by placing the same on the public file in the said investigation.

11.1.27 The Investigation has revealed that the domestic industry is producing different automotive grades of CRC which includes SPCC, SPCD, SPCE and SPCG. However, the following auto grades of CRC have not been produced by the domestic industry during POI:

**Table-IV  
Auto Grades not Produced Locally**

<b>S.No</b>	<b>Grade Description</b>
i.	JAC, JSC & SPC, JEH – 270, 34OPN, 44OWN, 59ORN, SCGA 270-45, SCGA590DU-45
ii.	SPCD-S, SECC-0/20, SPCC Deep Drawing Quality, SPCEN, SEHC-0/20,
iii.	JSC26OGN-2 (SPCX), JAH59ORN 45/45
iv.	SPC, SPFC, SPH & SPRC – 440, SCGA 440-45, SHGA 440-45 V, SCGA 340
v.	SUS 304, SUS 409LT-E/ SUH 409L/HFS 409L, SUS 429M, SUS 432T / SUS 436J1L, SUS 436L/ SUS 436MT, SUS 439MT
vi.	HFS 429M, HFS 436L, HSS 441
vii.	SA1C-80, SA1D-80 -CZ/ SA1D 40/40 CZ, SACE-120, SA1E-80
viii.	MSM-CC-DZC-90/90
ix	SAE1050, SAE1070, SAE1078, JS-SK60, JS-SK85
x.	Tin Mill Black Plate (TMBP) of a thickness 0.30 mm or less (PCT No. 7209.1891)

11.1.28 Accordingly, the above mentioned grades have been excluded from the scope of the investigated product. Further, during on-the-spot investigations at Applicants premises the Commission also found that the domestic industry can only produce CR Coils/ Sheets of a thickness of 0.15 to 03 mm and of a width up to 1250 mm. Therefore, the product under Review for the purposes of this Review is: flat-rolled products of iron or non-alloy steel of a thickness ranging from 0.15 mm to 3.00 mm



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and a width up to 1250mm, cold- rolled (cold- reduced), not clad, plated or coated, of prime and secondary quality ("CR Coils/Sheets"), of in rolls or slit to length sheets, excluding CR Coils/ Sheets used in automotive outer skins of four wheeler vehicles and following auto grades and TMBP imported from the Exporting Countries(the product under Review):

**S.No Grade**

- i. JAC, JSC & SPC, JEH – 270, 34OPN, 44OWN, 59ORN, SCGA 270-45, SCGA590DU-45
- ii. SPCD-S, SECC-0/20, SPCC Deep Drawing Quality, SPCEN, SEHC-0/20,
- iii. JSC26OGN-2 (SPCX), JAH59ORN 45/45
- iv. SPC, SPFC, SPH & SPRC – 440, SCGA 440-45, SHGA 440-45 V, SCGA 340
- v. SUS 304, SUS 409LT-E/ SUH 409L/HFS 409L, SUS 429M, SUS 432T / SUS 436J1L, SUS 436L/ SUS 436MT, SUS 439MT
- vi. HFS 429M, HFS 436L, HSS 441
- vii. SA1C-80, SA1D-80 -CZ/ SA1D 40/40 CZ, SACE-120, SA1E-80
- viii. MSM-CC-DZC-90/90
- ix. SAE1050, SAE1070, SAE1078, JS-SK60, JS-SK85
- x. Tin Mill Black Plate (TMBP) of a thickness 0.30 mm or less (PCT No. 7209.1891)

11.1.29 The investigated product is classified under Pakistan Customs Tariff Heading Nos. 7209.1510, 7209.1590, 7209.1610, 7209.1690, 7209.1710, 7209.1790, 7209.1810, 7209.1899, 7209.2510, 7209.2590, 7209.2610, 7209.2690, 7209.2710, 7209.2790, 7209.2810 and 7209.2890.

11.1.30 Following table shows current tariff structure (2020-21) applicable on imports of Cold Rolled Coils/Sheets:

**Table-V  
Tariff Structure of Cold Rolled Coils/Sheets (%)**

<b>PCT Heading</b>	<b>Description</b>	<b>Customs + Add. Duty</b>	<b>RD</b>	<b>FTAs/PTAs</b>	<b>Concession under SROs</b>
Chapter 72	Iron and Steel				
72.09	Flat- rolled products of iron or non- alloy steel, of a width of 600mm or more, cold-rolled (cold-reduced), not clad, plated or coated.				
	- In coils, not further worked than cold-rolled (cold-reduced)				
	- - Of a thickness exceeding 1mm but less than 3mm				
7209.1510	--- Of secondary quality	20+7	5	CN_12.8; MY=10; SAFTA=5; LK_FTA Conc. = 100%	---
7209.1590	--- Others	11+2	5	CN_5; MY=10; SAFTA=5; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(I)/2006 for Auto Sector
7209.1610	--- Of secondary quality	20+7	5	CN_12.8; MY=10; SAFTA=5; LK_FTA Conc. = 100%	---
7209.1690	--- Others	11+2	5	CN_5; MY=10; SAFTA=5; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO



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					655(l)/2006 for Auto Sector
	-- Of a thickness of 0.5mm or more but not exceeding 1mm				
7209.1710	--- Of secondary quality	20+7	5	CN_12.8; MY=10; SAFTA=5; LK_FTA Conc. = 100%	---
7209.1790	--- Other	11+2	5	CN_5; MY=10; SAFTA=5; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector
	-- Of a thickness of less than 0.5mm				
7209.1810	--- Of secondary quality	20+7	5	CN_12.8; MY=10; SAFTA=5; LK_FTA Conc. = 100%	---
7209.1899	--- Other	11+2	5	CN_5; MY=10; SAFTA=5; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector
	- Not in coils, not further worked than cold- rolled (cold- reduced):				
	-- Of a thickness of 3 mm or more :				
7209.2510	--- Of secondary quality	20+7	5	CN_16; MY=10; LK_FTA Conc. = 100%	---
7209.2590	--- Other	11+2	5	CN_5; MY=10; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector
	- Not in coils, not further worked than cold- rolled (cold-reduced)				
	-- Of a thickness exceeding 1mm but less than 3mm				
7209.2610	--- Of secondary quality	20+7	5	CN_16; MY=10; LK_FTA Conc. = 100%	---
7209.2690	--- Other	11+2	5	CN_5; MY=10; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector
	-- Of a thickness exceeding 0.5mm but not exceeding 1mm				
7209.2710	--- Of secondary quality	20+7	5	CN_16; MY=10; LK_FTA Conc. = 100%	
7209.2790	--- Other	11+2	5	CN_5; MY=10; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector
	-- Of a thickness of less than 0.5 mm				
7209.2810	--- Of secondary quality	20+7	5	CN_16; MY=10; SAFTA=5; LK_FTA Conc. = 100%	---
7209.2890	--- Other	11+2	5	CN_5; MY=10; SAFTA=5; LK_FTA Conc. = 100%	CD 1% and RD 0% under SRO 655(l)/2006 for Auto Sector

\*PCT 7209.1890 in the original POI, later splitted into PCT 7209.1891 and 7209.1899

**11.2. Domestic like product**

11.2.1 Domestic like product means the like product that is produced by the domestic industry. The domestically produced product is flat-rolled products of iron or non-alloy steel, cold-rolled (cold-reduced), not clad, plated or coated, of prime and

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secondary quality, of a thickness ranging from 0.15 mm to 3.00 mm and a width up to 1250 mm, in rolls or slit to length sheets, excluding CR Coils/ Sheets used in automotive skins of four wheelers and auto grades mentioned at Table-IV supra. The domestic like product is classified under Pakistan Customs Tariff<sup>1</sup> ("PCT") Heading Nos. 7209.1510, 7209.1590, 7209.1610, 7209.1690, 7209.1710, 7209.1790, 7209.1810, 7209.1891, 7209.1899, 7209.2510, 7209.2590, 7209.2610, 7209.2690, 7209.2710, 7209.2790, 7209.2810 and 7209.2890. Further, the Commission in its original investigation had determined that the investigated product and the domestic like product were like products.

11.2.2 The domestic like product is also used in production of automotive parts, sub-assembly/inner body parts, fabrication of goods like doors/cabinets, pipes, tubes, refrigerators, washing machines, geysers, ovens etc.

## **12. Information/Data Gathering**

12.1 The Commission sent questionnaires on January 08, 2021 to the known exporters/ producers of Cold Rolled Coils/Sheets from the Exporting Countries, asking them to respond within 37 days of the dispatch of the questionnaires. The Commission also sent a copy of the Questionnaire to the Embassies of the Exporting Countries in Pakistan on January 08, 2021 with a request to forward it to all known exporters/ producers of Cold Rolled Coils/Sheets in the Exporting Countries.

