



**Government of Pakistan
National Tariff Commission**

Report

On

Conclusion of

**Sunset Review of Anti-Dumping Duties Imposed on Dumped
Imports of Aluminium Beverage Cans into Pakistan Originating in
and/ or exported from Jordan, Sri Lanka and UAE**

**A.D.C No. 54/2018/NTC/ABC/SSR/2024
December 09, 2025**

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 Anti-dumping”), Anti-Dumping Duties Act, 2015 (the “Act”) and the Anti-Dumping Duties Rules, 2022 (the “Rules”) relating to the investigation/ review 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 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 an anti-dumping duty would be likely to lead to continuation or recurrence of dumping and injury.

3. The Commission has conducted a sunset review of anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans of capacities 250 ml to 300 ml (“Aluminium Beverage Cans”) into Pakistan originating in and/or exported from Jordan, Sri Lanka and United Arab Emirates (UAE) (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 Section 58 of the Act shall normally be completed within twelve months from its initiation. The sunset review was initiated on February 08, 2025.

B. BACKGROUND

5. Anti-dumping Duties in Place

5.1 The Commission initiated an anti-dumping investigation on November 01, 2018, under Section 23 of the Act after establishing that the application lodged by the M/s Pakistan Aluminium Beverage Cans Limited, Faisalabad (the “Applicant”), on behalf of domestic industry producing Aluminium Beverage Cans was in accordance with Section 20 and 24 of the Act. The Commission made final determination in this investigation under Section 39 of the Act on February 20, 2020. Pursuant to the Final Determination made by the Commission, the Applicant being aggrieved of the negative final determination, filed an Appeal No. 349 of 2020 before the Anti-Dumping Appellate Tribunal (“the Tribunal”) under Section 70 (1) (ii) of the Act. The Tribunal remanded the case back to the Commission for *de novo* determination strictly in accordance with the law vide its judgement June 25, 2021. In compliance of the directions made by the Tribunal, the Commission after considering the law, facts and procedures has re-appreciated and reappraised the investigation to make final determination *de novo*.

5.2 The Commission imposed following definitive anti-dumping duties in *ad valorem* terms on dumped imports of Aluminium Beverage Cans from the Exporting Countries effective from December 30, 2021 to February 19, 2025:

Table-I
Definitive Antidumping Duty Rates

| Exporting Country | Exporter/Foreign Producer | Definitive Anti-dumping Duty Rates (%) |
|--------------------------|--|---|
| Sri Lanka | Ceylon Beverage Cans | 23.24 |
| | All other Exporters/ Foreign Producers | 23.24 |
| Jordan | All Exporters/Foreign Producers | 26.54 |
| UAE | All Exporters/Foreign Producers | 22.06 |

C. PROCEDURE

6. The procedure set out below has been followed with regard to this sunset review in accordance with relevant provisions of the Act.

7. Notice of Impending Expiry of Definitive Anti-dumping Duty

In terms of Section 58(3) of the Act, a definitive anti-dumping duty shall not expire if the Commission determines in a review initiated before expiry of anti-dumping duty that the expiry of such anti-dumping duty would be likely to lead to continuation or recurrence of dumping of the investigated product and injury to the domestic industry. Further, the anti-dumping duty shall remain in force pending the outcome of such a review. The Commission published a notice of impending expiry of the anti-dumping duty in this case in the official Gazette and national press in accordance with Section 58 (2) of the Act on November 13, 2024.

8. Receipt of Application

The Commission received an application on December 27, 2024, under Section 58 of the Act for review of the anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans from the Exporting Countries. The application was filed by the Applicant, who is domestic producers of Aluminium Beverage Cans. The application was in response to the notice of impending expiry of the anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans into Pakistan originating in and /or exported from the Exporting Countries. The Applicant contended that expiry of anti-dumping duty on Aluminium Beverage Cans would be likely to lead to continuation or recurrence of dumping of Aluminium Beverage Cans from the Exporting Countries and material injury to the domestic industry producing Aluminium Beverage Cans.

9. **Evaluation and Examination of the Application**

Examination of the application showed that it met the requirements of Section 58(3) of the Act and Rule 32 of the Rules as it contained sufficient evidence of likelihood of continuation or recurrence of dumping of Aluminium Beverage Cans from the Exporting Countries and injury to the domestic industry.

10. **Domestic Industry**

According to the information available with the Commission, the Applicant is the only producer of Aluminium Beverage Cans in Pakistan. Therefore, Applicant is the domestic industry for purposes of this sunset review. Installed production capacity of the Applicant is 1200 million cans per annum.

11. **Standing of the Application**

11.1 The application fulfils the requirements of Section 24 of the Act, which require the Commission to assess the standing of the domestic industry on basis of the degree of support for or opposition to the application expressed by the domestic producers of the like product.

11.2 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. Furthermore, Section 24(2) of the Act provides that no investigation or review shall be initiated when domestic producers expressly supporting an application account for less than twenty five percent of the total production of domestic like product produced by the domestic industry.

11.3 As the Applicant is the only producer of Aluminium Beverage Cans in Pakistan, therefore, it fulfills requirements of Section 24 of the Act. Thus, the application is made by the domestic industry, which is supported by the 100 percent domestic production, therefore, the application fulfills both the requirements of Section 24 of the Act

11.4 On the basis of the above information and analysis it is determined that the application is made on behalf of the domestic industry as it fulfils the requirements of Section 24 of the Act.

12. **Initiation of Sunset Review**

12.1 Upon examination of the application, the Commission established that it met the requirements of Section 58 of the Act and Rule 32 of the Rules. Therefore, the Commission initiated sunset review on February 08, 2025, to determine whether there is

likelihood of continuation or recurrence of dumping of Aluminium Beverage Cans from the Exporting Countries and injury to the domestic industry.

12.2 In terms of Section 27 of the Act, the Commission issued a notice of initiation of the sunset review of anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans from the Exporting Countries, which was published in the official Gazette of Pakistan and in two widely circulated national newspapers (“The News” and “Daily Ausaf”) on February 08, 2025.

12.3 The Commission notified the diplomatic missions of the Exporting Countries in Islamabad on February 08, 2025, of the initiation of the sunset review by sending a copy of the notice of initiation with a request to forward it to all exporters/ producers involved in production, sales and export of Aluminium Beverage Cans in the Exporting Countries. Copies of notice of initiation were also sent to the Applicant, known exporters/producers of Aluminium Beverage Cans in the Exporting Countries (whose addresses were available with the Commission), known importers on February 10, 2025, in accordance with the requirements of Section 27 of the Act.

12.4 In accordance with Section 28 of the Act, on February 10, 2025, the Commission also sent copy of full text of the written application (non-confidential version) to all known exporters/producers of Aluminium Beverage Cans in the Exporting Countries, whose addresses were available with the Commission and to the Diplomatic Missions of the Exporting Countries in Islamabad with a request to forward it to all exporters /producers of Aluminium Beverage Cans involved in production, sale and/or export of Aluminium Beverage Cans.

13. **Product Under Review**

13.1 The product for which this review is carried out is Aluminium Beverage Cans of capacities 250 ml to 300 ml (“Aluminium Beverage Cans” or “product under review”), originating in and/or exported from the Exporting Countries to Pakistan.

13.2 The product under review is classified under Pakistan Customs Tariff Heading No. 7612.9030. Basic raw material used for the production of the product under review is Aluminium Coil. The product under review is used for packaging of beverages.

13.3 The following table shows the tariff structure (2024-25) applicable on imports of Aluminium Beverage Cans:

**Table-II
Tariff Structure of Aluminium Beverage Cans**

| PCT Heading | Description | Customs + Add. Duty | RD | FTAs/PTAs |
|--------------------|--|----------------------------|-----------|-----------------------------|
| Chapter 76 | Aluminium and articles thereof | | | |
| 76.12 | Aluminium casks, drums, cans, boxes and similar containers (including rigid or collapsible tubular containers), for any material (other than compressed or liquefied gas), of a capacity not exceeding 300 l, whether or not lined or heat-insulated, but not fitted with mechanical or thermal equipment. | | | |
| 7612.9030 | - - - Round cans of a capacity upto 300 mL | 20+6 | 10 | CN_16; LK_FTA Conc.=100% |

Source: Pakistan Customs Tariff 2024-25
Tariff for 2025-26 CD=20, ACD=4 and RD=5

14. **Domestic like Product**

The domestic like product is Aluminium Beverage Cans of capacities 250 ml to 300 ml, produced by the domestic industry. It is classified under the same PCT number as the product under review is classified. The domestic like product is also used for the same purposes as the product under review is used. It is produced from the same/similar production process and raw materials as is of the product under review. Its specifications, uses and classification are same as the product under review. Further, the Commission in its original investigation had determined that the investigated product and the domestic like product are like products.

