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

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

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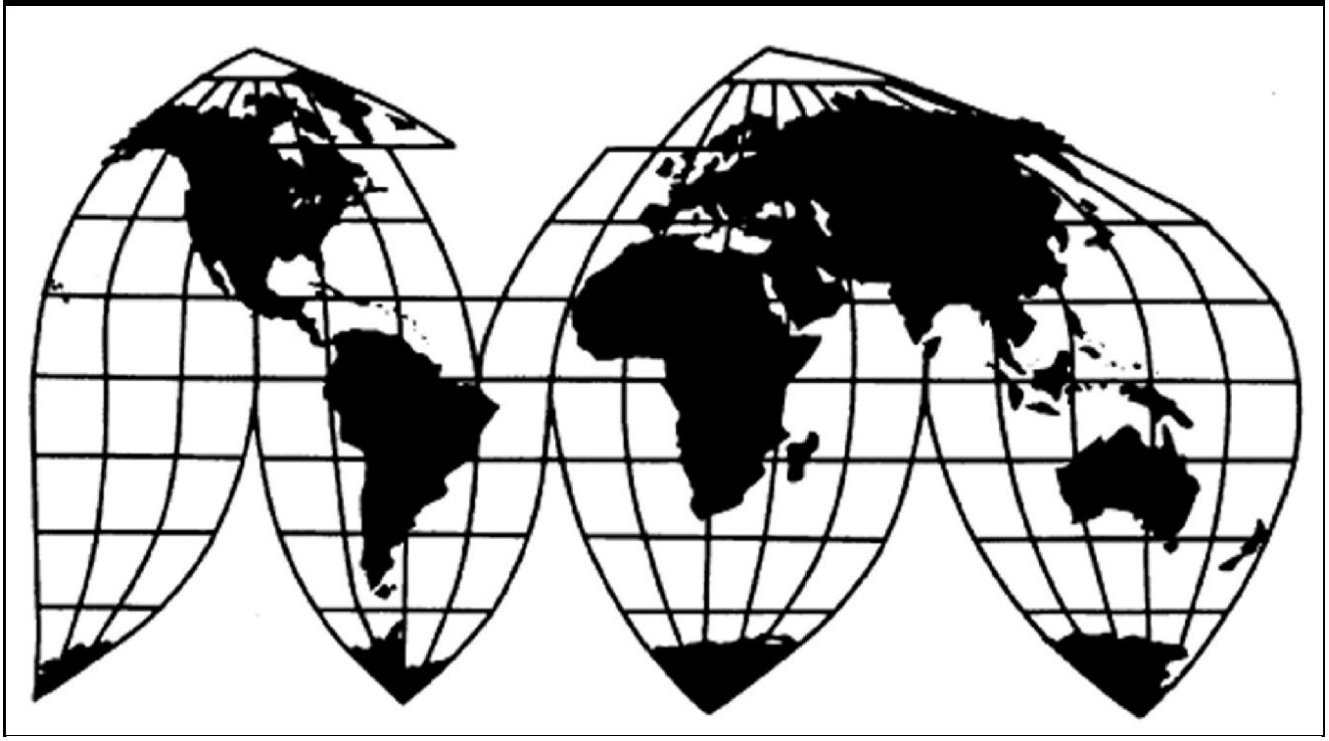
U.S. International Trade Commission



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U.S. International Trade Commission

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Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436
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CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

Note.—Information that would reveal confidential operations of individual firms may not be published. Such information is identified by brackets ([ ]) in confidential reports and is deleted and replaced with asterisks (***) in public reports. Zeroes, null values, and undefined calculations are suppressed and shown as em dashes (—) in tables. If using a screen reader, we recommend increasing the verbosity setting.

UNITED STATES INTERNATIONAL TRADE COMMISSION

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

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

DETERMINATIONS

On the basis of the record[1] developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), 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 have been found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV") and subsidized by the government of China.[2] [3]

BACKGROUND

The Commission instituted these investigations effective May 16, 2024, following receipt of petitions filed with the Commission and Commerce by 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. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of disposable aluminum containers, pans, trays, and lids from China were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing

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

[2] 90 FR 11703, 90 FR 11705 (March 11, 2025).

[3] The Commission also finds that imports subject to Commerce's affirmative critical circumstances determinations are not likely to undermine seriously the remedial effect of the countervailing and antidumping duty orders on disposable aluminum containers, pans, trays, and lids from China.

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* on January 8, 2025 (90 FR 1545). The Commission conducted its hearing on March 18, 2025. All persons who requested the opportunity were permitted to participate.

Views of the Commission

Based on the record in the final phase of these investigations, we determine that an industry in the United States is materially injured by reason of imports of disposable aluminum containers, pans, trays, and lids ("disposable aluminum containers") from China found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value and subsidized by the government of China. We also find that critical circumstances do not exist with respect to imports of disposable aluminum containers from China that are subject to Commerce's final affirmative critical circumstances determinations.

I. Background

The Aluminum Foil Container Manufacturers Association ("AFCMA"), an association of which a majority of members manufacture, produce, or wholesale disposable aluminum containers, filed the petitions in these investigations on May 16, 2024, on behalf of itself and certain of its member companies – Durable Packaging International ("Durable"), D&W Fine Pack, LLC ("D&W Fine Pack"), Handi-Foil Corp. ("Handi-Foil"), Penny Plate, LLC ("Penny Plate"), Reynolds Consumer Products, LLC ("Reynolds"), Shah Foil Products, Inc. ("Shah Foil"), Smart USA, Inc. ("Smart USA"), and Trinidad/Benham Corp. ("Trinidad/Benham") (collectively, "Petitioners").[1] Petitioners submitted prehearing and posthearing briefs, and final comments, and representatives of the companies appeared at the hearing accompanied by counsel.

Three respondent entities – King Zak Industries, Inc. ("King Zak"), Heritage Group LLC ("Heritage"), and Colonna Brothers, Inc. ("Colonna Brothers") – all U.S. importers, participated in the final phase of these investigations, but limited their participation to opposing the critical circumstances allegations. All three submitted prehearing and posthearing briefs. King Zak appeared at the hearing accompanied by counsel, and Colonna Brothers' counsel appeared at the hearing on the company's behalf.

Data Coverage. U.S. industry data are based on the questionnaire responses of Petitioners and other producers, totaling eight firms, which accounted for 95 percent of U.S. production of disposable aluminum containers in 2024.[2] U.S. import data are based on official import statistics and the questionnaire responses of 25 importers, which accounted for an

[1] *See* Confidential Staff Report, INV-XX-038 (April 3, 2025) ("CR") at 1.1*; Disposable Aluminum Containers, Pans, Trays, and Lids*, Inv. Nos. 701-TA-727 and 731-TA-1695 (Final), USITC Pub. 5611 (Apr. 2025) ("PR") at 1.1.

[2] CR/PR at 3.1.

estimated *** percent of U.S. imports from China in 2024, based on official import statistics.[3] Foreign industry data and related information are based on questionnaire responses from six producers/exporters and one reseller of merchandise from China, which accounted for approximately *** percent of overall production of disposable aluminum containers in China in 2024.[4]

II. Domestic Like Product

A. In General

In determining whether an industry in the United States is materially injured or threatened with material injury by reason of imports of subject merchandise, the Commission first defines the "domestic like product" and the "industry."[5] Section 771(4)(A) of the Tariff Act of 1930, as amended ("the Tariff Act"), defines the relevant domestic industry as the "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."[6] In turn, the Tariff Act defines "domestic like product" as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation."[7]

By statute, the Commission's "domestic like product" analysis begins with the "article subject to an investigation," *i.e.*, the subject merchandise as determined by Commerce.[8] Therefore, Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value is "necessarily the starting point of the Commission's like product analysis."[9] The Commission then defines the domestic like product in light of the

[3] CR/PR at 4.1. Importer questionnaire responses reported imports of subject merchandise under HTS statistical reporting number 7615.10.7125, as well as a modest volume of imports under other HTS statistical reporting numbers. Import data in these investigations are based on the official import data for HTS statistical reporting number 7615.10.7125 plus imports classified under the other HTS statistical reporting numbers as reported by U.S. importers in their responses to the Commission's U.S. Importers' questionnaire. The estimate of total subject imports was based on the volume of imports under HTS statistical reporting number 7615.10.7125 and imports under other statistical reporting numbers included in importer questionnaire responses. *See* CR/PR at 4.1, n.4.

[4] CR/PR at 7.3, Table 7.1.

[5] 19 U.S.C. § 1677(4)(A).

[6] 19 U.S.C. § 1677(4)(A).

[7] 19 U.S.C. § 1677(10).

[8] 19 U.S.C. § 1677(10). The Commission must accept Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value. *See*, *e.g.*, *USEC, Inc. v. United States*, 34 Fed. App'x 725, 730 (Fed. Cir. 2002) ("The ITC may not modify the class or kind of imported merchandise examined by Commerce."); *Algoma Steel Corp. v. United States,* 688 F. Supp. 639, 644 (Ct. Int'l Trade 1988), *aff'd*, 865 F.3d 240 (Fed. Cir.), *cert. denied*, 492 U.S. 919 (1989).

[9] *Cleo Inc. v. United States,* 501 F.3d 1291, 1298 (Fed. Cir. 2007); see also *Hitachi Metals, Ltd. v. United States,* Case No. 19-1289, slip op. at 8-9 (Fed. Circ. Feb. 7, 2020) (the statute requires the

imported articles Commerce has identified.[10] The decision regarding the appropriate domestic like product(s) in an investigation is a factual determination, and the Commission has applied the statutory standard of "like" or "most similar in characteristics and uses" on a case-by-case basis.[11] No single factor is dispositive, and the Commission may consider other factors it deems relevant based on the facts of a particular investigation.[12] The Commission looks for clear dividing lines among possible like products and disregards minor variations.[13]

B. Product Description

Commerce defined the imported merchandise within the scope of these investigations as follows:

> {D}isposable aluminum containers, pans, trays, and lids {are} produced primarily from flat-rolled aluminum. The subject merchandise includes disposable aluminum containers, pans, trays, and lids regardless of shape or size and whether or not wrinkled or smooth.

Commission to start with Commerce's subject merchandise in reaching its own like product determination).

[10] *Cleo*, 501 F.3d at 1298 n.1 ("Commerce's {scope} finding does not control the Commission's {like product} determination."); *Hosiden Corp. v. Advanced Display Mfrs.,* 85 F.3d 1561, 1568 (Fed. Cir. 1996) (the Commission may find a single like product corresponding to several different classes or kinds defined by Commerce); *Torrington Co. v. United States*, 747 F. Supp. 744, 748–52 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991) (affirming the Commission's determination defining six like products in investigations where Commerce found five classes or kinds).

[11] *See, e.g.*, *Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Department of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Torrington Co. v. United States*, 747 F. Supp. 744, 749 n.3 (Ct. Int'l Trade 1990), aff'd, 938 F.2d 1278 (Fed. Cir. 1991) ("every like product determination 'must be made on the particular record at issue' and the 'unique facts of each case'"). The Commission generally considers a number of factors, including the following: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) customer and producer perceptions of the products; (5) common manufacturing facilities, production processes, and production employees; and, where appropriate, (6) price. *See Nippon*, 19 CIT at 455 n.4; *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996).

[12] *See*, *e.g.*, S. Rep. No. 96-249 at 90-91 (1979).

[13] *Nippon*, 19 CIT at 455; *Torrington*, 747 F. Supp. at 748-49; *see also* S. Rep. No. 96-249 at 90-91 (Congress has indicated that the like product standard should not be interpreted in "such a narrow fashion as to permit minor differences in physical characteristics or uses to lead to the conclusion that the product and article are not 'like' each other, nor should the definition of 'like product' be interpreted in such a fashion as to prevent consideration of an industry adversely affected by the imports under consideration.").

The term “disposable” is used to identify an aluminum article that is designed to be used once, or for a limited number of times, and then recycled or otherwise disposed.

“Containers, pans, and trays” are receptacles for holding goods.

The subject disposable aluminum lids are intended to be used in combination with disposable containers produced from aluminum or other materials (*e.g.*, paper or plastic). Where a disposable aluminum lid is imported with a non-aluminum container, only the disposable aluminum lid is included in the scope.

Disposable aluminum containers, pans, trays, and lids are also included within the scope regardless of whether the surface has been embossed, printed, coated (including with a non-stick substance), or decorated, and regardless of the style of the edges. The inclusion of a nonaluminum lid or dome sold or packaged with an otherwise in-scope article does not remove the article from the scope, however, only the disposable aluminum container, pan, tray, and lid is covered by the scope definition.

Disposable aluminum containers, pans, trays, and lids are typically used in food-related applications, including but not limited to food preparation, packaging, baking, barbequing, reheating, takeout, or storage, but also have other uses. Regardless of end use, disposable aluminum containers, pans, trays, and lids that meet the scope definition and are not otherwise excluded are subject merchandise.

Excluded from the scope are disposable aluminum casks, drums, cans, boxes and similar containers (including disposable aluminum cups and bottles) properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheading 7612.90. However, aluminum containers, pans, trays, and lids that would otherwise be covered by the scope are not excluded based solely on the fact that they are being classified under HTSUS subheading 7612.90.5000 due to the thickness of aluminum being less than 0.04 mm or greater than 0.22 mm.

> The flat-rolled aluminum used to produce the subject articles may be made to ASTM specifications ASTM B479 or ASTM B209-14, but can also be made to other specifications. Regardless of the specification, however, all disposable aluminum containers, pans, trays, and lids meeting the scope description are included in the scope.[14]

The scope is unchanged from the preliminary phase of these investigations.[15]

Disposable aluminum containers are objects produced by pressing, molding, or stamping aluminum foil into a container, pan, tray, or lid.[16] They are produced in various colors, surfaces (wrinkled or smooth), shapes, and sizes, and can be decorated, printed, coated, or embossed based on the intended application and use.[17] Disposable aluminum containers are designed for single use, but may be reused a limited number of times.[18] They are used in a variety of food applications such as preparation, baking, cooking, reheating, packaging, transporting, and storing.[19] Common forms of disposable aluminum containers are pans and trays.[20] Disposable aluminum containers are often sold or packaged with lids or coverings that are made from aluminum foil or other materials such as paper or plastic.[21]

Disposable aluminum containers are manufactured using 3XXX or 8XXX-series alloy aluminum foil or sheet,[22] using specialized machinery. The aluminum foil is first unwound manually or using a foil decoiler, and then aligned, oiled, and fed into a pneumatically powered press[23] that uses dies to stamp and mold the aluminum foil sheets into the desired shape of the container.[24] The containers are then stacked and packaged, often in multi-container packs.[25]

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[14] Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Final Affirmative Determination of Sales at Less-Than-Fair-Value and Final Affirmative Determination of Critical Circumstances, 90 Fed. Reg. 11705 (Dep't Commerce, Mar. 11, 2025); Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances, 90 Fed. Reg. 11703 (Dep't Commerce Mar. 11, 2024).

[15] *Disposable Aluminum Containers, Pans, Trays, and Lids from China*, Inv. Nos. 701-TA-727 and 731-TA-1695 (Preliminary), USITC Pub. 5523 (July 2024) ("*Preliminary Determinations*") at 7-8.

[16] CR/PR at 1.10.

[17] CR/PR at 1.10-1.11.

[18] CR/PR at 1.11.

[19] CR/PR at 1.11.

[20] CR/PR at 1.11.

[21] CR/PR at 1.11.

[22] CR/PR at 1.11, 1.12.

[23] CR/PR at 1.13.

[24] CR/PR at 1.13.

[25] CR/PR at 1.13.

C. Arguments of the Parties

Petitioners' Argument. Petitioners argue that the Commission should define a single domestic like product, coextensive with the scope, as it did in the preliminary phase.[26] Petitioners contend that all disposable aluminum containers, including aluminum lids, have similar physical characteristics and end uses; share the same production processes and manufacturing facilities using the same employees; are sold through the same channels of distribution; are perceived as a single product category by producers and consumers; and are priced along a continuum that generally reflects the amount of aluminum used in the production of the aluminum container.[27]

Respondents' Argument. Respondents do not contest Petitioners' proposed definition of the domestic like product.[28]

D. Analysis and Conclusion

In its preliminary determinations, the Commission defined a single domestic like product, consisting of disposable aluminum containers, coextensive with the scope in these investigations.[29] It found that disposable aluminum containers covered by the scope of these investigations, including containers, trays, pans, and lids, share the same basic physical characteristics and are all generally used in food applications and produced in a number of sizes and shapes without clear dividing lines.[30] The Commission further found that all disposable aluminum containers are generally produced using the same basic manufacturing processes, facilities, and employees; sold to retailers, distributors, and end users; and perceived by producers and customers to comprise the same product category.[31] Lastly, the Commission found that although interchangeability varies among types of disposable aluminum containers, they exist in a continuum of sizes, shapes, thicknesses, and prices, with no clear dividing lines separating them.[32]

The record of these final phase investigations does not contain any new information or argument suggesting that the Commission should revisit the domestic like product definition

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[26] Pet. Prehearing Br. at 10-12, Exh. 1 at 29-33.

[27] Pet. Prehearing Br. at 11-12.

[28] *See generally* Heritage's Prehearing Br.; Colonna Bros.' Prehearing Br.; King Zak's Prehearing Br.

[29] *Preliminary Determinations*, USITC Pub. 5523 at 13.

[30] *Preliminary Determinations*, USITC Pub. 5523 at 10.

[31] *Preliminary Determinations*, USITC Pub. 5523 at 11-12.

[32] *Preliminary Determinations*, USITC Pub. 5523 at 12. In the preliminary phase investigation, Petitioners acknowledged that aluminum lids are not necessarily interchangeable with disposable aluminum containers, but asserted that aluminum lids are used in the same food-related end use applications and are often used in combination with disposable aluminum containers that possess corresponding dimensions. Pet. Postconf. Br. at 5-6.

from the preliminary determinations. No party contests Petitioners' argument that the Commission should adopt the same definition in the final phase of the investigations. Accordingly, we again define a single domestic like product consisting of disposable aluminum containers, coextensive with the scope.

III. Domestic Industry

The domestic industry is defined as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."[33] In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

We must determine whether any producer of the domestic like product should be excluded from the domestic industry pursuant to Section 771(4)(B) of the Tariff Act. This provision allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.[34] Exclusion of such a producer is within the Commission's discretion based upon the facts presented in each investigation.[35]

U.S. producer *** potentially qualifies for exclusion as a related party because it imported and purchased subject imports during the POI.[36] U.S. producer *** potentially qualifies for exclusion as a related party because it imported subject merchandise during the POI.[37]

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[33] 19 U.S.C. § 1677(4)(A).

[34] *See Torrington Co. v. United States*, 790 F. Supp. 1161, 1168 (Ct. Int'l Trade 1992), *aff'd without opinion*, 991 F.2d 809 (Fed. Cir. 1993); *Sandvik AB v. United States*, 721 F. Supp. 1322, 1331-32 (Ct. Int'l Trade 1989), *aff'd mem*., 904 F.2d 46 (Fed. Cir. 1990); *Empire Plow Co. v. United States*, 675 F. Supp. 1348, 1352 (Ct. Int'l Trade 1987).

[35] The primary factors the Commission has examined in deciding whether appropriate circumstances exist to exclude a related party include the following:

(1) the percentage of domestic production attributable to the importing producer;

(2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);

(3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;

(4) the ratio of import shipments to U.S. production for the imported product; and

(5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31 (Ct. Int'l. Trade 2015); see *also Torrington*, 790 F. Supp. at 1168.

[36] CR/PR at Tables 3.10, 3.13.

[37] CR/PR at Table 3.11.

A. Arguments of the Parties

Petitioners' Argument. Petitioners argue that appropriate circumstances do not exist for the Commission to exclude *** or *** from the domestic industry.[38] Petitioners contend that these domestic producers *** and their primary interests lie in domestic production of disposable aluminum containers, and note that *** support the petition.[39] They observe that these domestic producers imported subject imports because ***.[40] [41]

Respondents' Argument. Respondents do not contest Petitioners' proposed definition of the domestic industry.[42]

B. Analysis and Conclusion

***. *** accounted for *** percent of U.S. production in 2024, was the *** domestic producer of disposable aluminum containers that year, and is a petitioner.[43] *** imports of subject merchandise were *** pounds in 2022, *** pounds in 2023, and *** pounds in 2024.[44] The ratio of these imports to *** domestic production was *** percent in 2022, *** percent in

[38] Pet. Prehearing Br. at 13.

[39] Pet. Prehearing Br. at 13-14.

[40] Pet. Prehearing Br. at 13-14. Although *** did not itself import subject merchandise, and is not related to any exporter or U.S. importer of subject merchandise, it reported purchasing subject merchandise from importer *** during the POI. CR/PR at Table 3.14. A domestic producer that does not itself import subject merchandise or does not share a corporate affiliation with an importer may nonetheless be deemed a related party if it controls a purchaser of large volumes of subject imports. *See* The Statement of Administrative Action (SAA) to the Uruguay Round Agreements Act at 858. The Commission has found such control to exist, for example, where the domestic producer's purchases were responsible for a predominant proportion of an importer's subject imports and the importer's subject imports were substantial. *See*, *e.g.*, *Iron Construction Castings from Brazil, Canada, and China*, Inv. Nos. 701-TA-248, 731-TA-262-263, 265 (Fourth Review), USITC Pub. 4655 at 11 (Dec. 2016); *Chlorinated Isocyanurates from China and Spain*, Inv. Nos. 731-TA-1082-1083 (Second Review), USITC Pub. 4646 at 12 (Nov. 2016). Because *** did not complete an importers' questionnaire, there is no information on the record to establish whether a control relationship exists that would make *** a related party due to its purchases from importer ***. But even if *** did qualify as a related party, we find that appropriate circumstance do not exist to exclude it from the domestic industry. *** is a petitioner and its volume of reported purchases is small (*** percent of its U.S production). Therefore, its primary interest appears to be in domestic production. In addition, there is no indication that its purchases of subject imports benefited its domestic production operations so as to skew the data or mask injury to the domestic industry. Accordingly, even if *** was found to be a related party due to its *** purchases of subject imports, appropriate circumstances do not exist to exclude *** from the domestic industry.

[41] While Commissioner Kearns joins the above finding, he believes that the Commission inappropriately limits the discretion Congress gave to it by focusing on whether *** accounted for a predominant share of *** subject imports, as other factors may be informative of the firm's related party status.

[42] *See generally* Heritage's Prehearing Br.; Colonna Bros.' Prehearing Br.; King Zak's Prehearing Br.

[43] CR/PR at Table 3.4.

[44] CR/PR at Table 3.10.

2023, and *** percent in 2024.[45] *** explained that it imported (and purchased) subject imports because ***.[46] Its operating-income-to-net-sales ratios were *** than the domestic industry average in 2022 and 2023 when it imported more subject imports, and remained *** when its imports *** in 2024.[47]

*** also reported purchasing subject merchandise during the period of investigation from importer ***.[48] *** purchases of subject imports from *** were *** pounds in 2023 and *** pounds in 2024, equivalent to *** percent and *** percent of its U.S. production in those years, respectively.[49]

***, which was the *** domestic producer of disposable aluminum containers in 2024, domestically produced and shipped significant quantities of disposable aluminum containers and maintained significant production capacity for disposable aluminum containers in the United States during the POI.[50] The ratio of its subject imports and purchases of subject imports relative to production was small. Therefore, *** primary interest appears to lie in domestic production. In addition, given the small volume of these imports and purchases of subject imports, there is no indication that *** domestic production operations benefited from its purchases or imports such that its inclusion in the domestic injury would mask injury. For these reasons, and in the absence of party arguments to the contrary, we find that appropriate circumstances do not exist to exclude *** from the domestic industry under the related parties provision.

***. ***, a petitioner, was the *** domestic producer of disposable aluminum containers in 2024, accounting for *** percent of U.S. production in 2022 and *** percent of U.S. production in 2023 and 2024.[51] *** imported *** pounds of subject merchandise in 2023,[52] equivalent to *** percent of its 2023 domestic production.[53] *** explained that it imported because ***.[54] Its operating-income-to-net-sales ratios were *** than those of the rest of the domestic industry throughout the POI.[55]

[45] CR/PR at Table 3.10.

[46] CR/PR at Table 3.12 and Table 3.15.

[47] CR/PR at Tables 3.10 and 6.3. However, as discussed below, *** increased its purchases of subject imports from another importer in 2024, as discussed below. *See* CR/PR at Table 3.13.

[48] CR/PR at Table 3.13.

[49] CR/PR at Table 3.13. Durable did not report any purchases of subject imports in 2022. *Id*.

[50] CR/PR at Table 3.4; *** U.S. production was *** pounds in 2022, *** pounds in 2023, and *** pounds in 2024. *Id.*

[51] CR/PR at Table 3.4.

[52] CR/PR at Table 3.11.

[53] CR/PR at Table 3.11.

[54] CR/PR at Table 3.12.

[55] CR/PR at Table 6.3.

Given the small volume of its subject imports, there is no indication that *** domestic production operations benefit from its subject imports such that its inclusion in the domestic injury would mask injury. Moreover, *** is a petitioner with a very low ratio of subject imports to domestic production. (Imports accounted for only *** percent of its U.S. production in 2023.)[56] Therefore its primary interest appears to be in domestic production. For these reasons, and in the absence of party arguments to the contrary, we find that appropriate circumstances do not exist to exclude *** from the domestic industry under the related parties provision.

Accordingly, consistent with our definition of the domestic like product, we define the domestic industry to include all U.S. producers of disposable aluminum containers.

IV. Negligible Imports

Pursuant to Section 771(24) of the Tariff Act, which defines "negligibility," imports from a subject country that are less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or self-initiation, as the case may be, shall be deemed negligible.[57]

During the 12-month period preceding the filing of the petitions (May 2023 through April 2024), imports of disposable aluminum containers from China accounted for *** percent of total imports.[58] Thus, we find that imports of disposable aluminum containers from China are not negligible.

V. Material Injury

Based on the record in the final phase of these investigations, we find that an industry in the United States is materially injured by reason of imports of disposable aluminum containers from China that Commerce has found to be sold in the United States at LTFV and subsidized by the government of China.

A. Legal Standard

In the final phase of antidumping and countervailing duty investigations, the Commission determines whether an industry in the United States is materially injured or threatened with material injury by reason of the imports under investigation.[59] In making this determination, the Commission must consider the volume of subject imports, their effect on prices for the domestic

[56] CR/PR at Table 3.11.

[57] 19 U.S.C. § 1677(24)(A)(i). In the case of countervailing duty investigations involving developing countries (as designated by the United States Trade Representative ("USTR")), the statute indicates that the negligibility limits are 4 percent and 9 percent, rather than 3 percent and 7 percent. 19 U.S.C. § 1677(24)(B).

[58] CR/PR at Table 4.5.

[59] 19 U.S.C. §§ 1671d(b), 1673d(b).

like product, and their impact on domestic producers of the domestic like product, but only in the context of U.S. production operations.[60] The statute defines "material injury" as "harm which is not inconsequential, immaterial, or unimportant."[61] In assessing whether the domestic industry is materially injured by reason of subject imports, we consider all relevant economic factors that bear on the state of the industry in the United States.[62] No single factor is dispositive, and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[63]

Although the statute requires the Commission to determine whether the domestic industry is "materially injured or threatened with material injury by reason of" unfairly traded imports,[64] it does not define the phrase "by reason of," indicating that this aspect of the injury analysis is left to the Commission's reasonable exercise of its discretion.[65] In identifying a causal link, if any, between subject imports and material injury to the domestic industry, the Commission examines the facts of record that relate to the significance of the volume and price effects of the subject imports and any impact of those imports on the condition of the domestic industry. This evaluation under the "by reason of" standard must ensure that subject imports are more than a minimal or tangential cause of injury and that there is a sufficient causal, not merely a temporal, nexus between subject imports and material injury.[66]

In many investigations, there are other economic factors at work, some or all of which may also be having adverse effects on the domestic industry. Such economic factors might include nonsubject imports; changes in technology, demand, or consumer tastes; competition among domestic producers; or management decisions by domestic producers. The legislative

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[60] 19 U.S.C. § 1677(7)(B). The Commission "may consider such other economic factors as are relevant to the determination" but shall "identify each {such} factor ... and explain in full its relevance to the determination." 19 U.S.C. § 1677(7)(B).

[61] 19 U.S.C. § 1677(7)(A).

[62] 19 U.S.C. § 1677(7)(C)(iii).

[63] 19 U.S.C. § 1677(7)(C)(iii).

[64] 19 U.S.C. §§ 1671d(b), 1673d(b).

[65] *Angus Chemical Co. v. United States*, 140 F.3d 1478, 1484-85 (Fed. Cir. 1998) ("{T}he statute does not 'compel the commissioners' to employ {a particular methodology}."), *aff'g,* 944 F. Supp. 943, 951 (Ct. Int'l Trade 1996).