12.2 No response from any exporter/ foreign producer was received within the prescribed time. Therefore, reminders were issued to the exporters/foreign producers on April 19, 2021 explaining that, if no response of the questionnaire is submitted by them, the Commission will be constrained to make determination of likely continuation or recurrence of dumping of the product under review on the basis of "Best Information Available" including those contained in the application submitted by the domestic industry. However, none of the exporters/ producers from the Exporting Countries responded to the Commission and did not provide requisite information.

12.3 Questionnaires were also sent to known importers of the product under review on January 08, 2021. However, none of the importers have provided requisite data/information on prescribed questionnaire.

12.4 The Commission has access to the import statistics of Pakistan Revenue Automation Limited ("PRAL"), the data processing arm of the Federal Board of Revenue, Government of Pakistan. For the purpose of this review the Commission has also used import data obtained from PRAL's database in addition to the information provided by the Applicants in the application and the other parties. In addition, the Commission has also obtained certain information from publicly available sources, which, *inter-alia*, include articles published in different journals and International Trade Centre database etc.

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<sup>1</sup> PCT heading in Pakistan is equivalent to Harmonized Commodity Description and Coding System up to six-digit level.

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**13. Confidentiality**

13.1 In terms of Section 31 of the Act, the Commission shall keep confidential any information submitted to it, which is by nature confidential, or determined by the Commission to be of confidential nature for any other reason or provided as confidential by the interested parties upon good cause shown to be kept confidential.

13.2 The Applicants and the importers who have provided information have requested to keep confidential the information, which is by nature confidential in terms of Section 31 of the Act. This information includes data relating to sales, sale prices, cost to make and sell, inventories, production, profit/(loss), return on investment, investment, salaries & wages, number of employees etc. In addition, the Applicant has also provided certain other information on confidential basis under Section 31(2)(c), as such information, e.g. export or import price and import volume etc., may lead to the disclosure of the by nature confidential information by way of reverse calculations. However, the parties have submitted non-confidential summaries of the confidential information in accordance with the Section 31(5) of the Act. Non-confidential summaries permit a reasonable understanding of the information submitted in the confidence.

13.3 Pursuant to requests made by the Applicants and other interested parties to treat certain information as confidential, the Commission has determined the confidentiality in light of Section 31 of the Act, and for the reasons that disclosure of such information may be of significant competitive advantage to a competitor, or because its disclosure would have a significant adverse effect upon the interested parties providing such information. However, in terms of Sub-Section (5) of Section 31, non-confidential summaries of all confidential information, which provide reasonable understanding of the substance, have been placed in non-confidential file (public file).

**14. Public File**

The Commission, in accordance with Rule 7 of the Rules, has established and maintained a public file in this review at its office. This file remains available to the interested parties for review and copying from Monday to Thursday between 1100 hours to 1300 hours throughout the review. This file contains non-confidential versions of the application, submissions, notices, correspondence and other documents for disclosure to the interested parties.

**15. Verification of the Information**

15.1 In order to verify the information/data provided by the Applicants and to obtain further information, officers of the Commission conducted on-the-spot investigations from May 24 to 26, 2021 at the office and plant of M/s Aisha Steel Mills Limited and from May 27-29, 2021 at the office and plant of International Steel Limited.

15.2 The reports of on-the-spot investigation/verification conducted at premises of the Applicants were provided in full to the Applicants. Non-confidential version of the

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on-the-spot investigation/verification reports are made available to other interested parties by placing the same on the public.

**16. Written Submissions by the Interested Parties and Hearing**

16.1 All interested parties were invited to make their views/comments and to submit information and documents (if any) not later than 45 days of the date of publication of notice of initiation of the review. In response, Karachi Iron and Steel Merchant Association, Pakistan Iron and Steel Merchant Association, Naseer Uddin H. Lalani and Pak Suzuki Motor Co. Ltd. submitted their views/comments relating to the product under review.

16.2 The interested parties were required to request for hearing in this review within 45 days of the publication of the notice of initiation i.e. latest by 20 February 2021. The Commission did not receive any request for hearing within stipulated time, however, Pakistan Iron and Steel Merchant Association ("PISMA") and Karachi Iron and Steel Merchant Association ("KISMA") requested a hearing on 10 September 2021. Therefore, A virtual hearing via Zoom Application was held in the Commission on October 26, 2021 to obtain the views/comments of the interested parties. The information submitted by the participants during the hearing and record note of the hearing prepared by the Commission are available in the public file for review and copy of the interested parties.

16.3 The Commission has carefully reviewed all issues raised by the interested parties during the course of this review investigation, including the issues raised in the hearing and has reached on this conclusion of review after consideration of all information, evidence, views and comments. Views/ comments of the interested parties germane to this review and response of the Commission are given in annotated form at Annex-XVII.

**17. Disclosure of Essential Facts**

17.1 In terms of Rules 14(8) of the Rules, and Article 6.9 of Agreement on Antidumping, the Commission disclosed essential facts, and in this context circulated a Statement of Essential Facts (the "SEF") on November 22, 2021 to all interested parties including Applicant, exporters/foreign producers from exporting countries, importers and Diplomatic Missions of the Exporting countries in Islamabad.

17.2 Under Rule 14(9) of the Rules, the interested parties were required to submit their comments (if any) on the facts disclosed in SEF, in writing, not later than fifteen days of such disclosure. In response following parties submitted the views/comments:

- i. The Applicants.
- ii. Siddiqsons Tin Plate Ltd.
- iii. Karachi Iron and Steel Merchant Association
- iv. Pakistan Iron and Steel Merchant Association

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17.3 Views/comments and the information submitted by the above-mentioned interested parties have been considered in making conclusion of this sunset review. Views/ comments of the interested parties germane to this investigation and response of the Commission are given in annotated form at Annex-XVII.

**18. Determination of Likelihood of Continuation or Recurrence of Dumping of the Product Under Review**

18.1 To determine likelihood of continuation or recurrence of dumping of the product under review, the Commission has considered following factors. Information on these factors has been gathered/obtained from different sources including the Applicant, PRAL, articles published in different journals, ITC and different other websites etc:

- i. Whether exporters/foreign producers stopped or continued exporting to Pakistan the product under review after imposition of antidumping duties;
- ii. Whether exporters/foreign producers have exportable surplus of the product under review;
- iii. Whether the product under review is subject to trade defense measures by any other country;
- iv. Whether exporters/foreign producers have developed other export markets after imposition of antidumping duty.

**18.2 Volume of Dumped Imports**

18.2.1 The information relating to the imports of CR Coils/Sheets from the Exporting Countries, other dumped imports and imports from sources other than dumped sources during the Period of original investigation and the POR are given below in the table in order to ascertain the increase in the volume of dumped imports of the investigated product. The Commission has obtained import data from PRAL. It is worth mentioning that the imports data has been sorted carefully and the grades which are not being produced by the domestic industry have been excluded from imports data for purposes of this review investigation:

**Table-VI  
Imports of Cold Rolled Coils/Sheets**

Year/Period	Dumped Imports		**Other Dumped	Other (non-dumped)	Total Imports	Dumped as % of total imports
	China	Ukraine				
Apr 14-Mar 2015*	51.44	5.21	43.36		100.00	56.64
Oct 17-Sep 18	9.70	-	66.42	12.98	89.10	10.88
Oct 18-Sep 19	1.21	-	47.98	7.25	56.44	2.14
Oct 19- Sep 20	1.66	-	39.73	10.77	52.16	3.18

\* POI of original investigation Source: PRAL

\*\* Other dumped include Canada, Russia, European Union, South Korea, Chinese Taipei and Vietnam

Note: To keep confidentiality, the actual figures have been indexed w.r.t total imports figures during year 2014-15 by taking it equal to 100

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18.2.2 The above table shows that the volume of dumped imports from Ukraine declined to zero whereas imports from China declined significantly due to imposition of antidumping duties. Imports of the product under review decreased from 56.64% of total imports in the POI for original investigation to 10.88% of total imports in the first year of POR, to 2.14% of total imports in second year of POR and 3.18% of total imports in last year of POR.

18.2.3 As mentioned earlier (paragraph 5.2 supra) the Commission has also imposed antidumping duty with effect from September 20, 2019 on dumped imports of CR Coils/Sheets/Strips from Russia and Canada, therefore, imports from these sources have also declined sharply in the year 2019-20, whereas imports from other sources have increased in this year.

18.2.4 It is evident from the above information and analysis that the anti-dumping duties imposed on dumped imports of the product under review from the Exporting Countries are the reason for sharp decline in volume of dumped imports. Therefore, on the basis of the above information and analysis there is strong likelihood of significant increase in volume of dumped imports of the product under review in case antidumping duties expire, because the exporters from the Exporting Countries have their presence in Pakistani market.