15. **Period of Review**

The Period of Review ("POR") for this sunset review is from January 01, 2022, to December 31, 2024.

16. **Information/Data Gathering**

16.1 The Commission sent questionnaires on February 10, 2025, to all known exporters/ producers of Aluminium Beverage Cans in the Exporting Countries whose addresses were available with the Commission, requesting them to respond within 37 days of the dispatch of the questionnaires. A copy of the Questionnaire was sent to the Diplomatic Missions of the Exporting Countries in Islamabad on February 10, 2025, with a request to forward it to all known exporters/ producers of Aluminium Beverage Cans. Questionnaires were also sent to known importers of Aluminium Beverage Cans on February 10, 2025, requesting them to provide information within 37 days.

16.2 No response from any exporters/foreign producers and importers was received within the prescribed time. Therefore, reminders were issued to the exporters/foreign producers and importers on March 19, 2025, explaining that, if no response of the

questionnaire is submitted, the Commission will be constrained to make 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 Applicant. However, none of the exporters/ foreign producers from the Exporting Countries or importers have responded to the Commission and did not provide requisite information.

16.3 The Commission has access to the import statistics of the Federal Board of Revenue (FBR), Government of Pakistan. For the purpose of this review, the Commission has also used import data obtained from FBR in addition to the information provided by the Applicant. In addition to this, the Commission has also obtained certain information from publicly available sources.

17. Views, Comments and Hearing

17.1 All interested parties were invited for their views/comments known to the Commission and to submit information and documents (if any) regarding this sunset review. In response, the Commission received views/comments, from M/s Pakistan Beverage Ltd. Whereas, the submission by M/s Hadayat Food Stuffs Industries (Pvt.) Ltd, were found to be irrelevant.

17.2 The interested parties were required to request for hearing in this review within 45 days of the publication of the notice of initiation. The Commission did not receive any request for hearing. Therefore, no hearing was held in this review.

17.3 The Commission has reviewed all issues raised by the interested parties during the course of this review investigation and has reached 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 an annotated form at Annexure-I.

18. Verification of Information

18.1 In terms of Section 23, 32(4) and 35 of the Act and Rule 11 of the Rules, the Commission, during the course of the investigation/review, satisfied itself with the accuracy of information supplied by the interested parties to the extent possible.

18.2 In order to verify the information/data provided by the Applicant and to obtain further information (if any), the officers of the Commission conducted on-the-spot verification at the office and plant of Applicant on June 02 to 04, 2025. Reports of on-the-spot verifications were made available to the interested parties by placing them in the public file.

19. **Public File**

The Commission, in accordance with Rule 7 of the Rules, has established and maintained a public file of this sunset 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 investigation. This file contains non-confidential versions of the application, submissions, notices, on-the-spot investigation reports, correspondence, and other documents for disclosure to the interested parties.

20. **Confidentiality**

20.1 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 parties to an investigation upon good cause shown, to be kept confidential.

20.2 The Applicant has requested the Commission 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, growth, investment, salaries and wages, number of employees etc. In addition to this, Applicant also provided certain information on confidential basis, as its disclosure would have adverse effect on them.

20.3 Pursuant to requests made by the Applicant, to treat certain information as confidential, the Commission has determined 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 the competitor, or because its disclosure would have a significant adverse effect upon the interested parties providing such information. However, in terms of Section 31(5), non-confidential summaries of all confidential information, which provide reasonable understanding of the substance, have been placed in the public file.

21. **Disclosure of Essential Facts**

21.1 In terms of Rule 15(1) of the Rules, the Commission disclosed essential facts, and in this context circulated a Statement of Essential Facts (the "SEF") on August 06, 2025, to all interested parties including Applicant, exporters/producers from the Exporting Countries, importers and Diplomatic Missions of the Exporting Countries in Pakistan.

21.2 Under Rule 15(2) 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, only the Applicant submitted comments on SEF.

21.3 Views/comments and information submitted by the above-mentioned interested parties have been considered in making conclusion on this sunset review.

Views/Comments of the interested parties germane to this review investigation and response of the Commission are provided at Annexure-II of this report.

22. **Determination of Likely Continuation or Recurrence of Dumping**

Determination of likely continuation or recurrence of dumping of the product under review from the Exporting Countries is made in accordance with Rule 40 of the Rules and other relevant provisions of the Act. As no exporter has provided any information (paragraph 16.1 and 16.2 supra), therefore, likely continuation or recurrence of dumping of the product under review is determined on the basis of best information available. Information on these factors has been gathered/obtained from different sources including the Applicant, WEBOC, articles published in different journals, ITC and different other websites etc. The Commission has considered the following factors in determination of likely continuation or recurrence of dumping of the product under review:

- (a) whether exporters/foreign producers stopped or continued exporting to Pakistan the product under review after imposition of anti-dumping duty;
- (b) likely dumping margin for the dumped imports;
- (c) the past and likely future performance of the exporters, foreign producers, including production, capacity utilization, the potential to extend production facilities, costs, sales volumes, prices, inventories, market share, exports, exportable surplus, profits, etc.;
- (d) Whether exporters of the Exporting Countries have developed other export markets after imposition of antidumping duty;
- (e) trade remedial actions taken by other countries on exports from the Exporting Countries of the product under review and whether such actions are likely to cause a diversion of imports into Pakistan;
- (f) changes in market conditions in the Exporting Countries and internationally, including changes in the supply and demand for the product under review; and
- (g) conditions of competition with non-dumped imports of the like product;

22.1 **Whether exporters/producers from the Exporting Countries stopped or continued exporting the product under review to Pakistan after imposition of Anti-dumping Duty**

22.1.1 The following table shows the volume of dumped imports from the Exporting Countries, and imports from sources other than dumped sources after the imposition of anti-dumping duties:

Table-III
Imports of Aluminium Beverage Cans (Volume)

| Year/Period | Imports from the Exporting Countries (Dumped) | Non-Dumped Import | Total Imports | Dumped imports as % of total imports |
|--------------------|--|--------------------------|----------------------|---|
| (1) | (2) | (3) | (4)=(2+3) | (5) |
| Sep 17 – Jun 18 * | 96.42 | 3.58 | 100.00 | 96.42 |
| Jan - Dec 22 | - | 0.04 | 0.04 | - |
| Jan - Dec 23 | - | 0.35 | 0.35 | - |
| Jan- Dec 24 | - | 1.02 | 1.02 | - |

*POI of original investigation Source: WEBOC

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of total imports in Sep 17-Jun 18 by taking it equal to 100.

22.1.2 The above table shows that there were no dumped imports of Aluminium Beverages Cans from the Exporting Countries after the imposition of the anti-dumping duties as compared to the original Period of Investigation (POI). Dumped imports, which were 96.42 percent of total imports during the original POI, reduced to zero percent during the last year of POR i.e. Jan – Dec 2024.

22.1.3 Furthermore, non-dumped imports during the POR failed to replace the lost import volume, demonstrating that the domestic industry successfully captured its market share once the distortive effects of dumping were eliminated (refer Table-XI infra). Given that Exporting Countries' production capacities, export oriented nature of the foreign producers are still unchanged (refer to proceeding paragraphs), the economic incentive for these producers to resume pricing practices of pre-imposition of dumping duties are likely.

22.1.4 On the basis of information and analysis above, the Commission concludes that anti-dumping duty imposed on dumped import of Aluminium Beverage Cans from the Exporting Countries were the main reason that stopped the dumped imports. Therefore, termination of these duties would be likely cause recurrence of dumping of Aluminium Beverages Cans from the Exporting Countries into Pakistan.

22.2 Dumping Margins for the Exporting Countries

22.2.1 Since there were no imports of Aluminium Beverages Cans from the Exporting Countries into Pakistan during the POR, the Applicant submitted in the Application, the export prices from the Exporting Countries based on their exports to third countries. However, these prices do not provide the necessary data/information for export prices for the entire dumping period, which spans from January to December 2024. For Jordan, the export prices pertain to the year 2022. In the case of the U.A.E., the export price data is available from April 2024 to August 2024 (four months only), and for Sri Lanka, the export

price has been provided up to September 2024. Since these export prices do not encompass the complete POR for dumping, therefore, these export prices cannot be utilized for the calculation of the export price. The Commission has also explored the other sources including International Trade Centre (www.trademap.org) for the determination of export prices for the Exporting countries. However, the data available on trademap.org is prior to the POR for dumping. Therefore, this data cannot be utilized for determination of export price.