[66] The Federal Circuit, in addressing the causation standard of the statute, observed that "{a}s long as its effects are not merely incidental, tangential, or trivial, the foreign product sold at less than fair value meets the causation requirement." *Nippon Steel Corp. v. USITC*, 345 F.3d 1379, 1384 (Fed. Cir. 2003). This was further ratified in *Mittal Steel Point Lisas Ltd. v. United States*, 542 F.3d 867, 873 (Fed. Cir. 2008), where the Federal Circuit, quoting *Gerald Metals, Inc. v. United States*, 132 F.3d 716, 722 (Fed. Cir. 1997), stated that "this court requires evidence in the record 'to show that the harm occurred "by reason of" the LTFV imports, not by reason of a minimal or tangential contribution to material harm caused by LTFV goods.'" *See also Nippon Steel Corp. v. United States*, 458 F.3d 1345, 1357 (Fed. Cir. 2006); *Taiwan Semiconductor Industry Ass'n v. USITC*, 266 F.3d 1339, 1345 (Fed. Cir. 2001).

history explains that the Commission must examine factors other than subject imports to ensure that it is not attributing injury from other factors to the subject imports, thereby inflating an otherwise tangential cause of injury into one that satisfies the statutory material injury threshold.[67] In performing its examination, however, the Commission need not isolate the injury caused by other factors from injury caused by unfairly traded imports.[68] Nor does the "by reason of" standard require that unfairly traded imports be the "principal" cause of injury or contemplate that injury from unfairly traded imports be weighed against other factors, such as nonsubject imports, which may be contributing to overall injury to an industry.[69] It is clear that the existence of injury caused by other factors does not compel a negative determination.[70]

Assessment of whether material injury to the domestic industry is "by reason of" subject imports "does not require the Commission to address the causation issue in any particular way" as long as "the injury to the domestic industry can reasonably be attributed to the subject

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[67] SAA at 851-52 ("{T}he Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports."); S. Rep. 96-249 at 75 (1979) (the Commission "will consider information which indicates that harm is caused by factors other than less-than-fair-value imports."); H.R. Rep. 96-317 at 47 (1979) ("in examining the overall injury being experienced by a domestic industry, the ITC will take into account evidence presented to it which demonstrates that the harm attributed by the petitioner to the subsidized or dumped imports is attributable to such other factors;" those factors include "the volume and prices of nonsubsidized imports or imports sold at fair value, contraction in demand or changes in patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and productivity of the domestic industry"); *accord Mittal Steel*, 542 F.3d at 877.

[68] SAA at 851-52 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports."); *Taiwan Semiconductor Industry Ass'n,* 266 F.3d at 1345 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports ... . Rather, the Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports." (emphasis in original)); *Asociacion de Productores de Salmon y Trucha de Chile AG v. United States*, 180 F. Supp. 2d 1360, 1375 (Ct. Int'l Trade 2002) ("{t}he Commission is not required to isolate the effects of subject imports from other factors contributing to injury" or make "bright-line distinctions" between the effects of subject imports and other causes.); *see also Softwood Lumber from Canada*, Inv. Nos. 701-TA-414 and 731-TA-928 (Remand), USITC Pub. 3658 at 100-01 (Dec. 2003) (Commission recognized that "{i}f an alleged other factor is found not to have or threaten to have injurious effects to the domestic industry, *i.e*., it is not an 'other causal factor,' then there is nothing to further examine regarding attribution to injury"), *citing Gerald Metals,* 132 F.3d at 722 (the statute "does not suggest that an importer of LTFV goods can escape countervailing duties by finding some tangential or minor cause unrelated to the LTFV goods that contributed to the harmful effects on domestic market prices.").

[69] S. Rep. 96-249 at 74-75; H.R. Rep. 96-317 at 47.

[70] *See Nippon Steel Corp*., 345 F.3d at 1381 ("an affirmative material-injury determination under the statute requires no more than a substantial-factor showing. That is, the 'dumping' need not be the sole or principal cause of injury.").

imports."[71] The Commission ensures that it has "evidence in the record" to "show that the harm occurred 'by reason of' the LTFV imports," and that it is "not attributing injury from other sources to the subject imports." [72] The Federal Circuit has examined and affirmed various Commission methodologies and has disavowed "rigid adherence to a specific formula."[73]

The question of whether the material injury threshold for subject imports is satisfied notwithstanding any injury from other factors is factual, subject to review under the substantial evidence standard.[74] Congress has delegated this factual finding to the Commission because of the agency's institutional expertise in resolving injury issues.[75]

B. Conditions of Competition

The following conditions of competition inform our analysis of whether there is material injury by reason of subject imports.

1. Demand Conditions

Disposable aluminum containers are typically used in food-related end uses, such as baking, barbequing, reheating, storing, and transporting food items.[76] Six of eight responding U.S. producers, 16 of 24 importers, and 13 of 21 purchasers indicated that the market was subject to business cycles.[77] Specifically, demand for disposable aluminum containers increases

[71] *Mittal Steel*, 542 F.3d at 876 &78; *see also id.* at 873 ("While the Commission may not enter an affirmative determination unless it finds that a domestic industry is materially injured 'by reason of' subject imports, the Commission is not required to follow a single methodology for making that determination ... {and has} broad discretion with respect to its choice of methodology.") *citing United States Steel Group v. United States*, 96 F.3d 1352, 1362 (Fed. Cir. 1996) and S. Rep. 96-249 at 75. In its decision in *Swiff-Train v. United States*, 793 F.3d 1355 (Fed. Cir. 2015), the Federal Circuit affirmed the Commission's causation analysis as comporting with the Court's guidance in *Mittal*.

[72] *Mittal Steel*, 542 F.3d at 873 (quoting from *Gerald Metals*, 132 F.3d at 722), 877-79. We note that one relevant "other factor" may involve the presence of significant volumes of price-competitive nonsubject imports in the U.S. market, particularly when a commodity product is at issue. In appropriate cases, the Commission collects information regarding nonsubject imports and producers in nonsubject countries in order to conduct its analysis.

[73] *Nucor Corp. v. United States*, 414 F.3d 1331, 1336, 1341 (Fed. Cir. 2005); *see also Mittal Steel*, 542 F.3d at 879 ("*Bratsk* did not read into the antidumping statute a Procrustean formula for determining whether a domestic injury was 'by reason' of subject imports.").

[74] We provide in our discussion below a full analysis of other factors alleged to have caused any material injury experienced by the domestic industry.

[75] *Mittal Steel*, 542 F.3d at 873; *Nippon Steel Corp*., 458 F.3d at 1350, *citing U.S. Steel Group*, 96 F.3d at 1357; S. Rep. 96-249 at 75 ("The determination of the ITC with respect to causation is ... complex and difficult, and is a matter for the judgment of the ITC.").

[76] CR/PR at 1.11, 2.1.

[77] CR/PR at 2.8.

in advance of summer and winter holidays, such as Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas.[78]

Petitioners report that demand for disposable aluminum containers is growing, in part due to the better recyclability and sustainability of disposable aluminum containers compared to plastic containers.[79] Most U.S. producers reported a steady increase in U.S demand for disposable aluminum containers since January 1, 2022, although importers' and purchasers' responses were mixed.[80] While a plurality of importers and purchasers reported that there was no change in U.S. demand, most of the remaining firms reported that demand either steadily increased or fluctuated upwards over the POI.[81]

One U.S. producer, ***, stated that the disposable aluminum container market is a mature market with low growth and that consumers are moving away from substitute products (foam and plastic containers) due to environmental concerns.[82] Importers reported that increased demand for food service and take-out during and after the COVID-19 pandemic and environmental concerns increased demand for disposable aluminum containers.[83] Purchasers also cited environmental concerns and the COVID-19 pandemic's aftermath as driving increased demand, but one purchaser, ***, described declining demand due to disposable aluminum containers being more expensive than plastic and paper containers.[84]

Additionally, end user purchasers were asked to describe how demand for their firms' final end use products had changed since January 1, 2022.[85] Three described such demand as increasing steadily, one described it as increasing with fluctuations, one described it as unchanged, and two described it as fluctuating down.[86] When asked to describe whether any change in demand for their end use product had affected their own demand for disposable aluminum containers, five stated that it had, and one stated that it had not.[87]

Apparent U.S. consumption increased irregularly from 2022 to 2024. It decreased from

[78] CR/PR at 2.8-2.9; Hearing Tr. at 64 (Walters); Hearing Tr. at 90-91 (Zakarin).
[79] CR/PR at 2.9; Conf. Tr. at 69 (Walters).
[80] CR/PR at 2.9, Table 2.5.
[81] CR/PR at 2.9, Table 2.5. Specifically, seven importers reported that demand steadily increased, six reported that demand fluctuated upwards, eight reported no change in demand, one reported that demand fluctuated downwards, and two reported that demand steadily decreased. *Id.* at Table 2.5. Three purchasers reported that demand steadily increased, six reported that it fluctuated upwards, eight report no change in demand, one reported that demand fluctuated downwards, and one reported that demand steadily decreased. *Id.*
[82] CR/PR at 2.9.
[83] CR/PR at 2.9-2.10.
[84] CR/PR at 2.10.
[85] CR/PR at 2.10.
[86] CR/PR at 2.10.
[87] CR/PR at 2.10.

309.2 million pounds in 2022 to 298.3 million pounds in 2023, then increased to 309.8 million pounds in 2024, for an overall increase of 0.2 percent between 2022 and 2024.[88]

2. Supply Conditions

The domestic industry was the largest source of disposable aluminum containers in the U.S. market throughout the POI. Its share of apparent U.S. consumption increased from 74.4 percent in 2022 to 75.4 percent in 2023, before decreasing to 72.6 percent in 2024, which was 1.8 percentage points lower than in 2022.[89]

Four U.S. producers of disposable aluminum containers reported expansions since January 1, 2022.[90] Specifically, U.S. producers *** reported ***, and *** stated that it ***.[91]

Five U.S. producers of disposable aluminum containers reported production curtailments.[92] *** reported that ***.[93] *** reported *** and *** stated that it ***.[94] *** reported ***.[95] *** stated that ***.[96] *** reported that ***.[97]

In 2022, Packaging Matters, the parent company of Penny Plate, acquired Gateway Aluminum to provide jumbo rolls of aluminum for disposable aluminum container production, thereby integrating their supply chain.[98]

The domestic industry's production capacity increased by 10.1 percent over the POI, from 352.9 million pounds in 2022 to 379.5 million pounds in 2023 and 388.4 million pounds in 2024.[99] The domestic industry's capacity utilization decreased by 9.2 percentage points over the POI, from 67.3 percent in 2022 to 59.3 percent in 2023 and 58.0 percent in 2024.[100]

Petitioners argue that domestic producers possess capacity to supply the entire U.S. market for disposable aluminum containers, but have been unable to increase production to meet U.S. demand because of subject imports.[101] Petitioners claim that domestic producers have been operating at less than *** percent capacity utilization, with a low of *** percent, over the

[88] CR/PR at 4.11, Table 4.8.
[89] CR/PR at 4.11, Tables 4.8, C-1.
[90] CR/PR at 3.2-3.3.
[91] CR/PR at Table 3.3.
[92] CR/PR at 3.2-3.3.
[93] CR/PR at Table 3.3.
[94] CR/PR at Table 3.3.
[95] CR/PR at Table 3.3.
[96] CR/PR at Table 3.3.
[97] CR/PR at Table 3.3.
[98] CR/PR at 3.3.
[99] CR/PR at Table 3.4.
[100] CR/PR at Table 3.4.
[101] Pet. Prehearing Br. at 22, 50.

POI.[102] They also argue that domestic producers have existing presses and employees, or could quickly higher additional workers, to increase production of disposable aluminum containers.[103]

Subject imports were the second largest source of supply during the POI. Their market share decreased overall by *** percentage points from 2022 to 2024, from *** percent in 2022 to *** percent in 2023 and *** percent in 2024.[104] Fourteen purchasers stated that the availability of aluminum containers from China had not changed since January 1, 2022 and two stated that supply from China had decreased since the imposition of provisional duties on disposable aluminum containers in 2024. .[105]

Imports from nonsubject countries were the smallest source of supply during the POI. Their market share increased by *** percentage points between 2022 and 2024, from *** percent in 2022 to *** percent in 2023 and *** percent in 2024.[106] The largest sources of nonsubject imports during 2024 were Canada, Vietnam, and the United Kingdom.[107]

Most responding U.S. producers and importers indicated that they had not been constrained in supplying their customers, but approximately half of responding purchasers indicated that they had experienced supply constraints from domestic sources, particularly in 2022.[108] According to three importers, constraints on import supply became more prevalent following the filing of the petitions on May 16, 2024.[109]

Specifically, seven U.S. producers and 16 importers indicated that they had not experienced supply constraints since January 1, 2022.[110] Only one U.S. producer, ***, indicated being unable to supply or experiencing supply constraints.[111] Six importers reported being unable to supply or experiencing supply constraints in 2022, generally citing effects of the COVID-19 pandemic.[112] In 2024, after the filing of the petitions, three importers reported supply

[102] Pet. Prehearing Br. at 22, 50-51.
[103] Pet. Prehearing Br. at 23.
[104] CR/PR at 4.11, Tables 4.8, C-1.
[105] CR/PR at 2.6.
[106] CR/PR at 4.11, Table 4.8.
[107] CR/PR at 2.6.
[108] CR/PR at 2.7, Table 2.4.
[109] CR/PR at 2.7.
[110] CR/PR at 2.7.
[111] CR/PR at 2.7. *** stated that in ***. *Id.*
[112] CR/PR at 2.7. Importer *** stated that it was unable to obtain product from U.S. producers in 2022, and so turned to imported supply, but has since returned to previous levels of purchases from U.S. producers. *Id.* Importer *** indicated that it experienced constraints in 2022 and 2023 due to transportation issues. *Id.* Importer *** indicated that it experienced supply constraints in 2024 (before the filing of the petitions) due to shortages caused by raw material price increases. *Id.*

constraints, citing these investigations as the cause.[113]

Eleven of 20 responding purchasers reported that they had experienced supply constraints, with more reporting supply constraints from domestic producers in 2022 than in subsequent years.[114] Almost no purchasers reported supply constraints from foreign producers or importers.[115] Constraints purchasers experienced from domestic producers included those related to raw materials and shutdowns associated with the COVID-19 pandemic in 2022.[116] In 2023 and 2024, some purchasers noted constraints but did not provide an explanation.[117]

3. Substitutability and Other Conditions

Based on the record in the final phase of these investigations, we find that there is at least a moderate-to-high degree of substitutability between domestically produced disposable aluminum containers and subject imports. All U.S. producers, most importers, and most purchasers indicated that disposable aluminum containers produced in the U.S. and China are always or frequently interchangeable.[118] Petitioners and importers *** stated that Chinese disposable aluminum containers are made to U.S. specifications and are thus designed specifically for the U.S. market.[119] Most purchasers reported that U.S.-produced aluminum containers and aluminum containers imported from China were comparable on most factors, except for delivery time, for which a plurality of purchasers indicated that U.S. product was superior to China, and price, for which a majority of purchasers indicated that U.S. product was inferior to China.[120] Factors mitigating substitutability between U.S. product and subject imports include the identification by some purchasers of differences in product range, delivery time, and reliability.[121]

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[113] CR/PR at 2.7. One of these firms, ***, indicated that imported product prices are now similar to U.S. prices, and in addition, there are increased shipping rates and delays on imported product. *Id.*

[114] CR/PR at 2.7.

[115] CR/PR at 2.7.

[116] CR/PR at 2.7.

[117] CR/PR at 2.7. *** described later constraints as less tight than in 2022. *** stated that ***. *Id.* at 2.7-2.8. *** described extended delivery times for U.S. product, with many products on back orders. *Id.* at 2.8. *** indicated that high demand for U.S. product after May 16, 2024, had caused supply constraints. *Id.* *** described supply constraints for Chinese product in the same period because of a decline in Chinese production. *Id.*

[118] CR/PR at Table 2.12. Specifically, nine importers reported that disposable aluminum containers produced in the U.S. and China are always interchangeable, seven reported that they were frequently interchangeable, three reported that they were sometimes interchangeable, and one reported that they were never interchangeable. *Id.* Ten purchasers reported that disposable aluminum containers produced in the U.S. and China are always interchangeable, four reported that they were frequently interchangeable, four reported that they were sometimes interchangeable, and none reported that they were never interchangeable. *Id.*

[119] CR/PR at 2.6; Pet. Prehearing Br. at 9.

[120] CR/PR at 2.19, Table 2.11.

[121] CR/PR at 2.11, 2.19.

We also find that price is an important purchasing factor. The most often cited top three factors that U.S. purchasers reported considering in their purchasing decisions for disposable aluminum containers were quality (19 firms), price/cost (18 firms), and availability (10 firms).[122] More than half of responding purchasers (16) indicated that price was a very important purchasing factor.[123] Most responding purchasers reported that they usually or sometimes purchase the lowest-priced disposable aluminum containers.[124] All U.S. producers responded that differences other than price are never significant, while importers' responses were mixed, and a plurality of purchasers indicated that differences other than price are always significant.[125]

U.S. producers reported that 90.2 percent of their commercial shipments were sold from inventories, with lead times averaging 14 days.[126] The remaining 9.8 percent of their commercial shipments were produced to order, with lead times averaging 15 days.[127] Importers reported that they sold 71.4 percent of their commercial shipments from inventories, with lead times averaging eight days, 27.0 percent of their commercial shipments were produced to order, with lead times averaging 115 days, and the remaining 1.6 percent were sold from foreign inventories, with lead times averaging 14 days.[128]

Eleven of 21 responding purchasers require their suppliers to become certified or qualified to sell aluminum containers to their firm.[129] Five of these purchasers reported that the time to qualify a new supplier ranged from 30 to 60 days, while four reported the time was 75 to 120 days.[130] Purchasers indicated that qualification can include third-party or internal audits, capacity audits, social compliance audits, and/or quality audits, as well as examination of supply chain stability, price, lead time, shipping points, and/or quality.[131] Nineteen purchasers reported that no domestic or foreign supplier had failed in its attempt to qualify aluminum containers or had lost its approved status since 2022. However, *** indicated that Chinese product from

[122] CR/PR at 2.13, Table 2.7.

[123] CR/PR at 2.14, Table 2.8.

[124] CR/PR at 2.13. Specifically, 12 purchasers reported that they sometimes purchase the lowest-priced product, five usually did, three never did, and one always did. *Id.*

[125] CR/PR at 2.19, Table 2.13. Specifically, five importers reported that differences other than price are always significant, seven reported that they were frequently significant, four reported that they were sometimes significant, and four reported that they were never significant. *Id.* Eight purchasers reported that differences other than price are always significant, six reported that they were frequently significant, four reported that they were sometimes significant, and none reported that they were never significant. *Id.*

[126] CR/PR at 2.14.

[127] CR/PR at 2.14.

[128] CR/PR at 2.14.

[129] CR/PR at 2.15.

[130] CR/PR at 2.15.

[131] CR/PR at 2.15.

importer *** had failed due to ***.[132]

U.S. producers and importers reported selling the majority of their disposable aluminum containers under short-term contracts, while importers reported selling the majority of their disposable aluminum containers through spot sales.[133] U.S. producers reported that short-term contracts generally last for three to six months, while long-term contracts last between two and five years.[134] Responding U.S. producers reported that their short- and long-term contracts generally fix prices, are indexed to raw materials, and allowed for renegotiation, whereas U.S. importers generally reported that their contracts do not allow for renegotiation and were indexed to raw material prices.[135] U.S. producers and importers indicating that their contracts were indexed to raw material prices generally cited the London Metals Exchange or Midwest indexes.[136]

Disposable aluminum containers are commonly produced from thin-gauge flat-rolled aluminum foil.[137] Raw materials as a share of cost of goods sold remained fairly steady at approximately four-fifths of the cost of goods sold from 2022 through 2024.[138] Thin-gauge aluminum coils accounted for the large majority of these raw material costs in 2024.[139] Most U.S. producers (six of eight) and importers (13 of 22) reported that raw material prices have either steadily increased or fluctuated upwards since January 1, 2022.[140] Fourteen purchasers indicated that they were familiar with the costs of raw materials, and generally indicated that the price of raw materials has some bearing on the price of disposable aluminum containers.[141] Global aluminum prices increased by 16.4 percent between January 2022 and March 2022, after which prices decreased, and then remained stable for the latter part of 2023 and early 2024.[142] Overall, aluminum prices decreased by 15.5 percent between January 2022 and December 2024.[143]

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[132] CR/PR at 2.15.

[133] CR/PR at 5.6, Table 5.3.

[134] CR/PR at 5.6-5.7

[135] CR/PR at 5.6-5.7.

[136] CR/PR at 5.7

[137] CR/PR at 5.1.

[138] CR/PR at 5.1.

[139] CR/PR at 5.1.

[140] CR/PR at 5.1.

[141] CR/PR at 5.1-5.2. *** stated that raw material costs directly influence the cost of containers and lids. *Id.* at 5.2. *** indicated that their contracts contain some adjustment for raw material costs. *Id.* Other purchasers, including ***, monitored raw material cost changes and/or included them in price negotiations. *Id.* *** estimated that raw materials costs are 70-80 percent of the cost of disposable aluminum containers. *Id.* *** observed a price increase for disposable aluminum containers, but it did not see that increase as tied to raw material cost changes. *Id.*

[142] CR/PR at 5.2, Table 5.1.

[143] CR/PR at 5.2, Table 5.1.

Effective May 10, 2019, disposable aluminum containers from China imported under HTS subheadings 7612.90.10 and 8309.90.00 are subject to a 25 percent *ad valorem* duty under Section 301 of the Trade Act of 1974, as amended ("Section 301"), and effective February 14, 2020, disposable aluminum containers from China imported under HTS subheadings 7615.10.30 and 7615.10.91 are subject to a 7.5 percent *ad valorem* duty under Section 301.[144]

Effective March 12, 2025, aluminum containers originating in China and imported under HTS subheadings 7615.10.7125, 7615.10.3015, 7615.10.3025, 7615.10.7130, 7615.10.7155, 7615.10.7180, and 7615.10.9100 are subject to additional 25 percent *ad valorem* duties under Section 232 of the Trade Expansion Act of 1962, as amended ("Section 232").[145]

Effective February 14, 2020, aluminum foil, the principal raw material for aluminum containers, imported from China under HTS subheadings 7607.11.60 and 7607.11.90, was subject to an additional 7.5 percent *ad valorem* duty under Section 301.[146] This duty was increased to 25 percent *ad valorem* effective September 27, 2024.[147] Effective March 23, 2018, aluminum foil imported under HTS heading 7607 became subject to an additional 10 percent *ad valorem* duty under section 232, which was increased to 25 percent *ad valorem* effective March 12, 2025.[148]

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[144] CR/PR at 1.9.

[145] CR/PR at 1.10.

[146] CR/PR at 1.9. Five of seven responding U.S. producers reported that section 301 tariffs did not have an impact on the market, while one stated that it did not know, and two stated that they had had an impact. *Id.* at 2.3. Petitioners stated that disposable aluminum containers are not directly covered by the section 301 tariffs, and U.S. producer *** stated that the section 301 tariff was never implemented. *Id.* Among importers, 16 stated that they did not know whether these tariffs had an effect, five stated that they raised the cost of raw materials, and three stated that they had not had an effect. *Id.* Seven purchasers stated that the section 301 duties on aluminum had an impact on the disposable aluminum containers market, one stated that these duties did not, and 13 purchasers indicated that they did not know. *Id.* The purchasers describing an impact stated that the duties had increased the prices of disposable aluminum containers by increasing raw material costs. *Id.* Purchaser *** stated that the price increases began in the third quarter of 2024. *Id.* Purchaser *** stated that, due to the section 301 duties, its product is no longer cost competitive with its competitors as of the fourth quarter of 2024. *Id.*

[147] *Notice of Modification: China Acts, Policies and Practices Related to Technology Transfer, Intellectual Property and Innovation*, 89 Fed. Reg. 76581 (U.S. Trade Rep, Sept. 18, 2024). This notice modified the 7.5 percent additional ad valorem duty referenced in the Staff Report.

[148] CR/PR at 1.10. Three U.S. producers and 15 importers, reporting on section 232 duties, in effect as of submission of the final questionnaire response on or around January 24, 2025, indicated that they did not know if section 232 measures had an impact on the disposable aluminum container market. *Id.* at 5.4. Two U.S. producers and five importers indicated that the section 232 measures did not impact the disposable aluminum container market. *Id.* However, three U.S. producers and four importers indicated that the measures did, generally indicating that the section 232 measures increased their purchase price of disposable aluminum containers or raw material costs to produce disposable aluminum containers. *Id.* Importer *** stated that the section 232 measures caused a "supply shortage." *Id.* Importer *** stated that increased costs from the section 232 measures were passed on to consumers in

Effective March 4, 2025, disposable aluminum containers and aluminum foil are both subject to an additional 20 percent *ad valorem* duty under the International Emergency Economic Powers Act.[149]

Additionally, on April 19, 2018, Commerce imposed antidumping and countervailing duty orders on aluminum foil from China.[150] On November 12, 2021, Commerce imposed antidumping duty orders on aluminum foil from Armenia, Brazil, Oman, Russia, and Turkey, and countervailing duty orders on aluminum foil from Oman and Turkey.[151]

C. Volume of Subject Imports

Section 771(7)(C)(i) of the Tariff Act provides that the "Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States, is significant."[152]

The volume of subject imports fluctuated over the POI, decreasing from *** pounds in 2022 to *** pounds in 2023, then increasing to *** pounds in 2024, for an overall decrease of *** percent from 2022 to 2024.[153] Subject imports' share of apparent U.S. consumption decreased from *** percent in 2022 to *** percent in 2023 and *** percent in 2024, for an overall *** percentage point decrease from 2022 to 2024.[154]

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the form of higher prices for disposable aluminum containers. *Id.* Six purchasers stated that the section 232 duties on aluminum had an impact on the disposable aluminum containers market, two stated that it did not, and 13 purchasers indicated that they did not know. *Id.* The purchasers describing an impact stated that the duties had increased the prices of disposable aluminum containers by increasing raw material costs. *Id.* Purchaser *** stated that the price increases began in the third quarter of 2024. *Id.* Purchasers *** stated that the section 232 tariffs had increased costs and prices across the supply chains for aluminum products, tightened supply, and/or introduced sourcing delays for importers. *Id.*

[149] CR/PR at 1.9.

[150] *Certain Aluminum Foil from the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order*, 83 Fed. Reg. 17362 (Apr. 19, 2018); *Certain Aluminum Foil from the People's Republic of China: Amended Final Affirmative Countervailing Duty Determination and Countervailing Duty Order*, 83 Fed. Reg. 17360 (Apr. 19, 2018*); Certain Aluminum Foil from the People's Republic of China: Notice of Court Decision Not in Harmony With the Amended Final Determination in the Countervailing Duty Investigation, and Notice of Amended Final Determination and Amended Countervailing Duty Order*, 85 Fed. Reg. 47730 (Aug. 6, 2020); *see also Certain Aluminum Foil From the People's Republic of China: Continuation of Antidumping and Countervailing Duty Orders*, 88 Fed. Reg. 67728 (Sept. 22, 2023).

[151] *Certain Aluminum Foil from the Republic of Armenia, Brazil, the Sultanate of Oman, the Russian Federation, and the Republic of Turkey: Antidumping Duty Orders*, 86 Fed. Reg. 62790 (Nov. 12, 2021); *Certain Aluminum Foil from the Sultanate of Oman and the Republic of Turkey: Countervailing Duty Orders*, 86 Fed. Reg. 62782 (Nov. 12, 2021).

[152] 19 U.S.C. § 1677(7)(C)(i).

[153] CR/PR at Tables 4.2, 4.3.

[154] CR at Table 4.8.

Based on the foregoing, we find that the volume of subject imports is significant in absolute terms and relative to apparent U.S. consumption.[155]

D. Price Effects

Section 771(7)(C)(ii) of the Tariff Act provides that, in evaluating the price effects of the subject imports, the Commission shall consider whether

> (I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and
>
> (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.[156]

As discussed above in section VI.B.3 above, we have found at least a moderate-to-high degree of substitutability between the domestic like product and subject imports and that price is an important factor in purchasing decisions.

We have examined several sources of data for our underselling analysis. The Commission collected quarterly quantity and f.o.b. pricing data on sales of four products shipped to unrelated U.S. customers during the POI.[157] Eight U.S. producers and ten importers provided usable pricing

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[155] Petitioners argue that the Commission should also consider data pertaining for 2021 that it gathered in the preliminary phase of these investigations because it demonstrates changes in volume and market share not captured in the 2022-2024 data. Pet. Prehearing Br. at 5-10; Pet. Posthearing Br. at 2. The record in the preliminary phase investigations indicated that imports increased from *** pounds in 2021 to *** pounds in 2022, or by *** percent. *Confidential Opinion in Disposable Aluminum Containers, Pans, Trays, and Lids from China* (Preliminary) ("*Confidential Preliminary Opinion*"), EDIS Doc. 825620 (Jul. 10, 2024) at 30. The preliminary phase record also indicated that subject imports' share of U.S. apparent consumption increased from *** percent in 2021 to *** percent in 2022. *Id.* The Commission notes that the preliminary phase data do not fully correspond to the final phase data because additional firms provided importer questionnaire responses in the final phase. *Compare Preliminary Determinations,* USITC Pub. 5523 at IV-1 *with* CR/PR at 4.1. Although subject import volume and market share data for 2021 provides useful context for data for the 2022 to 2024 POI the Commission finds that the volume of subject imports is significant regardless of the 2021 data.