**18.3 Exportable Surplus/Increase in Inventories and Capacity of the Exporting Countries**

18.3.1 As per the information available to the Commission, installed capacity and inventories of the product under review has been increased many folds in China in recent past. The country-wise evidences of increased capacities are provided below:

18.3.2 According to an article published on 31 August, 2020 by S&P Global Platts, an independent information providing company on benchmark prices and analytics for the energy and commodities markets, capacity expansion has been made by Baosteel (China's largest producer of steel products who is also one of the largest steel producers in the world). The article states this matter in the following words:

*“Baosteel's pig iron and crude steel production is set to increase again in 2021 by 2 million mt, due to commissioning of the third blast furnace at Zhanjiang steelworks in southern Guangdong province in July 2021. The blast furnace will have pig iron capacity of 4.1 million mt/year, and the steel making facilities will have production capacities of 4.5 million mt/year of hot-rolled coils and 1.66 million mt/year of cold-rolled coils.”*

18.3.3 According to another article published on 22 August, 2019 by S&P Global Platts:

*“China's crude steel capacity expansion is likely to peak in 2019 as the rate of startups outstrips the rate of closures for one year before the two volumes move closer to parity. The expansion surge comes despite China's efforts over the past four years to reduce capacity as part of its ongoing*

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*supply-side reform agenda. Chinese steel mills are only allowed to build new capacity to replace existing capacity of a similar size that they have shut down. But as most of the old capacity earmarked for removal in 2019 has been idled or closed for some time, the new facilities will result in a significant net increase in capacity this year.*

*Newly commissioned facilities coming online in 2019 will add 34.9 million mt/year of new capacity, taking the country's total crude steel capacity to around 1.18 billion-1.2 billion mt/year, according to Platts estimates."*

18.3.4 According to a report titled 'Latest Developments in Steel Making 2020' published on 22 May, 2020 by the Organisation for Economic Co-operation and Development ("OECD") huge investments were made in China in steel sector including the flat products. Following is the extract from that report:

*"There are a number of new investments in greenfield projects, most of which are related to China's replacement measures for outdated and small steel plants, especially in the eastern and southern coastal areas of China. These investments are aimed at facilitating access to imported raw materials, as well as enabling the production of high value-added steel products to meet demand for flat products in, for example, the automotive and home appliance industries."*

18.3.5 According to a news published in the Reuters on March 6, 2020;

*"Stocks of five main steel products held by traders in China, including construction steel rebar and hot-rolled coil used in cars and home hit a new all-time high of 25.27 million tonnes. The sky-high inventory levels show that excess supply is still hanging over the market despite China's efforts to get its economy up and running again as the number of new virus infections shows a downward trend"*

18.3.6 According to another article titled "Alarm bells in Beijing as steel production reaches all-time high" published on January 13, 2020 in Reuters says the following:

*"SHANGHAI -- As China's steel production reaches record levels, the Chinese government is growing increasingly uneasy about a harmful glut in the market. Though the nation's steel output posted its first decline in three-and-a-half years in October, overall production for 2019 appears to have reached an all-time high. The government has started looking into the operational status of blast furnaces across the nation as well as new production investments by steelmakers, seeking to prevent another bout of oversupply that sinks earnings.*

*At the end of November, three governmental bodies supervising the steel industry, including the National Development and Reform Commission,*

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*jointly issued a warning to steelmakers saying there is still "excess capacity"  
in the Chinese steel industry, which "cannot be ignored."*

18.3.7 During the Hearing held in this Review on October 26, 2021, the representatives of the Ministry for Development of Economy, Trade and Agriculture, Government of Ukraine submitted that Manufacturing capacity of CR Coils/Sheets in Ukraine has declined significantly from 42.5 Million Tons in 2013 to 25.3 Million Tons in year 2020 since the imposition of anti-dumping duties because of Russian and Armenian aggression in Ukrainian territory as major steels producing units are in that areas. However, they failed to produce any documentary evidence in this regard.

18.3.8 According to the Ministry for Development of Economy, Trade and Agriculture, Government of Ukraine manufacturing capacity of CR Coils/Sheets in Ukraine has declined significantly from 42.5 million tons in 2014 to 25.3 Million Tons in year 2020 because of Russian and Armenian aggression in Ukrainian territory as major steels producing units are in that areas. Therefore, exports of steel products from Ukraine have significantly declined during last 3 years. Thus, there is no likelihood of recurrence of dumping of the product under review from Ukraine.

18.3.9 According to the World Steel Association, Ukraine's crude steel production has decreased from 24,2189 million metric tons in 2016 to 20,616 mmt in 2020. Further, Global Steel Trade Monitor (March 2019), a US based information providing company has depicted that Ukraine's crude steel production has steadily decreased from a peak of 25.9 million metric tons in 2011. Production in 2018 decreased by 1 percent from 2017 to 15.0 million metric tons. Apparent consumption (a measure of steel demand) has also shrunk from a peak of 11.4 million metric tons in 2011 to a low of 6.0 mmt in 2015 but has subsequently increased to 7.6 mmt in 2018. Demand in 2018 was up by 2 percent from 2017 but still fell behind production by 13.5 million metric tons. Ukraine's steel export share of production peaked at 78.9 percent in 2014 and has decreased nearly 12 percentage points to 71.3 percent in 2018. From 2017 to 2018, export share of production remained at 71.3 percent.

18.3.10 As per information obtained from trademap.org Ukraine exports of CR coils/sheets to the world has considerably declined during last three years. This fact supports the assertion of the Government of Ukraine stated at above paragraph. Following table shows Ukraine's exports of CR coils/sheets:

**Table-VII  
Ukraine's Exports of CR Coils/Sheets**

Year	Exports (MT)
2014	929,312
2015	839,648
2016	777,909
2017	847,477
2018	829,572
2019	724,541
2020	690,067



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18.3.11 It is obvious from the above table that Ukraine’s exports of CR coils/sheets to the world have significantly declined in the year 2019 and 2020.

18.3.12 In view of the above facts, it appears that due to over capacity and high inventories level in China, the Chinese exporters have export surplus and there is strong likelihood of continuation and recurrence of dumped imports of the product under review from China. However, in case of Ukraine, its installed capacity as well as exports to the world have significantly declined during the POR, therefore, there is no likelihood of recurrence of imports of the product under review from Ukraine.

**18.4 Trade Defense Measures taken by Other Countries on Exports of Cold Rolled Coils/ Sheets of the Exporting Countries:**

18.4.1 Since imposition of anti-dumping duties on the product under review with effect from 13 January 2016, several other countries have also imposed trade defense measures on imports of cold rolled flat steel products from the Exporting Countries, in order to protect their steel industries from influx of unfair imports. Some of the instances are identified as under:

**Table-VIII  
Trade Defense Measures Imposed on the Exporting Countries**

<b>Imposing Country</b>	<b>Origin (s)</b>	<b>Measure</b>
United States	Brazil, China, India, South Korea, Russia, Japan, UK	In 2016, US imposed antidumping duties upto 265.79% on imports of CR products from China.
Vietnam	China	Vietnam initiated an AD investigation of CRC from China in September 2019.
Malaysia	China, South Korea, Vietnam	Malaysia imposed antidumping duties on import of CR products from China upto 23.78% in May 2016 which has been revised upward upto 42.08% in result of Review in year 2019.
Canada	China, South Korea, Vietnam	Canada imposed antidumping and countervailing duties in December 2018 on imports of CR products from China up to 91.9%.
EU	China, Russia	EU imposed antidumping duties ranging from 18.7%-36.1% in August 2016 on imports of CR products from China and Russia with effect from.
India	China, Japan, Ukraine, South Korea	India imposed antidumping duties upto 576 USD per ton in May 2017 on imports of CR products from China and Ukraine.

