

UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC

Investigation Nos. 701-TA-727 and 731-TA-1695 (Preliminary)

Disposable Aluminum Containers, Pans, Trays, and Lids from China

DETERMINATIONS

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that there is a reasonable indication that an industry in the United States is materially injured by reason of imports of disposable aluminum containers, pans, trays, and lids from China, provided for in statistical reporting number 7615.10.7125 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (“LTFV”) and alleged to be subsidized by the Government of China.^{2 3}

COMMENCEMENT OF FINAL PHASE INVESTIGATIONS

Pursuant to section 207.18 of the Commission’s rules, the Commission also gives notice of the commencement of the final phase of its investigations. The Commission will issue a final phase notice of scheduling, which will be published in the *Federal Register* as provided in § 207.21 of the Commission’s rules, upon notice from the U.S. Department of Commerce (“Commerce”) of affirmative preliminary determinations in the investigations under §§ 703(b) or 733(b) of the Act, or, if the preliminary determinations are negative, upon notice of affirmative final determinations in those investigations under §§ 705(a) or 735(a) of the Act. Parties that filed entries of appearance in the preliminary phase of the investigations need not enter a separate appearance for the final phase of the investigations. Any other party may file an entry of appearance for the final phase of the investigations after publication of the final phase notice of scheduling. Industrial users, and, if the merchandise under investigation is sold at the retail level, representative consumer organizations have the right to appear as parties in Commission antidumping and countervailing duty investigations. The Secretary will prepare a public service list containing the names and addresses of all persons, or their representatives, who are parties to the investigations. As provided in section 207.20 of the Commission’s rules, the Director of the Office of Investigations will circulate draft questionnaires for the final phase of the investigations to parties to the investigations, placing copies on the Commission’s Electronic Document Information System (EDIS, <https://edis.usitc.gov>), for comment.

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

² 89 FR 49833 and 89 FR 49837 (June 12, 2024).

³ Commissioner Rhonda K. Schmidlein not participating.

BACKGROUND

On May 16, 2024, the Aluminum Foil Container Manufacturers Association, Lexington, Kentucky, and its individual members Durable Packaging International, Wheeling, Illinois; D&W Fine Pack, LLC, Wood Dale, Illinois; Handi-Foil Corp., Wheeling, Illinois; Penny Plate, LLC, Fishersville, Virginia; Reynolds Consumer Products, LLC, Lake Forest, Illinois; Shah Foil Products, Inc., Piscataway Township, New Jersey; Smart USA, Inc., Bay Shore, New York; and Trinidad/Benham Corp., Denver, Colorado, filed petitions with the Commission and Commerce, alleging that an industry in the United States is materially injured or threatened with material injury by reason of subsidized and LTFV imports of disposable aluminum containers, pans, trays, and lids from China. Accordingly, effective May 16, 2024, the Commission instituted countervailing duty investigation No. 701-TA-727 and antidumping duty investigation No. 731-TA-1695 (Preliminary).

Notice of the institution of the Commission's investigations and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* of May 22, 2024 (89 FR 45016). The Commission conducted its conference on June 6, 2024. All persons who requested the opportunity were permitted to participate.

The Commission made these determinations pursuant to §§ 703(a) and 733(a) of the Act (19 U.S.C. 1671b(a) and 1673b(a)). It completed and filed its determinations in these investigations on July 9, 2024. The views of the Commission are contained in USITC Publication 5523 (July 2024), entitled *Disposable Aluminum Containers, Pans, Trays, and Lids from China: Investigation Nos. 701-TA-727 and 731-TA-1695 (Preliminary)*.

By order of the Commission.



Lisa R. Barton
Secretary to the Commission

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