Petitioners further claim a post-petition effect pursuant to 19 U.S.C. § 1677(7)(I), in particular that the pendency of these investigations resulted in a market share shift between subject imports and non-subject imports – concentrated in the final quarter of 2024 – that skews the trends for calendar year 2024 and masked a surge in subject imports that occurred through the first three quarters of 2024. *See* Pet. Prehearing Br. at 27-29. In the absence of interim-year periods in these final phase investigations, we are unable to segregate, and thereby discount, volume, price and impact data pertaining to just that portion of 2024 (the final year of the POI) centered on the period on or after the May 2024 filing of the petitions. However, as discussed above, we find the volume of subject imports to be significant even without any discounting of post-petition information.

[156] 19 U.S.C. § 1677(7)(C)(ii).

[157] CR/PR at 5.8-5.9. The four pricing products were defined as follows: product 1--half-steam disposable aluminum pans/trays (not to include any half-steam pans/trays sold pre-packaged with or

data for sales of the requested products, although not all firms reported pricing for all products for all quarters.[158] Pricing data reported by these firms accounted for approximately *** percent of U.S. producers' U.S. shipments of disposable aluminum containers, *** percent of U.S. commercial shipments of subject imports, and *** percent of U.S. imports from China in 2023.[159]

Prices for subject imports were below those for U.S.-produced disposable aluminum containers in 38 of 48 instances (accounting for *** pounds of subject imports); margins of underselling ranged from *** to *** percent and averaged *** percent.[160] In the remaining 10 instances (accounting for *** pounds of subject imports), prices for subject imports were between *** and *** percent above prices for domestically produced disposable aluminum containers, with an average overselling margin of *** percent.[161] In other words, there was underselling by subject imports in 79.2 percent of quarterly comparisons, which encompassed *** percent of the volume of subject imports reported in the pricing data.

The Commission also collected import purchase cost data from firms that imported these products for their own use or retail sale.[162] *** importers reported useable import purchase cost data for the pricing products, accounting for *** percent of imports from China in 2024.[163] Landed duty-paid ("LDP") costs for disposable aluminum containers imported from China were below the sales price for U.S.-produced product in all instances (accounting for *** pounds of subject imports); price-cost differentials ranged from *** percent to *** percent and averaged *** percent.[164]

We recognize that the import purchase cost data may not reflect the total cost of importing and, therefore, requested that direct importers provide information regarding the additional costs and of directly importing disposable aluminum containers. Three of the five importers (***) reported that they incurred additional costs equivalent to 2.5 percent to 20.0 percent of LDP value by importing disposable aluminum containers themselves rather than purchasing from a U.S. producer or U.S. importer.[165] Reported costs include ***.[166] Given that

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including lids); product 2--full-steam disposable aluminum pans/trays (not to include any full-steam pans/trays sold pre-packaged with or including lids); product 3--disposable aluminum lids made for half-steam pans/trays (not to include lids sold pre-packaged with or including half-steam pans/trays); and product 4--7-inch round disposable aluminum pans/trays (not to include any 7-inch round pans/trays sold pre-packaged with or including lids). *Id.* at 5.8-5.9.

[158] CR/PR at 5.9.

[159] CR/PR at 5.9.

[160] CR/PR at 5.20, Tables 5.9, 5.10.

[161] CR/PR at 5.20, Tables 5.9, 5.10.

[162] CR/PR at 5.9.

[163] CR/PR at 5.9.

[164] CR/PR at 5.9, 5.21.

[165] CR/PR at 5.18.

subject import purchase costs were on average *** percent below domestic sales prices, as noted above, the inclusion of the additional costs of *** would still leave subject import purchase costs generally lower than domestic sales prices.[167]

We have also considered information concerning lost sales. Of the 21 responding purchasers, 11 reported that, since 2021, they had purchased imported disposable aluminum containers from China instead of those produced in the United States.[168] All 11 reported that subject import prices were lower than prices for the U.S.-produced product, and seven of those purchasers stated that price was a primary reason for the decision to purchase imported disposable aluminum containers rather than those produced domestically.[169] These purchases amounted to *** pounds of disposable aluminum containers, representing *** percent of responding purchasers' total purchases, and *** percent of apparent U.S. consumption over the POI.[170]

Based on the at least moderate-to-high degree of substitutability, the importance of price in purchasing decisions, pricing data showing pervasive underselling, purchase cost data showing subject import costs universally lower, and the volume of confirmed lost sales, we find that subject imports undersold the domestic like product to a significant degree.

We have also considered price trends during the POI and whether subject imports depressed or suppressed domestic producer prices to a significant degree. For pricing products 1 through 4, the domestic industry's sales prices decreased overall between the first and last quarters of the POI, by *** percent, *** percent, *** percent, and *** percent, respectively.[171]

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[166] CR/PR at 5.18. Four of five responding importers providing purchase cost data reported that the import cost of disposable aluminum containers they imported is lower than the price of purchasing aluminum containers from a U.S. producer or importer, both including and excluding additional costs. Three importers that provided purchase cost data estimated that they saved between *** percent of the purchase price by importing disposable aluminum containers rather than purchasing from a U.S. producer. Two estimated that they saved between *** percent compared to purchasing the product from a U.S. producer. An additional importer, ***, estimated that it saved *** percent of the purchase price by importing rather than purchasing from either a U.S. producer or importer. *See* CR/PR at 5.19.

[167] *See* CR/PR at Table 5.11.

[168] CR/PR at 5.23.

[169] CR/PR at 5.23.

[170] *Derived from* CR/PR at Tables 4.8, 5.13, 5.14.

[171] CR/PR at Table 5.8. The domestic industry's average sales price for pricing product 1 increased from the first quarter of 2022 through the third quarter of 2022, then declined through the first quarter of 2024, before increasing through the end of the period. *Id.* at Table 5.4. Its price for pricing product 2 increased between the first and second quarters of 2022, then declined irregularly for the rest of the period. *Id.* at Table 5.5. Its price of pricing product 3 increased irregularly from the first through fourth quarters of 2022, then decreased through the end of the period. *Id.* at Table 5.6. Its price for pricing product 4 increased between the first and second quarters of 2022, then declined through the rest of the period. *Id.* at Table 5.7.

The differences between the peak prices for each pricing product in 2022 and their prices at the end of the period are even greater, showing decreases respectively as follows: *** percent, *** percent, *** percent, and *** percent.[172] Prices for subject imports followed similar trends, declining overall by *** percent, *** percent, *** percent, and *** percent, respectively.[173] Generally, the purchase cost data show subject imports' LDP costs followed this same general pattern, decreasing overall by *** percent, *** percent, *** percent, and *** percent, respectively.[174] [175]

Furthermore, the domestic industry's COGS to net sales ratio increased by 2.8 percentage points over the POI, from 78.7 percent in 2022 to 79.9 percent in 2023 and 81.5 percent in 2024.[176] Of particular note, the domestic industry's unit COGS decreased by $0.15, or 4.0 percent, over the POI (from $3.83 in 2022 to $3.75 in 2023 and $3.68 in 2024), and its net sales average unit value ("AUV") decreased by $0.36 per unit, or by 7.3 percent, over the POI (from $4.87 per unit in 2022 to $4.69 per unit in 2023 and $4.51 per unit in 2024).[177] Thus, the industry's net sales AUVs decreased more than twice as much as its unit COGS, and by nearly twice as much in percentage terms, demonstrative of a cost-price squeeze and indicating that decreasing costs cannot explain the full decrease in the domestic industry's prices. Demand was

[172] *Derived from* CR/PR at Tables 5.4-5.7.

[173] CR/PR at Table 5.8. Subject imports' average price for pricing product 1 increased between the first and second quarters of 2022, declined through the second quarter of 2024, and increased slightly through the end of the period. *Id.* at Table 5.4. Their price for pricing product 2 increased between the first and second quarters of 2022, remained steady through the third quarter of 2023, declined through the third quarter of 2024, then increased between the third and fourth quarter of 2024. *Id.* at Table 5.5. Their price for pricing product 3 increased between the first and second quarters of 2022, then largely declined through the second quarter of 2024, before increasing for the rest of the period. *Id.* at Table 5.6. For pricing product 4, their price increased between the first and third quarters of 2022, then decreased irregularly through the second quarter of 2024, before increasing for the rest of the period. *Id.* at Table 5.7.

[174] CR/PR at Table 5.8. Importers' average purchaser cost for pricing product 1 peaked in the third quarter of 2022, then declined irregularly through the first quarter of 2024, before rising for the rest of the period. *Id.* at Table 5.4. For pricing product 2, it peaked in the third quarter of 2022, then declined irregularly through the first quarter of 2024, before rising irregularly for the rest of the period. *Id.* at Table 5.5. For pricing product 3, it peaked in the third quarter of 2022, declined through the fourth quarter of 2023, then increased for the rest of the period. *Id.* at Table 5.6. For pricing product 4, it peaked in the third quarter of 2022, declined through the first quarter of 2024, then increased for the rest of the period. *Id.* at Table 5.7.

[175] Chair Karpel notes that the average unit value of U.S. importers' shipments of subject imports, as reflected in the pricing product data, almost wholly increased from the second to third quarters of 2024, and from the third to fourth quarters of 2024, which supports Petitioners' argument that subject import prices swiftly increased in response to the filing of the petitions. *See* CR/PR at Tables 5.4-5.7.

[176] CR/PR at Table 6.1. Scrap revenue was consistently a small portion of the COGS to net sales ratio throughout the POI. *See id.*

[177] CR/PR at Table 6.1.

also relatively stable, increasing by *** percent over the period, so decreased demand does not explain the decline in the domestic industry's prices either.[178] In light of these factors, we find that subject imports depressed domestic prices to a significant degree.

In sum, we find that subject imports significantly undersold the domestic like product and depressed prices for the domestic like product to a significant degree. Consequently, we find that subject imports had significant price effects.[179]

E. Impact

Section 771(7)(C)(iii) of the Tariff Act provides that examining the impact of subject imports, the Commission "shall evaluate all relevant economic factors which have a bearing on the state of the industry."[180] These factors include output, sales, inventories, capacity utilization, market share, employment, wages, productivity, gross profits, net profits, operating profits, cash flow, return on investment, return on capital, ability to raise capital, ability to service debts, research and development, and factors affecting domestic prices. No single factor is dispositive and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[181]

The domestic industry's trade, employment, and financial indicators generally declined over the POI. Its production capacity increased by 10.1 percent, from 352.9 million pounds in

[178] CR/PR at Table 4.8. We note that the domestic industry's COGS to net sales ratio increased both when apparent U.S. consumption declined (2022 to 2023) and when consumption increased (2023 to 2024). *Id.* at Tables 4.8, 6.1.

[179] The record from the preliminary phase of these investigations indicates that subject imports' market share increased from *** percent in 2021 to *** percent in 2022, while the domestic industry's fell from *** percent to *** percent. *Preliminary Opinion* at 30, 39. The record in these final phase investigations indicates that in 2022 subject imports undersold domestic product in 10 of 16 quarterly comparisons, or 68.7 percent by volume, and that the import purchase cost for direct importers was below the price for domestic product in all comparisons. CR/PR at Tables 5.10, 5.12. Thus, the 2021 data provides some indication that subject import underselling led to a shift in market share from the domestic industry to subject imports. However, as noted above, the preliminary phase data do not fully correspond to the final phase data because additional firms provided importer questionnaire responses in the final phase. *Compare Preliminary Determinations,* USITC Pub. 5523 at IV-1 *with* CR/PR at 4.1. Thus, while the 2021 data provides some useful context, under the facts of these investigations, we need not and do not rely on it to find significant price effects.

[180] 19 U.S.C. § 1677(7)(C)(iii); *see also* SAA at 851 and 885 ("In material injury determinations, the Commission considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they also may demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.").

[181] 19 U.S.C. § 1677(7)(C)(iii). This provision was amended by the Trade Preferences Extension Act of 2015, Pub. L. 114-27.

2022 to 379.5 million pounds in 2023 and 388.4 million pounds in 2024.[182] However, its production decreased by 5.1 percent overall, falling from 237.3 million pounds in 2022 to 225.2 million pounds in 2023, then increasing to 225.3 million in 2024.[183] Accordingly, the domestic industry's capacity utilization decreased by 9.2 percentage points over the POI, from 67.3 percent in 2022 to 59.3 percent in 2023 and 58.0 percent in 2024.[184]

The domestic industry's U.S. shipments decreased irregularly by 2.3 percent, falling from 230.2 million pounds in 2022 to 224.8 million pounds in 2023, then remaining essentially unchanged at 224.9 million pounds in 2024.[185] The industry's share of apparent U.S. consumption decreased irregularly over the POI by 1.8 percentage points, increasing from 74.4 percent in 2022 to 75.4 percent in 2023, the declining to 72.6 percent in 2024.[186]

The domestic industry's end-of-period inventories decreased by 9.7 percent over the POI, from 28.5 million pounds in 2022 to 26.9 million pounds in 2023 and 25.8 million pounds in 2024.[187] As a share of total shipments, the domestic industry's end-of-period inventories decreased by ***percentage point, from *** percent in 2022 to *** percent in 2023 and *** percent in 2024.[188]

The domestic industry's employment indicators also generally declined over the POI. The number of production and related workers ("PRWs") decreased by 5.9 percent, from 2,306 PRWs in 2022 to 2,301 PRWs in 2023 and 2,170 PRWs in 2024.[189] Hours worked declined by 6.2 percent over the POI, from 4.7 million hours in 2022 to 4.6 million hours in 2023 and 4.4 million hours in 2024.[190] Wages paid decreased irregularly by 3.7 percent, increasing from $100.0 million in 2022 to $100.1 million in 2023, then decreasing to $96.3 million in 2024.[191] Productivity increased irregularly by 1.2 percent over the POI, declining from 50.9 pounds per hour in 2022 to 49.3 pounds per hour in 2023, then increasing to 51.5 pounds per hour in 2024.[192]

The domestic industry's financial indicators generally worsened over the POI. Its net sales revenue decreased by *** percent, from $*** in 2022 to $*** in 2023 and $*** in 2024.[193] The industry's gross profits declined by *** percent, from $*** in 2022 to $*** in 2023 and $*** in

[182] CR/PR at Table 3.4.
[183] CR/PR at Table 3.4.
[184] CR/PR at Table 3.4.
[185] CR/PR at Table 3.7.
[186] CR/PR at Table 4.8.
[187] CR/PR at Table 3.9.
[188] CR/PR at Table 3.9.
[189] CR/PR at Table 3.16.
[190] CR/PR at Table 3.16.
[191] CR/PR at Table 3.16.
[192] CR/PR at Table 3.16.
[193] CR/PR at Table 6.1.

2024.[194] The industry's operating income declined by *** percent, from $*** in 2022 to $*** in 2023 and $*** in 2024.[195] Its net income likewise decreased by *** percent, from $*** in 2022 to $*** in 2023 and $*** in 2024.[196] As a ratio to net sales, the industry's operating income declined by 5.4 percentage points over the POI, from 13.3 percent in 2022 to 10.4 percent in 2023 and 7.9 percent in 2024.[197] Its net income as a ratio to net sales decreased by 5.3 percentage points over the POI, from 13.4 percent in 2022 to 10.6 percent in 2023 and 8.0 percent in 2024.[198]

The domestic industry's capital expenditures declined irregularly by *** percent over the POI, increasing from $*** in 2022 to $*** in 2023, then decreasing to $*** in 2024.[199] U.S. producers reported that capital expenditures reflected ***.[200] Only one U.S. producer, ***, reported research expenses during the period; ***.[201] The industry's return on assets declined by *** percentage points over the POI, from *** percent in 2022 to *** percent in 2023 and *** percent in 2024.[202] Several U.S. producers reported that they experienced negative effects on investments and negative effects on growth and development due to competition with subject imports.[203]

As discussed above, as significant volumes of subject imports pervasively undersold the domestic like product throughout the POI, the domestic industry's prices were depressed to a significant degree. Consequently, the domestic industry's performance was weaker than it otherwise would have been in light of stable apparent U.S. consumption during the POI. The domestic industry's lost sales to subject imports contributed to its declining production, employment, and U.S. shipments, while depressed domestic prices resulted in deteriorating financial performance. Thus, we find that subject imports had a significant adverse impact on the domestic industry.

We have considered whether there are other factors that may have had an impact on the domestic industry to ensure that we are not attributing injury from other factors to subject imports. We find that nonsubject imports do not explain the domestic industry's deteriorating performance. The volume of nonsubject imports increased over the course of the POI, but they remained a small source of supply to the U.S. market; they increased from *** percent of

[194] CR/PR at Table 6.1.
[195] CR/PR at Table 6.1.
[196] CR/PR at Table 6.1.
[197] CR/PR at Table 6.1.
[198] CR/PR at Table 6.1.
[199] CR/PR at Table 6.6.
[200] CR/PR at Table 6.7.
[201] CR/PR at 6.21. U.S. producer *** indicated that ***. *Id.* at Table 6.7.
[202] CR/PR at Table 6.9.
[203] CR/PR at Table 6.12.

apparent U.S. consumption in 2022, to *** percent in 2023, and *** percent in 2024, and took market share from both the domestic industry and subject imports over the period.[204] The record also indicates that the AUV of U.S. shipments of nonsubject imports was higher than the AUV of U.S. shipments of subject imports and increased throughout the POI.[205] A majority of purchasers also reported that domestically produced disposable aluminum containers and nonsubject imports were comparable on price, in contrast to the majority of purchasers reporting that domestically produced containers were inferior to subject imports in terms of price – that is, that domestically produced containers were higher priced.[206] Therefore, nonsubject imports cannot fully explain the price depression caused by significant subject import underselling, and cannot explain the injury to the domestic industry that we have attributed to subject imports. Changes in demand also do not explain the industry's injury; apparent consumption was essentially steady throughout the POI, declining by *** percent in 2023 then increasing by *** percent in 2024, for an overall increase of *** percent.[207]

In sum, based on the record of the final phase of these investigations, we find that subject imports had a significant impact on the domestic industry.

VI. Critical Circumstances

A. Legal Standards

On March 11, 2025, Commerce made final affirmative critical circumstances findings in its countervailing duty investigation with regard to subject imports from Henan Aluminium Corporation ("Henan"), Zhejiang Acumen Living Technology Co., Ltd. ("Zhejiang Acumen"), and all other exporters/producers.[208] It made final affirmative critical circumstances findings in its antidumping duty investigation with regard to subject imports for the China-wide entity.[209] Because we have determined that the domestic industry is materially injured by reason of subject imports, we must further determine "whether the imports subject to the affirmative {Commerce critical circumstances} determination ... are likely to undermine seriously the remedial effect of the antidumping {and/or countervailing duty} order{s} to be issued."[210]

The SAA indicates that the Commission is to determine "whether, by massively increasing imports prior to the effective date of relief, the importers have seriously undermined the

[204] CR/PR at Table 4.8.

[205] CR/PR at Table C-1. We recognize that AUV comparisons may be influenced by differences in product mix and changes in product mix over time.

[206] CR/PR at Table 2.11.

[207] CR/PR at Table 4.8, C-1.

[208] *Final CVD Determination*, 90 Fed. Reg. 11703.

[209] *Final AD Determination*, 90 Fed. Reg. 11705.

[210] 19 U.S.C. §§ 1671d(b)(4)(A)(i), 1673d(b)(4)(A)(i).

remedial effect of the order" and specifically "whether the surge in imports prior to the suspension of liquidation, rather than the failure to provide retroactive relief, is likely to seriously undermine the remedial effect of the order."[211] The legislative history for the critical circumstances provision indicates that the provision was designed "to deter exporters whose merchandise is subject to an investigation from circumventing the intent of the law by increasing their exports to the United States during the period between initiation of an investigation and a preliminary determination by {Commerce}."[212] An affirmative critical circumstances determination by the Commission, in conjunction with an affirmative determination of material injury by reason of subject imports, would normally result in the retroactive imposition of duties for those imports subject to the affirmative Commerce critical circumstances determination for a period 90 days prior to the suspension of liquidation.[213]

The statute provides that, in making this determination, the Commission shall consider, among other factors it considers relevant,

> (I) the timing and the volume of the imports,
>
> (II) a rapid increase in inventories of the imports, and
>
> (III) any other circumstances indicating that the remedial effect of the {order} will be seriously undermined.[214]

In considering the timing and volume of subject imports, the Commission's practice is to consider import quantities prior to the filing of the petitions with those subsequent to the filing of the petitions using monthly statistics on the record regarding those firms for which Commerce has made an affirmative critical circumstances determination.[215]

B. Party Arguments

Petitioners' Arguments. As an initial matter, Petitioners argue that the Commission should use four-month pre- and post-petition comparison periods in its critical circumstances analysis rather than its typical six-month period, and to include May 2024, the month in which the petitions were filed, in the pre-petition comparison period.[216] They contend that the

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[211] SAA at 877.

[212] *ICC Industries, Inc. v United States,* 812 F.2d 694, 700 (Fed. Cir. 1987), *quoting* H.R. Rep. No. 96-317 at 63 (1979), *aff'g*, 632 F. Supp. 36 (Ct. Int'l Trade 1986). *See* 19 U.S.C. §§ 1671b(e)(2), 1673b(e)(2).

[213] 19 U.S.C. §§ 1671b(e)(2), 1673b(e)(2).

[214] 19 U.S.C. §§ 1671d(b)(4)(A)(ii), 1673d(b)(4)(A)(ii).

[215] *See Lined Paper School Supplies from China, India, and Indonesia*, Inv. Nos. 701-TA-442-43, 731-TA-1095-97, USITC Pub. 3884 at 46-48 (Sept. 2006); *Carbazole Violet Pigment from China and India*, Inv. Nos. 701-TA-437 and 731-TA-1060-61 (Final), USITC Pub. 3744 at 26 (Dec. 2004); *Certain Frozen Fish Fillets from Vietnam*, Inv. No. 731-TA-1012 (Final), USITC Pub. 3617 at 20-22 (Aug. 2003).

[216] Pet. Prehearing Br. at 62. Petitioners assert that while the Commission typically includes the month the petition was filed in the pre-petition period if the petition was filed in the middle of the month,

imposition of provisional duties in October 2024 reduced subject import volume from *** pounds in September 2024 to *** pounds in October 2024 and that the Commission has relied on shorter than six-month periods under similar circumstances.[217] Although Petitioners acknowledge that provisional duties were imposed on October 28, 2024, they argue that the Commission should not consider import volumes in October 2024 in undertaking its critical circumstances analysis because market participants anticipated provisional duties being imposed sooner.[218]

Petitioners assert that the timing and volume of the post-petition increase in subject imports demonstrate that critical circumstances exists because, when comparing four-month pre- and post-petition periods, subject imports increased *** percent.[219] They contend that subject import volumes in July and August 2024, two of the post-petition months, were larger than the monthly import volume of any other month during the POI.[220] Specifically, petitioners argue that the volume of subject imports in July 2024 was 83 percent greater than the pre-petition monthly average subject import volume over the POI.[221] They assert that subject imports reached their highest market share, *** percent of apparent U.S. consumption, during the four-month post-petition period.[222]

Petitioners contend that subject imports surged following the filing of the petition, peaking in July 2024, then decreased as provisional measures neared, then dropped further after the imposition of provisional measures.[223] They point out that July 2024 is also the month before the retroactive liability period under the statute's critical circumstances provision, and that this pattern reflects an intention to evade exposure to retroactive duties.[224] Petitioners claim that subject imports surged more than in comparable periods in prior years, and that seasonal trends were therefore not responsible for the uptick in subject import volume during the post-petition period.[225] They assert that the extent of underselling in the third quarter of 2024 indicates that the post-petition surge is unrelated to seasonality and instead reflects importers' and foreign producers' efforts to bring in low-priced imports before the imposition of provisional

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imports in May 2024 are equally attributable to pre- and post-petition behavior because the petition was filed on May 16, 2024. Alternatively, petitioners argue that the Commission could shift May 2024 to the post-petition period and rely on a five-month comparison period. *Id.* at 63 n.32.

[217] Pet. Prehearing Br. at 62-63.
[218] Pet. Posthearing Br. at 8-9.
[219] Pet. Prehearing Br. at 64.
[220] Pet. Prehearing Br. at 64.
[221] Pet. Prehearing Br. at 64.
[222] Pet. Prehearing Br. at 65, 65 n.33.
[223] Pet. Prehearing Br. at 65, Exh. 2.
[224] Pet. Prehearing Br. at 65.
[225] Pet. Posthearing Br. at 9-10.

measures.[226]

Petitioners argue that inventories of subject imports, which they allege increased *** percent from the last pre-petition month through September 2024, also demonstrate that the remedial effect of any orders would be undermined.[227] They assert that these inventories accounted for *** percent of all U.S. production in the 2024 calendar year and were thus significant.[228] Petitioners also contend, as discussed below, that the inventory levels in the prehearing staff report are significantly understated.[229]

They contend that additional factors, specifically transshipment and circumvention behavior by Chinese producers and underselling during the post-petition period, also support an affirmative critical circumstances finding.[230]

Respondents' Arguments. As an initial matter, King Zak argues that a six-month or five-month comparison period would be appropriate and consistent with typical Commission practice.[231] King Zak contends that because the petitions were filed on May 16, 2024, May should be included in the pre-petition period, and because provisional duties were not imposed until October 28, 2024, October should be included in the post-petition period.[232] Heritage suggests that the Commission use a five-month comparison period for the countervailing duty investigation and a six-month period for the antidumping duty investigation, based on when Commerce made its final determinations in those investigations.[233] Colonna Brothers alleges that a six-month comparison period is appropriate.[234]

Heritage notes that the massive imports found by Commerce in its antidumping and countervailing investigations covering all Chinese exporters were based in large part on the application of statutory adverse facts available and urges the Commission to rely on its own record data in analyzing critical circumstances.[235]

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[226] Pet. Posthearing Br. at 10-11.

[227] Pet. Prehearing Br. at 67.

[228] Pet. Prehearing Br. at 67.

[229] Pet. Prehearing Br. at 67-68; Pet. Posthearing Br. at 12-13.

[230] Pet. Prehearing Br. at 69; Pet. Posthearing Br. at 14-15.

[231] King Zak Prehearing Br at 3; King Zak Posthearing Br. at 2-3.

[232] King Zak Posthearing Br. at 3-4.

[233] Heritage Posthearing Br. at 2-4. Heritage cites *Gas Powered Pressure Washers from China*, Inv. No. 701-TA-684 and 731-TA-1597 (Final), USITC Pub. 5488 (Feb. 1, 2024), the trailing investigation in a staggered investigation, for the proposition that the Commission should use different comparison periods for the countervailing duty and antidumping investigations. *Id.* However, the Commission generally uses the same pre- and post-petition comparison periods to analyze imports subject to both antidumping and countervailing duty investigations, as discussed in n.274, *infra.*

[234] Colonna Bros. Posthearing Br. at 2.

[235] Heritage Prehearing Br. at 6.

All three respondents argue that the post-petition increase in subject import volume and inventories is too small to support a critical circumstances finding.[236] Respondents contend that subject import volume only increased in the post-petition six-month period by *** percent.[237] Heritage asserts that subject imports accounted for *** percent of the U.S. market in 2024, which was less than their market shares in 2023 (*** percent) and 2021 (*** percent) and that their market share remained relatively *** in the pre-petition and post-petition months.[238] King Zak and Heritage claim that, using five-month comparison periods, subject import volume increased by only *** percent.[239] Respondents argue that the uptick in subject import volume reflects seasonal variation.[240] Heritage contends that the increase of imports in June through October 2024 compared to January through May 2024 was less than the increase in the comparable five month periods in the preceding five years.[241]

Respondents claim that inventories increased by *** percent from May 2024 to November 2024 and Heritage further contends that inventory levels of subject imports at year-end 2024 were lower than in 2022 and 2023 in comparison to absolute quantity of imports, U.S. shipments of imports, and total shipments of imports.[242] Heritage asserts that subject import inventories in November 2024 accounted for *** percent of apparent U.S. consumption in 2024 and were approximately *** of domestic producers' inventories in 2024.[243] For the five-month comparison periods, Heritage claims that the inventory increase was only *** percent.[244] Heritage also contends that even if, as petitioners claim, inventories are understated because importer questionnaires accounted for *** percent of subject imports, increasing the data proportionately to account for the missing *** of imports would still not indicate an increase sufficient for an affirmative critical circumstances finding.[245] Heritage argues that there is no evidence of inventories being misreported and that the Commission should not rely on petitioners' speculation on this issue.[246]

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[236] Heritage Prehearing Br. at 4-5; King Zak Prehearing Br at 4; Colonna Bros. Prehearing Br. at 3-6.

[237] Heritage Prehearing Br. at 7; King Zak Prehearing Br at 4; Colonna Bros. Prehearing Br. at 3; Heritage Posthearing Br. at 4; Colonna Bros. Posthearing Br. at 2-3.

[238] Heritage Prehearing Br. at 8.

[239] King Zak Posthearing Br. at 5; Heritage Posthearing Br. at 4.