18.4.2 On the basis of above information, it appears that the Exporting Countries’ exports to other countries have been restricted through trade remedial measures. Therefore, there is likelihood of increase in volume of dumped imports of the product under review from the Exporting Countries if antidumping duties are terminated. However, as the Ukraine’s installed capacity as well as exports of CR coils/sheets to the world have significantly declined during the POR (paragraphs 18.3.9 to 18.3.13 supra), therefore, there is no likelihood of recurrence of imports of the product under review from Ukraine

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**18.5 Whether exporters of the Exporting Countries have developed other export markets after imposition of antidumping duties:**

18.5.1 As per information obtained from Trade Map following were the major export destinations of the Exporting Countries for Cold Rolled Coils/Sheets exports during 2015 and 2019:

**Table-IX  
Major Export Markets of CHINA**

2014		2019	
Destination	Quantity (MT)	Destination	Quantity (MT)
World	4,856,333	World	2,676,874
United States	830,970	Korea, Republic of	342,033
Korea, Republic of	539,624	Philippines	224,246
Brazil	383,725	Taipei, Chinese	165,451
Belgium	362,939	Peru	143,755
Taipei, Chinese	286,237	Japan	123,122
Pakistan	110,769	Pakistan	9,142
<b>Major Export Markets of UKRAINE</b>			
2014		2019	
Destination	Quantity (MT)	Destination	Quantity (MT)
World	929,312	World	724,541
Turkey	140,951	Russian Federation	121,314
Russian Federation	126,781	Poland	68,609
India	116,062	Ethiopia	51,117
Iraq	75,796	Italy	43,503
Bulgaria	67,377	Bulgaria	39,924
Pakistan	17,858	Pakistan	N/A

Source: [www.trademap.org](http://www.trademap.org)

18.5.2 The information in above table reveals that the major export destinations of the Exporting Countries have changed coupled with decrease in total volume of exports under HS Code 7209 as many of the importing countries have imposed trade remedial measures against these sources, especially unfair imports from China. Moreover, the domestic production capacity in China has also increased. Hence, it indicates that excess production / inventories as well as production capacity in China are waiting for lucrative markets which poses a threat of increase in dumped imports from China. However, this is not the situation in Ukraine's case as its installed capacity as well as exports of CR coils/sheets to the world have significantly declined during the POR (paragraphs 18.3.9 to 18.3.13 supra), therefore, there is no likelihood of recurrence of imports of the product under review from Ukraine.

**19. Likely Recurrence or Continuation of Material Injury to the Domestic Industry**

19.1 Likelihood of Injury to the domestic industry is determined in accordance with relevant provisions of the Act. The Commission has taken into account all relevant factors in order to determine likely continuation or recurrence of injury to the domestic industry. To determine likelihood of continuation or recurrence of injury to the domestic industry, the Commission has, inter alia, considered following factors:

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- i. Likely change in volume of imports of the product under review if antidumping duties are terminated;
- ii. Likely impact of imports of the product under review on prices of the domestic like product with and without antidumping duties; and
- iii. Consequent likely impact on the domestic industry, which includes likely and potential decline in: sales, profits, output, market share, productivity, return on investment, capacity utilization and likely negative effects on: cash flow, inventories, employment, wages, growth, ability to raise capital or investments.

19.2 Information/facts on injury factors are provided in the following paragraphs.

**19.3 Likely Effect on Volume of Dumped Imports**

19.3.1 In order to ascertain the increase in the volume of dumped imports of the investigated product, the Commission has obtained import data from PRAL. It is worth mentioning that the imports data has been sorted carefully and the grades which are not being produced by the domestic industry have been excluded from imports data for purposes of this review investigation.

19.3.2 The information on volume of imports of the CR Coils/Sheets from the Exporting Countries, other dumped imports and imports from sources other than dumped sources during the Period of original investigation and during POR are given below in the table:

**Table-X  
Imports of Cold Rolled Coils/Sheets**

Year/Period	Dumped Imports		**Other Dumped	Other (non-dumped)	Total Imports	Domestic Production	Dumped imports % of:	
	China	Ukraine					Total imports	Domestic production
Apr 14-Mar 2015*	88.9	9.0	74.9		172.8	100.0	56.64	97.90
Oct 17-Sep 18	16.8	0.0	114.8	22.4	154.0	319.7	10.89	5.24
Oct 18-Sep 19	2.1	0.0	82.9	12.5	97.5	329.9	2.14	0.63
Oct 19- Sep 20	2.9	0.0	68.7	18.6	90.2	269.5	3.19	1.07

\* POI of original investigation Source: PRAL

\*\* Other dumped include Canada, Russia, European Union, South Korea, Chinese Taipei and Vietnam

Note: To keep confidentiality, the actual figures have been indexed w.r.t domestic production figures during year 2014-15 by taking it equal to 100

19.3.3 The above table shows that the following happened after imposition of antidumping duties on dumped imports of the investigated product from the Exporting Countries:

- i. Production of the domestic like product increased by 169 percent during the POR.

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- ii. Dumped imports of the investigated product declined from 97.9 percent of the domestic production in the original POI to 1.07 percent in 2019-20.
- iii. Dumped imports of the investigated product declined from 56 percent of the total imports in the original POI to 3 percent in 2019-20.

19.3.4 Thus, imposition of antidumping duties on dumped imports of the investigated product impacted positively on production of the domestic like product, which increased from 100 percent in original POI to 269 percent in 2019-20 i.e. increased by 169 percent.

19.3.5 As there is likelihood of continuation and recurrence of dumped imports of the product under review (paragraph 18 supra) from China, therefore, based on the above information and analysis it is determined that there is likelihood of significant increase in volume of dumped imports of the product under review from China if antidumping duties are terminated on it, which will likely affect adversely production and sales of the domestic like product.

**19.4 Likely Effect on Sales and market share of domestic industry**

2019.1 Following table shows sales and market share of each segment of supply during original POI and POR:

**Table-XI  
Sales and Market Share**

Year/Period	Domestic Industry’s Sales		Imports from:				Total Market	
			China & Ukraine		Others			
	Volume	%share	Volume	%share	Volume	%share	Volume	%change**
Apr 14-Mar 2015*	51.03	51.03	27.74	27.74	21.23	21.23	100.0	---
Oct 17-Sep 18	84.63	65.98	4.75	3.70	38.88	30.31	128.3	28.26
Oct 18-Sep 19	89.13	76.33	0.59	0.51	27.05	23.16	116.8	13.07
Oct 19- Sep 20	76.01	74.85	0.81	0.80	24.73	24.35	101.6	1.33

\* POI of Original Investigation      \*\* % change vis-à-vis original POI      Sources: the Applicants and PRAL  
 Note: To keep confidentiality, the actual figures have been indexed w.r.t total market figures during year 2014-15 by taking it equal to 100

19.4.2 The above table shows that the total domestic market of CR Coils/Sheets has significantly increased during last five years. It increased by 28% in 2017-18 as compared to the original POI. However, the domestic market of CR Coils/Sheets declined in the years 2018-19 and 2019-20 respectively, but it remained above by 13.07 percent and 1.33 percent in 2018-19 and 2019-20 respectively as compared to the original POI.

19.4.3 Domestic industry’s sales in original POI were 51.03 percent of total market in original POI, which increased after imposition of antidumping duties on dumped import to 84 percent in 2017-18 , 89 percent in 2018-19 and 76 percent in 2019-20 as compared to total market in original POI.

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19.4.4 The above table shows that the volume of dumped imports from Exporting countries decreased from 27.74 percent of total market in the POI to 4.75 percent of total market (by 82%) in the first year of POR and further declined to 0.81 percent (by 97%) over the original POI. These imports are from China only as there were no imports from Ukraine during the POR.

20.4.5 Share of the dumped imports from Exporting countries in total domestic market was 28 percent in the original POI, which declined to 0.80 percent of total domestic market in last year of POR (Oct 19– Sep 20). Market share of the imports from other sources increased from 21 percent in the original POI to 24 percent in the year 2019-20.

20.4.6 Market share of domestic industry has increased from 51 percent in the original POI (Apr 14- Mar 15) to 76 percent and 75 percent during 2018-19 and 2019-20 respectively.

20.4.7 As it is evident from the information provided at paragraph 19.2 supra that there is strong likelihood of significant increase in volume of imports of the product under review from China if antidumping duties are removed, therefore, in case antidumping duties are removed, there is strong likelihood of significant increase in market share of dumped imports of the product under review from China, which will adversely affect sales and marked share of the domestic like product. However, there is no likelihood of recurrence of imports from Ukraine as its installed capacity as well as exports of CR coils/sheets to the world have significantly declined during the POR (paragraphs 18.3.9 to 18.3.13 supra)

**19.5 Likely Price Effects on the Domestic Like Product**

20.5.1 Likely effect of dumped imports on the sales price of the domestic like product in the domestic market has been examined in the following paragraphs to establish whether there will be price undercutting (the extent to which the price of the investigated product will be lower than the price of the domestic like product), price depression (the extent to which the domestic industry may experience decrease in its selling prices of domestic like product ), and price suppression (the extent to which increased cost of production could not be recovered by way of increase in selling price of the domestic like product) if antidumping duty on dumped imports of the investigated product expires.