22.2.2 In view of the above, it is not possible to calculate the likely dumping margins due to the unavailability of reliable export price data of the Exporting Countries.

22.3 The past and likely future performance of the exporters, foreign producers, including production, capacity utilization, the potential to extend production facilities, costs, sales volumes, prices, inventories, market share, exports, exportable surplus, profits, etc.

22.3.1 As stated earlier, no exporter/foreign producer provided any information in this review, therefore, the country-wide performance of the Exporting Countries for the product under review is assessed on the basis of best information available.

22.3.2 The data presented in Tables IV, V, and VI provided below offer critical insights into the installed capacity, production, and idle capacity of beverage can manufacturers in Sri Lanka, the UAE, and Jordan respectively. The data in these tables concerns Aluminum Beverage Cans of various capacities, including the product under review. While this information doesn't fully represent the exporting countries' performance, it offers a general insight.

22.3.2.1 Sri Lanka – Ceylon Beverage Can

| | Table-IV | | | | | (Volume) |
|------------------------|-----------------|-------------|-------------|-------------|-------------|-----------------|
| | 2019 | 2020 | 2021 | 2022 | 2023 | 2024 |
| Capacity* | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Domestic Consumption** | 7.28 | 7.50 | 7.56 | 7.74 | 7.93 | 8.15 |
| Export*** | 52.41 | 3.24 | 87.33 | 79.19 | 51.48 | 56.95 |
| Idle Capacity | 40.32 | 89.26 | 5.12 | 13.07 | 40.59 | 34.89 |
| Idle capacity (%) | 40% | 89% | 5% | 13% | 41% | 35% |

*Source: <https://ceyloncan.com/aboutus.html>

**Source: Modor intelligence report

***Source: www.volza.com Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of capacity in 2019 by taking it equal to 100.

The above table indicates persistent and significant idle capacity, fluctuating between 5% and 35% over the past five years. It is pertinent to note that the idle capacities were only 5% in year 2021 i.e. prior to the imposition of anti-dumping duties which has risen sharply after imposition of antidumping duties to 13%, 41% and 35% in years 2022, 2023 and 2024 respectively. Whereas the domestic consumption remains lower throughout

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POR and at the same time the export trend remains volatile. This resulted in the increase of idle capacity of cans (CY 2024) which can be directed at foreign markets. As, the exporters/foreign producers of Aluminium Beverages Cans from Sri-Lanka are subject to anti-dumping duties in Pakistan, these measures are successful barrier against the dumped imports. Thus, there is a likelihood that dumping would recur if the anti-dumping duties are removed. Furthermore, the existence of a zero percent preferential tariff available to Sri-Lankan exporters is likely to further facilitate the recurrence in case the anti-dumping duties are terminated.

22.3.2.2 **UAE (Canpack and Crown):**

| | Table-V | | | (Volume) | |
|--------------------------------|----------------|-------------|-------------|-----------------|-------------|
| Million Cans | 2019 | 2020 | 2021 | 2022 | 2023 |
| Canpack Capacity* | 52.78 | 52.78 | 52.78 | 52.78 | 52.78 |
| Crown Capacity** | 47.22 | 47.22 | 47.22 | 47.22 | 47.22 |
| Total UAE Installed Capacity | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Domestic Consumption in UAE*** | 13.75 | 14.94 | 16.25 | 16.97 | 19.00 |
| Export**** | 36.00 | 66.08 | 97.03 | 68.86 | 27.64 |
| Idle Capacity | 50.25 | 18.97 | NIL ***** | 14.17 | 53.39 |
| Idle Capacity % | 50% | 19% | NIL ***** | 14% | 53% |

*<https://canmaker.com/can-pack-plans-more-expansion-for-its-dubai-plant/>

**<https://www.arabianbusiness.com/abnews/crown-canning-plant-doubles-its-capacity-208472>

*** Source: Modor intelligence report

**** Source: www.mordor.com

*****UAE's producers also source supplies from its regional production facilities outside UAE to meet domestic demand and exports.

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of total UAE Installed capacity in 2019 by taking it equal to 100.

The data above shows that the UAE's production capacity is mainly oriented towards the export operation given the relatively lower domestic consumption and significantly higher capacities. Due to volatility, with idle capacity fluctuated during the five years reaching as high as 53% in 2023 i.e. a year after the imposition of anti-dumping duties. This demonstrates the UAE's proven capability and willingness to increase production for export markets in case market gaps arise. The recent collapse in exports resulting into high idle capacity provides incentive to the UAE producers of Aluminium Beverages Cans to locate new markets. Removal of anti-dumping duties against the imports of Aluminium Beverages Cans from UAE would provide a market that the exporters/foreign producer can recapture which would likely lead to recurrence of dumping into Pakistan.

22.3.2.3 Jordan – Crown Middle East Can Co. Ltd.

| Table-VI | | | (Volume) | | |
|--------------------------|-------------|-------------|-----------------|-------------|-------------|
| Million Cans | 2019 | 2020 | 2021 | 2022 | 2023 |
| Crown Jordan (capacity)* | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Domestic Consumption** | 2.45 | 2.57 | 2.71 | 2.85 | 3.00 |
| Export*** | 44.45 | 42.37 | 53.26 | 51.14 | 27.82 |
| Idle Capacity | 53.11 | 55.05 | 44.03 | 46.01 | 69.18 |
| Idle Capacity % | 53% | 55% | 44% | 46% | 69% |

*Source: [https://sswm.info/gain-replication-manual/business-cases:crown can](https://sswm.info/gain-replication-manual/business-cases:crown%20can)

**Source: Mordor intelligence report

***Source: www.mordor.com

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of Crown Jordan capacity in 2019 by taking it equal to 100.

The data above reveals that, with domestic consumption up to three percent of Crown Jordan capacity, Jordan's significant capacities are mainly built for exports. Idle capacity reached a critical high of 69% in 2023 i.e a year after the imposition of anti-dumping duties. This is the highest level of idle capacity among the Exporting Countries and highlights the need to utilize the surplus. Pakistan, being the existing market prior to the imposition of anti-dumping duties, implying the sales channels/relationships within the relevant businesses in the country, the termination of anti-dumping duties would be likely to lead to recurrence of dumping into Pakistan from Jordan.

22.3.3 Following common patterns among the Exporting Countries can be observed:

- a) The Exporting countries possess large-scale, fixed installed capacity for producing Aluminium Beverage Cans, far exceeding their limited domestic requirements.
- b) Domestic consumption in each country accounts for less than 20% of their total capacity.
- c) Given the higher production capacities relative to the domestic production, the economic viability of these production facilities is entirely contingent on their ability to export.
- d) All three countries already had commercial linkages in Pakistan's Aluminium Beverage Cans business given the fact that these countries were major exporters during the original POI.

22.3.4 From the above information and analysis, the Commission concludes that the idle capacities of the cans including the Aluminium Beverage Cans of the exporting countries have increased that indicates a substantial surplus that could be redirected to

dump in Pakistan. Therefore, in case anti-dumping duty is terminated, there is a likelihood of recurrence or continuation of dumping of the product under review.

22.4 Whether exporters from the Exporting Countries have developed other export markets after the imposition of anti-dumping duties on dumped imports of Aluminium Beverage Cans;

22.4.1 To analyze the trend of the exports of the Exporting Countries after the imposition of anti-dumping duties, the information available on the “Trade map” has been considered. The specific information on exports of the product under review from the Exporting Countries is not available and the information from International Trade Centre (www.trademap.org) has been relied upon. However, this data is based on 6-digit level HS codes which, besides precise definition of product under review, also includes other specifications/variations of the same. The following table shows major export destinations of the Exporting Countries under the relevant HS codes at 6-digit level. A comparison can be made between the years 2021 (the year in which anti-dumping duties were imposed) and 2023. However, as the antidumping duties were present during 2022 onwards and the exports to Pakistan ceased three years prior to it this information cannot depict any market development or realignment as a result of the imposition of anti-dumping duties:

Table-VII (MT)

| Major Export Markets of UAE | | | | | |
|---------------------------------------|---------------------|---------------------|---------------------|---------------------|---------------------|
| -1- Destination | -2- 2019 | -3- 2020 | -4- 2021 | -5- 2022 | -6- 2023 |
| United States | 1,147 | 8,118 | 16,947 | 6,587 | 413 |
| Oman | 842 | 7,674 | 8,708 | 5,894 | 3,310 |
| Afghanistan | 2,466 | 3,981 | 3,196 | 2,537 | 4,485 |
| Kuwait | 1,145 | 1,116 | 1,779 | 1,377 | 1,524 |
| Canada | 0 | 873 | 3,439 | 1,755 | 12 |
| Guinea | 897 | 992 | 1,230 | 1,346 | 1,214 |
| Sierra Leone | 472 | 561 | 1,450 | 849 | 582 |
| Ghana | 403 | 491 | 932 | 1,293 | 856 |
| Saudi Arabia | 815 | 752 | 483 | 1,015 | 140 |
| Côte d'Ivoire | 441 | 570 | 226 | 1,102 | 620 |
| Others | 7,706 | 4,852 | 5,617 | 7,481 | 7,297 |
| Total | 16,335 | 29,979 | 44,008 | 31,236 | 20,453 |
| Major Export Markets of Jordan | | | | | |
| Destination | 2019 | 2020 | 2021 | 2022 | 2023 |
| State of Palestine | 2,562 | 3,223 | 1,556 | 404 | 237 |
| Algeria | 103 | 548 | 2,043 | 2,759 | 1,717 |

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| | | | | | |
|--|--------------|--------------|---------------|---------------|--------------|
| United States | - | 1,074 | 2,887 | 2,469 | 3 |
| Lebanon | 1,898 | 1,051 | 460 | 719 | 1,136 |
| Iraq | 2,413 | 376 | 331 | 122 | 277 |
| Syria | 1,191 | 399 | 708 | 391 | 259 |
| Free Zones | 630 | - | 1,012 | 312 | 976 |
| Tunisia | - | - | 22 | 720 | 693 |
| Saudi Arabia | - | 1,173 | | 123 | 106 |
| Egypt | - | - | 2 | 1,224 | 0 |
| Others | 191 | 726 | 1,750 | 1,099 | 222 |
| Total | 8,988 | 8,569 | 10,772 | 10,342 | 5,626 |
| Major Export Markets of Sri Lanka | | | | | |
| Destination | 2019 | 2020 | 2021 | 2022 | 2023 |
| Guinea | 1,041 | 1,304 | 1,416 | 1,663 | 1,787 |
| Bangladesh | 934 | 609 | 1,142 | 1,588 | 1,165 |
| United Arab Emirates | 707 | 689 | 715 | 582 | - |
| India | 224 | 311 | 92 | 158 | 860 |
| Iraq | 1,390 | - | - | 49 | - |
| USA | - | 61 | 593 | 30 | 33 |
| Iran | 260 | 9 | 143 | 213 | 90 |
| Canada | - | 37 | 211 | 15 | - |
| Afghanistan | - | - | 160 | - | 30 |
| Others | 374 | 47 | 235 | 182 | 416 |
| Total | 4,929 | 3,066 | 4,713 | 4,480 | 4,380 |

Source: Trademap

22.4.2 The above table shows a consistent trend: all three Exporting Countries have suffered a decline in their total exports of aluminum cans (under the relevant HS code) since the peak year of 2021. This decline is more pronounced in case of Jordan and UAE. This decline is not indicative of successful market diversification but rather a contraction of their export opportunities. Hence, the surge in exports were short lived during the COVID-19 period and post COVID correction almost left the exporters at the situation similar to that of 2019. Country wise overview is provided below:

- a) UAE's total exports dropped from 44,008 MT in 2021 to 20,453 MT in 2023, a decline of over 50%. Most significantly, exports to its largest market i.e. USA collapsed from 16,947 MT to a mere 413 MT which were even lower than what was exported to USA in 2019. Besides, there is no other noteworthy major market that was developed during this period.

- b) Jordan's exports fell from 10,772 MT in 2021 to 5,626 MT in 2023. Like the UAE, Jordan's exports to the USA almost ceased, dropping from 2,887 MT to just 3 MT. This demonstrates a severe loss of a major destination, not a shift to new, stable markets. Jordan lost various other markets which were established or significant in 2019 but dropped in 2023 including Palestine, Syria and Iraq. This led to an overall decline in total exports in 2023 as compared to five years earlier.
- c) Although there is a noticeable decline in Sri Lanka's overall exports during the 5 years, however it is less pronounced including the year 2021 where other two exporting countries experienced surge in exports during COVID-19. Its exports remained stagnant and failed to grow beyond the 4,500 MT range, remaining far below its available production capacity. The data does not suggest any new significant markets replacing the volume previously exported to Pakistan.

22.4.3 The Exporting Countries have not developed any significantly new and stable export markets to compensate for the loss of the Pakistani market or the collapse of other key markets. This failure to diversify their exports makes it more likely that the exporters/producers from these three countries would take the opportunity to re-enter in Pakistani market if the anti-dumping duties are terminated, given their demonstrated need to utilize idle capacity, their historical practice of dumping and existing business linkages with relevant businesses in Pakistan.

22.4.4 On the basis of above information and analysis, the Commission concludes that the Exporting Countries have not developed major new markets after the imposition of anti-dumping duties. Further, they have surplus capacities, therefore, if the anti-dumping duties imposed on the product under review are removed, there is a likelihood of an increase in the volume of imports of the Aluminum Beverage Cans from the Exporting Countries.

22.5 **Trade remedial actions taken by other countries on the exports of the product under review and whether such actions are likely to cause a diversion of imports into Pakistan;**

As per the available information to the Commission no anti-dumping or countervailing measures have been imposed on Aluminum Beverage Cans from Sri Lanka, Jordan, or the UAE.

22.6 **Changes in market conditions in the exporting country and internationally, including changes in the supply of and demand for the product under review;**

The global market for aluminum beverage cans witnessed fluctuations, moving from a period of highest demand during the COVID-19 pandemic to a current state of weak demand and oversupply. Since the exporters/producers from the Exporting Countries are oriented towards exports, reshaping of market realities at broader level do have its implication for them. In order to meet the global/regional demand the Exporting

Countries are supposed to compete with international competition in the market conditions which are common for the competing exporters.

22.6.1 Impact of COVID on Global Can Market Dynamics:

During the COVID-19 pandemic, the Aluminum Beverage Cans market underwent significant disruptions due to sudden shifts in consumer behavior. Bars and restaurants faced closures, reducing draft beer consumption. Consumers turned to at-home consumption, increasing demand for canned beverages. This resulted in a rise in beer can usage from 50 percent to 60 percent of the beer market share in 2020, marking a 20 percent growth within a year. (CNN Article: why America is running out of aluminum cans, July 2020). According to Fox News Article November 2020: Innovative canned beverages, including hard seltzers, flavored seltzers, canned wine, and functional drinks, surged in popularity, further driving demand.

22.6.2 Post-COVID Market Correction (2022–2023)

As pandemic restrictions eased, demand normalization and overcapacity became pressing challenges. With the reopening of bars, restaurants, and public venues, consumer preferences shifted back to draft beer and non-canned beverages. Growth expectations in key markets like the U.S. and EU were not met, leading to declining sales volumes through 2023. By 2023, large-scale expansions initiated during the pandemic came online, adding substantial capacity to an already saturated market. (Canmaker Article, October 2023). Imports from global suppliers, including Sri Lanka and UAE, tapered off as U.S. and EU producers met local demand. High transport costs further reduced the viability of imports, leaving production facilities in export-reliant regions idle (Canmaker Article, November 2023)

22.6.3 GDP growth has slowed across major markets like the US, EU, and China, while developing economies like India show decelerated but positive growth. In response, can makers be curbing capital expenditure, with Crown Holdings and Ball Corporation significantly reducing 2024 spending. This reflects efforts to manage overcapacity from prior expansions while navigating weaker demand and economic uncertainty, emphasizing cost control and strategic adaptation to sustain profitability. (Canmaker.com news dated 05, February 2024). Global Can making companies like Ball and Crown are witnessing volume decline due to slow consumer demand and higher consumer prices. (Canmaker.com news dated 04 November 2022, 26 February 2023, 03 November 2023, 25 October 2023 and foxbusiness.com article dated 06 November 2020).

22.6.4 The problem for Exporting Countries are compounding as the beverage companies in regions like Türkiye, the Middle East, and Central and South Asia are also facing low demand due to inflation and reduced consumer spending. This directly impacts can makers, with lower beverage sales leading to decreased demand for packaging and a shift towards smaller, higher-value cans (CCI earning report Q3:2024). All these expansion plans along with existing manifold capacities in the exporting countries pose

serious threat to the domestic industry and therefore, if the antidumping duties are removed now, it will not be difficult for the importers to flood the domestic market with huge volume of highly dumped imports.