[240] King Zak Prehearing Br. at 4-6, Exh. 1; Colonna Bros. Prehearing Br. at 4-5; King Zak Posthearing Br. at 2, 5-6; Heritage Posthearing Br. at 5-7; Colonna Bros. Posthearing Br. at 3.

[241] Heritage Posthearing Br. at 6-7.

[242] Heritage Prehearing Br. at 9; King Zak Prehearing Br at 4; Colonna Bros. Prehearing Br. at 5; Colonna Bros. Posthearing Br. at 3-4.

[243] Heritage Prehearing Br. at 10.

[244] Heritage Posthearing Br. at 7.

[245] Heritage Posthearing Br. at 9.

[246] Heritage Posthearing Br. at 10.

King Zak and Heritage argue that the Commission should not take into account petitioners' circumvention allegations because there is no definitive ruling from Customs or Commerce and no record evidence supports those assertions.[247] Even if the Commission were to consider the total quantity of imports from China, Vietnam, Thailand, Indonesia, and Malaysia during the relevant five-month pre-and post-petition periods, King Zak asserts that the increase in volume would only be *** percent.[248]

C. Analysis

We first consider the appropriate period for comparisons in our critical circumstances analysis. The month in which the petition is filed is typically included in the post-petition period if the petition is filed in the first half of a month and in the pre-petition period if it is filed in the second half of a month.[249] Because the petitions here were filed on May 16, 2024, in the second half of the month, and consistent with the Commission's practice, we include it in the pre-petition period.[250]

The Commission frequently relies on six-month comparison periods, but has relied on shorter periods when Commerce's preliminary determination applicable to the country at issue fell within the six-month post-petition period.[251] That situation arises here regarding the

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[247] King Zak Posthearing Br. at 7; Heritage Posthearing Br. at 12-14.

[248] King Zak Posthearing Br. at 7-8.

[249] *See e.g., Utility Scale Wind Towers from Canada, Indonesia, Korea, and Vietnam,* Inv. Nos. 701-TA-627-629 and 731-TA-1458-1461 (Final), USITC Pub. 5101 at 49 (Aug. 2020) (petition filed July 9, July in post-petition period); *Steel Concrete Reinforcing Bar from Mexico and Turkey*, Inv. Nos. 701-TA-502 and 731-TA-1227 (Final), USITC Pub. 4496 at 35 (Oct. 2014) (petition filed September 4, September in post-petition period); *Gas Powered Pressure Washers from Vietnam,* Inv. No. 731-TA-1598 (Final, USITC Pub. 5465 at 47 n.303 (Oct. 2023) (petition filed December 30, December in pre-petition period); *Steel Wheels from China*, Inv. Nos. 701-TA-602 and 731-TA-1412 (Final), USITC Pub. 4892 at 31 n.170 (May 2019) (petition filed March 27, March in pre-petition period); *Rubber Bands from China*, Inv. Nos. 701-TA-598 and 731-TA-1408 (Final), USITC Pub. 4863 at 29 n.149 (Feb. 2019) (petition filed January 30, January in the pre-petition period).

[250] *See e.g., Prestressed Concrete Steel Wire Strand from Indonesia, Italy, Malaysia, South Africa, Spain, Tunisia, and Ukraine,* Inv. Nos. 731-TA-1505-1507, 1510-1511, 1513, and 1515 (Final), USITC Pub. 5196 at 8-9 (May 2021) (petition filed on April 16, April included in the pre-petition period).

[251] *See Certain Pea Protein from China*, Inv. Nos. 701-TA-692 and 731-TA-1628 (Final), USITC Pub. 5529 (Aug. 2024) at 43; *Certain Hot-Rolled Steel Flat Products from Australia, Brazil, Japan, Korea, the Netherlands, Turkey, and the United Kingdom*, Inv. Nos. 701-TA-545-547, 731-TA-1291-1297 (Final), USITC Pub. 4638 at 49-50 (Sept. 2016); *Certain Corrosion-Resistance Steel Products from China, India, Italy, Korea, and Taiwan*, Inv. No. 701-TA-534-537 and 731-TA-1274-1278 (Final), USITC Pub. 4630 at 35-40 (July 2016); *Carbon and Certain Steel Wire Rod from China*, Inv. Nos. 701-TA-512, 731-TA-1248 (Final), USITC Pub. 4509 at 25-26 (Jan. 2015) (using five-month periods because preliminary Commerce countervailing duty determination was during the sixth month after the petition).

The Commission is not required to examine the same periods that Commerce examined in performing the critical circumstances analysis. *See Certain Polyester Staple Fiber from China*, Inv. No. 731-

countervailing duty investigation because Commerce issued its preliminary determination in the countervailing duty investigation on October 28, 2024.[252] Because Commerce's preliminary determination in the countervailing duty investigation, the point at which provisional requirements were initially imposed on subject imports, came at the very end of October, we include that month in the post-petition period.[253] [254] We therefore use five-month comparison periods – January 2024 through May 2024 for the pre-petition period and June 2024 through October 2024 for the post-petition period – in our analysis for both the countervailing and antidumping duty investigations.[255]

Subject imports subject to Commerce's affirmative critical circumstances determinations (which are the same for both investigations) increased from *** pounds in the pre-petition period to *** pounds in the post-petition period, or by *** percent.[256] The increase in the volume of these subject imports was equivalent to *** percent of apparent U.S. consumption in 2024, and the post-petition volume of these subject imports was equivalent to *** percent of

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TA-1104 (Final), USITC Pub. 3922 at 35 (June 2007); *Steel Concrete Reinforcing Bars from Turkey*, Inv. No. 731-TA-745 (Final), USITC Pub. 3034 at 34 (Apr. 1997).

[252] CR/PR at 4.8.

[253] *See, e.g., MTD Products, Inc. v. United States,* 2023 Ct. Int'l Trade LEXIS 37, Slip Op. 2023-34 at 5-6 (Ct. Int'l Trade, March 16, 2023) (affirming a five-month November 2019 to March 2020 pre-petition period and an April to August 2020 post-petition period as reasonable where Commerce's initial preliminary determination was issued on August 24, 2020, at the end of the fifth month after the petitions were filed).

We are not persuaded by Petitioners' argument that we should exclude October 2024 and use a four-month comparison period because market participants allegedly anticipated that provisional duties would be imposed. Pet. Posthearing Br. at 8-9. This would be true in any investigation, yet the Commission has typically not disregarded the month of Commerce's preliminary determination, and we do not rely on a party's speculation as to when market participants first anticipated the possibility of provisional duties being imposed.

[254] To the extent that importers may have reduced imports in October 2024 because they anticipated that provisional duties would be imposed, this would be consistent with the intended disciplining effect of the statutory scheme, including the critical circumstance provision designed to prevent importers from rushing in product to avoid application of provisional duties.

[255] The Commission generally uses the same pre- and post-petition comparison periods to analyze imports subject to both antidumping and countervailing duty investigations, even if Commerce's preliminary determination was in the sixth month of the post-petition period for only one of the investigations, because once provisional measures are imposed on imports subject to one investigation, they could influence the volume of imports subject to the other investigation. *See Small Vertical Shaft Engines from China*, Inv. Nos. 701-TA-643 and 731-TA-1493 (Final), USITC Pub. 5185 at 43 & n.243 (April 2021), *aff'd sub nom. MTD Products, Inc. v. United States,* 2023 Ct. Int'l Trade LEXIS 37, Slip Op. 2023-34 (Ct. Int'l Trade, March 16, 2023); *see also Certain Pea Protein from China*, Inv. Nos. 701-TA-692 and 731-TA-1628 (Final), USITC Pub. 5529 (Aug. 2024) at n.253; *Corrosion-Resistant Steel Products from China, India, Italy, Korea, and Taiwan*, Inv. Nos. 701-TA-534-538 and 731-TA-1274-1278 (Final), USITC pub. 4620 (Jul. 2016) at 35-36. We do so here.

[256] CR/PR at Table 4.6.

apparent U.S. consumption in 2024.[257] [258]

End-of-period U.S. inventories of the relevant subject imports from China were *** percent higher at the end of the post-petition period, at *** pounds, compared to the end of the pre-petition period, at *** pounds.[259]

Petitioners contend that the inventory levels in the staff report are significantly understated because (1) the Commission's inventory data relied on importer questionnaires accounting for only *** percent of subject imports; (2) several importers did not report any inventories; (3) transshipment through third countries masked some inventory volume; and (4) a large share of inventories are maintained by distributors who are not always the importers of record.[260] Regarding Petitioners' transshipment claim, without any findings from Commerce or Customs regarding circumvention, we find the evidence offered by Petitioners too speculative and anecdotal to justify altering the inventory data on the record.[261] Petitioners' other arguments do not provide any reason to believe that possibly missing inventory data would not

[257] *Derived from* CR/PR at Tables 4.6, 4.8. Petitioners assert that subject imports reached their highest market share, *** percent of apparent U.S. consumption, during the four-month post-petition period they advocate the Commission use (and which, as discussed above, the Commission is not using). Petitioner calculated this percentage by dividing the post-petition period import volume by one third of 2024 U.S. apparent consumption. Petitioner Pre-Hearing Br. at 65 n.33. As discussed below, seasonality affects sales of disposable aluminum containers with sales greater in the latter half of the year. Therefore, simply dividing the volume in the post-petition period by one-third of apparent U.S. consumption is likely to artificially inflate the market share of the relevant imports in the post-petition period.

[258] While every case is *sui generis* and our critical circumstances determination depends on the facts and circumstances of the particular investigation, this increase in subject import volume is less than the increases on which the Commission has relied in recent prior Commission affirmative critical circumstances determinations. *See, e.g., Confidential Opinion in Small Vertical Shaft Engines from China*, Inv. Nos. 701-TA-643 and 731-TA-1493 (Final), EDIS Doc. No. 741035 (Apr. 27, 2021) at 60, 66 (involving subject import volume increases of *** percent for imports subject to Commerce's antidumping investigation critical circumstances determination and of *** percent for imports subject to Commerce's countervailing duty investigation critical circumstances determination); *Confidential Opinion in Raw Honey from Argentina, Brazil, India, and Vietnam*, Inv. Nos. 731-TA-1560-1562 and 1564 (Final), USITC Pub. 5327 at 46-47 (May 2022) (involving an 83.2 percent increase in the volume of subject imports from Vietnam); *Mattresses from Bosnia and Herzegovina, Bulgaria, Burma, Italy, Philippines, Poland, Slovenia, and Taiwan,* Inv. Nos. 731-TA-1629-1631, 1633, 1636-1638, and 1640 (Final), USITC Pub. 5520 at 68-71 (June 2024)(involving a 101.6 percent increase in the volume of subject imports from Burma); and *Confidential Opinion in Certain Pea Protein from China*, Inv. Nos. 701-TA-692 and 731-TA-1628 (Final), EDIS Doc. No. 829817 (Aug. 16, 2024) at 61 (involving a *** percent increase in subject import volume).

[259] CR/PR at Table 4.7.

[260] Pet. Prehearing Br. at 67-68; Pet. Posthearing Br. at 12-13.

[261] For the same reasons, Petitioners' transshipment allegations are not an additional factor suggesting the existence of critical circumstances here.

also affect the pre-petition period data.[262]

The increases in volume and inventory are consistent with the seasonality of disposable aluminum containers. As discussed above, demand for disposable aluminum containers increases in advance of summer and winter holidays, such as Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas.[263] The June-October post-petition period covers a significant part of that period, while the January-May pre-petition period consists mostly of months characterized by lower shipment volumes.[264]

Petitioners claim that subject imports surged more than in comparable periods in prior years, and that seasonal trends were therefore not responsible for the uptick in subject import volume during the post-petition period.[265] Comparing the change between the same periods of months in 2022 and 2023 using DataWeb information provided by King Zak, however, reveals that the increase in subject imports between the pre- and post-petition periods in 2024 was less than the uptick in previous years.[266]

With respect to pricing, contrary to Petitioners' assertions, underselling was largely comparable or less in the third and fourth quarters of 2024 than in the first and second quarters of 2024.[267]

After considering the volume and timing of subject imports between the pre- and post-

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[262] There is no information on the record regarding inventories held by distributors, but we note that a smaller share of subject imports was shipped to distributors in 2024 than in 2023.

[263] CR/PR at 2.8-2.9 Hearing Tr. at 64 (Walters); Hearing Tr. at 90-91 (Zakarin).

[264] In addition, while the post-petition monthly volume of imports subject to Commerce's critical circumstances determinations was at its highest in July 2024, the month prior to the 90-day period for retroactive application of provisional duties, the volume of such imports was similar in the three months falling prior to the 90 day retroactive period (May to July) as after the 90 day retroactive period (August to October), *** pounds versus *** pounds. CR/PR at Table 4.6.

[265] Pet. Posthearing Br. at 9-10.

[266] Specifically, according to DataWeb data provided by King Zak, subject imports increased by *** percent comparing January through May 2022 with June through October 2022, by *** percent comparing January through May 2023 with June through October 2023, and by *** percent comparing January through May 2024 with June through October 2024. King Zak Posthearing Br. at Exh. 1.

[267] CR/PR at Table 5.4-5.7. For pricing product 1, the margins of underselling were *** percent in the first quarter of 2024, *** percent in the second quarter, and *** percent in the third quarter, and there was overselling in the fourth quarter by a *** percent margin. *Id.* at Table 5.4. For pricing product 2, the margins of underselling were *** percent in the first quarter of 2024, *** percent in the second quarter, and *** percent in the third quarter, and there was overselling in the fourth quarter by a *** percent margin. *Id.* at Table 5.5. For pricing product 3, the margins of underselling were *** percent in the first quarter of 2024, *** percent in the second quarter, *** percent in the third quarter, and *** percent in the fourth quarter. *Id.* at Table 5.6. For pricing product 4, the margins of underselling were *** percent in the first quarter of 2024, *** percent in the second quarter, *** percent in the third quarter, and *** percent in the fourth quarter. *Id.* at Table 5.7.

petition periods, the absence of a rapid increase in inventories of such imports, and the decrease in underselling between the pre- and post-petition periods, and in the absence of other considerations supporting an affirmative critical circumstances finding, we find that subject imports from China subject to Commerce's affirmative determinations of critical circumstances are not likely to undermine seriously the remedial effects of the antidumping or countervailing duty orders. Consequently, we make negative critical circumstances findings with respect to subject imports from China subject to Commerce's affirmative determinations of critical circumstances.[268]

VII. Conclusion

For the reasons stated above, we determine that an industry in the United States is materially injured by reason of subject imports of disposable aluminum containers from China found by Commerce to be sold in the United States at LTFV and subsidized by the government of China. We also find that critical circumstances do not exist with respect to imports of disposable aluminum containers from China that are subject to Commerce's final affirmative critical circumstances determinations.

[268] We note that, even were we to use a four- or six-month comparison period, the increase in volume and inventories and pricing behavior would still support negative critical circumstances findings.

Part 1: Introduction

Background

These investigations result from petitions filed with the U.S. Department of Commerce ("Commerce") and the U.S. International Trade Commission ("USITC" or "Commission") by the Aluminum Foil Container Manufacturers Association, Lexington, Kentucky, and its individual members,[1] on May 16, 2024, alleging that an industry in the United States is materially injured and threatened with material injury by reason of subsidized and less-than-fair-value ("LTFV") imports of disposable aluminum containers ("aluminum containers")[2] from China. Table 1.1 presents information relating to the background of these investigations.[3] [4]

Table 1.1 Aluminum containers: Information relating to the background and schedule of this proceeding

Effective date	Action
May 16, 2024	Petitions filed with Commerce and the Commission; institution of Commission investigations (89 FR 45016, May 22, 2024)
June 5, 2024	Commerce's notice of initiation of countervailing duty (CVD) and antidumping duty (AD) investigations (89 FR 49833 and 49837, June 12, 2024)
July 9, 2024	Commission's preliminary determinations (89 FR 55984, July 8, 2024)
October 28, 2024	Commerce's preliminary CVD determination and alignment of final CVD determination with final AD determination (89 FR 85495, October 28, 2024)
December 30, 2024	Commerce's preliminary AD determination (89 FR 106433, December 30, 2024); scheduling of final phase of Commission investigations (90 FR 1545, January 8, 2025)
March 11, 2025	Commerce's final determinations (90 FR 11703 and 11705, March 11, 2025)
March 18, 2025	Commission's hearing
April 11, 2025	Commission's vote
April 28, 2025	Commission's views

[1] The individual members are Durable Packaging International ("Durable"), Wheeling, Illinois; D&W Fine Pack, LLC ("D&W Fine Pack"), Wood Dale, Illinois; Handi-Foil Corp. ("Handi-Foil"), Wheeling, Illinois; Penny Plate, LLC ("Penny Plate"), Fishersville, Virginia; Reynolds Consumer Products, LLC ("Reynolds"), Lake Forest, Illinois; Shah Foil Products, Inc. ("Shah Foil"), Piscataway Township, New Jersey; Smart USA, Inc. ("Smart USA"), Bay Shore, New York; and Trinidad/Benham Corp. ("Trinidad Benham"), Denver, Colorado.

[2] See the section entitled "The subject merchandise" in Part 1 of this report for a complete description of the merchandise subject in this proceeding.

[3] Pertinent Federal Register notices are referenced in appendix A and may be found at the Commission's website (www.usitc.gov).

[4] Appendix B presents the witnesses that appeared at the Commission's hearing.

Statutory criteria

Section 771(7)(B) of the Tariff Act of 1930 (the "Act") (19 U.S.C. § 1677(7)(B)) provides that in making its determinations of injury to an industry in the United States, the Commission--

> *shall consider (I) the volume of imports of the subject merchandise, (II) the effect of imports of that merchandise on prices in the United States for domestic like products, and (III) the impact of imports of such merchandise on domestic producers of domestic like products, but only in the context of production operations within the United States; and. . . may consider such other economic factors as are relevant to the determination regarding whether there is material injury by reason of imports.*

Section 771(7)(C) of the Act (19 U.S.C. § 1677(7)(C)) further provides that--[5]

> *In evaluating the volume of imports of merchandise, the Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States is significant.. . .In evaluating the effect of imports of such merchandise on prices, the Commission shall consider whether. . .(I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.. . . In examining the impact required to be considered under subparagraph (B)(i)(III), the Commission shall evaluate (within the context of the business cycle and conditions of competition that are distinctive to the affected industry) all relevant economic factors which have a bearing on the state of the industry in the United States, including, but not limited to. . . (I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity, (II) factors affecting domestic prices, (III) actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment, (IV) actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and (V) in {an antidumping investigation}, the magnitude of the margin of dumping.*

[5] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

In addition, Section 771(7)(J) of the Act (19 U.S.C. § 1677(7)(J)) provides that—[6]

(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.

Organization of report

Part 1 of this report presents information on the subject merchandise, subsidy rates/dumping margins, and domestic like product. Part 2 of this report presents information on conditions of competition and other relevant economic factors. Part 3 presents information on the condition of the U.S. industry, including data on capacity, production, shipments, inventories, and employment. Parts 4 and 5 present the volume of subject imports and pricing of domestic and imported products, respectively. Part 6 presents information on the financial experience of U.S. producers. Part 7 presents the statutory requirements and information obtained for use in the Commission's consideration of the question of threat of material injury as well as information regarding nonsubject countries.

Market summary

Aluminum containers are primarily used in food-related applications, such as preparation, baking, cooking, reheating, packaging, transport, and storage. The leading U.S. producer of aluminum containers is ***, followed by ***, while leading producers of aluminum containers outside the United States include *** of China. The leading U.S. importers of aluminum containers from China are ***. Leading importers of aluminum containers from nonsubject countries (primarily Canada, the United Arab Emirates, and the United Kingdom) include ***. The Commission received 21 questionnaires from purchasers of aluminum containers. Large purchasers of aluminum containers include retailers *** as well as distributors ***.

[6] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

Apparent U.S. consumption of aluminum containers totaled approximately 309.8 million pounds ($1.2 billion) in 2024. Currently, twelve firms are known to produce aluminum containers in the United States.[7] U.S. producers' reported U.S. shipments of aluminum containers totaled 224.9 million pounds ($1.0 billion) in 2024 and accounted for 72.6 percent of apparent U.S. consumption by quantity and 85.0 percent by value. U.S. imports from China totaled *** pounds ($***) in 2024 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value. U.S. imports from nonsubject sources totaled *** pounds ($***) in 2024 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value.

Summary data and data sources

A summary of data collected in these investigations is presented in appendix C, table C.1. The Commission's questionnaires in the final phase of these investigations collected data for 2022 to 2024. The Commission's questionnaires in the preliminary phase of these investigations collected data for 2021 to 2023 and interim periods January through March of 2023 and January through March of 2024. Except as noted, U.S. industry data are based on the questionnaire responses of eight firms that accounted for approximately 95 percent of U.S. production of aluminum containers during 2024. U.S. imports are based on official import statistics and the questionnaire responses of 24 firms. Data on the subject foreign industry are based on the questionnaire responses of seven firms.[8]

Previous and related investigations

Aluminum containers have not been the subject of any previous countervailing and antidumping duty investigations in the United States. However, both aluminum foil and aluminum sheet have been subject to countervailing and antidumping duty investigations in the United States.[9]

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[7] Petition, exh. Gen-1. The Commission received eight usable U.S. producer's questionnaire responses. See Part 3 for a detailed discussion regarding U.S. producer coverage.

[8] For a more detailed discussion regarding U.S. importer and foreign industry coverage, see Parts 4 and 7, respectively.

[9] Aluminum Foil from China, Inv. Nos. 701-TA-570 and 731-TA-1346 (2017 to 2018); Common Alloy Aluminum Sheet from China; Inv. Nos. 701-TA-591 and 731-TA-1399 (2018 to 2019); Aluminum Foil from Armenia, Brazil, Oman, Russia, and Turkey, Inv. Nos. 701-TA-658–659 and 731-TA-1538–1542 (2020 to 2021); and Common Alloy Aluminum Sheet from Bahrain, Brazil, Croatia, Egypt, Germany, Greece, India, Indonesia, Italy, Korea, Oman, Romania, Serbia, Slovenia, South Africa, Spain, Taiwan, and Turkey, Inv. Nos. 701-TA-639–642 and 731-TA-1475–1492 (2020 to 2021).

Nature and extent of subsidies and sales at LTFV

Subsidies

On March 11, 2025, Commerce published a notice in the Federal Register of its final determination of countervailable subsidies for producers and exporters of aluminum containers from China.[10] Table 1.2 presents Commerce's findings of subsidization of aluminum containers in China.

Table 1.2 Aluminum containers: Commerce's final subsidy determination with respect to imports from China

Entity	Final countervailable subsidy rate (percent)
Henan Aluminium Corporation	317.85
Zhejiang Acumen Living Technology Co., Ltd	317.85
All Others	317.85

Source: 90 FR 11703, March 11, 2025.

Note: The company-specific subsidy rate is based on facts available with adverse inferences.

Note: For further information on programs determined to be countervailable, see Commerce's associated Issues and Decision Memorandum.

Sales at LTFV

On March 11, 2024, Commerce published a notice in the Federal Register of its final determination of sales at LTFV with respect to imports from China.[11] Table 1.3 presents Commerce's dumping margins with respect to imports of aluminum containers from China.

Table 1.3 Aluminum containers: Commerce's final weighted-average LTFV margins with respect to imports from China

Producer	Exporter	Final dumping margin (percent)
Foshan Bossfoil Aluminum Products Co., Ltd	Aikou Packaging Co., Ltd	193.90
Guangzhou Huafeng Aluminum Foil Technologies Co. Ltd	Guangzhou Huafeng Aluminum Foil Technologies Co. Ltd	193.90
Guangzhou Vanzhen Aluminum Foil Products Co., Ltd	Guangzhou Vanzhen Aluminum Foil Products Co., Ltd	193.90

[10] 90 FR 11703, March 11, 2025.
[11] 90 FR 11705, March 11, 2025.

Producer	Exporter	Final dumping margin (percent)
Henan Mingwei Aluminum Products Co., Ltd	Henan Mingwei Aluminum Products Co., Ltd	193.90
Jinhua Majestic Aluminum Packing Co., Ltd	Jinhua Majestic Aluminum Packing Co., Ltd	193.90
Ningbo Laxwell Aluminum Foil Technology Co., Ltd	Ningbo Laxwell Aluminum Foil Technology Co., Ltd	193.90
Ningbo Mylife Aluminium Foil Products Co., Ltd	Ningbo Mylife Aluminium Foil Products Co., Ltd	193.90
Ningbo Reco Packing Technology Co., Ltd	Ningbo Reco Packing Technology Co., Ltd	193.90
Ningbo Times Aluminium Foil Technology Corp., Ltd	Ningbo Times Aluminium Foil Technology Corp., Ltd	193.90
Ningbo Uber Aluminum Foil Products Co., Ltd	Ningbo Uber Aluminum Foil Products Co., Ltd	193.90
Ningbo Wonderfoil Aluminium Foil Technology Co., Ltd	Ningbo Wonderfoil Aluminium Foil Technology Co., Ltd	193.90
Ningbo Wonderfoil Aluminium Foil Technology Co., Ltd	Qingdao Honsun Packaging Technology Co., Lt	193.90
Qingdao Wohler Aluminium Environmental Technology Co, Ltd	Qingdao Wohler Aluminium Environmental Technology Co, Ltd	193.90
DongTai Subcompany of Shanghai Dragon Aluminium Foil Products Co., Ltd	DongTai Subcompany of Shanghai Dragon Aluminium Foil Products Co., Ltd	193.90
Suzhou Spk Aluminium Foil Co., Ltd	Suzhou Spk Aluminium Foil Co., Ltd	193.90
Nantong Hongtu Health Technology Co., Ltd	Uniriver Industries Co., Ltd	193.90
Wohler (Qingdao) Co., Ltd	Wohler (Qingdao) Co., Ltd	193.90
Yuyao Rhea Alumium Foil Products Co., Ltd	Yuyao Rhea Alumium Foil Products Co., Ltd	193.90
Yuyao Smallcap Household Products Co., Ltd	Yuyao Smallcap Household Products Co., Ltd	193.90
Zhangjiagang Auto Well Co., Ltd	Zhangjiagang Kangyuan International Trading Co., Ltd	193.90
Jiangsu Greensource Health Aluminum Foil Technology Co., Ltd	Zhangjiagang Kangyuan International Trading Co., Ltd	193.90
Zhejiang Zhongjin Aluminum Industry Co., Ltd	Zhejiang Zhongjin Aluminum Industry Co., Ltd	193.90
Henan Vino Aluminium Foil Co., Ltd	Zhengzhou Eming Aluminium Industry Co., Ltd	193.90
China-wide entity		287.80

Source: 90 FR 11705, March 11, 2025.

Note: The dumping margin for the China-wide entity is based on facts available with adverse inferences.

The subject merchandise

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:[12]

> *The merchandise covered by this investigation is disposable aluminum containers, pans, trays, and lids produced primarily from flat-rolled aluminum. The subject merchandise includes disposable aluminum containers, pans, trays, and lids regardless of shape or size and whether or not wrinkled or smooth.*
>
> *The term "disposable" is used to identify an aluminum article that is designed to be used once, or for a limited number of times, and then recycled or otherwise disposed.*
>
> *"Containers, pans, and trays" are receptacles for holding goods. The subject disposable aluminum lids are intended to be used in combination with disposable containers produced from aluminum or other materials (e.g., paper or plastic). Where a disposable aluminum lid is imported with a non-aluminum container, only the disposable aluminum lid is included in the scope.*
>
> *Disposable aluminum containers, pans, trays, and lids are also included within the scope regardless of whether the surface has been embossed, printed, coated (including with a non-stick substance), or decorated, and regardless of the style of the edges. The inclusion of a non-aluminum lid or dome sold or packaged with an otherwise in-scope article does not remove the article from the scope, however, only the disposable aluminum container, pan, tray, and lid is covered by the scope definition.*
>
> *Disposable aluminum containers, pans, trays, and lids are typically used in food-related applications, including but not limited to food preparation, packaging, baking, barbequing, reheating, takeout, or storage, but also have other uses. Regardless of end use, disposable aluminum containers, pans, trays, and lids that meet the scope definition and are not otherwise excluded are subject merchandise.*
>
> *Excluded from the scope are disposable aluminum casks, drums, cans, boxes and similar containers (including disposable aluminum cups and bottles) properly classified under Harmonized Tariff Schedule of the United States (HTSUS) subheading 7612.90. However, aluminum containers, pans, trays, and lids that would otherwise be covered by the scope are not excluded based solely on the fact that they are being classified under HTSUS subheading 7612.90.5000 due to the thickness of aluminum being less than 0.04 mm or greater than 0.22 mm.*

[12] 90 FR 11703 and 11705, March 11, 2025.

The flat-rolled aluminum used to produce the subject articles may be made to ASTM specifications ASTM B479 or ASTM B209-14, but can also be made to other specifications. Regardless of the specification, however, all disposable aluminum containers, pans, trays, and lids meeting the scope description are included in the scope.