**19.5.2 Likely Price Undercutting**

19.5.2.1 Information/data on weighted average ex-factory price of the domestic like product and weighted average landed cost of the investigated product, with and without antidumping duty during the original POI and POR is given in following table:

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**Table-XII  
Likely Price Undercutting (Per MT)**

Year/Period	Domestic like product's price	Landed cost of dumped imports**		Price undercutting	
		Without ADD	With ADD	Without ADD	With ADD
Apr 14-Mar 2015*	100.00	97.63	--	2.37	--
Oct 17-Sep 18	124.42	105.28	122.98	19.14	1.45
Oct 18-Sep 19	138.59	136.66	158.33	1.94	0.00
Oct 19- Sep 20	152.36	140.18	162.22	12.18	0.00

\* POI of Original Investigation

\*\*for China only as imports from Ukraine stopped after anti-dumping duty

Sources: the Applicants and PRAL

Note: To keep confidentiality, the actual figures have been indexed w.r.t total domestic like product's price during year 2014-15 by taking it equal to 100

19.5.2.2 The above table shows that the domestic industry faced price undercutting in original POI and in year 2017-18. However, in the year 2018-19 and 2019-20 the prices of dumped imports remained higher than the prices of domestic like product due to levy of anti-dumping duties. The above table also reveals that the domestic industry would have been facing price undercutting in the years 2018-19 and 2019-20 if no antidumping duties were imposed. Therefore, there is likelihood of adverse effects on prices of the domestic like product in case antidumping duties on the product under review imported from China are removed.

### 19.5.3 Likely Effect on Price Depression

The information provided in Table-XII above shows that the prices of domestic like product increased after imposition of antidumping duties throughout the POR. The domestic industry was able to increase its price because the landed cost of the product under review with antidumping duties was above the cost to make and sell of the domestic like product (Table-XIII infra). However, as it is evident from Table-XI that the landed cost of the product under review imported from China, without antidumping duties, remained lower than the prices of the domestic like product during the second and last year of POR, therefore, in case antidumping duties on imports from China are removed there is likelihood that the domestic industry would be forced to reduce its price of the domestic like product to compete with imports. Thus, the domestic industry will face price suppression if antidumping duties are terminated on imports of the product under review from China.

### 19.5.4 Likely Effect on Price Suppression:

19.5.4.1 The following table shows the information with regard to weighted average cost to make and sell and weighted average ex-factory sales price of domestic like product:

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**Table-XIII  
Price Suppression (Per MT)**

Year/ Period	Domestic like product's		Increase in:		Landed cost of dumped imports	
	Cost to make and sell	Ex-factory price	Cost to make & sell	Price	With anti-dumping	Without antidumping
Apr 14-Mar 2015*	100.00	91.97	--	--	--	89.79
Oct 17-Sep 18	101.88	114.43	1.88	22.46	113.10	96.83
Oct 18-Sep 19	125.35	127.47	23.47	13.03	145.62	125.68
Oct 19- Sep 20	135.30	140.12	9.95	12.66	149.19	128.92

\* POI of Original Investigation

Sources: the Applicants

Note: To keep confidentiality, the actual figures have been indexed w.r.t total Cost to make and Sell figures during year 2014-15 by taking it equal to 100

19.5.4.2 Above table shows that, the domestic industry, faced price suppression in the year 2018-19 as it was unable to recover increased cost to make and sell by way of an increase in price. However, investigation has revealed that this price suppression suffered by the domestic industry was due to the dumped imports of CR Coils/ Sheets from Russia and Canada. After levy of antidumping duty on these sources with effect from 20 September 2019 (paragraph 5.2 supra), the domestic industry was able to increase its prices to cover increase in cost during the year 2019-20.

19.5.4.3 As the landed cost of the product under review imported from China, without antidumping duty, is lower than the cost to make and sell of the domestic like product, therefore, there is likelihood of price suppression to be faced by the domestic industry in case antidumping duties on dumped imports of the product under review from China are removed, because domestic industry will not be able to increase its price.

**19.6 Likely Effect on Profit& Loss:**

19.6.1 Information on profits/(loss) of the domestic industry for the original POI and POR is given in the following table:

**Table-XIV  
Profit/(Loss) (Value)**

Year/Period	Net Profit/(Loss)
Apr 14-Mar 2015*	(100.00)
Oct 17-Sep 18	465.47
Oct 18-Sep 19	80.22
Oct 19- Sep 20	78.01

\* POI of Original Investigation

Source: the Applicants

Note: To keep confidentiality, the actual figures have been indexed w.r.t total net profit/loss figures during year 2014-15 by taking it equal to 100

19.6.2 The above table depicts that the domestic industry incurred net loss in the POI of original investigation (Apr 14- Mar15). After imposition of antidumping duties, the domestic industry earned handsome profits in first year of POR. However, profit

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decreases in second year of POR. According to the Applicants this decrease was due to the dumped imports from Russia and Canada.

19.6.3 As it is evident from Table-XII supra that the landed cost of the product under review imported from China, without antidumping duties, was lower than the price of the domestic like product during the POR, therefore, in case of removal of antidumping duties on imports from China, there is likelihood that the domestic industry would be forced to reduce its price to compete with imports of the product under review, which will adversely affect profits of the domestic industry. Thus, there is likelihood of adverse effects on profits of the domestic industry if antidumping duties are terminated on imports of the product under review from China.

**19.7 Likely Effect on Production and Capacity Utilization:**

19.7.1 The Applicants are multi product companies. During the POR they also produced galvanized and coloured coils/sheets in addition to the CR Coils/Sheets. CR Coils in hard form are also used in manufacturing for Galvanized Coils/ Sheets as well as Color Coated Coils/ Sheets. As per accounting system and production flow of the Applicants, each production batch is separately identifiable with its finished product from the very start of the production process. Therefore, instead of recording production of such CR Coils in hard form as production of CR Coils, it is recorded as work in process inventory of the Galvanized or Coloured Coils. Since, as per process flow, such CR Coils in hard form are not recorded as production of the CR Coils, no internal transfer arises. As production figures provided by the Applicants for CR Coils/Sheets do not include the CR Coils/Sheets produced for galvanized and coloured coils/sheets, therefore, installed production capacities of the Applicants for CR Coils have also adjusted downward in accordance with quantity of galvanized and coloured coils/sheets produced during the POR. Installed capacity, quantity produced and the capacity utilization of the domestic industry during the Original POI and POR were as follows:

**Table-XV  
Production and Capacity Utilization**

Year/Period	Installed Capacity (volume)	Production (Volume)	Capacity Utilization (%)
Apr 14-Mar 15*	100.00	57.65	57.65
Oct17-Sep18	230.51	184.31	79.96%
Oct18-Sep19	433.89	190.21	43.84%
Oct19-Sep20	497.85	155.35	31.20%

\* POI of Original Investigation Source: Applicants  
 Note: To keep confidentiality, the actual figures have been indexed w.r.t total installed capacity figures during year 2014-15 by taking it equal to 100

19.7.2 The above table shows that the installed production capacity of the domestic industry has been significantly increased over the POR as compared to original POI i.e. by 398 percent. According to the Applicants, before last quarter of 2018 steel industry was showing a growth rate of over 20%, considering this growth rate, domestic industry increased its capacity, but the contraction in domestic market and increased



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volume of dumped imports from Russia and Canada and Covid-19 Pandemic impacted the production and sales of industry adversely affected during second and last year of POR therefor production of the domestic like product declined.

19.7.3 Production of the domestic like product significantly increased after imposition of antidumping duties on dumped imports of the product under review. However, production of the domestic like product remained significantly lower than the installed capacity due to imports from other sources as well as excessive installed capacity than the total domestic market.

19.7.4 Despite increase in production volume the capacity utilization of the domestic industry declined after imposition of antidumping duties. The decline in capacity utilization is due to significant increase in installed production capacity of the domestic industry during the POR. At the moment, installed production capacity of the domestic industry is almost double than the total domestic demand. Further, imports from other sources also cater significant market share. Therefore, domestic industry’s capacity utilization is at the lower side.

19.7.5 As it is evident from the information provided at paragraph 19.3 supra that, there is strong likelihood of significant increase in volume of imports of the product under review from China if antidumping duties are removed, therefore, there is likelihood that the domestic industry would be forced to reduce production of the domestic like product. This situation would, adversely affect production and capacity utilization of the domestic industry.