22.6.5 On the basis of above information the following factors are directly related to the market conditions faced by the Exporting Countries which can affect their exports decision to Pakistan in case barriers in form of anti-dumping duties are lifted:

- a) As major markets like the U.S. and E.U. now meet more demand domestically and face high transport costs, their imports are decreasing.
- b) The shrunken global demand means export-oriented factories are now competing for a shrinking pool of international opportunities. This has directly resulted in the high levels of idle capacity detailed in Section 22.3 of this report.
- c) Facing weaker demand, multinational can makers like Crown Holdings and Ball Corporation (who have operations in the Exporting Countries) are curbing capital expenditure and focusing on cost control (Canmaker, February 2024). This strategy highlights the challenging global environment and increases the pressure on their existing facilities to maintain volume and capacity utilization rates. This will be possible through export sales given their export oriented nature.

22.6.6 On the basis of information and analysis in the preceding paragraphs, the Commission concludes that the current international market conditions are characterized by oversupply and weakening demand. These adverse conditions create an urgent need for producers from the Exporting Countries to direct their exports to Pakistan if the anti-dumping duties are removed.

22.7 **Conditions of competition with non-dumped imports of the like product**

Since there are no imports of product under review from the dumped sources during the POR, therefore an analysis concerning the competitive conditions with non-dumped imports of the like product cannot be made.

22.8 Based on the information and analysis in paragraphs 22.1 to 22.6 supra, it is concluded that there is likelihood of recurrence and continuation of dumping of the product under review if antidumping duty on dumped imports is terminated.

23. **Determination of Likely Recurrence or Continuation of Injury to the Domestic Industry**

23.1 Likely recurrence and continuation of injury to the domestic industry is determined in accordance with Rule 41 of the Rules and other relevant provisions of the Act. The Commission has considered relevant factors 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, *inter alia*, considered following factors:

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- i. Likely change in volume of imports of the product under review if anti-dumping duty is terminated;
- ii. Likely impact of imports of the product under review on prices of the domestic like product with and without anti-dumping duty;
- 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; and
- iv. Changes in market conditions in the economy of Pakistan and internationally, including changes in the supply of and demand for the imports of the product under review

23.2 As stated earlier (para 10 supra) and as contextualized in the preceding paragraph, the Applicant is the only domestic producer of Aluminum Beverage Cans; therefore, the likelihood of continuation or recurrence of injury for relevant factors is inferred from the Applicant's information. Information and facts on these injury factors are provided in the following paragraphs:"

23.3 Likely Effect on Volume of Dumped Imports

23.3.1 With regard to the volume of dumped imports, in terms of Section 15(2) of the Act, it is considered whether there would be significant increase in dumped imports, either in absolute terms or relative to the consumption or production of the domestic like product if the anti-dumping duty is terminated.

23.3.2 The following table shows information on imports of the product under review in original POI and POR:

**Table-VIII
Dumped Imports (MT)**

| Year/Period | Imports from the Exporting Countries (Dumped) | Non-Dumped Import | Total Imports | Dumped imports as % of total imports |
|-------------------|---|-------------------|---------------|--------------------------------------|
| (1) | (2) | (3) | (4)=(2+3) | (5) |
| Sep 17 – Jun 18 * | 96.42% | 3.58 | 100.00 | 5.68% |
| Jan - Dec 22 | - | 0.04 | 0.04 | - |
| Jan - Dec 23 | - | 0.35 | 0.35 | - |
| Jan- Dec 24 | - | 1.02 | 1.02 | - |

*POI of original investigation Source: WEBOC

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of total imports in Sep 17-Jun 18 by taking it equal to 100.

23.3.3 The import data provided above clearly shows the definitive impact of the anti-dumping duties. After their imposition, dumped imports of Aluminium Beverage Cans from the exporting countries dropped from 96.42% of total imports during the original period of investigation, to absolutely zero throughout the entire POR.

23.3.4 The above scenario indicates that terminating the anti-dumping duties would remove a significant barrier that currently prevented the dumped imports from re-entering the Pakistani market. At the same time, the exporters faced severe contraction in their other major export markets (refer para 22 above). The combination of above-mentioned factors creates a strong and urgent economic incentive for them to rapidly offload their substantial exportable surplus.

23.3.5 On the basis of above information and analysis, the Commission concludes that the termination of the anti-dumping duties would be likely to lead to a significant increase in the volume of dumped imports and to a recurrence of material injury to the domestic industry on this account.

23.4 Likely Price Effects on the Domestic Like Product

23.4.1 Likely effects 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 is likely price undercutting (the extent to which the price of the product under review 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 would not be recovered by way of increase in selling price of the domestic like product) if anti-dumping duty on dumped import expires.

23.4.2 Likely Effects on Price Undercutting

23.4.2.1 Information/data on the weighted average ex-factory price of the domestic like product and weighted average landed cost of the product under review, with and without anti-dumping duty during the original POI and POR are given in the following table:

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Table-IX
Price Undercutting (per MT)

| Year/Period | Domestic industry's price | Landed cost of the product under review | | Price undercutting | |
|-------------------|---------------------------|---|-------------|--------------------|------------------|
| | | With ADD | Without ADD | With AD. duty | Without AD. duty |
| (1) | (2) | (3) | (4) | (5) | (6) |
| Sep 17 – Jun 18 * | 100.00 | -- | 99.68 | -- | 0.32 |
| Jan - Dec 22 | 263.72 | -- | -- | -- | -- |
| Jan - Dec 23 | 323.87 | -- | -- | -- | -- |
| Jan- Dec 24 | 375.82 | -- | -- | -- | -- |

* POI of Original Investigation

Sources: the Applicant and WEBOC

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of domestic industry price in Sep 17-Jun 18 by taking it equal to 100.

23.4.2.2 The above table shows that the domestic industry faced price undercutting in the original POI (Sep 17-Jun 18) however, after the imposition of anti-dumping duties there are no imports from Exporting Countries therefore domestic industry did not face price undercutting. This shows that if the antidumping duties are removed, the likely effect will be a resumption of dumped imports, which will be possible by competing the domestic like product by resorting to similar pricing strategy to those employed during the original POI. This could once again undercut domestic prices, putting downward pressure on the domestic ex-factory prices, likely leading to price undercutting, and harming the financial stability of the domestic industry and subsequently would likely face injury on account of price undercutting if the anti-dumping duty imposed on dumped imports of the product under review from the Exporting Countries is terminated.

23.4.3 Likely Effect on Price Depression

23.4.3.1 The information provided in the above table shows that since there were no dumped imports from the investigated countries during the POR (Jan 21 – Dec 24), the domestic industry has been able to increase prices, which are thus free from price depression. This trend shows that if antidumping duties are terminated, dumping will resume leading to a reduction in domestic prices causing price depression to remain competitive.

23.4.3.2 On the basis of the above information and analysis the Commission has concluded that there is a likelihood that the domestic industry will face price depression if the anti-dumping duty is terminated imposed on dumped imports of the product under review from the Exporting Countries.

23.4.4 **Likely Effect on Price Suppression:**

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

**Table-X
Price Suppression (per MT)**

| Year/ Period | Domestic like product's | | Increase/decrease in: | | Price Suppression |
|----------------|-------------------------|------------------|--|-------|-------------------|
| | Cost to make and sell | Ex-factory price | Cost to make & sell | Price | |
| (1) | (2) | (3) | (4) | (5) | (6) |
| Sep 17-Jun 18* | 100.00 | 47.91 | Constrained to sell at a price half of the cost to make and sell | | - |
| Jan - Dec 22 | 93.71 | 126.34 | - | - | - |
| Jan - Dec 23 | 107.74 | 155.15 | 14.03 | 28.82 | - |
| Jan- Dec 24 | 113.31 | 180.04 | 5.57 | 24.89 | - |

* POI of Original Investigation

Sources: the Applicant

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of domestic like product's Cost to make and sell in Sep 17-Jun 18 by taking it equal to 100.

23.4.4.2 The above table shows that the domestic industry was able to increase its prices after the imposition of duty. The increase in price during the POR remained significantly above the cost to make and sell. Whereas the domestic industry was selling Aluminium Beverage Cans at a price half of the cost to make and sell during the original POI due to its nascent condition and dumped imports from the exporting countries.

23.4.4.3 As there is a likelihood of price undercutting and price depression if the anti-dumping duties imposed on the product under review expires (paragraphs 23.4.2 and 23.4.3 supra), therefore, there is a likelihood that domestic industry will not be able to recover any increase in cost to make and sell of the domestic like product if anti-dumping duties are terminated. Thus, there is a likelihood of price suppression to be faced by the domestic industry if the anti-dumping duties on the product under review are terminated.

23.4.4.5 On the above information and analysis the Commission has concluded that there is likelihood of injury to the domestic industry on account of price suppression if anti-dumping duty is terminated on imports of the product under review.