Tariff treatment

Based upon the scope set forth by Commerce, information available to the Commission indicates that the merchandise subject to these investigations are imported under statistical reporting number 7615.10.7125 of the Harmonized Tariff Schedule of the United States ("HTS").[13] [14] The subject merchandise may also be imported under the following HTS provisions: 7612.90.1090, 7615.10.3015, 7615.10.3025, 7615.10.7130, 7615.10.7155, 7615.10.7180, 7615.10.9100, and 8309.90.0000.[15] The 2025 column 1-general rate of duty is 5.7 percent ad valorem for HTS subheading 7612.90.10 and 3.1 percent ad valorem for HTS subheadings 7615.10.30, 7615.10.71, and 7615.10.91.[16] The general duty rate for HTS subheading 8309.90.00 is 2.6 percent ad valorem.[17] Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

[13] Prior to January 1, 2017, the subject aluminum containers were covered by HTS statistical reporting numbers 7615.10.7135 and 7615.10.7160. Effective January 1, 2017, a new breakout was created for aluminum containers as HTS statistical reporting number 7615.10.7125; HTS 7615.10.7135 and 7615.10.7160 were discontinued and replaced with 7615.10.7125, 7615.10.7130 and 7615.10.7180. HTSUS (2017) Basic Edition, USITC Publication 4660, February 2017, Change Record, pp. 63; HTSUS (2016) Basic Edition, USITC Publication 4588, March 2016, pp. 76-11 – 76-14.

[14] HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 76-11 – 76-14.

[15] HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 76-11 – 76-14, and p. 83 – 10.

[16] HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 76-11 – 76-14.

[17] HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 76-11 – 76-14.

Section 301 tariff treatment

Aluminum containers originating in China and imported under HTS subheading 7615.10.71 are not subject to additional duties under section 301 of the Trade Act of 1974, as amended.

Effective May 10, 2019, aluminum containers originating in China and imported under HTS subheadings 7612.90.10 and 8309.90.00 are subject to existing general duty rates and an additional 25 percent ad valorem duty under section 301 of the Trade Act of 1974, as amended.[18]

Effective February 14, 2020, aluminum containers originating in China, and imported under HTS subheadings 7615.10.30 and 7615.10.91 are subject to existing general duty rates and an additional 7.5 percent ad valorem duty under section 301 of the Trade Act of 1974, as amended. Additionally, effective February 14, 2020, aluminum foil, the principal raw material used in the production of aluminum containers, originating in China and imported under HTS subheadings 7607.11.60 and 7607.11.90, is subject to an additional 7.5 percent ad valorem duty under section 301 of the Trade Act of 1974, as amended.[19]

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[18] HTS subheadings 7612.90.10 and 8309.90.00 were included in the Office of the United States Trade Representative's ("USTR's") third enumeration ("Tranche 3" or "List 3") of products originating in China that became subject to an additional 10 percent ad valorem duty (Annexes A and C of 83 FR 47974, September 21, 2018), effective September 24, 2018. Escalation of this duty to 25 percent ad valorem was rescheduled from January 1, 2019 (Annex B of 83 FR 47974, September 21, 2018) to March 2, 2019 (83 FR 65198, December 19, 2018), but was subsequently postponed until further notice (84 FR 7966, March 5, 2019), and then was implemented, effective May 10, 2019 (84 FR 20459, May 9, 2019). A subsequent modification was provided for subject goods exported from China prior to May 10, 2019, not to be subject to the escalated 25 percent duty for such goods entered into the United States prior to June 1, 2019 (84 FR 21892, May 15, 2019) with the entry date subsequently being extended to prior to June 15, 2019 (84 FR 26930, June 10, 2019).

See also HTS heading 9903.88.03 and U.S. notes 20(e) and 20(f) to HTS Subchapter III of Chapter 99 and related tariff provisions for this duty treatment. Effective January 1, 2024, no exemptions have been granted for aluminum container products originating in China. HTSUS (2025) Revision 5, USITC Publication 5602, March 2025 pp. 99-III-27 – 99-III-28, 99-III-47 – 99-III-48, 99-III-301.

[19] Effective September 1, 2019, USTR included aluminum containers in its $300 Billion Trade Action (List 4 or Tranche 4, Annex A) of products originating in China subject to an initial 10 percent ad valorem duty (84 FR 43304, August 20, 2019) which was subsequently raised to 15 percent ad valorem, with the same effective date of September 1, 2019 (84 FR 45821, August 30, 2019), but was more recently reduced to 7.5 percent ad valorem, effective February 14, 2020 (85 FR 3741, January 22, 2020).

See also HTS heading 9903.88.15 and U.S. notes 20(r) and 20(s) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 99-III-87 – 99-III-88, 99-III-98, 99-III-303.

Section 232 tariff treatment

Effective March 12, 2025, aluminum containers originating in China and imported under HTS subheadings 7615.10.7125, 7615.10.3015, 7615.10.3025, 7615.10.7130, 7615.10.7155, 7615.10.7180, and 7615.10.9100 are subject to additional 25 percent ad valorem duties under section 232 of the Trade Expansion Act of 1962, as amended.[20] Effective March 23, 2018, aluminum foil, the principal raw material used in the production of aluminum containers, imported under HTS heading 7607, became subject to an additional 10 percent ad valorem duty under section 232 of the Trade Expansion Act of 1962, as amended.[21] The additional tariffs under section 232 were increased to 25 percent ad valorem effective March 12, 2025.[22]

International Emergency Economic Powers Act

Effective March 4, 2025, all products originating in China, including aluminum containers and aluminum foil from China, are subject to an additional 20 percent ad valorem duty under the International Emergency Economic Powers Act ("IEEPA").[23] Aluminum containers and aluminum foil from China are generally excluded from the additional reciprocal tariffs under IEEPA, announced on April 2, 2025.[24]

[20] 90 FR 9807, February 18, 2025. See also HTS headings 9903.85.07 and 9903.85.08 and U.S. notes 19(a) and 19(b) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 99-III-15–99-III-18, 99-III-292.

[21] 83 FR 11619, March 15, 2018. See also HTS heading 9903.85.02 and U.S. notes 19(a) and 19(b) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. HTSUS (2025) Revision 5, USITC Publication 5602, March 2025, pp. 99-III-15–99-III-18, 99-III-292.

[22] 90 FR 9807, February 18, 2025.

[23] Imports from China became subject to an additional 10 percent ad valorem effective February 4, 2025. The tariff was increased to 20 percent effective March 4, 2025. 90 FR 9121, February 7, 2025. 90 FR 11426, March 6, 2025.

[24] Effective April 5, 2025, most imports from China are subject to additional 10 percent ad valorem reciprocal tariffs under IEEPA, rising to 34 percent ad valorem effective April 9, 2025. These tariffs are cumulative to the additional 20 percent ad valorem IEEPA tariffs noted in 90 FR 11426. However, articles subject to section 232 tariffs, including aluminum containers and aluminum foil from China, are exempted from the additional reciprocal tariffs on imports from China. For more information see The White House, "Executive Order: Regulating Imports with a Reciprocal Tariff to Rectify Trade Practices that Contribute to Large and Persistent Annual United States Goods Trade Deficits," April 2, 2025.

The product

Description and applications

Disposable aluminum containers ("aluminum containers") are shaped forms produced from pressing, molding, or stamping aluminum foil into a container, pan, tray, or lid.[25] Aluminum containers are used in a variety of food applications such as preparation, baking, cooking, reheating, and packaging, as well as transporting and storing.[26] Although designed for single use, aluminum containers are reusable for a limited number of times.[27] Common forms of aluminum containers are pans and trays, in a variety of styles such as casserole pans or trays; pie pans or dishes; roaster pans or trays; steam pans or trays; takeout pans or trays; and to-go pans or trays (figure 1.1). Aluminum containers are produced in various colors, surfaces (wrinkled, smooth, or partially smooth), and shapes and sizes that can be decorated, printed, coated, or embossed based on the intended application and use.[28] ***.[29]

Aluminum containers are often sold or packaged with lids or coverings that allow the containers to be reusable. These lids or coverings are made from aluminum foil or other materials such as paper or plastic.[30] Aluminum containers may be sold directly or through a distributor to retailers such as grocery stores, food service operations such as restaurants or catering companies, and food processors.

[25] Petition, p. 6.

[26] Aluminum containers may also be used in other non-food related applications.

[27] Disposable aluminum containers are distinguishable from non-disposable aluminum containers by the gauge of the aluminum alloy. Typically, non-disposable aluminum containers are manufactured from a thicker gauge flat-rolled aluminum, designed to be continuously reused. Petition, pp. 6 to 7.

[28] Petition, pp. 6 to 10.

[29] Staff field trip report, Penny Plate, February 7, 2025.

[30] Petition, pp. 6 to 7.

Figure 1.1 Aluminum containers: Various types of aluminum containers

Source: Petition, p. 7.

The raw material for aluminum containers is usually 3XXX or 8XXX-series alloy aluminum foil, often referred to as "container foil" or "container stock."[31] 3XXX series alloys tend to be stronger than 8XXX series alloys which are softer and more malleable. ***.[32] The aluminum foil used in the production of aluminum containers may be certified to the ASTM B209-14 or ASTM B479 specifications.[33]

[31] Petition, p. 8. Aluminum alloys used to produce foil and sheet products are typically identified using a four-digit number, with the first digit of the number identifying the class or series of the alloy. Common aluminum alloys in the 3XXX and 8XXX series used to produce aluminum containers include 3003, 3004, *** and 8011. Eming Foil, "Aluminium Foil Container Making Raw Material," January 21, 2025, https://www.emingfoil.com/news/industry-news/aluminium-foil-container-making-raw-material/; Staff field trip report, Penny Plate, February 7, 2025.

[32] Staff field trip report, Penny Plate, February 7, 2025.

[33] Petition, p. 8.

Aluminum containers imported under HTS statistical reporting number 7615.10.7125 have a thickness ranging between 0.04 mm and 0.22 mm. However, subject aluminum containers may be thinner than what is provided for under HTS 7615.10.7125. ***.[34] The use of thin gauge aluminum imparts important characteristics to the containers such as making them lightweight, durable, recyclable, heat-conducting, and serving as a barrier to moisture and air.[35]

Manufacturing processes[36]

Aluminum containers are produced via specialized machinery which uses dies to press the container foil into shapes. The process begins by unwinding a coil of foil and feeding it through the machine. As the foil is being fed into the machine, it is straightened and then passed through an oil feeder for lubrication. Lubrication prevents friction between the machine and the foil, which helps to reduce material defects in the finished product.

After lubrication, the coil is further fed into a pneumatic press equipped with dies ***[37] of different shapes and sizes. The press uses mechanical pressure to stamp the foil into the shape of a container while simultaneously cutting the container away from the rest of the foil. Dies may allow for multiple containers to be punched out in each stamp. ***.[38]

The leftover foil is typically collected and compressed for recycling. Finished containers are then collected and stacked either automatically as they exit the machine or manually. Containers are then inspected for defects, which can be done manually or via machine. The containers are then packaged, typically with multiple containers in a pack, and then moved to a holding warehouse for shipping. Figure 1.2 depicts the machinery used in the production of aluminum containers.

[34] Staff field trip report, Penny Plate, February 7, 2025.
[35] Hearing transcript, p. 27.
[36] Unless otherwise specified, information in this section is derived from Petition, pp. 9 to 10.
[37] Staff field trip report, Penny Plate, February 7, 2025.
[38] Staff field trip report, Penny Plate, February 7, 2025.

Figure 1.2 Aluminum containers: Machinery used in the production of aluminum containers

Source: Petition, p. 9.

***.[39] ***.

[39] Staff field trip report, Penny Plate, February 7, 2025.

***.[40] ***.

Domestic like product issues

No issues with respect to domestic like product have been raised in these investigations. In the preliminary phase of these investigations, the Commission defined a single domestic like product, coextensive with the scope.[41] In the final phase of these investigations, no parties requested data or other information necessary for the analysis of the domestic like product. Petitioners maintained that the domestic like product should be defined as a single domestic like product, coextensive with the scope.[42] No other party commented on the domestic like production definition.

[40] Staff field trip report, Penny Plate, February 7, 2025.

[41] Disposable Aluminum Containers from China, Inv. Nos. 701-TA-727 and 731-TA-1695 (Preliminary), USITC Publication 5523, July 2024, p. 13.

[42] Petitioners' prehearing brief, p. 12; hearing transcript, pp. 26 to 28 (Herrmann).

Part 2: Conditions of competition in the U.S. market

U.S. market characteristics

Aluminum containers are typically used in food-related end uses, such as baking, barbequing, reheating, storing, and transporting food items, and are produced in a wide range of shapes, sizes, and thicknesses with different colors, rim edges, and other features.[1] The two primary sources of aluminum containers are the domestic industry and U.S. imports from China. Petitioners stated that, when antidumping and countervailing duty orders were imposed on Chinese aluminum foil in 2018, Chinese aluminum products producers shifted downstream to producing aluminum containers for export to the United States.[2]

From 2022 to 2023, apparent U.S. consumption decreased by 3.5 percent before increasing by 3.9 percent from 2023 to 2024. Overall, apparent U.S. consumption in 2024 was 0.2 percent higher than in 2022.

Four of eight U.S. producers, 17 of 24 importers, and 17 of 21 purchasers indicated that the aluminum containers market was not subject to distinctive conditions of competition. However, four U.S. producers, six importers, and four purchasers reported the market was subject to distinctive conditions of competition. Among these latter firms, U.S. producers cited competition from imports and price being a driving factor with disposable products. Importer *** stated that part of consumer demand is reserved for U.S.-produced product. Importer *** indicated that it had gained customers that were frustrated with U.S. producers, stating that U.S. producers had stopped supplying some customers. Purchaser *** described bans on foam containers (a substitute product) as a distinctive condition that increased demand for aluminum containers. Purchaser *** indicated that tariffs, trade policy, sustainability issues, and customization are distinctive conditions in the aluminum containers market.

Eight U.S. producers and 22 importers stated that there had not been any significant changes in the product range, product mix or marketing of disposable aluminum containers since January 1, 2022. Two importers described such changes, with *** stating that it has discontinued many items and stopped developing new ones, and *** stating that smooth-walled containers have become more acceptable in North America.

[1] Conference transcript, pp. 6, 13 (Herrmann, Patel).

[2] Petitioners' prehearing brief, pp. 17-19, 39-40. As a separate issue, these duties are discussed in terms of their effects on raw material costs for producing aluminum containers in Part 5.

U.S. purchasers

The Commission received 21 usable questionnaire responses from firms that had purchased aluminum containers during January 2022 to December 2024.[3] [4] [5] Ten responding purchasers are distributors, ten are retailers, five are end users, and two are other (wholesalers and redistributors).[6] Large purchasers of aluminum containers include retailers *** as well as distributors ***. Nine purchasers (***) also submitted importer questionnaires.

Distributor purchasers described themselves as reselling aluminum containers to restaurants, restaurant suppliers, grocery stores, schools, big box retailers, and processors. Six distributor purchasers stated that they did not compete with their suppliers for customers, while four stated that they did, as did ***.

Impact of section 301 tariffs

As discussed in Part 1, section 301 tariffs were not applied to HTS subheading 7615.10.71, the principal subheading under which aluminum containers are imported, from 2022 to 2024. However, they were applied to HTS subheadings 7612.90.10 and 8309.90.00, which are subject to additional 25 percent section 301 tariffs effective May 2019, and HTS subheadings 7615.10.30 and 7615.10.91, which are subject to additional 7.5 percent section 301 tariffs. Section 301 tariffs also cover aluminum foil, an input into making aluminum containers. In addition, section 232 measures, as well as antidumping and countervailing duty orders that cover aluminum foil as well as sheet, are discussed in conjunction with raw materials costs in Part 5.

U.S. producers, importers, and purchasers were asked to report the impact of section 301 tariffs on overall demand, supply, prices, or raw material costs for aluminum containers since January 1, 2022. Firms describing an effect of the section 301 tariffs were most likely to describe its effect on raising raw material costs.

[3] The following firms provided purchaser questionnaire responses: ***. ***.

[4] Of the 21 responding purchasers, 19 purchased domestic aluminum containers, 10 purchased imports of the subject merchandise from China, and 5 purchased imports of aluminum containers from other sources, including Canada, Great Britain, India, Indonesia, Thailand, Turkey, and Vietnam.

[5] Eighteen purchasers indicated they had marketing/pricing knowledge of domestic product, 15 of China product, and 10 of nonsubject countries, including Armenia, Canada, Great Britain, India (3 purchasers), Indonesia (5 purchasers), Thailand (4 purchasers), Turkey (2 purchasers), and Vietnam (1 purchaser). Two firms that purchased small quantities of domestic product did not indicate familiarity with domestic product.

[6] Some firms, such as ***, described themselves in multiple categories.

Five of seven responding U.S. producers reported that section 301 tariffs did not have an impact on the market, while one stated that it did not know, and two stated that they had had an impact. Petitioner noted that aluminum containers are not directly covered by the section 301 tariffs,[7] and similarly, U.S. producer *** stated that the section 301 tariff was never implemented. Among importers, 16 stated that they did not know, 5 stated that the section 301 tariffs had had an effect (raising the cost of raw materials), and 3 stated that they had not had an effect.

Seven purchasers stated that the section 301 duties on aluminum had an impact on the aluminum containers market, one stated that these duties did not, and 13 purchasers indicated that they did not know. The purchasers describing an impact stated that the duties had increased the prices of aluminum containers by increasing raw material costs. Purchaser *** stated that the price increases began in the third quarter of 2024. Purchaser *** stated that, due to the section 301 duties, its product is no longer cost competitive with its competitors as of the fourth quarter of 2024.

Channels of distribution

Aluminum containers are sold through three channels: directly to retailers such as club stores and supermarkets; directly to large food processors that incorporate the containers into finished food items, such as pies and frozen foods; and indirectly through distributors that resell to food service operations like restaurants, bakeries, and catering companies.[8] Both U.S. producers and Chinese producers sold in large part to retailers, although this share increased for U.S. producers over the period for which data were collected, and decreased for Chinese producers, as shown in table 2.1. More than one-third of U.S. producers' shipments were to distributors while substantial shares of shipments of imports from China were sold to both distributors and end users.

[7] Conference transcript, p. 73 (Walters).
[8] Conference transcript, p. 15 (Patel).

Table 2.1 Aluminum containers: Share of U.S. shipments by source, channel of distribution, and period

Shares in percent

Source	Channel	2022	2023	2024
United States	Distributor	37.3	34.4	34.2
United States	End user	15.1	15.3	14.5
United States	Retailer	47.6	50.4	51.3
China	Distributor	***	***	***
China	End user	***	***	***
China	Retailer	***	***	***
Nonsubject sources	Distributor	***	***	***
Nonsubject sources	End user	***	***	***
Nonsubject sources	Retailer	***	***	***
All import sources	Distributor	32.7	35.7	34.0
All import sources	End user	26.5	30.0	31.2
All import sources	Retailer	40.8	34.3	34.8

Source: Compiled from data submitted in response to Commission questionnaires.

Geographic distribution

U.S. producers reported selling aluminum containers to all regions in the contiguous United States (table 2.2). Importers of product from China also reported selling aluminum containers to all such regions. For U.S. producers, 7.2 percent of sales were within 100 miles of their production facility, 78.3 percent were between 101 and 1,000 miles, and 14.5 percent were over 1,000 miles. Importers sold 72.3 percent within 100 miles of their U.S. point of shipment, 23.4 percent between 101 and 1,000 miles, and 4.3 percent over 1,000 miles.

Table 2.2 Aluminum containers: Count of U.S. producers' and U.S. importers' geographic markets

Region	U.S. producers	China
Northeast	8	21
Midwest	8	17
Southeast	8	22
Central Southwest	7	15
Mountain	7	15
Pacific Coast	7	18
Other	3	8
All regions (except Other)	7	13
Reporting firms	8	23

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other U.S. markets include AK, HI, PR, and VI.

Supply and demand considerations

U.S. supply

Table 2.3 provides a summary of the supply factors regarding aluminum containers from U.S. producers and from subject countries.

Table 2.3 Aluminum containers: Supply factors that affect the ability to increase shipments to the U.S. market, by country

Quantity in 1,000 pounds; ratio and share in percent

Factor	Measure	United States	China
Capacity 2022	Quantity	352,913	47,925
Capacity 2024	Quantity	388,427	54,553
Capacity utilization 2022	Ratio	67.3	94.6
Capacity utilization 2024	Ratio	58.0	86.1
Inventories to total shipments 2022	Ratio	***	***
Inventories to total shipments 2024	Ratio	***	***
Home market shipments 2024	Share	***	***
Non-US export market shipments 2024	Share	***	***
Ability to shift production (firms reporting “yes”)	Count	0 of 8	0 of 6

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Responding U.S. producers accounted for approximately 95 percent of U.S. production of aluminum containers in 2024. Responding foreign producer/exporter firms accounted for more than half of U.S. imports of aluminum containers from China during 2024. For additional data on the number of responding firms and their share of U.S. production and of U.S. imports from China, please refer to Parts 3 and 7, respectively.

Domestic production

Based on available information, U.S. producers of aluminum containers have the ability to respond to changes in demand with moderate-to-large changes in the quantity of shipments of U.S.-produced aluminum containers to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the availability of unused capacity and some inventories. Factors mitigating responsiveness of supply include a limited ability to shift shipments from alternate markets and an inability to shift production to or from alternate products. Moreover, as discussed below in “Substitutability issues,” some purchasers described difficulties in obtaining product from U.S. producers.

Ten purchasers indicated that the availability of U.S. aluminum containers had changed since January 1, 2022, and ten indicated that it had not. Among those describing changes, four stated that U.S. producers had constrained supply, two stated that U.S. supply had been

constrained in 2022 because of the COVID-19 pandemic but had since normalized or at least improved, and four indicated that U.S. supply had increased.

Subject imports from China

Based on available information, producers of aluminum containers from China have the ability to respond to changes in demand with moderate changes in the quantity of shipments of aluminum containers to the U.S. market. Data in table 2.3 show moderate ability to respond to changes in price, with some growth in capacity constrained by limited spare capacity, low inventories, no ability to shift production, and most Chinese shipments exported to the United States. However, coverage of the aluminum containers market in China was only partial, and Chinese producers of a larger class of aluminum products have shown an ability to increase exports to the United States and the world. (See Part 7.)

Fourteen purchasers stated that the availability of aluminum containers from China had not changed since January 1, 2022, but three stated that it had. Two stated that supply from China had decreased since the imposition of antidumping duties or since 2024, while one stated that now Chinese product is available without restrictions.

Petitioners stated that Chinese aluminum container stamping dies use United States customary units (not metric system) and are thus designed specifically for the U.S. market.[9]

Imports from nonsubject sources

Nonsubject imports accounted for *** percent of total U.S. imports in 2024, up from *** percent in 2022 and *** percent in 2023. The largest sources of nonsubject imports during 2024 were Canada, Vietnam, and the United Kingdom.

Twelve purchasers stated that the availability of aluminum containers from nonsubject countries had not changed since January 1, 2022, but three stated that it had. One firm stated that the Russian-Ukrainian conflict had tightened supplies of aluminum. A second firm stated that it had shifted sourcing from China to nonsubject countries, and a third stated that product from nonsubject countries has restricted availability.

Supply constraints

U.S. producers and importers were asked if they themselves had refused, declined, or been unable to supply disposable aluminum containers at any time since January 1, 2022. Purchasers were asked if any firm had refused, declined, or been unable to supply disposable

[9] Petitioners' prehearing brief, p. 59.

aluminum containers to them at any time since January 1, 2022. Most responding U.S. producers and importers indicated that they had not been constrained in supplying their customers, but approximately half of responding purchasers indicated that they had experienced supply constraints from domestic sources, particularly in 2022. Constraints on import supply became more prevalent following the filing of the petition (table 2.4).

Table 2.4 Aluminum containers: Count of firms' responses regarding timing of supply constraints, by firm type and source

Firm type	Source	2022	2023	January 1 to May 15, 2024	May 16, 2024 to present
U.S. producers	Domestic	1	0	0	0
Importers	Imported	6	1	1	3
Purchasers	Domestic	10	5	4	5
Purchasers	Imported	0	0	0	1

Source: Compiled from data submitted in response to Commission questionnaires.

Seven U.S. producers and 16 importers indicated that they had not experienced supply constraints since January 1, 2022. Only one U.S. producer, ***, indicated being unable to supply or experiencing supply constraints. It stated that in ***. Six importers reported being unable to supply or experiencing supply constraints in 2022, generally citing effects of the COVID-19 pandemic. Importer *** stated that it was unable to obtain product from U.S. producers in 2022, and so turned to imported supply, but has since returned to previous levels of purchases from U.S. producers. Importer *** indicated that it experienced constraints in 2022 and 2023 due to transportation issues. Importer *** indicated that it experienced supply constraints in 2024 (before May 15) due to shortages caused by raw material price increases. In 2024, after May 15, three importers reported supply constraints, citing these investigations. One of these firms, ***, indicated that imported product prices are now similar to U.S. prices, and in addition, there are increased shipping rates and delays on imported product.

Eleven of 20 responding purchasers reported that they had experienced supply constraints, with more reporting supply constraints from domestic producers in 2022 than in subsequent years. Almost no purchasers reported supply constraints from foreign producers or importers. Constraints purchasers experienced from domestic producers included those related to raw materials and shutdowns associated with the COVID-19 pandemic in 2022. In 2023 and 2024, some purchasers noting constraints did not provide an explanation. *** described later constraints as not as tight as in 2022, and *** stated that ***. *** described extended delivery times for U.S. product, with many products on back orders. *** indicated that high demand for U.S. product after May 16, 2024 had caused supply constraints. *** described supply constraints for Chinese product in the same period because of a decline in Chinese production.

New suppliers

Nineteen of 21 purchasers indicated that no new suppliers entered the U.S. market since January 1, 2022. Purchaser *** stated that it was aware of new foreign suppliers, but was not aware of their names, as it purchases through import brokers. Purchaser *** named i2r as a new supplier.

U.S. demand

Based on available information, the overall demand for aluminum containers is likely to experience small-to-moderate changes in response to changes in price. The main contributing factors are the limited substitute products and the small-to-moderate cost share of aluminum containers in most of its end-use products, e.g., a baked good or delivered food.

End uses and cost share

Reported end uses include uses both by individual consumers for applications such as baking and grilling, and for industrial uses in settings such as restaurants, food service, and catering. U.S. producers and importers listed end uses such as steam pans and grease catchment. They also listed applications such as both home and restaurant food preparation. Aluminum containers account for a small-to-moderate share of the cost of the final food product. Purchasers' reported cost shares for some end uses included: 3 percent for baked goods; 25 percent for buffet sets; and 3 to 6 percent for prepared meals. U.S. producers and importers both usually described aluminum containers as a small share of the cost of a restaurant meal (e.g., 5 percent according to ***, catered meal (e.g., 20 percent according to ***), or prepared meal (e.g., 6 percent according to ***).

Business cycles

Six of 8 responding U.S. producers, 16 of 24 importers, and 13 of 21 purchasers indicated that the market was subject to business cycles. Specifically, demand for aluminum containers increases in the second half of the year, especially in advance of summer and winter

holidays, such as Memorial Day, the Fourth of July, Labor Day, Thanksgiving, and Christmas.[10] Some firms also reported that baking season (fall or winter) and/or football season lead to higher demand for aluminum containers. At the hearing, U.S. producer Trinidad described the major seasonal demand peak coming around Thanksgiving, with another peak in the summer.[11] Importer King Zak also described the summer and Thanksgiving as the two demand peaks, adding that it builds inventory starting in the summer to cover demand later in the year.[12] However, the remaining minority of U.S. producers, importers and purchasers indicated that the market was not subject to business cycles.

Demand trends

Most U.S. producers reported a steady increase in U.S demand for aluminum containers since January 1, 2022 (table 2.5), although importers' and purchasers' responses were more mixed. While a plurality of importers and purchasers reported that there was no change in U.S. demand, most of the remaining firms reported that demand either steadily increased or fluctuated upwards over the period for which data were collected. Petitioner stated that recyclability and sustainability has contributed to the growing demand.[13]

Table 2.5 Aluminum containers: Count of firms' responses regarding overall domestic and foreign demand, by firm type

Market	Firm type	Steadily Increase	Fluctuate Up	No change	Fluctuate Down	Steadily Decrease
Domestic demand	U.S. producers	5	0	3	0	0
Domestic demand	Importers	7	6	8	1	2
Domestic demand	Purchasers	3	6	8	1	1
Foreign demand	U.S. producers	2	0	2	0	0
Foreign demand	Importers	0	1	6	1	0
Foreign demand	Purchasers	1	1	4	1	0

Source: Compiled from data submitted in response to Commission questionnaires.

One U.S. producer, ***, offered an explanation of demand trends, stating that the aluminum container market is a mature market with low growth, adding that consumers are moving away from substitute products (foam and plastic containers) due to environmental concerns. Among importers, *** stated that during the COVID-19

[10] Conference transcript, pp. 60, 64 (Walters, Cobb).

[11] Hearing transcript, pp. 64-65 (Walters).

[12] Hearing transcript, pp. 90-91 (Zakarin). Importer Colonna Brothers also described demand peaking for its lids products when breadcrumb demand peaks during colder months most appropriate for baking. Hearing transcript, p. 86 (Powell).

[13] Conference transcript, pp. 60, 87 (Walters).

pandemic, shortages of all types of containers created demand for aluminum containers. It continued that restaurants are seeking less expensive alternatives to plastic containers. *** indicated that food service and take-out became more popular during and after the COVID-19 pandemic, increasing demand for aluminum containers. It added that environmental and health concerns about plastic containers had increased demand for aluminum containers.