**19.8 Likely Effect on Inventories of the Domestic Like Product**

19.8.1 Inventory position of the domestic like product during the original POI and POR is given in the table below:

**Table-XVI  
Inventories of the Domestic Like Product (Volume)**

Period	Opening Inventory	Production	Sales		Closing Inventory
			Domestic	Export	
Apr 14-Mar 15*	7.28	100.00	99.56	0.00	7.72
Oct17-Sep18	19.44	319.71	298.69	0.71	39.75
Oct18-Sep19	39.75	329.94	314.56	9.25	45.88
Oct19-Sep20	45.88	269.46	268.27	30.92	16.14

\* POI of Original Investigation Source: Applicants

Note: To keep confidentiality, the actual figures have been indexed w.r.t total Production figures during year 2014-15 by taking it equal to 100

19.8.2 The above table shows that after imposition of antidumping duties, the closing inventory level of the domestic like product which were 7.72 percent of total domestic production in original POI, increased significantly to 39.75 percent in first year of POR, 45.88 percent during second year of POR and 16.14 percent during the last year of POR (Oct 19- Sep20) as compared to total domestic production of original POI. Investigation has shown that this increase in closing inventory is because of the fact

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that domestic industry had to maintain certain level of inventories to meet any urgent requirements of domestic market and exports. Further, inventories of the domestic industry also increased due to increased volume of imports from Russian Federation and Canada in the years 2017-18 and 2018-19. The Commission has also imposed antidumping duty on imports of CR Coils/Sheets from Russian Federation and Canada with effect from 20 September 2019 (paragraph 5.2 supra). Further, production of the domestic like product also declined in 2019-20, therefore, closing inventory level of the domestic industry declined in this year.

19.8.3 As the information provided at paragraph 19.3 supra show that there is strong likelihood of significant increase in volume of imports of the product under review from China if antidumping duties are removed, therefore, there is likelihood that the domestic industry would be forced to reduce sales of the domestic like product. This situation would, adversely affect inventories of the domestic industry.

**19.9 Likely Effect on Cash Flow:**

19.9.1 As the Applicants are multi-product companies and the cash flow cannot be determined separately for different products, therefore, in terms of Section 17.2 of the Act, cash flow position has been assessed for entire operations of the Applicants. Information on net cash flows of the domestic industry is given below:

**Table-XVII  
Cash Flow**

Year/Period	(Value)
Apr 14 - Mar 15*	100.00
Oct17- Sep18	(227.59)
Oct18 - Sep19	(8.67)
Oct19 - Sep20	280.61

\* POI of Original Investigation Source: Applicants

Note: To keep confidentiality, the actual figures have been indexed w.r.t total Cash flow figures during year 2014-15 by taking it equal to 100

19.9.2 The above table shows that the cash flow position deteriorated during first and second year of POR as compared to POI of original investigation after imposition of antidumping duties. The cash flow of the domestic industry increased significantly during the last year of POR (Oct 19-Dec 20). This improvement in cash flows is due to imposition of antidumping duty of imports of CR Coils/Sheets from Russian Federation and Canada (para 5.2 supra).

19.9.3 As is evident from Table-XII supra that the landed cost of the product under review from China without antidumping duties is lower than the price of the domestic like product, therefore, in case of removal of antidumping duties on imports from China, there is likelihood that the domestic industry would be forced to reduce its price to compete with imports, which will adversely affect net cash flows of the domestic industry. Thus, there is likelihood of adverse effects on cash flows of the domestic industry if antidumping duties are terminated on imports of the product under review from China.

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**19.10 Likely Effects on Employment, salaries, wages and productivity:**

19.10.1 The information regarding employment in the domestic industry and the salaries & wages paid are given in the following table:

**Table-XVIII  
Employment, Productivity and Wages**

Year/Period	Employees	Salaries & wages (Value)	Production (Volume)	Productivity (Per worker)	Salaries & wages (Per MT)
Apr 14-Mar 15*	100.0	100.0	100.0	100.0	100.0
Oct17-Sep18	179.7	350.8	319.7	177.5	109.8
Oct18-Sep19	198.2	320.9	329.9	166.1	97.3
Oct19-Sep20	181.0	304.7	269.5	148.6	113.1

\* POI of first Original Investigation

Source: Applicants

Note: To keep confidentiality, the actual figures have been indexed w.r.t total figures during year 2014-15 by taking it equal to 100

19.10.2 The above table shows that the employment increased over POR as compared to POI of original investigation. It increased by 81 percent in last year of POR as compared to POI of original investigation as a result of increase in installed capacity and production of the domestic like product.

19.10.3 Productivity per worker increased 77 percent during first year of POR as compared to POI of original investigation. According to the Applicants due to economic slow down in last quarter of 2018 and due to Covid-19 Pandemic in 2020 the productivity per worker decreased in second and last year of POR.

19.10.4 salaries and wages increased throughout the POR and increased by 13% in last year of POR as compared to POI of original investigation. According to the Applicant before last quarter of 2018 steel industry was showing a growth rate of over 20%, considering this growth rate, domestic industry increased its capacity and hired more employees to manage the same, but the contraction in domestic market and increased volume of dumped imports from Russia and Canada and Covid-19 Pandemic impacted the production and sales of industry adversely during second and last year of POR therefor salaries and wages increased.

19.10.5 As the information provided at paragraph 19.2 supra shows that there is strong likelihood of significant increase in volume of imports of the product under review from China if antidumping duties are removed, therefore, there is likelihood that the domestic industry would be forced to reduce production and sales of the domestic like product. This situation would, adversely affect employment, production and salaries & wages of the domestic industry.

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**19.11 Likely Effect on Growth and Ability to Raise Capital Growth**

After imposition of antidumping duties on product under review, the Applicants have made investments and installed production capacity of the domestic industry has increased and reached to 1,095,275 MT per annum, which shows that the Applicants did not face any problem in growth and raising of the capital. Current capacity of the domestic industry is more than the domestic demand, therefore, no further growth in the domestic industry is expected in near future. Therefore, there is no likelihood of adverse effects on growth of the domestic industry if antidumping duties are terminated on dumped imports of the product under review. However, the Applicants are of the view that they will face problems to raise capital if antidumping duties on imports of the product under review are terminated, because it will affect adversely to the production, sales and prices of the domestic like product.

**19.12 Likely Effect on Return on Investment**

19.12.1 As the Applicants are multi-product companies and the investment and return on investment cannot be determined separately for different products, therefore, in terms of Section 17.2 of the Act, the return on investment of the Applicants is assessed for the entire their operations during the POR. The information with regard to the return on investment of domestic industry during original POI and the POR is given in the following table:

**Table-XIX  
Return on Investment**

Year/Period	Investment** (Value)	Return (Value)	Return on investment ***(%)
Apr 14-Mar 15*	---	---	-1.71
Oct17-Sep18	100.0	24.6	24.64
Oct18-Sep19	105.7	10.0	9.42
Oct19-Sep20	113.0	8.7	7.65

\* POI of Original Investigation Source: Applicants

\*\*Investment = Equity + Long term Loans

\*\*\*Return = Profit before taxation + interest paid on Long term loan

Note: To keep confidentiality, the actual figures have been indexed w.r.t total investment figures during year 2014-15 by taking it equal to 100.

19.12.2 The above table shows that the domestic industry’s return on investment increased significantly after the imposition of anti-dumping duties. According to the Applicants during the second year of POR, return on investment reduced due to voluminous low-priced dumped imports from Russian Federation and Canada.

19.12.3 As the information provided at paragraph 19.2 supra show, there is strong likelihood of significant increase in volume of imports of the product under review from China if antidumping duties are removed, therefore, there is likelihood that the domestic industry would be forced to reduce production, sales and sales price of the

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domestic like product. This situation would adversely affect return on investment of the domestic industry.

**20. Summing up Likely Recurrence or Continuation of Injury to the Domestic Industry**

On the basis of information and analysis at preceding paragraphs, the Commission has reached on conclusion that termination of anti-dumping duty imposed on dumped imports of the product under review from exporting the Exporting Countries would lead to likely recurrence and continuation of injury to the domestic industry on account of the following:

- i. There is likelihood of continued dumping of the product under review from China if antidumping duties on the product under review are terminated.
- ii. There is likelihood of significant increase in volume of the product under review from China if antidumping duties are terminated. However, as the Ukraine's installed capacity as well as exports of CR coils/sheets to the world have significantly declined during the POR, therefore, there is no likelihood of recurrence of imports of the product under review from Ukraine
- iii. There is strong likelihood of declined in production and sales of the domestic like product, which will, effect adversely the market share, capacity utilization, profits, inventories, ROI, and employment and productivity of the domestic industry. Thus, there is likelihood of recurrence of material injury to the domestic industry if antidumping duties imposed on imports of the product under review from China are terminated.

**D. Conclusion**

21. After taking into account all information, analysis and findings, the Commission has reached the following conclusions:

- i. The domestic industry filed an application for sunset review of the antidumping duties imposed on dumped imports of the product under review from the Exporting Countries within prescribed time period in accordance with Section 58(3) of the Act in response to the notice of impending expiry of the antidumping duties. The application met requirements of Sections 24 and 58 of the Act.
- ii. There is likelihood of continuation of dumping of the product under review from China if antidumping duties imposed on dumped imports of the

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product under review are terminated. However, is no likelihood of recurrence of imports of the product under review from Ukraine

- iii. Termination of antidumping duties imposed on imports of the product under review from China will lead likely increase in volume of dumped imports, thus there is likelihood of recurrence of injury to the domestic industry on accounts decline in domestic industry's production, capacity utilization, sales, market share, profits and productivity.