23.5 **Likely Effects in Sales and Market Share**

23.5.1 Following table shows the sales made by the domestic industry and the market share of domestic industry in the domestic market during the POI and POR:

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**Table – XI
Sales and Market Share**

| Year/Period | Domestic Industry's Sales | | Imports from: | | | | Total Market | |
|----------------|---------------------------|--------|----------------|--------|----------------|--------|--------------|-----------|
| | | | Dumped Sources | | Others Sources | | | |
| | Volume | %share | Volume | %share | Volume | %share | Volume | %change** |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) | (8) | (9) |
| Sep 17-Jun 18* | 27.77 | 27.77 | 69.65 | 69.65 | 2.58 | 2.58 | 100.00 | --- |
| Jan - Dec 22 | 142.20 | 99.98 | 0 | 0 | 0.03 | 0.02 | 142.23 | 42.2 |
| Jan - Dec 23 | 113.23 | 99.78 | 0 | 0 | 0.25 | 0.22 | 113.49 | (20.2) |
| Jan- Dec 24 | 105.28 | 99.31 | 0 | 0 | 0.73 | 0.69 | 106.01 | (6.6) |

*POI of Original Investigation

**% change vis-à-vis year on year basis

Source: WEOC and the Applicant

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of total market in Sep 17-Jun 18 by taking it equal to 100.

23.5.2 The above table shows that the total domestic market of Aluminium Beverage Cans increased i.e. by 42 percent in first year of POR i.e. Jan – Dec 2022, then decreased 20.2 percent in second year of POR i.e. Jan – Dec 2023 and 6.6 percent during last year of POR i.e. Jan – Dec 2024 on year-on-year basis. Sales of the domestic industry increased significantly, i.e. about 99 percent during the POR.

23.5.3 Dumped imports, which were 69.65 percent of total market during the POI of original investigation is reduced to zero during POR. Market share of the domestic industry was 27.77 percent of the total market during the original POI, which substantially increased to 99 percent during the POR. Increase in market share of the domestic industry during the POR was due to substantial decline in volume of dumped imports of the product under review as well as decline in imports from other sources after the imposition of anti-dumping duties.

23.5.4 On the basis of fore-going information and analysis there is a likelihood of a significant increase in the volume of imports of the product under review if the anti-dumping duties are removed (paragraph 22 supra), resultantly there is a likelihood of a significant increase in market share of dumped imports of the product under review, which will adversely affect sales and market share of the domestic like product. Therefore, it is concluded that the domestic industry would suffer injury on account of sales and market share.

23.6 Likely Effects on Production and Capacity Utilization

23.6.1 The following table shows installed production capacity, production of the domestic like product and capacity utilization of the domestic industry during the original POI and POR:

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Table – XII
Production and Capacity Utilization (Volume)

| Year/ Period | Installed Capacity | Quantity Produced | Capacity Utilization (%) |
|----------------|--------------------|-------------------|--------------------------|
| (1) | (2) | (3) | (4)=3/2 |
| Sep 17-Jun 18* | 100.00 | 21.08 | 21.08 |
| Jan - Dec 22 | 116.81 | 85.93 | 73.56 |
| Jan - Dec 23 | 134.50 | 98.05 | 72.89 |
| Jan- Dec 24 | 169.90 | 113.71 | 66.93 |

* POI of Original Investigation Source: the Applicant Note: Installed capacity was initially 700 million cans which was expanded to 950 million cans in Aug 2022 and to 1200 million cans in January 2024 Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of total market in Sep 17-Jun 18 by taking it equal to 100.

23.6.2 The above table shows that the installed production capacity of the domestic industry has increased significantly since the imposition of anti-dumping duties on the product under review. During the original POI (Oct 17 – Jun 18), the capacity utilization of domestic industry was only 21.08%. However, after the imposition of antidumping duties, capacity utilization increased to 73.56% in Jan – Dec 2022, and decreased further to 72.89% in Jan – Dec 2023, and 66.93% in Jan – Dec 2024. This decrease in capacity utilization is due to the industry's capacity enhancement.

23.6.3 As there is the likelihood of a significant increase in the volume of imports of the product under review if the anti-dumping duties are terminated (paragraphs 22 and 23.3 supra), which will adversely affect sales and market share of the domestic industry (paragraph 23.5 supra), therefore, it will affect adversely to the production and capacity utilization of the domestic industry. Based on the above information and analysis it is concluded that the domestic industry would be likely face injury on account of production and capacity utilization in case of termination of the anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans from the Exporting Countries.

23.7 Likely Effects on Profits

23.7.1 Net profits/(loss) of the domestic industry during the original POI and POR is given in the following table:

Table-XIII
Profits and Profitability

| Year/Period | Net Profitability (Value) |
|----------------|---------------------------|
| (1) | (3) |
| Sep 17-Jun 18* | (100.00) |
| Jan - Dec 22 | 293.41 |
| Jan - Dec 23 | 339.65 |
| Jan- Dec 24 | 444.65 |

* POI of Original Investigation Source: the Applicant
Note: In order to maintain confidentiality, actual figures have been indexed

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w.r.t. figure of profitability in Sep 17-Jun 18 by taking it equal to 100.

23.7.2 The above table shows that during POI of original investigation domestic industry faced substantial losses, The domestic industry's profitability increased significantly after the imposition of anti-dumping duties on the product under review. The domestic industry earned profits throughout the POR and reached to highest net profit during the last year of POR i.e. Jan – Dec 2024.

23.7.3 As there is a likelihood of price depression and price suppression to be faced by the domestic industry if anti-dumping duties are removed from dumped imports of the product under review (paragraph 23.4 supra), resultantly there is a likelihood of a decline in profits of the domestic industry. Therefore, there is a likelihood of adverse effects on profits and profitability of the domestic industry as a result of a termination of anti-dumping duties on dumped imports of the product under review.

23.8 Likely Effects on Inventories

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

Table – XIV
Applicant's Inventories of the Domestic Like Product (Volume)

| Year | Opening inventory | Production | Sales | | Closing inventory | Change in inventory |
|----------------|-------------------|------------|----------|---------|-------------------|---------------------|
| | | | Domestic | Exports | | |
| (1) | (2) | (3) | (4) | (5) | (6) | (7) |
| Sep 17-Jun 18* | 0.60 | 100.00 | 43.84 | 39.99 | 16.78 | 16.18 |
| Jan - Dec 22 | 38.27 | 407.50 | 224.47 | 186.26 | 35.05 | 18.26 |
| Jan - Dec 23 | 35.05 | 464.98 | 178.74 | 277.71 | 43.64 | 8.59 |
| Jan- Dec 24 | 43.64 | 539.24 | 166.18 | 365.40 | 51.30 | 7.65 |

* POI of Original Investigation

Source: Applicant

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of production in Sep 17-Jun 18 by taking it equal to 100.

23.8.2 The above table shows that after the imposition of anti-dumping duties, the closing inventory level of the domestic like product increased during POR as compared with the original POI. During the original POI (Sep 17 – Jun 18), the domestic industry could sell lower volume of Aluminium Beverage Cans in domestic market, leading to a closing inventory more than one-third of the domestic sales. This low level of production reflected the severe market constraints caused by dumped imports. However, following the imposition of antidumping duties, production increased substantially and reached to highest production during the last year of POR i.e. Jan – Dec 2024, reflecting gains for the domestic industry. Closing inventory during last year of POR was 10 percent of total sales.

23.8.3 The above information shows that, there is a likelihood that the termination of anti-dumping duty on dumped imports of Aluminium Beverage Cans from the Exporting

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Countries would likely lead to increase in its volume, which would negatively affect production and sales of the domestic like product. Therefore, termination of anti-dumping duty on dumped imports of Aluminium Beverage Cans would negatively affect inventories of the domestic like product of the domestic industry. Based on this information, the Commission concludes that the domestic industry may experience a decline in sales of the domestic like product, resulting in adverse effects, including increased inventories if anti-dumping duties are terminated.

23.9 Likely Effect on Employment, Productivity and Wages

23.9.1 The information regarding employment in the domestic industry, productivity per worker and salaries & wages paid for production of the domestic like product is given in the following table:

**Table – XV
Applicant's Employment, Productivity and Wages**

| Year/Period | Number of employees | Salaries & Wages (Value) | Production (Volume) | Productivity (per worker) | Salaries & wages (per MT) |
|--------------------|----------------------------|-------------------------------------|----------------------------|----------------------------------|--------------------------------------|
| (1) | (2) | (3) | (4) | (5) | (6) |
| Sep 17-Jun 18* | 100.00 | 100.00 | 100.00 | 100.00 | 100.00 |
| Jan - Dec 22 | 175.90 | 222.40 | 407.50 | 232.40 | 54.57 |
| Jan - Dec 23 | 218.07 | 315.18 | 465.05 | 213.97 | 67.77 |
| Jan- Dec 24 | 267.47 | 391.41 | 539.24 | 202.23 | 72.58 |

* POI of first Original Investigation

Source: Applicant

Note: In order to maintain confidentiality, actual figures are indexed by taking figures in Sep 17-Jun 18 equals to 100.