Among purchasers, *** described demand as rising in the aftermath of the COVID-19 pandemic. *** described state foam bans as driving a rise in demand. *** indicated that the recyclability of aluminum had driven demand increases for aluminum containers. However, *** described declining demand due to aluminum containers being more expensive than plastic and paper containers. Few purchasers had comments on foreign demand, but *** indicated that global economic softness had reduced demand for aluminum containers globally.

Additionally, end user purchasers were asked to describe how demand for their firm's final end use products had changed since January 1, 2022. Three described such demand as increasing steadily, one described it as increasing with fluctuations, one described it as unchanged, and two described it as fluctuating down. When asked to describe whether any change in demand for their end use product had affected their own demand for aluminum containers, five stated that it had, and one stated that it had not.

Substitute products

Substitutes for aluminum containers are limited. All eight U.S. producers, most (11 of 18) responding importers, and 11 purchasers reported that there are no substitutes for aluminum containers. Seven importers and 10 purchasers reported that there are some substitutes for aluminum containers, including nondisposable containers (which are more expensive, such as stainless steel containers), plastic containers (which can be more or less expensive based on type of plastic used), molded fiber take-out containers, and foam containers, to be used either for food preparation or take-out. Six importers and seven purchasers reported that price changes for these substitutes do not affect the price for aluminum containers. Three purchasers (including one ***) indicated that changes in the prices of substitutes have affected the price of aluminum containers. Purchaser *** described heat-resistant polypropylene containers as more expensive than aluminum containers and in limited supply. Purchaser *** stated that substitutes like polypropylene become "more favorable" as the price of aluminum containers rises. Purchaser *** described paperboard substitutes as likely causing price fluctuations, adding that aluminum containers remain competitive in certain

markets. It continued that, depending on conditions, aluminum containers may adjust prices to respond to changes in the prices of substitutes.

Substitutability issues

This section assesses the degree to which U.S.-produced aluminum containers and imports of aluminum containers from subject countries can be substituted for one another by examining the importance of certain purchasing factors and the comparability of aluminum containers from domestic and imported sources based on those factors. Based on available data, staff believes that there is a moderate to high degree of substitutability between domestically produced aluminum containers and aluminum containers imported from subject sources.[14] Factors contributing to a high level of substitutability include that most purchasers described U.S. product and subject imports as comparable in most factors and always meeting minimum specifications. Additionally, most firms of all types described U.S. and Chinese product as always or frequently interchangeable. Factors reducing substitutability include the identification by some purchasers of product range, delivery time, reliability, and/or minimum quantity requirements as limiting substitutability between U.S. product and subject imports. In their posthearing brief, petitioners stated that the substitutability should be high, based on the majority of purchasers describing U.S. and subject product as interchangeable and comparable in most factors.[15] If these purchasers' responses represent a very large majority of the market, the substitutability of domestic and imported product would tend more toward the high side of the staff recommended range.

Factors affecting purchasing decisions

Purchaser decisions based on source

As shown in table 2.6, most purchasers and their customers sometimes or never make purchasing decisions based on the producer or country of origin. Purchasers described decisions based on producer as due to relationships with particular producers, customer

[14] The degree of substitution between domestic and imported aluminum containers depends upon the extent of product differentiation between the domestic and imported products and reflects how easily purchasers can switch from domestically produced aluminum containers to the aluminum containers imported from subject countries (or vice versa) when prices change. The degree of substitution may include such factors as quality differences (e.g., grade standards, defect rates, etc.), and differences in sales conditions (e.g., lead times between order and delivery dates, reliability of supply, product services, etc.).

[15] See Petitioners' posthearing brief, p. 4.

service, availability, price, brand recognition, and/or quality. Purchasers described decisions based on country of origin as due to the same reasons, as well as delivery time. Two purchasers (***) indicated that some (a "small percentage" according to ***) customers prefer product made domestically. *** stated that the only customers preferring domestically produced product are "government-adjacent."

Table 2.6 Aluminum containers: Count of purchasers' responses regarding frequency of purchasing decisions based on producer and country of origin

Firm making decision	Decision based on	Always	Usually	Sometimes	Never
Purchaser	Producer	4	2	7	8
Customer	Producer	0	1	7	9
Purchaser	Country	2	2	9	8
Customer	Country	0	0	8	9

Source: Compiled from data submitted in response to Commission questionnaires.

Purchasers were also asked if certain/grades/sizes of aluminum containers are only available from certain countries. Fourteen stated that there were not, but five stated that they were. *** stated that domestic suppliers offer a larger assortment of specialty items, such as turkey roasters, that importers do not offer. *** stated that some lighter sizes and grades are only available from China. *** indicated that some types of aluminum containers have patents, restricting the sources from which those products can be purchased. *** stated that Chinese suppliers offer more customization and variety, including ***. *** indicated that it had only been able to obtain *** aluminum containers from China and the United States.

Furthermore, purchasers were asked if they or their customers ever prefer to order disposable aluminum containers produced in a specific country or countries over other possible country sources of supply. Fourteen responded that they and their customers did not, but six responded that either they or their customers did. *** stated that some customers have domestic or domestic-brand preferences, and *** stated that its own such preferences were driven by customers. *** stated it preferred Chinese product for reasons of availability, and *** described its preference for Chinese product as based on quality, service, pricing, and customization (e.g., embossing). *** stated that if domestic pricing were competitive, it would prefer to order domestic product because of logistics and supply chain management issues.

Importance of purchasing domestic product

Overall, purchasers indicated that there is not much importance attached to purchasing domestic product in the U.S. aluminum containers market. Fourteen purchasers reported that

100 percent of their purchases did not require purchasing U.S.-produced product, four reported that 90 to 97 percent did, and one reported that 55 percent did. *** reported that domestic product was required by law for *** percent of its purchases. Three purchasers reported it was required by their customers (for 3 to 45 percent of their purchases). Three purchasers reported other preferences for domestic product. *** indicated that it did so due to contractual obligations for 100 percent of its purchases. *** indicated that it did so for 100 percent of its purchases, as its own requirement ***. *** did so for 5 percent of its purchases because of an increase of demand that would have led to long lead times if it met with imported supply.

Most important purchase factors

The most often cited top three factors firms consider in their purchasing decisions for aluminum containers were quality[16] (19 firms), price/cost (18 firms), and availability (10 firms) as shown in table 2.7. Quality was the most frequently cited first-most important factor (cited by eight firms), followed by price/cost (four firms) and availability (four firms); quality was also the most frequently reported second-most important factor (nine firms), again followed by price/cost (six firms); and price was the most frequently reported third-most important factor (seven firms). Six purchasers indicated that range was one of the top three important factors.

Table 2.7 Aluminum containers: Count of ranking of factors used in purchasing decisions as reported by purchasers, by factor

Factor	First	Second	Third	Total
Quality	8	9	2	19
Price/cost	4	6	8	18
Availability	4	3	3	10
Range	3	1	2	6
Existing contract	1	0	0	1
Lead time	1	0	0	1
Consistency	0	1	0	1
All other factors	0	1	5	N/A

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other factors include customization, manufacturer wellness, and delivery terms.

Twelve purchasers reported that they sometimes purchase the lowest-priced product, five usually did, three never did, and one always did. At the hearing, U.S. producer Trinidad

[16] Firms described the quality of aluminum containers as defined by numerous factors including thickness, appearance, weight, capacity, strength, lid security, lack of holes/leakage, heat resistance, and/or product consistency.

stated that large food service distributors in urban metropolitan areas are particularly price sensitive.[17]

Importance of specified purchase factors

Purchasers were asked to rate the importance of 16 factors in their purchasing decisions (table 2.8). The factors rated as very important by more than half of responding purchasers were availability, product consistency, reliability of supply (19 purchasers each), quality meets industry standards (17 purchasers), price (16 purchasers), and delivery time (13 purchasers).

Table 2.8 Aluminum containers: Count of purchasers' responses regarding importance of purchase factors, by factor

Factor	Very important	Somewhat important	Not important
Availability	19	2	0
Delivery terms	11	10	0
Delivery time	13	8	0
Discounts offered	7	9	5
Minimum quantity requirements	5	10	6
Packaging	9	12	0
Payment terms	8	12	1
Price	16	5	0
Private label availability	10	5	6
Product consistency	19	2	0
Product range	11	9	1
Quality meets industry standards	17	4	0
Quality exceeds industry standards	11	9	1
Reliability of supply	19	2	0
Technical support/service	5	12	4
U.S. transportation costs	8	10	3

Source: Compiled from data submitted in response to Commission questionnaires.

Lead times

Aluminum containers are primarily sold from inventory. U.S. producers reported that 90.2 percent of their commercial shipments were sold from inventories, with lead times averaging 14 days. The remaining 9.8 percent of their commercial shipments were produced to order, with lead times averaging 15 days. Importers reported that 71.4 percent of their commercial shipments were sold from inventories, with lead times averaging 8 days. Another remaining 27.0 percent of their commercial shipments were produced to order, with lead times averaging 115 days. For importers, a final 1.6 percent was sold from foreign inventories, with lead times averaging 14 days.

[17] Hearing transcript, pp. 20-21 (Walters).

Supplier certification

Eleven of 21 responding purchasers require their suppliers to become certified or qualified to sell aluminum containers to their firm. Five of these purchasers reported that the time to qualify a new supplier ranged from 30 to 60 days, while four reported the time was 75 to 120 days. Purchasers indicated that qualification can include third-party or internal audits, capacity audits, social compliance audits, and/or quality audits, as well as examination of supply chain stability, price, lead time, shipping points, and/or quality. Nineteen purchasers reported that no domestic or foreign supplier had failed in its attempt to qualify aluminum containers or had lost its approved status since 2022. However, *** indicated that Chinese product from importer *** had failed due to ***.

Minimum quality specifications

As can be seen from table 2.9, most responding purchasers reported that domestically produced product and product imported from China always met minimum quality specifications. Most responding purchasers indicated that product imported from nonsubject countries (including Canada, Great Britain, Indonesia, Thailand, Turkey, and the United Arab Emirates) usually met minimum quality specifications.

Table 2.9 Aluminum containers: Count of purchasers' responses regarding suppliers' ability to meet minimum quality specifications, by source

Source of purchases	Always	Usually	Sometimes	Rarely or never	Don't Know
United States	13	4	2	0	2
China	11	4	0	0	5
Nonsubject sources	2	6	1	0	8

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Purchasers were asked how often domestically produced or imported aluminum containers meets minimum quality specifications for their own or their customers' uses.

Changes in purchasing patterns

Fifteen purchasers stated that their firm had not changed suppliers since January 1, 2022. Six stated that they had. *** stated that it ***. *** stated that it added *** in order to obtain additional capacity in other countries. *** reported adding *** for reasons of price. *** reported dropping

U.S. producer *** and adding importers *** for reasons of price and availability.

Purchasers were also asked about changes in their purchasing patterns from different countries since January 1, 2022 (table 2.10). Eleven responding purchasers reported decreased purchases of U.S.-produced product while ten reported increased purchases of Chinese product and nine reported increased purchases of nonsubject product. Purchasers generally cited demand changes, price/cost, supply chain diversification, and/or availability as reasons for changes in purchasing patterns from the United States and China. *** stated that U.S. supply has not always been able to meet its needs or that U.S. producers will not sell to it. In describing changes in purchasing patterns from nonsubject sources, three firms (***) described moving purchases from China to nonsubject countries. *** stated that Chinese product is "better" than product from nonsubject sources, while *** stated that nonsubject-country product has "better pricing and better quality" than Chinese product.

Table 2.10 Aluminum containers: Count of purchasers' responses regarding changes in purchase patterns from U.S., subject, and nonsubject countries

Source of purchases	Steadily increased	Fluctuated up	No change	Fluctuated down	Steadily decreased	Did not purchase
United States	2	4	3	6	5	1
China	5	5	2	4	0	4
Nonsubject sources	3	6	0	0	0	9
Sources unknown	0	1	2	0	0	11

Source: Compiled from data submitted in response to Commission questionnaires.

Purchase factor comparisons of domestic products, subject imports, and nonsubject imports

Purchasers were asked a number of questions comparing aluminum containers produced in the United States, subject countries, and nonsubject countries. First, purchasers were asked for a country-by-country comparison on the same 16 factors (table 2.11) for which they were asked to rate the importance.

Most purchasers reported that U.S.-produced aluminum containers and aluminum containers imported from China were comparable on most factors, except for delivery time, for which a plurality of purchasers indicated that U.S. product was superior to China, and price, for which a majority of purchasers indicated that U.S. product was inferior to China. A majority of purchasers reported that U.S. produced aluminum containers and imports from nonsubject countries were comparable on all factors (although large minorities indicated that U.S. product was superior in delivery time and inferior in price). Similarly, most purchasers reported that

aluminum containers imported from nonsubject countries and aluminum containers imported from China were comparable on most factors, except for delivery time, for which a plurality of purchasers indicated that product from China was superior to that of nonsubject countries.

Table 2.11 Aluminum containers: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs. China	2	11	5
Delivery terms	U.S. vs. China	5	11	1
Delivery time	U.S. vs. China	9	7	2
Discounts offered	U.S. vs. China	1	10	6
Minimum quantity requirements	U.S. vs. China	3	12	3
Packaging	U.S. vs. China	1	14	3
Payment terms	U.S. vs. China	2	12	2
Price	U.S. vs. China	1	7	10
Private label availability	U.S. vs. China	0	14	3
Product consistency	U.S. vs. China	3	13	2
Product range	U.S. vs. China	3	11	4
Quality meets industry standards	U.S. vs. China	2	15	1
Quality exceeds industry standards	U.S. vs. China	3	14	1
Reliability of supply	U.S. vs. China	3	9	5
Technical support/service	U.S. vs. China	2	13	3
U.S. transportation costs	U.S. vs. China	5	13	0

Table continued.

Table 2.11 (Continued) Aluminum containers: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs. Nonsubject	3	6	2
Delivery terms	U.S. vs. Nonsubject	3	7	0
Delivery time	U.S. vs. Nonsubject	5	6	0
Discounts offered	U.S. vs. Nonsubject	1	6	3
Minimum quantity requirements	U.S. vs. Nonsubject	0	9	2
Packaging	U.S. vs. Nonsubject	0	10	1
Payment terms	U.S. vs. Nonsubject	1	8	1
Price	U.S. vs. Nonsubject	0	6	5
Private label availability	U.S. vs. Nonsubject	0	9	2
Product consistency	U.S. vs. Nonsubject	2	7	1
Product range	U.S. vs. Nonsubject	2	7	2
Quality meets industry standards	U.S. vs. Nonsubject	1	9	1
Quality exceeds industry standards	U.S. vs. Nonsubject	2	8	1
Reliability of supply	U.S. vs. Nonsubject	3	6	2
Technical support/service	U.S. vs. Nonsubject	0	10	1
U.S. transportation costs	U.S. vs. Nonsubject	1	9	0

Table continued.

Table 2.11 (Continued) Aluminum containers: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	China vs. Nonsubject	3	6	0
Delivery terms	China vs. Nonsubject	3	6	0
Delivery time	China vs. Nonsubject	4	4	1
Discounts offered	China vs. Nonsubject	3	5	0
Minimum quantity requirements	China vs. Nonsubject	4	5	0
Packaging	China vs. Nonsubject	2	6	0
Payment terms	China vs. Nonsubject	3	6	0
Price	China vs. Nonsubject	3	5	1
Private label availability	China vs. Nonsubject	2	7	0
Product consistency	China vs. Nonsubject	2	7	0
Product range	China vs. Nonsubject	3	6	0
Quality meets industry standards	China vs. Nonsubject	2	7	0
Quality exceeds industry standards	China vs. Nonsubject	2	7	0
Reliability of supply	China vs. Nonsubject	3	6	0
Technical support/service	China vs. Nonsubject	1	8	0
U.S. transportation costs	China vs. Nonsubject	1	7	0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: With respect to cost/price factors, a rating of superior means that the cost/price for the first source in the country pair is generally lower. For example, if a firm reported "U.S. superior," it meant that the U.S. product was generally priced lower than the imported product.

Comparison of U.S.-produced and imported aluminum containers

In order to determine whether U.S.-produced aluminum containers can generally be used in the same applications as imports from China, U.S. producers, importers, and purchasers were asked whether the products can always, frequently, sometimes, or never be used interchangeably. As shown in table 2.12, all U.S. producers and a plurality of importers indicated that U.S., Chinese, and nonsubject-country product were always interchangeable. Most purchasers indicated that product from U.S. and China was always interchangeable, but a majority also indicated that U.S. product and product from nonsubject countries were only sometimes interchangeable.

Table 2.12 Aluminum containers: Count of U.S. producers, importers, and purchasers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Firm type	Always	Frequently	Sometimes	Never
U.S. vs. China	U.S. producers	8	0	0	0
U.S. vs. Other	U.S. producers	8	0	0	0
China vs. Other	U.S. producers	8	0	0	0
U.S. vs. China	Importers	9	7	3	1
U.S. vs. Other	Importers	7	4	4	0
China vs. Other	Importers	8	5	2	0
U.S. vs. China	Purchasers	10	4	4	0
U.S. vs. Other	Purchasers	5	1	7	0
China vs. Other	Purchasers	7	1	6	0

Source: Compiled from data submitted in response to Commission questionnaires.

In additional comments, importer *** stated that while nonsubject-country product is often made to different specifications than those typically used in the U.S. market, Chinese product is often made to U.S.-preferred specifications. Similarly, purchaser *** stated that while Chinese producers can manufacture the same models of aluminum containers as U.S. producers (or make molds to do so), manufacturers in Great Britain and India have less ability to produce such a range of products. Purchaser *** stated that lighter gauge and weight options are available with product from China, Great Britain, and Canada, but that forms and container composition type is more limited from U.S. producers. Purchasers *** described interchangeability among country sources as affected by quality, lead times, dimensions, capacity, technical functionality, and/or supplier relationship. Importer *** stated that product from India has fewer customization options than product from the United States and China. Importer ***.

U.S. producers, importers, and purchasers were asked to assess how often differences other than price were significant in sales of aluminum containers from the United States, subject, or nonsubject countries. As seen in table 2.13, all U.S. producers responded that such differences are never significant. Importers offered a wide range of responses on the significance of such differences. Among purchasers, a plurality indicated that differences other than price are always significant in sales of U.S. and Chinese product, while offering a wider range of responses for comparisons of sales of U.S. and nonsubject-country product and Chinese and nonsubject-country product.

Table 2.13 Aluminum containers: Count of U.S. producers, importers, and purchasers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Firm type	Always	Frequently	Sometimes	Never
U.S. vs. China	U.S. producers	0	0	0	8
U.S. vs. Other	U.S. producers	0	0	0	8
China vs. Other	U.S. producers	0	0	0	8
U.S. vs. China	Importers	5	7	4	4
U.S. vs. Other	Importers	1	6	4	4
China vs. Other	Importers	1	5	5	4
U.S. vs. China	Purchasers	8	5	6	0
U.S. vs. Other	Purchasers	4	5	5	0
China vs. Other	Purchasers	5	3	5	1

Source: Compiled from data submitted in response to Commission questionnaires.

In additional comments, importer *** stated that U.S. suppliers have high minimum order quantities and focus on large retailers, making purchases from them difficult. Importer *** stated that U.S. availability and product range were limited. Importer *** indicated that product from Indonesia has higher raw material and operational costs than China, making Indonesian prices more expensive than Chinese prices. Importer *** stated that it has worked with its Chinese suppliers to make its aluminum containers stronger and thinner, with improved shape for packaging. Other importers described issues of quality, lead times, capacity, supplier relationship, product range (especially if customers can secure an entire range from one supplier), innovation, and product development. Importer ***.

Additional purchaser comments usually repeated comments offered in the discussion of interchangeability. Purchaser *** added that mold selection, innovation, speed of product development, and supply are important factors other than price. Purchaser *** stated that producers in China, Great Britain, and Canada offer better quality, availability, and product range than U.S. producers do.

Additional comments

In additional comments from various portions of questionnaires, purchaser *** stated that *** It continued that domestic suppliers prioritize sales to large retailers and are not interested in selling to smaller firms. Purchaser *** stated that it had tried to work with U.S. suppliers for many years, but had found it very difficult to purchase from them. It described U.S. producers' ***.

Among importers, *** stated that it started a line of ***. Importer *** stated that it provides ***, but U.S. producers have a limited capacity for meeting these requirements. *** stated that in its experience with ***.

Elasticity estimates

This section discusses elasticity estimates; parties were encouraged to comment on these estimates as an attachment to their prehearing or posthearing brief. In their posthearing brief, petitioners added commentary on the degree of substitutability between domestic and subject product, as discussed above in Substitutability Issues.

U.S. supply elasticity

The domestic supply elasticity for aluminum containers measures the sensitivity of the quantity supplied by U.S. producers to changes in the U.S. market price of aluminum containers. The elasticity of domestic supply depends on several factors including the level of excess capacity, the ease with which producers can alter capacity, producers' ability to shift to production of other products, the existence of inventories, and the availability of alternate markets for U.S.-produced aluminum containers. Analysis of these factors above indicates that the U.S. industry has a somewhat large ability to increase or decrease shipments to the U.S. market; an estimate in the range of 4 to 8 is suggested, although some purchasers indicated that there may be more difficulty for U.S. producers to supply specific products.

U.S. demand elasticity

The U.S. demand elasticity for aluminum containers measures the sensitivity of the overall quantity demanded to a change in the U.S. market price of aluminum containers. This estimate depends on factors discussed above such as the existence, availability, and commercial viability of substitute products, as well as the component share of the aluminum containers in the production of any downstream products. Based on the available information, the aggregate demand for aluminum containers is likely to be moderately inelastic; a range of -0.5 to -1.0 is suggested.

Substitution elasticity

The elasticity of substitution depends upon the extent of product differentiation between the domestic and imported products.[18] Product differentiation, in turn, depends upon such factors as quality (e.g., chemistry, appearance, etc.) and conditions of sale (e.g., availability, sales terms/discounts/promotions, etc.). Based on available information, the elasticity of substitution between U.S.-produced aluminum containers and imported aluminum containers is likely to be in the range of 3 to 6. Most market participants described U.S. aluminum containers and subject imports as comparable in most factors and meeting minimum quality specifications. However, some purchasers and importers described differences (including in delivery time, minimum quantity requirements, reliability, and product range) that may somewhat limit substitutability. To the extent most purchasers are not concerned about these issues, the elasticity is likely to be closer to the higher end of the range.

[18] The substitution elasticity measures the responsiveness of the relative U.S. consumption levels of the subject imports and the domestic like products to changes in their relative prices. This reflects how easily purchasers switch from the U.S. product to the subject products (or vice versa) when prices change.

Part 3: U.S. producers' production, shipments, and employment

The Commission analyzes a number of factors in making injury determinations (see 19 U.S.C. §§ 1677(7)(B) and 1677(7)(C)). Information on the subsidies and dumping margins was presented in Part 1 of this report and information on the volume and pricing of imports of the subject merchandise is presented in Part 4 and Part 5. Information on the other factors specified is presented in this section and/or Part 6 and (except as noted) is based on the questionnaire responses of eight firms that accounted for approximately 95 percent of U.S. production of aluminum containers during 2024.

U.S. producers

The Commission issued a U.S. producer questionnaire to 12 firms based on information contained in the petitions. Eight firms provided usable data on their operations.[1] Table 3.1 lists U.S. producers of aluminum containers, their production locations, positions on the petitions, and shares of reported production.

[1] King Natan Foil "(King Natan") submitted incomplete U.S. producer and U.S. importer questionnaire responses and reported that ***. Staff correspondence with ***, February 3, 2025. Based on its incomplete response, this firm accounted for *** percent of U.S. production in 2024. In addition, Schwan's Company ("Schwan's"), D6, Inc. ("D6"), and Western Plastics, Inc. ("Western Plastics") did not respond to the Commission's questionnaire. During the preliminary phase of the investigations, Schwan's production was equivalent to approximately *** percent of total reported U.S. production in 2023. Petitioners assert that D6, a member of the petitioning association, produces "a very small amount" of aluminum containers for a particular customer. Conference transcript, p. 61 (Cobb). Western Plastics appears to produce primarily out-of-scope products. Western Plastics website, https://www.wplastics.com/about/about-us/, accessed June 13, 2024.

Table 3.1 Aluminum containers: U.S. producers, their positions on the petitions, production locations, and shares of reported production, 2024

Share in percent

Firm	Position on petition	Production location(s)	Share of production
D&W Fine Pack	Petitioner	Lake Zurich, IL Doral, FL	***
Durable	Petitioner	Wheeling, IL Lincolnshire, IL Libertyville, IL	***
Handi-Foil	Petitioner	Wheeling, IL Antioch, IL Naperville, IL	***
Penny Plate	Petitioner	Fishersville, VA Glasgow, MO	***
Reynolds	Petitioner	Wheeling, IL	***
Shah Foil	Petitioner	Piscataway, NJ	***
Smart USA	Petitioner	Bay Shore, NY	***
Trinidad Benham	Petitioner	LaGrange, GA Dallas, TX	***
All firms	Various	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: In addition, ***, while ***.

Table 3.2 presents information on U.S. producers' ownership, related and/or affiliated firms.

Table 3.2 Aluminum containers: U.S. producers' ownership, related and/or affiliated firms

Reporting firm	Relationship type and related firm	Details of relationship
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

As indicated in table 3.2, no U.S. producers are related to foreign producers of the subject merchandise or U.S. importers of the subject merchandise. In addition, as discussed in greater detail below, two U.S. producers directly import the subject merchandise and two purchase the subject merchandise from U.S. importers.

Producers in the United States were asked to report any change in the character of their operations or organization relating to the production of aluminum containers since January 1, 2022. Six of eight producers indicated in their questionnaires that they had experienced such changes. Table 3.3 presents the changes identified by these producers. Five firms reported

production curtailments and four firms reported expansions. Representatives for Handi-Foil, Durable, and Shah Foil provided testimony regarding production curtailments beginning in 2023, including shutting down several presses and reducing shifts, while a representative for Trinidad Benham reported a capacity expansion at its Dallas, Texas facility in 2023.[2] In addition, in 2022, Packaging Matters, the parent company of Penny Plate, acquired Gateway Aluminum "to provide the rolls of cast aluminum to our pan manufacturing operations. We now have a fully integrated supply chain for our pan production with excess capacity to provide material rolled aluminum to the market."[3]

Table 3.3 Aluminum containers: U.S. producers' reported changes in operations, since January 1, 2022

Item	Firm name and narrative response on changes in operations
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

[2] Conference transcript, pp. 41 to 43 (Walters, Patel, Anders, and Shah); hearing transcript, pp. 20 to 21, 25 (Walters and Anders). *** also reported that the COVID-19 pandemic had an impact on its aluminum containers operations. Specifically, the firm reported that ***. *** U.S. producer questionnaire response, 2.2b.

[3] Packaging Matters website, https://packagingmatters.com/, accessed March 27, 2025.

U.S. production, capacity, and capacity utilization[4]

Table 3.4 and figure 3.1 present U.S. producers' production, practical capacity, and capacity utilization. Aluminum containers capacity increased by 10.1 percent between 2022 and 2024 (35.5 million pounds), while production decreased by 5.1 percent (12.0 million pounds).[5] Capacity utilization decreased by 9.2 percentage points during 2022 to 2024, from 67.3 percent to 58.0 percent.[6]

[4] The Commission requested producers to report installed and practical capacity as follows:

"Installed overall capacity" –The level of production that your establishment(s) could have attained, assuming your firm's *optimal* product mix, and based solely on *existing capital investments*, i.e., machinery and equipment that is in place and ready to operate. This capacity measure does *not* take into account other constraints to production such as existing workforce constraints, availability of raw materials, or downtime for maintenance, repair, and clean-up. This capacity measure is sometimes referred to as "nameplate" or "theoretical" capacity.

"Practical overall capacity"–The level of production that your establishment(s) could reasonably have expected to attain, taking into account your firm's *actual* product mix over the period. This capacity measure is based on not only existing capital investments, i.e., machinery and equipment that is in place and ready to operate; but also non-capital investment constraints, such as (1) normal operating conditions, including normal downtime for maintenance, repair, and cleanup; (2) your firm's existing in place and readily available labor force; (3) availability of material inputs; and (4) any other constraints that may have limited your firm's ability to produce the reported products. Importantly, this capacity measure is the maximum "practical" production your firm could have achieved without hiring new personnel or expanding the number of shifts operated in the period.

"Practical aluminum containers capacity"–The level of production of aluminum containers that your establishment(s) could reasonably have expected to attain. The same assumptions apply to this capacity measure as for practical overall capacity, but only includes the portion of practical overall capacity allocated to the production of aluminum containers based on the actual product mix experienced over the period.

U.S. producers reported installed capacity of 462.4 million pounds in 2022, 494.2 million pounds in 2023, and 510.6 million pounds in 2024. Various U.S. producers' questionnaire responses, 2.3a. Because there was no production of alternative products, practical capacity and practical aluminum containers capacity are the same (see table 3.4).