**CONTINUATION OF DEFINITIVE ANTIDUMPING DUTIES**

22. In terms of Section 58(3) of the Act, definitive anti-dumping duties shall not expire if the Commission determines in the review that the expiry of such antidumping duties would be likely to lead continuation or recurrence of dumping and injury.

23. In view of the information, analysis and conclusions in the forgoing paragraphs the Commission has determined that the expiry of antidumping duties imposed on dumped imports of the product under review from China would likely lead to continuation its dumping and as a result the domestic industry is likely to suffer injury. Therefore, the Commission has decided to continue antidumping duties for a period of further five years with effect from January 13, 2021 imposed on dumped imports of the product under review from China as per the rates provided in the following table. As there is no likelihood of recurrence of imports of the product under review from Ukraine, therefore, antidumping duties imposed on imports of the product under review from Ukraine are terminated with immediate effect:

**Table-XX**  
**Definitive Anti-Dumping Duty Rates**

<b>Country</b>	<b>Exporter / Producer Name</b>	<b>Antidumping Duty Rate (%)</b>
<b>China</b>		
	Shougang Casey Steel Company Ltd.	19.04
	Shougang Jingtang United Iron & Steel Co. Ltd.	19.04
	Beijing Shougang Cold Rolling Company Ltd.	16.27
	Handan Iron & Steel Group Han-Bao Co. Ltd.	13.17
	Maanshan Iron & Steel Company Ltd.	19.04
	All others	19.04

24. Following grades of CR Coils/Sheets imported from China will not be subject to these definitive antidumping duties as these are excluded from scope of the investigated product:

**S.No Grade**

- i. JAC, JSC & SPC, JEH – 270, 34OPN, 44OWN, 59ORN, SCGA 270-45, SCGA590DU-45
- ii. SPCD-S, SECC-0/20, SPCC Deep Drawing Quality, SPCEN, SEHC-0/20,
- iii. JSC26OGN-2 (SPCX), JAH59ORN 45/45
- iv. SPC, SPFC, SPH & SPRC – 440, SCGA 440-45, SHGA 440-45 V, SCGA 340

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- v. SUS 304, SUS 409LT-E/ SUH 409L/HFS 409L, SUS 429M, SUS 432T / SUS 436J1L, SUS 436L/ SUS 436MT, SUS 439MT
- vi. HFS 429M, HFS 436L, HSS 441
- vii. SA1C-80, SA1D-80 -CZ/ SA1D 40/40 CZ, SACE-120, SA1E-80
- viii. MSM-CC-DZC-90/90
- ix. SAE1050, SAE1070, SAE1078, JS-SK60, JS-SK85
- x. Tin Mill Black Plate (TMBP) of a thickness 0.30 mm or less, (PCT No. 7209.1891)

25. CR Coils/Sheets imported from sources, other than China shall not be subject to antidumping duties. Further, in accordance with Section 51(e) of the Act, definitive antidumping duties will not be levied on imports of the product under review that are used as inputs in products destined solely for exports and are covered under any

scheme exempting customs duty for exports under the Customs Act, 1969.

26. In accordance with Section 51 of the Act, the antidumping duties shall take the form of *ad valorem* duty and be held in a non-lapsable personal ledger account established and maintained by the Commission for the purpose. Release of the dumped imports of the product under review for free circulation in Pakistan shall be subject to imposition of such antidumping duties.

28. Definitive antidumping duties levied would be in addition to other taxes and duties leviable on import of the product under review under any other law.

29. The definitive antidumping duties would be collected in the same manner as customs duty is collected under the Customs Act, 1969 (IV of 1969) and would be deposited in Commission's Non-lapsable PLD account No. 187 with Federal Treasury Office, Islamabad.

(Muhammad Saleem)  
Member  
January 06, 2022

(Anjum Assad Amin)  
Member  
January 06, 2022

(Robina Ather)  
Chairperson  
January 06, 2022

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**Annex-XVII**

**Comments of Interested Parties on Initiation Memo, Hearing and SEF**

<b>Comments of Interested Parties</b>	<b>NTC View</b>
<b>Views/Comments of the Applicants</b>	
<p>the domestic industry would again request the Commission not to exclude TMBP from the scope of the product since not only TMBP and CRC is same and domestic industry has capability of producing TMBP on its existing manufacturing facility since this issue has not only been determined by the Commission in earlier investigations but such determination have been upheld by the Antidumping Appellate Tribunal. Furthermore, since the matter is sub-judice before the Islamabad High Court, the Commission is not in a position to take a different view on the issue</p> <p>The Commission asked the domestic industry to submit its comments on the exclusion of SAE 1050 upon which Aisha Steel Mills Limited (one of the domestic producer) submitted wide its letter dated September 29, 2021 that it can produce SAE 1050 provided that there is demand from customers. Despite the said submission, the Commission excluded SAE 1050 from the product scope. The domestic industry would again request the Commission to include SAE 1050 in the product scope.</p> <p>Commission has revised the product scope by excluding the certain grades used in Automotive parts. Acceding to the request of the domestic industry, the Commission has also revised the product scope by including CRC of thickness from 2.5mm upto 3.0mm and CRC of width less than 600mm. However, with the change in description of the product, PCT Codes under which the defined products fall also need revision. There are certain PCT Codes which were not included in the product description of the original investigation because at that time the product under investigation was defined as CRC of thickness 0.15mm to 2.5mm and width of above 600mm. i.e.</p> <ul style="list-style-type: none"><li>i. 7209.1510 and 7209.1590 (Need to include these PCTs as they covers CRC of 3.0mm thickness)</li><li>ii. 7209.2510 and 7209.2590 (Need to include these PCTs as they covers CRC of 3.0mm thickness)</li><li>iii. 7211.2920 (Need to include this PCT as it includes CRC Strips of upto 100mm width)</li></ul>	<p>The Commission has determined that the domestic industry neither produced TMBP during the POI nor it has capability to produce TMBP. Therefore, TMBP has been excluded from scope of the investigated product.</p> <p>The Commission has carefully reviewed all information and the types/grades which are not being produced by the domestic industry have been excluded from scope of the investigated product.</p> <p>The product under review as defined in the notice of initiation of Review was flat-rolled products of iron or non-alloy steel, cold-rolled (cold-reduced), not clad, plated or coated coils and sheets (CR coils/sheets) of prime and secondary quality of a thickness of 0.15 to 2.50 mm and width of above 600 mm falling under Pakistan Customs Tariff ("PCT") No. 7209.1610, 7209.1690, 7209.1710, 7209.1790, 7209.1810, 7209.1891, 7209.1899, 7209.2610, 7209.2690, 7209.2710, 7209.2790, 7209.2810 and 7209.2890. However, while concluding this Review the Commission has redefined the product under Review as flat-rolled products of iron or non-alloy steel of a thickness ranging from 0.15 mm to 3.00 mm and a width up to 1250mm, cold- rolled (cold- reduced), not clad, plated or coated, of prime and secondary quality</p>



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	("CR Coils/Sheets"), of in rolls or slit to length sheets, excluding CR Coils/ Sheets used in automotive outer skins of four wheeler vehicles and following auto grades imported from the Exporting Countries falling under under Pakistan Customs Tariff Heading Nos. 7209.1510, 7209.1590, 7209.1610, 7209.1690, 7209.1710, 7209.1790, 7209.1810, 7209.1891, 7209.1899, 7209.2510, 7209.2590, 7209.2610, 7209.2690, 7209.2710, 7209.2790, 7209.2810 and 7209.2890.
<b>Views/Comments of Siddiqsons Tin Plate Limited (STPL)</b>	
"NTC is requested to revisit the facts that TMBP is a different product than CRC, not produced locally and separately classified under PCT headings and therefore should be excluded from the investigated product.	The Commission has determined that the domestic industry neither produced TMBP during the POI nor it has capability to produce TMBP. Therefore, TMBP has been excluded from scope of the investigated product.
<b>Views/Comments of the Agriauto Stamping Company Ltd. ;</b>	
"Current price trend in the international Market is at its peak and there is no incidences of Dumping from China/ Ukraine in the current scenario.....NTC considered overall situation in the study."	While concluding this review the Commission has considered the available information for the POR including PRAL and trademap.
<b>Views/Comments of Pak Suzuki Motor Co. Ltd.</b>	
We are requesting to exclude all imports made under Customs SRO 655 (I)/2006 by automobile manufacturers/assemblers and/or exclude following specification of auto skin! auto grade CR coils! sheets from the scope of this investigation.....	The Commission has clearly defined the investigated product while concluding this review and has defined the grades which are excluded from scope of this investigation.
<b>Views/Comments of Government of Ukraine</b>	
Ukraine believes that the expiry of measures will not result in the recurrence or continuation of dumping and injury to the Pakistani industry due to the considerable reduction of steel production and export capacity of Ukraine. Indeed, since the introduction of the measures in 2016 overall steel production in Ukraine fell by 15%) as compared to 2020 due to the reduction of production capacity. Ukraine would like to emphasize that during the period of review, namely from October 2017 until September 2020 based on statistics data of International Trade Center, Ukraine did not export products under consideration to Pakistan.	The Commission has concluded that there is no likelihood of recurrence of imports from Ukraine, therefore, antidumping duty imposed on imports of the product under review from Ukraine has been discontinued.