23.9.2 The above table shows that the Applicant's number of employees increased significantly during the POR as compared to the period of original investigation. According to the Applicant this increase in employment corresponds with an increase in production during the entire POR. Salaries and wages per MT decreased during the POR. Productivity per worker significantly increased during the POR as compared to the original POI.

23.9.3 As it is established in paragraph 23.3 supra, there is a likelihood of a significant increase in the volume of imports of the product under review if anti-dumping duties are removed, therefore, there is a likelihood that the domestic industry would be forced to reduce production and sales of the domestic like product. This situation would likely adversely affect employment, productivity, and salaries & wages of the domestic industry.

23.10 Likely Effect on Investment and Return on Investment

23.10.1 The information regarding the return on investment of the Applicants during original POI and the POR is given in the following table:

Table – XVI
Applicant's Return on Investment

| Year/Period | Investment (Value) | Return (Value) | Return on investment (%) |
|-------------------|--------------------|----------------|--------------------------|
| (1) | (2) | (3) | (4) |
| Sep 17 – Jun 18 * | 100.0 | (3.7) | (3.70) |
| Jan - Dec 22 | 57.9 | 17.7 | 30.64 |
| Jan - Dec 23 | 71.4 | 30.8 | 43.12 |
| Jan- Dec 24 | 106.1 | 36.5 | 34.36 |

* POI of Original Investigation Sources: the Applicant

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of investment in Sep 17-Jun 18 by taking it equal to 100.

23.10.2 The above table shows that the domestic industry's investment and return on investment significantly increased during POR as compared to the POI of original investigation. According to the information available to the Commission, the domestic industry had only been able to earn this return on its investment because the levy of anti-dumping duties provided protection from dumped imports and the domestic industry not only had increased its production and sales but had also been able to increase its profit margin which contributed towards healthy returns.

23.10.3 As termination of anti-dumping duty on dumped imports from the Exporting Countries would likely lead to an increase in volume of dumped imports of the product under review, therefore, there is a likelihood that the domestic industry would be forced to reduce production, sales, and sales price of the domestic like product. This situation will likely further affect adversely the return on investment of the domestic industry. Based on the above information and analysis, it is concluded that the domestic industry is likely to face injury on account of return on investment on termination of anti-dumping duty imposed on dumped imports of Aluminium Beverage Cans from the Exporting Countries.

23.11 Likely Effects on Cash Flow

23.11.1 Total net cash flow of the entire operations of the Applicant for the POR is given in the following table:

Table – XVII
Applicant's Cash Flows

| Year | Cash Flows (Value) |
|-------------------|--------------------|
| (1) | (2) |
| Sep 17 – Jun 18 * | (100.00) |
| Jan - Dec 22 | 94.40 |
| Jan - Dec 23 | 783.36 |
| Jan- Dec 24 | 981.00 |

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* POI of Original Investigation Sources: the Applicant

Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of Cash flow in Sep 17-Jun 18 by taking it equal to 100.

23.11.2 The above table shows that the cash flow of the domestic industry improved significantly after the imposition of anti-dumping duties. During the original POI there is negative cash flow. However, after the imposition of anti-dumping duties cash flows improved significantly during the POR and reaches to highest positive cash flow during the last year of POR i.e. Jan – Dec 24.

23.11.3 As there is likelihood of adverse/ negative effects on production, sales and prices of the domestic like product due to termination of anti-dumping duty on dumped imports of the product under review, therefore, there is likelihood of adversely effect on cash flows of the domestic industry if anti-dumping duty is terminated on dumped imports of the product under review.

23.12 Likely Effects on Growth and Ability to Raise Investment

23.12.1 Information on growth of the Applicant is given below:

**Table-XVIII
Growth**

| Year/Period | Increase in Fixed Assets (Value) |
|--------------------|---|
| (1) | (2) |
| Jan - Dec 22 | 100.00 |
| Jan - Dec 23 | 108.93 |
| Jan- Dec 24 | 105.52 |

Source: Applicant Note: In order to maintain confidentiality, actual figures have been indexed w.r.t. figure of increase in fixed asset in Sep 17-Jun 18 by taking it equal to 100.

23.12.2 After the imposition of antidumping duties, there was a significant investment in capacity enhancements. From Jan – Dec 22, the increase in fixed assets, reflecting investments aimed at expanding production capacity. This increased in fixed asset continued in Jan – December 2023, and in Jan - Dec 2024. Increased production and increased profits of the domestic industry boosted the confidence of the investors and the domestic industry had been able to raise investment to fund its capacity expansions projects

23.12.3 This shows considerable growth in the domestic industry and its improved ability to raise capital for investment as a result of the imposition of anti-dumping duties on the product under review. As there is a likelihood of a significant increase in the volume of dumped imports of the product under review, which will adversely affect sales volume, prices, profits, and profitability of the domestic like product, therefore, there is a likelihood of adverse effects on growth and ability to raise capital of the domestic industry if anti-dumping duties on dumped imports of the product under review are removed.

23.13 Changes in market conditions in the economy of Pakistan and internationally, including changes in the supply of and demand for the imports of the product under review

23.13.1 According to the Economic Survey 2023-24:

“Global growth decelerated due to sluggish performance in advanced economies amid contractionary monetary policy stance to tackle inflation. Global economic growth has slowed down from 3.5% in 2022 to 3.2% in 2023 and is projected to continue at the same pace in 2024 and 2025, below the historical (2000-2019) annual average of 3.8%. Global inflation is expected to fall from 6.8% in 2023 to 5.9 % in 2024 and 4.5 % in 2025. The world merchandise trade volume is projected to grow by 2.6% in 2024 (-1.2% in 2023) before picking up to 3.3% in 2025 (WTO). Geopolitical tensions have emerged as the predominant risk to the global economic landscape. Presently, conflicts in Eastern Europe and the Middle East, critical hubs for global food and energy distribution, pose imminent challenges.”

“In fiscal year 2024, Pakistan's GDP increased by 2.38 percent, with strong growth in agriculture sector which expanded by 6.25 percent compared to 2.27 percent growth in last year. While both the industrial and services sectors grew by 1.21 percent. Large-Scale Manufacturing (LSM) remained in negative territory at -0.1 percent during July-March FY 2024, an improvement compared to the -7.0 percent growth in the corresponding period last year. During this period, 11 out of 22 sectors witnessed growth, including Food, Wearing Apparel, Leather, Wood Products, Coke & Petroleum Products, Chemicals, Pharmaceuticals, Rubber Products, Machinery & Equipment, Furniture, and Other Manufacturing (e.g., footballs)”

23.13.2 According to the article published in Reuters dated September 04, 2024:

“Western soda beverage companies saw a 7 % sales decline in the first half of 2024 across the Middle East and South Asia, including Pakistan—driven by boycott movements following the Gaza war. However, local soda beverage brands increased their combined market share in Pakistan from 2.5 % to around 12 %, indicating a shift from Western to local products during the boycott. In Pakistan beverage cans sales dropped 11.1 % in the first half of calendar year 2024, explicitly attributed to reduced local demand amid geopolitical turmoil including the Gaza conflict.”

23.13.3 Afghanistan was the main export market of Pakistan (the Applicant) during the POR and suspension of the Afghan transit trade due to recent geo-political tensions between two countries is likely to affect the exports of the Applicant to Afghanistan. Further, as per Frank.uz dated October 17, 2025 a new plant of Aluminium Beverage Cans is established in Uzbekistan in 2025 having installed capacities of 1.2 billion cans per annum in phase 1 which will increased to 2.2 billion cans per annum. Moreover, according to the company profile on LinkedIn, Alu Hi-Tech Industries Ltd. plans to install a new plant of Aluminium Beverage Cans in Bangladesh. As Uzbekistan and Bangladesh were the export markets of the Applicant during the POR, establishment of new plants will affect the export of the Applicant to these markets as well.

23.13.4 The Applicant, who has increased its production capacity in recent years is likely to operate at lower capacity utilization rates due to likely loss of exports in its previously established markets that would lead to higher fixed costs.

23.13.5 As there is likelihood of significant increase in volume of imports of the product under review if anti-dumping duty is terminated (paragraph 23.3 supra), the lower operating as a result of changes in market conditions is likely weakening the Applicant's ability to with the dumped imports. This weakens the domestic industry and increases reliance on dumped imports, making the market more vulnerable to global price fluctuations and supply chain disruptions.