[5] As mentioned previously, four firms reported capacity expansions during 2022 to 2024. *** accounted for the largest increase in capacity during the period for which data were collected, followed by ***. These two were the only firms to *** from 2022 to 2024.

[6] ***. Staff correspondence with ***, February 10, 2025. See also staff field trip report, Penny Plate, February 7, 2025.

Several U.S. producers reported that production facilities typically run 24 hours per day, 5 days per week.[7] U.S. producers Durable and Penny Plate also observed that they would consider a typical capacity utilization rate to be approximately 75 to 80 percent, at which point capacity expansions would be considered to meet demand.[8]

Table 3.4 Aluminum containers: U.S. producers' output, by firm and period

Practical capacity

Capacity in 1,000 pounds

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	352,913	379,454	388,427

Table continued.

Table 3.4 (Continued) Aluminum containers: U.S. producers' output, by firm and period

Production

Production in 1,000 pounds

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	237,337	225,199	225,343

Table continued.

[7] Conference transcript, pp. 43 to 44 (Anders, Patel, Shah, and Cobb).

[8] Conference transcript, pp. 44 to 45 (Anders and Cobb).

Table 3.4 (Continued) Aluminum containers: U.S. producers' output, by firm and period

Capacity utilization

Capacity utilization in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	67.3	59.3	58.0

Note: Capacity utilization ratio represents the ratio of the U.S. producer's production to its production capacity.

Table continued.

Table 3.4 (Continued) Aluminum containers: U.S. producers' output, by firm and period

Share of production

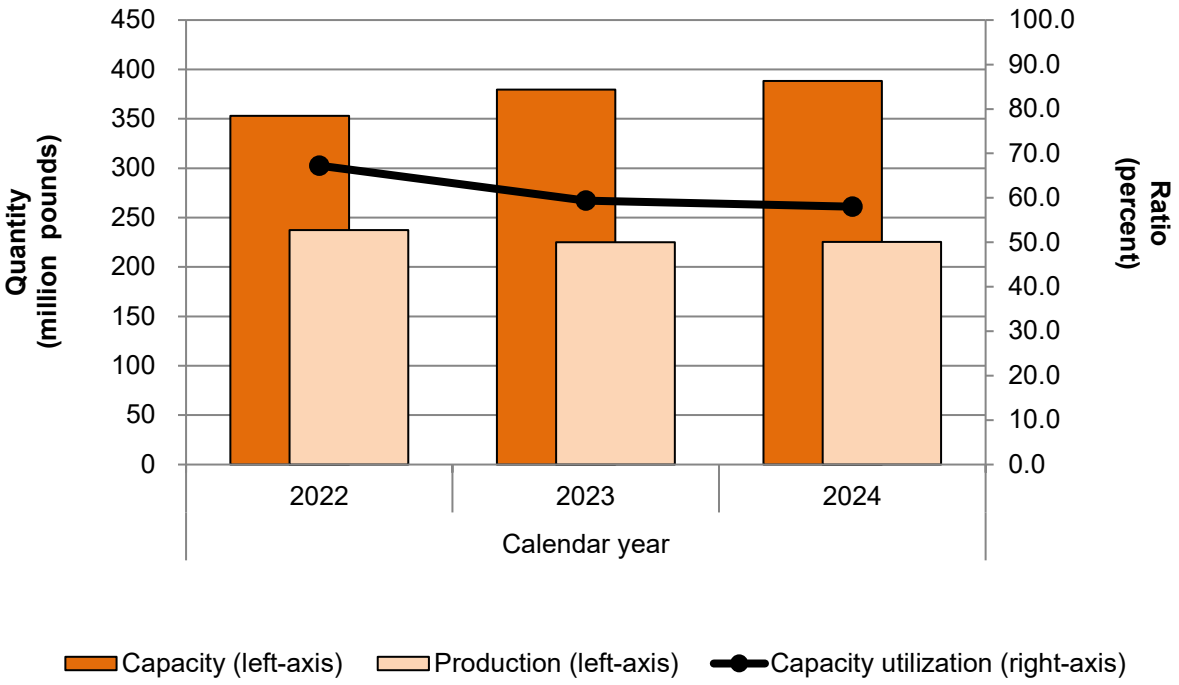
Share in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: ***. Staff correspondence with ***, February 25, 2025. The firm reported higher levels of practical capacity in ***.

Figure 3.1 Aluminum containers: U.S. producers' capacity, production, and capacity utilization, by period



Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

No U.S. producers reported producing alternative products using the same equipment or employees as used to produce aluminum containers.

Constraints on capacity

Table 3.5 presents U.S. producers' reported narratives regarding practical capacity constraints. Several U.S. producers reported lack of orders/sales as a primary constraint on capacity.[9] In addition, Penny Plate reported that ***. In addition, as noted above, Penny Plate's parent company acquired Gateway Aluminum in 2022. Penny Plate reported that ***.[10]

[9] Conference transcript, pp. 46 to 48 (Walters, Shah, Patel, and Cobb).
[10] Staff field trip report, Penny Plate, February 7, 2025.

Table 3.5 Aluminum containers: U.S. producers' reported capacity constraints since January 1, 2022

Item	Firm name and narrative response on constraints to practical overall capacity
Supply of material inputs	***
Storage capacity	***
Storage capacity	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Firms were also asked to describe the additional actions that would be needed to fully utilize aluminum containers capacity. Most responding producers identified labor considerations, with fewer identifying equipment or other material considerations.[11] Their responses are presented in table 3.6.

Table 3.6 Aluminum containers: U.S. producers' reported factors to fully utilize subject capacity, by factor and by firm

Item	Firm name and narrative response on factors to fully utilize subject capacity
Hiring workers	***
Hiring workers	***
Hiring workers	***
Hiring workers	***
Hiring workers	***
Hiring workers	***

[11] Counsel for petitioners stated that labor is not a significant constraint on a producer reaching its installed capacity. Petitioners' comments on draft questionnaires, August 23, 2024, p. 2.

Item	Firm name and narrative response on factors to fully utilize subject capacity
Increasing shifts	***
Increasing shifts	***
Increasing shifts	***
Increasing shifts	***
Increasing shifts	***
Increasing shifts	***
Bringing online equipment	***
Bringing online equipment	***
Other actions	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' U.S. shipments and exports

Table 3.7 presents U.S. producers' U.S. shipments, export shipments, and total shipments. Consistent with production trends discussed above, U.S. producers' U.S. shipments fluctuated during 2022 to 2024, decreasing overall by 2.3 percent. Average unit values per pound decreased by 7.3 percent from $4.88 in 2022 to $4.52 in 2024. U.S. shipments accounted for nearly all shipments in each year.

Table 3.7 Aluminum containers: U.S. producers' shipments, by destination and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share in percent

Item	Measure	2022	2023	2024
U.S. shipments	Quantity	230,193	224,773	224,942
Export shipments	Quantity	***	***	***
Total shipments	Quantity	***	***	***
U.S. shipments	Value	1,122,617	1,056,089	1,016,800
Export shipments	Value	***	***	***
Total shipments	Value	***	***	***
U.S. shipments	Unit value	4.88	4.70	4.52
Export shipments	Unit value	***	***	***
Total shipments	Unit value	***	***	***
U.S. shipments	Share of quantity	***	***	***
Export shipments	Share of quantity	***	***	***
Total shipments	Share of quantity	100.0	100.0	100.0
U.S. shipments	Share of value	***	***	***
Export shipments	Share of value	***	***	***
Total shipments	Share of value	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Table 3.8 presents U.S. producers' U.S. shipments by type. The large majority of U.S. producers' shipments in 2024 consisted of containers, pans, and trays.[12]

Table 3.8 Aluminum containers: U.S. producers' U.S. shipments, by type, 2024

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share in percent

Product type	Quantity	Value	Unit value	Share of quantity	Share of value
Containers, pans, and trays	203,042	940,229	4.63	90.3	92.5
Lids	21,900	76,571	3.50	9.7	7.5
All product types	224,942	1,016,800	4.52	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' inventories

Table 3.9 presents U.S. producers' end-of-period inventories and the ratio of these inventories to U.S. producers' production, U.S. shipments, and total shipments. U.S. producers' ending inventories decreased by 9.7 percent between 2022 and 2024. During 2022 to 2024, the ratios of inventories to production, U.S. shipments, and total shipments decreased overall, dipping below 12 percent in 2024.

Table 3.9 Aluminum containers: U.S. producers' inventories and their ratio to select items, by period

Quantity in 1,000 pounds; ratio in percent

Item	2022	2023	2024
End-of-period inventory quantity	28,518	26,928	25,755
Inventory ratio to U.S. production	12.0	12.0	11.4
Inventory ratio to U.S. shipments	12.4	12.0	11.4
Inventory ratio to total shipments	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' imports from subject sources

Two firms (***) reported importing aluminum containers from China.[13] Tables 3.10 and 3.11 present data on individual producers' U.S. production and U.S. imports of aluminum containers. Table 3.12 presents each firm's reasons for importing.

[12] Firms were asked to report containers and lids separately for combination packages.

[13] In addition, based on proprietary Customs records and ***'s unusable questionnaire response, ***.

Table 3.10 Aluminum containers: *'s U.S. production, subject imports, and ratio of subject imports to production, by source and period**

Quantity in 1,000 pounds; ratio in percent

Item	Measure	2022	2023	2024
U.S. production	Quantity	***	***	***
Imports from China	Quantity	***	***	***
Imports from China to U.S. production	Ratio	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 3.11 Aluminum containers: *'s U.S. production, subject imports, and ratio of subject imports to production, by source and period**

Quantity in 1,000 pounds; ratio in percent

Item	Measure	2022	2023	2024
U.S. production	Quantity	***	***	***
Imports from China	Quantity	***	***	***
Imports from China to U.S. production	Ratio	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 3.12 Aluminum containers: U.S. producers' reasons for importing

Item	Narrative response on reasons for importing
***'s reason for importing	***
***'s reason for importing	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. producers' purchases of imports from subject sources

Two firms, ***, reported purchases of aluminum containers from China during 2022 to 2024. Tables 3.13 and 3.14 present individual U.S. producers' purchases of imports from China. Table 3.15 presents each firm's reasons for purchasing.

Table 3.13 Aluminum containers: *'s purchases of imports from subject sources, by source, importer of record, and period**

Quantity in 1,000 pounds; ratio in percent

Item	Measure	2022	2023	2024
***'s U.S. production	Quantity	***	***	***
***'s purchases of imports from China imported by ***	Quantity	***	***	***
***'s imports from China	Quantity	***	***	***
***'s purchases of imports from China imported by *** relative to ***'s imports from China	Ratio	***	***	***
Overall U.S. imports from China	Quantity	***	***	***
***'s imports from China relative to overall U.S. imports from China	Ratio	***	***	***
***'s imports from China relative to ***'s U.S. production	Ratio	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires, from proprietary, Census-edited Customs import records using HTS statistical reporting number 7615.10.7125, accessed February 10, 2025, and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, adjusted to add in imports under other HTS numbers reported in Commission questionnaires, accessed February 10, 2025. Overall imports are based on the imports for consumption data series.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

Table 3.14 Aluminum containers: *'s purchases of imports from subject sources, by source, importer of record, and period**

Quantity in 1,000 pounds; ratio in percent

Item	Measure	2022	2023	2024
***'s U.S. production	Quantity	***	***	***
***'s purchases of imports from China imported by ***	Quantity	***	***	***
*** imports from China	Quantity	***	***	***
Overall U.S. imports from China	Quantity	***	***	***
***'s purchases of imports from China imported by *** relative to overall U.S. imports from China ***	Ratio	***	***	***

Source: Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, adjusted to add in imports under other HTS numbers reported in Commission questionnaires, accessed February 10, 2025. Overall imports are based on the imports for consumption data series.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---". *** identified purchasing imports from ***, which did not submit a U.S. importers' questionnaire response, nor was identifiable under the primary HTS statistical reporting number for these investigations under proprietary, Census-edited Customs import records. However, the firm is identified by Import Genius as importing "aluminum foil pans" from China, https://www.importgenius.com/importers/american-consumer-brands-inc, accessed February 24, 2025.

Table 3.15 Aluminum containers: U.S. producers' reasons for purchasing, by firm

Item	Narrative response on reasons for purchasing
***'s reason for importing	***
***'s reason for importing	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. employment, wages, and productivity

Table 3.16 presents U.S. producers' employment-related data. The majority of U.S. producers' employment-related indicators decreased between 2022 and 2024, with most of the decline occurring during 2023 to 2024. Specifically, the number of PRWs decreased by 5.9 percent from 2,306 workers in 2022 to 2,170 workers in 2024. Total hours worked and wages paid decreased by 6.2 percent and 3.7 percent during 2022 to 2024, respectively.[14] Hourly wages, however, increased in both 2023 and 2024. Productivity and unit labor costs fluctuated and increased overall by 1.2 percent and 1.4 percent during 2022 to 2024, respectively.

Table 3.16 Aluminum containers: U.S. producers' employment related information, by period

Item	2022	2023	2024
Production and related workers (PRWs) (number)	2,306	2,301	2,170
Total hours worked (1,000 hours)	4,659	4,568	4,372
Hours worked per PRW (hours)	2,020	1,985	2,015
Wages paid ($1,000)	100,043	100,106	96,298
Hourly wages (dollars per hour)	$21.47	$21.91	$22.03
Productivity (pounds per hour)	50.9	49.3	51.5
Unit labor costs (dollars per pound)	$0.42	$0.44	$0.43

Source: Compiled from data submitted in response to Commission questionnaires.

[14] Several firms reported an average of less than 2,000 hours worked per PRW. ***. ***. ***. Staff correspondence with ***, February 10, 2025 and February 11, 2025.

Part 4: U.S. imports, apparent U.S. consumption, and market shares

U.S. importers

The Commission issued importer questionnaires to 39 firms believed to be importers of subject aluminum containers, as well as to all U.S. producers of aluminum containers.[1] Usable questionnaire responses were received from 25 companies, representing approximately two-thirds (*** percent) of U.S. imports from China in 2024 and approximately one-third (*** percent) of U.S. imports from nonsubject countries in 2024 under HTS statistical reporting number 7615.10.7125.[2] [3] Unless otherwise specified, import data presented in this report are based on official Commerce statistics for imports entering under HTS statistical reporting number 7615.10.7125 and Commission questionnaires for imports entering under other HTS statistical reporting numbers.[4] Table 4.1 lists all responding U.S. importers of aluminum containers from China and other sources, their locations, and their shares of U.S. imports, in 2024.

[1] The Commission issued questionnaires to those firms identified in the petitions; staff research; and proprietary, Census-edited Customs' import records.

[2] Responding firms also reported importing under other HTS statistical reporting numbers, thus import coverage is understated. Petitioners assert that the vast majority of imports of aluminum containers should be classified under HTS statistical reporting number 7615.10.7125. This statistical breakout, which was requested by the Aluminum Foil Container Manufacturers Association, took effect in 2017. Conference transcript, pp. 10, 30, and 39 (Cobb and Herrmann).

[3] King Natan Foil, a U.S. producer and importer of aluminum containers, reported that it ***, and was therefore unable to provide a useable questionnaire response.

[4] In addition to the "primary" HTS statistical reporting number mentioned above, responding firms reported importing under HTS statistical reporting numbers 7615.10.3015, 7615.10.3025, 7615.10.7130, 7615.10.7155, 7615.10.7180, 7615.10.9100, 8309.90.0000, 8309.90.0010, and 9903.88.0300.

Table 4.1 Aluminum containers: U.S. importers, their headquarters, and share of total imports within a given source by firm, 2024

Share in percent

Firm	Headquarters	China	Nonsubject sources	All import sources
Albertsons	Boise, ID	***	***	***
Blue Sky	Brooklyn, NY	***	***	***
BradyPLUS	Las Vegas, NV	***	***	***
Bunzi	St. Louis, MO	***	***	***
Clark Core	Lancaster, PA	***	***	***
Colonna Bros	North Bergen, NJ	***	***	***
Dollar General	Goodlettsville, TN	***	***	***
Dollar Tree	Chesapeake, VA	***	***	***
Durable	Wheeling, IL	***	***	***
Four Seasons	Ridgewood, NY	***	***	***
Frankford	Philadelphia, PA	***	***	***
Heritage Group	City Of Industry, CA	***	***	***
Imperial Bag	Jersey City, NJ	***	***	***
King Zak	Goshen, NY	***	***	***
KitchenDance	Louisville, KY	***	***	***
Pactiv	Lake Forest, IL	***	***	***
Pets + People	New York, NY	***	***	***
Shah	Piscataway, NJ	***	***	***
Team Three	Chesterfield, MO	***	***	***
The Middle Group	Buda, TX	***	***	***
The Ocala Group	New Hyde Park, NY	***	***	***
Walmart	Bentonville, AR	***	***	***
WC Bradley	Scottsdale, AZ	***	***	***
Wellcare	Randolph, NJ	***	***	***
Wohler	Mississauga, ON	***	***	***
All firms	Various	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

U.S. imports

Tables 4.2 and 4.3 and figure 4.1 present data for U.S. imports of aluminum containers from China and all other sources. Subject imports accounted for the substantial majority of imports in each year.

Table 4.2 Aluminum containers: U.S. imports, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share and ratio in percent; Ratio is of imports to U.S. production

Source	Measure	2022	2023	2024
China	Quantity	***	***	***
Nonsubject sources	Quantity	***	***	***
All import sources	Quantity	79,046	73,515	84,840
China	Value	***	***	***
Nonsubject sources	Value	***	***	***
All import sources	Value	195,712	150,434	179,771
China	Unit value	***	***	***
Nonsubject sources	Unit value	***	***	***
All import sources	Unit value	2.48	2.05	2.12
China	Share of quantity	***	***	***
Nonsubject sources	Share of quantity	***	***	***
All import sources	Share of quantity	100.0	100.0	100.0
China	Share of value	***	***	***
Nonsubject sources	Share of value	***	***	***
All import sources	Share of value	100.0	100.0	100.0
China	Ratio	***	***	***
Nonsubject sources	Ratio	***	***	***
All import sources	Ratio	33.3	32.6	37.6

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

Note: For official import statistics by month, see Appendix D.

Table 4.3 Aluminum containers: Changes in U.S. imports, by source and period

Changes (Δ) in percent (%) or percentage point (ppt)

Source	Measure	2022 to 2024	2022 to 2023	2023 to 2024
China	%Δ Quantity	▼***	▼***	▲***
Nonsubject sources	%Δ Quantity	▲***	▲***	▲***
All import sources	%Δ Quantity	▲7.3	▼(7.0)	▲15.4
China	%Δ Value	▼***	▼***	▲***
Nonsubject sources	%Δ Value	▲***	▲***	▲***
All import sources	%Δ Value	▼(8.1)	▼(23.1)	▲19.5
China	%Δ Unit value	▼***	▼***	▼***
Nonsubject sources	%Δ Unit value	▲***	▲***	▲***
All import sources	%Δ Unit value	▼(14.4)	▼(17.4)	▲3.5
China	ppt Δ Quantity	▼***	▼***	▼***
Nonsubject sources	ppt Δ Quantity	▲***	▲***	▲***
All import sources	ppt Δ Quantity	—	—	—
China	ppt Δ Value	▼***	▼***	▼***
Nonsubject sources	ppt Δ Value	▲***	▲***	▲***
All import sources	ppt Δ Value	—	—	—
China	ppt Δ Ratio	▼***	▼***	▲***
Nonsubject sources	ppt Δ Ratio	▲***	▲***	▲***
All import sources	ppt Δ Ratio	▲4.3	▼(0.7)	▲5.0

Source**:** Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note**:** Shares and ratios shown as "0.0" percent represent non-zero values less than "0.05" percent (if positive) and greater than "(0.05)" percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as "—". Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

Figure 4.1 Aluminum containers: U.S. import quantities and average unit values, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

During the period for which data were collected, subject imports decreased by *** percent from 2022 to 2023 then increased by *** percent from 2023 to 2024, decreasing overall by *** percent. Imports from nonsubject sources increased by *** percent from 2022 to 2023 and by *** percent from 2023 to 2024, a *** overall increase from 2022 to 2024.[5] Leading nonsubject sources of imports include Canada, Vietnam, the United Arab Emirates, and the United Kingdom, based on official import statistics for the primary HTS statistical reporting number.[6]

[5] The increase in imports from nonsubject sources reflected in large part an increase in imports from Canada in 2024. Petitioners assert that this increase of imports from Canada was primarily driven by the opening of U.K-based firm i2r's new facility in Ontario, Canada in 2023. Petitioner's posthearing brief, exh. 1.

[6] Responding firms reported nonsubject imports from Thailand, Canada, Indonesia, Great Britain, India, and Vietnam.

Subject average unit values were highest in 2022 and decreased by *** percent from 2022 to 2023 and by *** percent from 2023 to 2024, decreasing overall by *** percent between 2022 and 2024, from $*** a pound to $*** a pound.[7] Nonsubject average unit values increased by *** percent from 2022 to 2023, and by an additional *** percent from 2023 to 2024, increasing overall by *** percent, from $*** in 2022 to $*** in 2024. As a share of total imports, subject imports decreased *** percentage points from 2022 to 2023 and by *** percentage points from 2023 to 2024, decreasing overall by *** percentage points, from *** percent in 2022 to *** percent in 2024. The ratio of subject imports to U.S. production exceeded *** percent in each year.

Table 4.4 presents U.S. importers' U.S. shipments by type and source.[8] The vast majority of U.S. importers' U.S. shipments from China and all other sources in 2024 consisted of containers, pans, and trays.[9]

Table 4.4 Aluminum containers: U.S. importers' U.S. shipments of imports in 2024, by product type and source

Product type	Source	Quantity (1,000 pounds)	Value (1,000 dollars)	Unit value (dollars per pound)	Share of quantity (percent)	Share of value (percent)
Containers, trays, and pans	China	***	***	***	***	***
Lids	China	***	***	***	***	***
All product types	China	***	***	***	***	***
Containers, trays, and pans	Nonsubject sources	***	***	***	***	***
Lids	Nonsubject sources	***	***	***	***	***
All product types	Nonsubject sources	***	***	***	***	***
Containers, trays, and pans	All import sources	51,823	152,010	2.93	91.0	90.8
Lids	All import sources	5,099	15,383	3.02	9.0	9.2
All product types	All import sources	56,922	167,393	2.94	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" percent represent non-zero values less than "0.05" percent (if positive) and greater than "(0.05)" percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as "—".

[7] 20 of 25 importers reported a decrease in subject average unit value from 2022 to 2024.

[8] During the period for which data were collected, *** accounted for most of the nonsubject imports of lids and reported a higher than average unit value of $***.

[9] Firms were asked to report containers and lids separately for combination packages.

Negligibility

The statute requires that an investigation be terminated without an injury determination if imports of the subject merchandise are found to be negligible.[10] Negligible imports are generally defined in the Act, as amended, as imports from a country of merchandise corresponding to a domestic like product where such imports account for less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or the initiation of the investigation. However, if there are imports of such merchandise from a number of countries subject to investigations initiated on the same day that individually account for less than 3 percent of the total volume of the subject merchandise, and if the imports from those countries collectively account for more than 7 percent of the volume of all such merchandise imported into the United States during the applicable 12-month period, then imports from such countries are deemed not to be negligible.[11] Imports from China accounted for *** percent of total imports of aluminum containers by quantity during May 2023 to April 2024.

Table 4.5 Aluminum containers: U.S. imports in the twelve-month period preceding the filing of the petition, May 2023 through April 2024

Quantity in 1,000 pounds; share of quantity in percent

Source of imports	Quantity	Share of quantity
China	***	***
Nonsubject sources	***	***
All import sources	87,138	100.0

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

[10] Sections 703(a)(1), 705(b)(1), 733(a)(1), and 735(b)(1) of the Act (19 U.S.C. §§ 1671b(a)(1), 1671d(b)(1), 1673b(a)(1), and 1673d(b)(1)).

[11] Section 771 (24) of the Act (19 U.S.C § 1677(24)).

Critical circumstances

On March 11, 2025, Commerce issued its final determination that "critical circumstances" exist in its countervailing duty investigation with regard to imports from China of aluminum containers from Henan Aluminium Corporation (Henan), Zhejiang Acumen Living Technology Co., Ltd. (Zhejiang Acumen), and all other exporters/producers.[12] On March 11, 2025, Commerce issued its final determination that "critical circumstances" exist in its antidumping duty investigation with regard to imports from China of aluminum containers for the China-wide entity.[13] In these investigations, if both Commerce and the Commission make affirmative final critical circumstances determinations, certain subject imports may be subject to antidumping and/or countervailing duties retroactive by 90 days from October 28, 2024, and December 30, 2024, the effective dates of Commerce's preliminary affirmative countervailing and antidumping duty determinations, respectively. Tables 4.6 and 4.7 and figure 4.2 present these data.

[12] 90 FR 11703, March 11, 2025.
[13] 90 FR 11705, March 11, 2025.

Table 4.6 Aluminum containers: U.S. imports from China subject to final affirmative Commerce critical circumstances determinations in the antidumping duty and countervailing duty investigations, by month

Quantity in 1,000 pounds

Month	Relation to petition	Quantity
December 2023	Before	***
January 2024	Before	***
February 2024	Before	***
March 2024	Before	***
April 2024	Before	***
May 2024	Before	***
June 2024	After	***
July 2024	After	***
August 2024	After	***
September 2024	After	***
October 2024	After	***
November 2024	After	***

Table 4.6 (Continued) Aluminum containers: U.S. imports from China subject to final affirmative Commerce critical circumstances determinations in the antidumping duty and countervailing duty investigations, by month

Quantity in 1,000 pounds; difference in percent

Comparison pre-post petition period	Cumulative before period quantity	Cumulative after period quantity	Difference in percent
1 month	***	***	***
2 months	***	***	***
3 months	***	***	***
4 months	***	***	***
5 months	***	***	***
6 months	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---". In the antidumping duty and countervailing duty investigations, Commerce in its final determinations found that critical circumstances exist for all imports from China.

Figure 4.2 Aluminum containers: U.S. imports from China subject to final affirmative Commerce critical circumstances determinations in the antidumping duty and countervailing duty investigations, by month

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“. In the antidumping duty and countervailing duty investigations, Commerce in its final determinations found that critical circumstances exist for all imports from China.

Table 4.7 Aluminum containers: U.S. importers' U.S. inventories of imports from China for analysis in relation to the final affirmative Commerce critical circumstances determinations in the antidumping duty and countervailing duty investigations, by date

Quantity in 1,000 pounds; Index in percent where May 31, 2024 = 100.0 percent

Date	Quantity	Index
May 31, 2024	***	100.0
June 30, 2024	***	***
July 31, 2024	***	***
August 31, 2024	***	***
September 30, 2024	***	***
October 31, 2024	***	***
November 30, 2024	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: U.S. importers' U.S. inventories of imports from China were *** pounds on December 31, 2023 (five months prior to May 31, 2024).

Note: Nine of 25 importers reported no beginning or ending inventories from China. All nine importers confirmed their initial reporting, with some providing additional information on their inventory dispersal systems. In addition, one importer, ***, initially reported it was unable to provide beginning or ending inventories. After follow up from staff, the firm indicated that it maintains approximately one to two months of inventory across its supply chain and revised its questionnaire response to include inventory data. *** appeared to report inventory data at multiple levels within its internal supply chain, including at the retail level. Email from ***, March 24, 2025 and March 27, 2025. ***.

Note**:** Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent**.** Zeroes, null values, and undefined calculations are suppressed and shown as "---". In the antidumping duty and countervailing duty investigations, Commerce in its final determinations found that critical circumstances exist for all imports from China.

Apparent U.S. consumption and market shares

Quantity

Table 4.8 and figure 4.3 present data on apparent U.S. consumption and U.S. market shares by quantity for aluminum containers. The quantity of apparent U.S. consumption decreased by 3.5 percent from 2022 to 2023 then increased by 3.9 from 2023 to 2024, increasing overall by 0.2 percent during 2022 to 2024. U.S. producers' market share increased by 0.9 percentage points from 2022 to 2023 then decreased by 2.7 percentage points from 2023 to 2024, decreasing overall by 1.8 percentage points during 2022 to 2024. Subject import market share decreased by *** percentage points from 2022 to 2023 and by *** percentage points from 2023 to 2024, decreasing overall by *** percentage points during 2022 to 2024. Imports of aluminum containers from nonsubject sources increased by *** percentage points during 2022 to 2024, from *** percent in 2022 to *** percent in 2024.

Table 4.8 Aluminum containers: Apparent U.S. consumption and market shares based on quantity data, by source and period

Quantity in 1,000 pounds; Shares in percent

Source	Measure	2022	2023	2024
U.S. producers	Quantity	230,193	224,773	224,942
China	Quantity	***	***	***
Nonsubject sources	Quantity	***	***	***
All import sources	Quantity	79,046	73,515	84,840
All sources	Quantity	309,239	298,288	309,782
U.S. producers	Share	74.4	75.4	72.6
China	Share	***	***	***
Nonsubject sources	Share	***	***	***
All import sources	Share	25.6	24.6	27.4
All sources	Share	100.0	100.0	100.0

Source**:** Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series.

Note**:** Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent**.** Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Figure 4.3 Aluminum containers: Apparent U.S. consumption based on quantity data, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series.