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<p>Ukraine also would like to emphasize the importance of conforming to the WTO rules and provisions pertaining to the review proceedings. Namely, Ukraine was not duly notified about the initiation of this sunset review as it is required by Article 12.1 of the Antidumping Agreement.</p>	<p>The Commission has complied with the Article 12.1 of the Antidumping Agreement and notified the diplomatic mission of Ukraine in Islamabad about the Initiation of the review through a Note Verbale.</p>
<p><b>Views/Comments of Automotive Parts &amp; Accessories Manufacturers ("PAAPAM")</b></p>	
<p>.....By way-of the above definition, the--Commission has aptly excluded Cold Rolled Coils/Sheets used in auto-skin or that which is categorized as automotive grade steel. In much the same manner, we would urge that the Commission follow the same definition for the purpose of the ongoing Review in furtherance of its duty to ensure that the investigative or review processes it undertakes do not yield unjust, unfair, and improper results. While the definition of the Investigated Product in the original determination covered cold rolled coils/sheets of thickness ranging from 0~15mm to 2.5mm, it is submitted that the same has no bearing on our request which concerns the exclusion of automotive grade steel from the scope of the Review regardless of the actual thickness of the product.</p> <p>The Commission ought also to consider the explicit exclusion of certain grades of steel from the scope of the Investigation on the bases that the same are either not being produced, are incapable of being produced, and/or are incapable of being produced as per the required specifications by the Domestic Industry. Other grades which are not produced by the domestic industry and thus should be excluded from the scope of the Review.</p>	<p>The Commission has clearly defined the investigated product while concluding this review and has defined the grades which are excluded from scope of this investigation.</p>
<p><b>Views and Comments Submitted by Pakistan Iron and Steel Merchant Association and Karachi Iron and Steel Merchant Association, Naseeruddin H. Lalalni, SANIS Enterprises:</b></p>	
<p>There are 4 re-rollers of steel in Pakistan at the moment i.e. rerolling HRC (hot rolled coils) to CRC (cold rolled coils) which are as follows:</p> <ul style="list-style-type: none"><li>• Aisha Steel Mills Limited</li><li>• International Steels Limited</li><li>• AHN Steel Pvt Ltd</li><li>• Hadeed Pakistan Pvt Ltd</li><li>• Pakistan Steel Mills Corporation</li></ul> <p>Therefore the applicants does not account for 100% of total domestic industry.</p> <p>The interested party(s) to this application or the applicants does have relationship with the exporters and products as well as Pakistani importers of the product under consideration. Aisha Steel Mills Limited</p>	<p>The Commission has included the Hadeed Pakistan Ltd. in the review and has also considered its installed capacity and production. Domestic industry and standing of the application is determined in accordance with relevant provisions of the Act.</p> <p>The Commission has cross checked data provided by the PISMA and KISMA and reached on the concluded that ASL and ISL did not import the</p>

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have been importing from China during January 2016 to December 2020, period of review, similarly International Steels Limited have been importing from China and Ukraine during this period.

ISL also had imported from exporting Countries. Thus the applications does not fall in the scope of the definition of the domestic industry, as the applicants have been controlling the exporters and importers both by selling to importers and importing from exporters, applying for anti-dumping duties, thus barring the exporters to export and importers to import. Thus the Commission continues to violate Section 2(d) of the Act, by not properly applying regulations defined for Domestic Industry and interested party, as explained in the Act.

The applicants does not fulfill the requirement of Section 24 of the Act, as the Applicant i.e. ASML and ISL has given false and less information to the Commission, they do not account to 99 percent of the investigated products production in Pakistan. Further the Commission has failed to identify other producers or stakeholders of the industry and only relied upon the applicants information which was also misleading.

investigated product from the exporting countries during POR. Further HRC imported by the ASL and ISL is a separated product and does not fall under the scope of the investigated product.

The Commission initiated this review after fulfilling all legal requirements including the requirements of Part-III of the Pakistan's Anti-Dumping Duties Act 2015 (the "Act") as well as Article 2 of the Anti-Dumping Agreement. The Commission examined accuracy and adequacy of the information and evidence provided in application in accordance with Section 23 of the Act and Article 5.3 of the Anti-Dumping Agreement and determined that termination of anti-dumping duty imposed on dumped imports of the product under review from exporting the Exporting Countries would lead to likely recurrence and continuation of injury to the domestic industry.

The Commission has concluded that there is likelihood of significant increase in volume of the product under review from China if antidumping duties are terminated. Therefore, there is likelihood of decline in production and sales of the domestic like product, which will, effect adversely the market share, capacity utilization, profits, inventories, ROI, and employment and productivity of the domestic industry. Thus, there is likelihood of recurrence of material injury to the domestic industry if antidumping duties imposed on imports of the product under review from China are terminated.

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There is certainly no chance of increase in volume of the product under review if antidumping duties are terminated, much explanation and grounds have already been given to the Commission, there stands no possibility or tendency of decline in production/sales of the so called domestic industry or the domestic like product, as well as their market share or capacity utilization, profits, inventories, return on investments as well as employment & productivity of the domestic industry, thus there is no likelihood of recurrence of material injury to the so called domestic industry if anti-dumping duties are terminated as there was nothing of this sort in the original POI, as already proven to the Commission on all the grounds.

The application does not fulfill requirement of Section 58 of the Act as after current anti-dumping duties impending expiry and as per Commissions notice in the public gazettes on October 9th 2020 the applicants had to respond to the Commission with the application of review but they did the same on the 53rd day on 30th November 2020,

The investigated and domestic like product are not alike as applicants or the domestic industry is only producing very narrow variety of the investigated or domestic like product. There is difference in grades and specifications of the investigated product and domestic like product.

The Commission has excluded such grades from the scope of its investigation in ADC NO 60/2021/NTC/CRC, however the same should also be excluded in the review investigation and the Commission should make sure that all grades mentioned in the above pages/paragraphs should also be removed from the review investigation as the applicants does not have the ability to produce the same, similarly to this, there were grades, specifications and sizes informed to the Commission in ADC NO 60/2021/NTC/CRC in our detailed response submitted on 10th June 2021, those all must also be excluded from the investigation of ADC NO 60/2021/NTC/CRC.

As far as TMBP (Tin Mill Black Plate) material is concerned, the Commission has failed to identify that the applicants quality of the same is quiet sub-standard and is not capable to be used by major used of TMBP materials in Pakistan, as it has already been mentioned in other investigations that the largest importer of Tin Mill Black Plate and the only the producer of Tin Plate materials in Pakistan is Siddiqsons Pvt Ltd, who claim that they have been buying materials from both the applicants i.e. International Steels Limited and Aisha Steel Mills Limited but most materials from them is rejected by

The Commission compiled with Section 58 of the Act as the application of the subject Review investigation was received in the Commission on 20.11.2020.

The Commission has clearly defined the investigated product in this review and has excluded the grades which are not being manufactured by the domestic industry. The Commission has also determined that the investigated product and the domestic like products are like products.

The Commission has clearly defined the investigated product while concluding this review and has defined the grades which are excluded from scope of this investigation.

The Commission has determined that the domestic industry neither produced TMBP during the POI nor it has capability to produce TMBP. Therefore, TMBP has been excluded from scope of the investigated product.

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<p>Siddiqsins Pvt Ltd as firstly International Steel Limited's material cannot be separated from oil after based material is rolled to be used for tin cans making.....</p> <p>Import quantity from Ukraine only stood at about 2% of total imports, however the Commission ignored this fact that Ukraine's quantity stood below the negligible value of 3% and imposed anti-dumping duty just to give undue favor to the applicants.</p>	<p>In the original investigation, the import volume of CR Coils/Sheets from Ukraine was 5% which was above the <i>deminimas</i> threshold as prescribed in Section 41(2) of the Act.</p>
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