23.14 Summing up Likely Recurrence or Continuation of Injury

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 Aluminium Beverage Cans from the Exporting Countries would likely lead to recurrence of injury to the domestic industry on account of the following:

- (a) Likely increased volume of dumped imports of the product under review from the Exporting Countries;
- (b) Likely price undercutting, price depression and price suppression;
- (c) Likely decline in production, capacity utilization, sales and market share of the domestic like product; and
- (d) Likely negative effect on profits, inventories, ROI, employment, cashflows and productivity of the domestic industry.

D. CONCLUSIONS

24. After taking into account all the information, data and analysis the Commission has reached at the following conclusions:

- (a) The domestic industry filed an application for sunset review of anti-dumping duty 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 anti-dumping duty. The application requirements of Sections 24 and 48 of the Act and Rule 32 of the Rules.

- (b) There is likelihood of recurrence of dumping of the product under review from the Exporting Countries if anti-dumping duty imposed on dumped imports of the product under review is terminated.
- (c) The recent changes in the market condition in Pakistan as well as internationally are likely to weaken the Applicant's ability to compete with the dumped imports of the product under review if the anti-dumping duty is terminated.
- (d) Termination of anti-dumping duty imposed on dumped imports of the product under review from the Exporting Countries will likely increase in volume of dumped imports, thus there is likelihood of recurrence of injury to the domestic industry on accounts of price undercutting, price depression, price suppression, decline in domestic industry's production, capacity utilization sales, market share and adverse effect on profits, inventories, return on investment (ROI), employment and productivity of the domestic industry.

E. CONTINUATION OF DEFINITIVE ANTI-DUMPING DUTIES

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

26. In view of the information, analysis and conclusions in preceding paragraphs, the Commission has determined that the expiry of anti-dumping duty imposed on dumped imports of the product under review would be likely to lead to recurrence of dumping and injury to the domestic industry. The Commission has, therefore, decided to continue anti-dumping duty at the following rates in *ad val* terms on dumped imports of Aluminium Beverage Cans from the Exporting Countries for a further period of three years effective from February 19, 2025.

Definitive Antidumping Duty Rates

| Exporting Country | Exporter/Foreign Producer | Definitive Anti-dumping Duty Rates (%) |
|--------------------------|--|---|
| Sri Lanka | Ceylon Beverage Cans | 23.24 |
| | All other Exporters/ Foreign Producers | 23.24 |
| Jordan | All Exporters/Foreign Producers | 26.54 |
| UAE | All Exporters/Foreign Producers | 22.06 |

27. In accordance with Section 51 of the Act, the anti-dumping duty shall take the form of *ad valorem* duty and would be deposited in the National Tariff Commission's Non-lapsable PLD Account No.187 maintained under the Head G-11217, PLA with Federal Treasury Office Islamabad. The definitive anti-dumping duty would be collected in the same manner as customs duty is collected. Release of the dumped imports of the product under review for free circulation in Pakistan shall be subject to imposition of such anti-dumping duty.

28. Further, in accordance with Section 51(1)(ea) of the Act, definitive anti-dumping shall not be levied on imports of the product under review that are used as inputs in products destined solely for exports or for use in the foreign grant-in-aid projects and are covered under any scheme exempting customs duties for exports or foreign grant-in-aid projects under the Customs Act, 1969 (IV of 1969).

39. Definitive anti-dumping duty levied would be in addition to other taxes and duties leviable on import of the product under review under any other law.

(Ahmed Sheraz)
Member
December 09, 2025

(Imran Zia)
Member
December 09, 2025

(Muhammad Iqbal Tabish)
Member
December 09, 2025

(Naeem Anwar)
Member
December 09, 2025

(Abdul Rasheed)
Chairman
December 09, 2025

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Annex-I

| Comments of Interested Parties | NTC View |
|---|---|
| Views/Comments of Pakistan Beverage Ltd. | |
| <ul style="list-style-type: none"> Restricting imports of such Cans by imposing such excessive duties, antidumping duty and valuation ruling has only created a monopoly for the <u>only</u> local manufacturer who dictates the local prices and is tempted to inflate its sale price to the domestic beverage industry to reap extraordinary returns. This product is already subject to a very high rate of duties even being packaging material of the beverage industry. There is customs duty of 20%, additional customs duty of 6% and regulatory duty of 10% which makes a total of 36% duty to protect the domestic industry and generate more revenue collection. The import duty on raw material of such local manufacturers has already been reduced significantly enabling it to compete with the global competitors. Even though Aluminum Lid which is a finished product, is also subject to a reduced rate of Custom Duty. Such incentives have already paved the way for the local manufacturer to meet the local demand of such Cans at even more competitive rates during the period of imposition of such heavy duties including Anti-Dumping Duty. All such benefits to local manufacturers during such a long period has done away any further need to continue such antidumping duty anymore. | Refer to the Commission's analysis at para 13, 22 and 23 of the report |
| The local beverage industry is a major contributor to the national exchequer. Some of the large companies including ours used to import cans according to their unique specifications and standards. Such restrictions have actually been detrimental to the interests of these companies who are now forced to purchase the Cans from the only available local manufacturer at its price and conditions. | -do- |
| <ul style="list-style-type: none"> The import data reveals that the highest value of imports of cans is from Turkey, UAE and Jordan with whom Pakistan does not have any preferential trade agreement which means that the duty of 36% is being paid on imports of cans from these countries. Pakistan has a free trade agreement with Sri Lanka from where cans could be imported by paying a lower rate of duty. However, the share of imports of Aluminum Cans under HS Code of 761290 from Sri Lanka is very minimal which means that there is no case of dumping of cans in Pakistan. The protection of local industry is not very relevant in this particular case since it is just a single company and secondly this company itself imports all the main raw material (aluminum Coil and aluminum lids) that constitute over 70% to produce cans which is more akin to assembling than manufacturing. | The instant matter does not pertain to the protection of domestic industry, instead the review is being carried out under Anti-dumping duties Act 2015 and Anti-dumping Rules 2022 to provide the level playing field to the domestic industry facing unfair trade practices. |
| <ul style="list-style-type: none"> The case of imports of Cans at dumped prices is also not valid since the Customs Department has already fixed the prices of | Valuation rulings by Pakistan Customs are not a remedy to an |

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| | |
|--|--|
| <p><i>imported cans under the valuation ruling which are kept at a higher price for the determination of duties and taxes.</i></p> <ul style="list-style-type: none"> <i>Empty cans are input or packing material for the food industry and not meant to be sold to end consumers directly which means that the demand, quality, specification and prices are negotiated directly by the food and beverage industry players, therefore this product cannot be simply dumped in the market by the suppliers.</i> <i>If an importer had already paid the due amount of duties and taxes at the import stage and there are no significant differences in prices, there is no basis to impose such anti-dumping duty as it would actually block the imports at competitive prices.</i> | <p>unfair trade practice. Whereas, the anti-dumping duties are imposed against the dumped sources only.</p> <p>The measures are imposed only to offset the injurious effects of dumped imports on the domestic industry.</p> |
|--|--|

Annex-II

| Comments of Interested Parties | NTC View |
|--|---|
| Views/Comments of Applicant on (SEF) | |
| <p><i>".....Since the likely continuation or recurrence of dumping of the product under review will be determined on the basis of best information available. therefore, we believe that an indicative information being used for determination for likely dumping margins does not needs to be complete or Ideal in all respects, in terms of paragraph 5 of Annex II of Article 6 of the WTO Agreement on Antidumping which states that "Even though, the information provided may not be ideal in all respects, this should not justify the authorities from disregarding it, provided the interested party has acted to the best of its ability." For the instant reason, we believe that the Commission may reconsider its stated position by relying on the, information provided by the Applicant domestic industry (to the extent possible for an industry) for determination for likely dumping margins for exporting countries</i></p> | <p>As stated in paragraph 22.3 of the report the Applicant submitted in the application the export prices from the Exporting Countries based on their exports to a third countries. However, these prices do not provide the necessary data/information for export prices for the entire dumping period, which spans from January to December 2024. Therefore, the Commission did not consider these export prices. Further, the Commission has not made any conclusion in this regard due limitations in the availability of data/information.</p> |
| <p><i>"At para 17.5 of the SEF, the Commission has, discussed whether exporters of the Exporting Country have developed other export markets after imposition of antidumping duties..... Hence, the domestic , industry would like to reiterate that this poses a serious threat of recurrence of dumped imports from the dumped sources, if the antidumping duties are abolished at this point of time....."</i></p> | <p>Analysis and view of the Commission on this factor is already provided in paragraph 22.4 of the report.</p> |