Value

Table 4.9 and figure 4.4 present data on apparent U.S. consumption and U.S. market shares by value for aluminum containers. The value of apparent U.S. consumption decreased by 8.5 percent from 2022 to 2023 and by 0.8 percent from 2023 to 2024, decreasing overall by 9.2 percent during 2022 to 2024. U.S. producers' market share increased by 2.4 percentage points from 2022 to 2023 then decreased by 2.6 percentage points from 2023 to 2024, decreasing overall by 0.2 percentage points during 2022 to 2024, from 85.2 percent to 85 percent. Subject import market share decreased by *** percentage points from 2022 to 2023 then increased by *** percentage points from 2023 to 2024, decreasing overall by *** percentage points during 2022 to 2024, from *** percent to *** percent. Imports of aluminum containers from nonsubject sources increased by *** percentage points during 2022 to 2024, from *** percent in 2022 to *** percent in 2024.

Table 4.9 Aluminum containers: Apparent U.S. consumption and market shares based on value data, by source and period

Value in 1,000 dollars; Shares in percent

Source	Measure	2022	2023	2024
U.S. producers	Value	1,122,617	1,056,089	1,016,800
China	Value	***	***	***
Nonsubject sources	Value	***	***	***
All import sources	Value	195,712	150,434	179,771
All sources	Value	1,318,329	1,206,523	1,196,571
U.S. producers	Share	85.2	87.5	85.0
China	Share	***	***	***
Nonsubject sources	Share	***	***	***
All import sources	Share	14.8	12.5	15.0
All sources	Share	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “—“.

Figure 4.4 Aluminum containers: Apparent U.S. consumption based on value data, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Part 5: Pricing data

Factors affecting prices

Raw material costs

Aluminum containers are commonly produced from aluminum foil.[1] Raw materials as a cost of goods sold remained steady and accounted for approximately four-fifths of the cost of goods sold during 2022 through 2024. The large majority (more than *** percent) of these raw material costs were accounted for by thin-gauge aluminum coils in 2024, as discussed in Part 6. U.S. producers largely source their aluminum from U.S. aluminum producers, which U.S. producer Trinidad described as "efficient."[2]

Most U.S. producers (6 of 8) and importers (13 of 22) reported that raw material prices either steadily increased or fluctuated upwards since January 1, 2022. U.S. producer *** described London Metal Exchange prices for aluminum as having been "extremely volatile" and fluctuating up. Importer *** stated that, because raw material costs are such a large share of the cost of producing aluminum containers, changes in raw material costs influence its prices for aluminum containers, albeit not directly through a contract provision. Importer *** described an increase in raw material costs that began in the second half of 2021 and then peaked in the middle of 2022. It added that raw material costs remained steady until May 2024, at which point such costs began increasing again. Two U.S. producers and six importers described raw material costs as unchanged, although *** described such costs as also fluctuating. Importer *** stated that the cost of raw materials from China had remained the same, but the cost of raw materials in the U.S. market had risen 24 percent. Four importers indicated that raw materials costs had fluctuated down. Importer *** stated that the section 301 tariffs and antidumping/countervailing duties on aluminum foil had initially raised raw material costs in the United States, resulting in aluminum containers production moving to China. It further stated that because downstream production moved to China, U.S. raw material costs then fell.

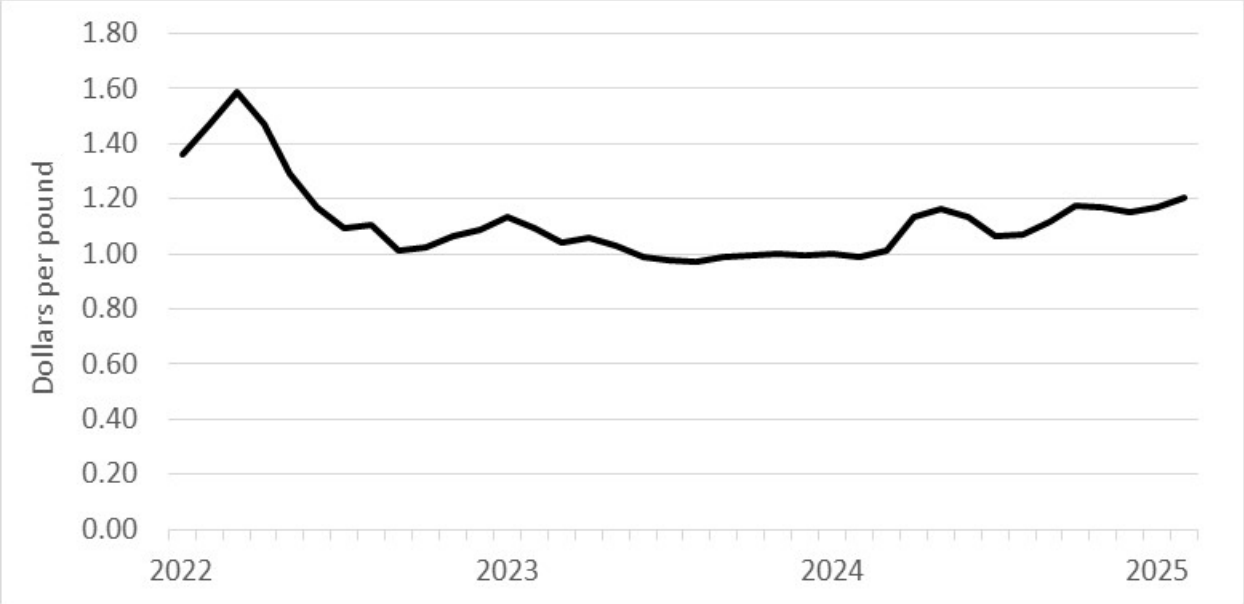
Fourteen purchasers indicated that they were familiar with the costs of raw materials used to make aluminum containers, while seven indicated that they were not. Among those

[1] Conference transcript, pp. 6, 14, 75 (Herrmann, Patel, Morey).
[2] Hearing transcript, p. 36 (Walters). ***.

purchasers familiar with raw material costs, *** stated that raw material costs directly influence the cost of containers and lids. Among purchasers, *** indicated that their contracts contain some adjustment for raw material costs. Other purchasers, including *** monitored raw material cost changes and/or included them in price negotiations for aluminum containers. *** estimated that raw materials costs are 70-80 percent of the cost of aluminum containers. *** stated that it has observed a price increase for aluminum containers, but it did not see that increase as tied to raw material cost changes.

As shown in table 5.1 and figure 5.1, global aluminum prices increased by 16.4 percent between January 2022 and March 2022. After that point prices decreased, and then remained stable for the latter part of 2023 and early 2024. Overall, aluminum prices decreased by 15.5 percent between January 2022 and December 2024. Such prices then increased by 4.5 percent through February 2025.

Figure 5.1 Raw materials: Global aluminum prices, 99.5% minimum purity, LME spot price, CIF UK ports, monthly, January 2022 to February 2025



Source: International Monetary Fund, Global price of Aluminum, PALUMUSDM, retrieved from FRED, Federal Reserve Bank of St. Louis; https://fred.stlouisfed.org/series/PALUMUSDM, March 21, 2025.

Table 5.1 Raw materials: Global aluminum prices, 99.5% minimum purity, LME spot price, CIF UK ports, monthly, January 2022 to February 2025

Price in dollars per pound.

Year	Month	Price
2022	January	1.36
2022	February	1.47
2022	March	1.59
2022	April	1.47
2022	May	1.29
2022	June	1.17
2022	July	1.09
2022	August	1.10
2022	September	1.01
2022	October	1.02
2022	November	1.07
2022	December	1.09
2023	January	1.13
2023	February	1.10
2023	March	1.04
2023	April	1.06
2023	May	1.03
2023	June	0.99
2023	July	0.98
2023	August	0.97
2023	September	0.99
2023	October	1.00
2023	November	1.00
2023	December	0.99
2024	January	1.00
2024	February	0.99
2024	March	1.01
2024	April	1.13
2024	May	1.16
2024	June	1.13
2024	July	1.07
2024	August	1.07
2024	September	1.11
2024	October	1.18
2024	November	1.17
2024	December	1.15
2025	January	1.17
2025	February	1.20

Source: International Monetary Fund, Global price of Aluminum, PALUMUSDM, retrieved from FRED, Federal Reserve Bank of St. Louis; https://fred.stlouisfed.org/series/PALUMUSDM, March 21, 2025.

Impact of section 232 tariffs and AD/CVD orders on aluminum

Both section 232 tariffs and the antidumping and countervailing duty (AD/CVD) orders cover raw materials used to make aluminum containers. (Aluminum containers themselves were not covered by the section 232 measures until March 2025).[3] U.S. producers, importers, and purchasers were asked to report the impact of section 232 tariffs on overall demand, supply, prices, or raw material costs for aluminum containers since January 1, 2022.[4] They were asked a similar question on the impact of the AD/CVD orders on aluminum foil and common alloy aluminum sheet (CAAS).

Three U.S. producers and 15 importers indicated that they did not know if section 232 measures had an impact on the aluminum container market. Two U.S. producers and five importers indicated that the section 232 measures did not impact the aluminum container market. However, three U.S. producers and four importers indicated that the measures did, generally indicating that the section 232 measures increased their purchase price of aluminum containers or raw material costs to produce aluminum containers. Importer *** stated that the section 232 measures caused a "supply shortage." Importer *** stated that increased costs from the section 232 measures were passed on to consumers in the form of higher prices for aluminum containers.

Six purchasers stated that the section 232 duties on aluminum had an impact on the aluminum containers market, two stated that it did not, and 13 purchasers indicated that they did not know. The purchasers describing an impact stated that the duties had increased the prices of aluminum containers by increasing raw material costs. Purchaser *** stated that the price increases began in the third quarter of 2024. Purchasers *** stated that the section 232 tariffs had increased costs and prices across the supply chains for aluminum products, tightened supply, and/or introduced sourcing delays for importers.

Nine purchasers stated that the AD/CVD duties had an impact on the aluminum containers market, and 12 purchasers indicated that they did not know. The purchasers describing an impact stated that the duties had increased raw material costs, in turn increasing

[3] Conference transcript, p. 73 (Walters), hearing transcript, p. 18 (Walters).

[4] Questionnaire respondents answered these questionnaires before the announcement that, as of March 12, 2025, aluminum foil from China will be subject to an additional 20.0 percent duty under the International Emergency Economic Powers Act. Overall, as of March 12, 2025, U.S. imports of jumbo rolls of aluminum foil from China will be subject to a 25.0 percent duty under Section 232, an additional 25.0 percent duty under Section 301, an additional 20.0 percent duty under the International Emergency Economic Powers Act, antidumping margins ranging up to 63.52 percent, and countervailing duty margins ranging up to 305.07 percent. Petitioners' postconference brief, p. 57.

the prices of aluminum containers. Purchaser *** stated that one supplier had quoted it a price increase of over 270 percent for aluminum containers. Purchaser *** stated that the price increases began in the third quarter of 2024.

Five U.S. producers and seven importers reported that there was an impact on the aluminum container market resulting from the AD/CVD orders. Most of these firms described the orders as increasing their costs. U.S. producer *** stated that when U.S. producers attempted to pass on increased costs in increased prices of aluminum containers, Chinese firms switched from exporting aluminum foil to exporting aluminum containers. Importer *** described similar trends, adding that the AD/CVD orders had initially lowered the cost of aluminum foil in China, and that Chinese exports of aluminum containers to the United States had been somewhat restrained by section 301 duties (see Part 2). One U.S. producer and four importers indicated that the AD/CVD orders had not impacted the aluminum containers market. One U.S. producer and 13 importers indicated that they did not know if the AD/CVD orders had an impact.

Transportation costs to the U.S. market

Transportation costs for aluminum containers shipped from China to the United States averaged 13.2 percent during 2024. These estimates were derived from official import data and represent the transportation and other charges on imports.[5]

U.S. inland transportation costs

Six responding U.S. producers and 20 importers reported that they typically arrange transportation to their customers, while two U.S. producers and 4 importers indicated that their customers do so.[6] Most (6) U.S. producers and importers (16) reported that their U.S. inland transportation costs ranged from 1 to 6 percent. Five importers reported costs of 8 to 20 percent.

[5] The estimated transportation costs were obtained by subtracting the customs value from the c.i.f. value of the imports for 2024 and then dividing by the customs value based on the HTS statistical reporting number 7615.10.7125.

[6] Sixteen importers ship aluminum containers from a storage facility, while eight do so from their point of importation.

Pricing practices

Pricing methods

U.S. producers and importers reported setting prices using a variety of methods, including transaction-by-transaction negotiations, contracts, and price lists (table 5.2). Other methods described by importers included the cost-plus method, meeting margin goals, keeping set consumer prices, and matching competitors' prices.

Table 5.2 Aluminum containers: Count of U.S. producers' and importers' reported price setting methods

Count in number of firms reporting

Method	U.S. producers	Importers
Transaction-by-transaction	6	11
Contract	6	6
Set price list	8	13
Other	0	8
Responding firms	8	23

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The sum of responses down may not add up to the total number of responding firms as each firm was instructed to check all applicable price setting methods employed.

U.S. producers and importers reported selling the majority of their aluminum containers under short-term contracts, while importers reported selling the majority of their aluminum containers as spot sales (table 5.3).

Table 5.3 Aluminum containers: U.S. producers' and importers' shares of commercial U.S. shipments by type of sale, 2024

Share in percent

Type of sale	U.S. producers	Subject importers
Long-term contracts	11.5	0.0
Annual contracts	6.2	0.0
Short-term contracts	70.7	30.9
Spot sales	11.6	69.1
Total	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Because of rounding, figures may not add to the totals shown.

For U.S. producers, short-term contracts were usually 90 to 180 days, allowed price renegotiation (two firms) or did not (two firms), fixed price (two firms) or both price and quantity (two firms), and were indexed to raw material prices (three of four firms). For importers, short-term contracts were usually 30 to 90 days, did not allow price renegotiation

(four of five firms), fixed price (two firms) or price and quantity (two firms), and were not indexed to raw material prices (three of five firms).

For U.S. producers, annual contracts allowed price renegotiation (two of three firms), fixed price (two firms), and were indexed to raw material prices (two of three firms). For importers, annual contracts did not allow price renegotiation (two of three firms), fixed price (two firms), and were indexed or not indexed to raw material prices (one firm each).

For U.S. producers, long-term contracts were usually two to five years, allowed price renegotiation (two of three firms), fixed price (two firms), and were indexed to raw material prices (three firms). For importers, long-term contracts were usually two to three years, allowed price renegotiation (two of three firms), fixed price (two firms), and were indexed to raw material prices (two firms).[7]

U.S. producers and importers indicating that their contracts were indexed to raw material prices generally cited the London Metals Exchange or Midwest indexes. U.S. producers were also asked what portion of their firm's sales of aluminum containers are negotiated and set based on a total price versus set based on a conversion price. Overall, U.S. producers indicated that 89.8 percent of their sales are negotiated while 10.2 percent are based on a conversion price.[8]

Fourteen purchasers reported that they purchase product weekly, two purchase daily, four purchase monthly, and one purchases quarterly. Twenty of 21 responding purchasers reported that their purchasing frequency had not changed since January 1, 2022. However, *** stated that once it began purchasing imported aluminum containers, it was able to make up business lost when it purchased domestically. Most (16 of 21) purchasers contact 1 to 5 suppliers before making a purchase, while the other five contact between 2 and 10 suppliers.

Eighteen of 21 purchasers stated that their purchases of aluminum containers usually involve negotiations with its suppliers. Purchasers described negotiating over numerous factors, including price, terms, rebates, raw material costs, lead times, product specifications, capacity, quality, availability, and delivery. Six purchasers stated that they did not quote competing prices during negotiations, although ***.

[7] U.S. producer Durable stated that, because contracts often only fix price, the presence of low-priced Chinese imports can affect domestic producers. Hearing transcript, p. 23 (Anders).

[8] In additional comments, U.S. producer *** stated that it bases its conversion prices on the London Metals Exchange or Midwest prices, and *** indicated that it uses conversion prices for sales to the ***.

Sales terms and discounts

Six U.S. producers and 13 importers typically quote prices on a delivered basis, while two U.S. producers and 13 importers typically quote prices on an f.o.b. basis. U.S. producer *** stated that most purchasers purchase on a delivered basis. Four U.S. producers and 15 importers had no discount policy. Two U.S. producers and seven importers offered quantity discounts, two U.S. producers and three importers offered annual total volume discounts, and three U.S. producers and six importers offered other discounts, including cash discounts and other payment terms.

Price leadership

When asked to name price leaders in the aluminum containers market, purchasers listed numerous firms.[9] Among the responses, seven purchasers named U.S. producer Handi-Foil, four purchasers named importer Pactiv, two purchasers named U.S. producer Durable, two named importer Walmart, one named U.S. producer Penny Plate, one named U.S. producer Reynolds, and one named Costco, ***. Purchasers indicating the presence of price leaders indicated that these price leaders led by their market share (on either the supply or purchasing side) and/or by being the first firm to initiate price increases. Additionally, *** described four firms (***) as leading by setting market prices and then deviating only for certain specific purchasers, in order to maintain high prices to other purchasers.

Price and purchase cost data

The Commission requested U.S. producers and importers to provide quarterly data for the total quantity and f.o.b. value of the following aluminum containers products shipped to unrelated U.S. customers during January 2022 to December 2024. Firms that imported these products for their own use or retail sale were requested to provide import purchase cost data.

Product 1.--Half-steam disposable aluminum pans/trays (not to include any half-steam pans/trays sold pre-packaged with or including lids)

Product 2.-- Full-steam disposable aluminum pans/trays (not to include any full-steam pans/trays sold pre-packaged with or including lids)

[9] Nine purchasers did not answer the question or responded “n/a.”

Product 3.--Disposable aluminum lids made for half-steam pans/trays (not to include lids sold pre-packaged with or including half-steam pans/trays)

Product 4.--7-inch round disposable aluminum pans/trays (not to include any 7-inch round pans/trays sold pre-packaged with or including lids)

Eight U.S. producers and 10 importers provided usable pricing data for sales of the requested products, although not all firms reported pricing for all products for all quarters.[10] Pricing data reported by these firms accounted for approximately *** percent of U.S. producers' U.S. shipments of aluminum containers and *** percent of U.S. commercial shipments of subject imports and *** percent of U.S. imports from China in 2023. *** importers reported useable import purchase cost data for products 1-4. Purchase cost data reported by these firms accounted for *** percent of imports from China in 2024. U.S. producers' sales prices, importers' sales prices for imports from China, and landed duty paid (sometimes referred to as "LDP") purchase cost data for imports from China are presented in tables 5.4 to 5.7 and figures 5.2 to 5.5.[11] [12]

[10] Per-unit pricing data are calculated from total quantity and total value data provided by U.S. producers and importers. The precision and variation of these figures may be affected by rounding, limited quantities, and producer or importer estimates.

[11] LDP import value does not include any potential additional costs that a purchaser may incur by importing rather than purchasing from another importer or U.S. producer. Price-cost differences are based on LDP import values whereas margins of underselling/overselling are based on importer sales prices.

[12] ***.

Table 5.4 Aluminum containers: Weighted-average f.o.b. prices, landed duty paid values, and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Price and LDP value in dollars per pound, quantity in 1,000 pounds, margin and differential in percent.

Period	U.S. price	U.S. quantity	China price	China price quantity	China margin	China unit LDP value	China cost quantity	China cost differential
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***
2024 Q4	***	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Half-steam disposable aluminum pans/trays (not to include any half-steam pans/trays sold pre-packaged with or including lids).

Figure 5.2 Aluminum containers: Weighted-average f.o.b. prices, landed duty paid values, and quantities of domestic and imported product 1, by source and quarter

U.S. price and import purchase cost of product 1

* * * * * *

Volume of product 1

* * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Half-steam disposable aluminum pans/trays (not to include any half-steam pans/trays sold pre-packaged with or including lids).

Table 5.5 Aluminum containers: Weighted-average f.o.b. prices and quantities of domestic and imported product 2 and margins of underselling/(overselling), by source and quarter

Price and LDP value in dollars per pound, quantity in 1,000 pounds, margin and differential in percent.

Period	U.S. price	U.S. quantity	China price	China price quantity	China margin	China unit LDP value	China cost quantity	China cost differential
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***
2024 Q4	***	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Full-steam disposable aluminum pans/trays (not to include any full-steam pans/trays sold pre-packaged with or including lids).

Figure 5.3 Aluminum containers: Weighted-average f.o.b. prices, landed duty paid values, and quantities of domestic and imported product 2, by source and quarter

U.S. price and import purchase cost of product 2

* * * * * *

Volume of product 2

* * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Full-steam disposable aluminum pans/trays (not to include any full-steam pans/trays sold pre-packaged with or including lids).

Table 5.6 Aluminum containers: Weighted-average f.o.b. prices and quantities of domestic and imported product 3 and margins of underselling/(overselling), by source and quarter

Price and LDP value in dollars per pound, quantity in 1,000 pounds, margin and differential in percent.

Period	U.S. price	U.S. quantity	China price	China price quantity	China margin	China unit LDP value	China cost quantity	China cost differential
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***
2024 Q4	***	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Disposable aluminum lids made for half-steam pans/trays (not to include lids sold pre-packaged with or including half-steam pans/trays).

Figure 5.4 Aluminum containers: Weighted-average f.o.b. prices, landed duty paid values, and quantities of domestic and imported product 3, by source and quarter

U.S. price and import purchase cost of product 3

* * * * * *

Volume of product 3

* * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Disposable aluminum lids made for half-steam pans/trays (not to include lids sold pre-packaged with or including half-steam pans/trays).

Table 5.7 Aluminum containers: Weighted-average f.o.b. prices and quantities of domestic and imported product 4 and margins of underselling/(overselling), by source and quarter

Price and LDP value in dollars per pound, quantity in 1,000 pounds, margin and differential in percent.

Period	U.S. price	U.S. quantity	China price	China price quantity	China margin	China unit LDP value	China cost quantity	China cost differential
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***
2024 Q2	***	***	***	***	***	***	***	***
2024 Q3	***	***	***	***	***	***	***	***
2024 Q4	***	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: 7-inch round disposable aluminum pans/trays (not to include any 7-inch round pans/trays sold pre-packaged with or including lids).

Figure 5.5 Aluminum containers: Weighted-average f.o.b. prices, landed duty paid values, and quantities of domestic and imported product 4, by source and quarter

U.S. price and import purchase cost of product 4

* * * * * *

Volume of product 4

* * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: 7-inch round disposable aluminum pans/trays (not to include any 7-inch round pans/trays sold pre-packaged with or including lids).

Import purchase cost data

Five importers reported useable import purchase cost data for products 1 to 4. Purchase cost data reported by these firms accounted for 12.7 percent of imports from China in 2024.[13] Importers reporting import purchase cost data were asked to provide additional information regarding the costs and benefits of importing aluminum containers themselves.

Three (***) of the five importers reported that they incurred additional costs beyond landed duty-paid costs by importing aluminum containers themselves rather than purchasing from a U.S. producer or U.S. importer. These three importers estimated the total additional cost incurred; estimates ranged from 2.5 to 20.0 percent compared to the landed duty-paid value. Firms were also asked to identify specific additional costs they incurred as a result of importing aluminum containers. Reported costs include ***.

Firms were also asked to describe how these additional costs incurred by importing aluminum containers themselves compare with additional costs incurred when purchasing from a U.S. producer or U.S. importer. *** reported no such costs. *** indicated that it ***. It added that ***.

Of the five firms providing purchase cost data, four reported that they compare costs of importing to the cost of purchasing from U.S. producers and importers in determining whether to import aluminum containers. One importer (***) indicated that it does not compare costs of purchasing from either U.S. producers or importers.

Eight importers (including the five that provided purchase cost data) identified benefits from importing aluminum containers themselves instead of purchasing from U.S. producers or importers, including being able to purchase unique products not available domestically, capacity, availability, lower costs or prices, and ***.

[13] LDP import value does not include any potential additional costs that a purchaser may incur by importing rather than purchasing from another importer or U.S. producer. Price-cost differences are based on LDP import values whereas margins of underselling/overselling are based on importer sales prices.

Firms were also asked whether the import cost (both excluding and including additional costs) of aluminum containers they imported are lower than the price of purchasing aluminum containers from a U.S. producer or importer. Of the importers providing purchase cost data, one (***) responded no, and the other four responded yes.

Three importers that provided purchase cost data estimated that they saved between *** percent of the purchase price by importing aluminum containers rather than purchasing from a U.S. producer. Two estimated that they saved between *** percent compared to purchasing the product from a U.S. producer. An additional importer, ***, estimated that it saved *** percent of the purchase price by importing rather than purchasing from either a U.S. producer or importer.[14]

Price and purchase cost trends

In general, prices decreased during January 2022 to December 2024. Table 5.8 summarizes the price trends, by country and by product. As shown in the table, domestic price decreases ranged from to 0.7 to 9.0 percent during January 2022 to December 2024, while import price decreases ranged from 0.5 to 8.6 percent. Landed duty-paid cost decreases ranged from 1.4 to 23.5 percent.

[14] Four firms that provided purchase cost data reported that they based their estimates on previous company transactions, two reported basing their estimates on market research, and two reported other bases for their estimates, including ***.

Table 5.8 Aluminum containers: Summary of price and cost data, by product and source

Volume in 1,000 pounds, price and cost in dollars per pound

Product	Source	Number of quarters	Volume of shipments	Low price/ cost	High price/ cost	First quarter price/ cost	Last quarter price/ cost	Percent change in price/cost over period
Product 1	United States	12	***	***	***	***	***	***
Product 1	China price	12	***	***	***	***	***	***
Product 1	China cost	12	***	***	***	***	***	***
Product 2	United States	12	***	***	***	***	***	***
Product 2	China price	12	***	***	***	***	***	***
Product 2	China cost	12	***	***	***	***	***	***
Product 3	United States	12	***	***	***	***	***	***
Product 3	China price	12	***	***	***	***	***	***
Product 3	China cost	12	***	***	***	***	***	***
Product 4	United States	12	***	***	***	***	***	***
Product 4	China price	12	***	***	***	***	***	***
Product 4	China cost	12	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Percentage change from the first quarter in which data were available in 2022 to the last quarter in which data were available in 2024.

Price and purchase cost comparisons

Price comparisons

As shown in table 5.9, prices for product imported from China were below those for U.S.-produced product in 38 of 48 instances (*** pounds); margins of underselling ranged from *** to *** percent. In the remaining 10 instances (*** pounds), prices for product from China were between *** and *** percent above prices for the domestic product.

Table 5.9 Aluminum containers: Instances of underselling and overselling and the range and average of margins, by product

Quantity in 1,000 pounds; margin in percent

Product	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Product 1	Underselling	9	***	***	***	***
Product 2	Underselling	6	***	***	***	***
Product 3	Underselling	11	***	***	***	***
Product 4	Underselling	12	***	***	***	***
Total	Underselling	38	***	***	***	***
Product 1	Overselling	3	***	***	***	***
Product 2	Overselling	6	***	***	***	***
Product 3	Overselling	1	***	***	***	***
Product 4	Overselling	—	***	***	***	***
Total	Overselling	10	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Table 5.10 Aluminum containers: Instances of underselling and overselling and the range and average of margins, by year

Quantity in 1,000 pounds; margin in percent

Year	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
2022	Underselling	10	***	***	***	***
2023	Underselling	14	***	***	***	***
2024	Underselling	14	***	***	***	***
Total, all years	Underselling	38	***	***	***	***
2022	Overselling	6	***	***	***	***
2023	Overselling	2	***	***	***	***
2024	Overselling	2	***	***	***	***
Total, all years	Overselling	10	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Price-cost comparisons

As shown in table 5.11, landed duty-paid costs for aluminum containers imported from China were below the sales price for U.S.-produced product in 48 of 48 instances (*** pounds); price-cost differentials ranged from *** to *** percent.

Table 5.11 Aluminum containers: Instances of lower and higher import purchase costs and the range and average of price-cost differentials, by product

Quantity in 1,000 pounds; price-cost differential in percent

Product	Type	Number of quarters	Quantity	Average price-cost differential	Min price-cost differential	Max price-cost differential
Product 1	Lower than U.S. price	12	***	***	***	***
Product 2	Lower than U.S. price	12	***	***	***	***
Product 3	Lower than U.S. price	12	***	***	***	***
Product 4	Lower than U.S. price	12	***	***	***	***
Total	Lower than U.S. price	48	***	***	***	***
Product 1	Higher than U.S. price	—	***	***	***	***
Product 2	Higher than U.S. price	—	***	***	***	***
Product 3	Higher than U.S. price	—	***	***	***	***
Product 4	Higher than U.S. price	—	***	***	***	***
Total	Higher than U.S. price	—	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.
Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Table 5.12 Aluminum containers: Instances of lower and higher import purchase costs and the range and average of price-cost differentials, by year

Quantity in pounds; margin in percent

Year	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
2022	Underselling	16	***	***	***	***
2023	Underselling	16	***	***	***	***
2024	Underselling	16	***	***	***	***
Total, all years	Underselling	48	***	***	***	***
2022	Overselling	—	***	***	***	***
2023	Overselling	—	***	***	***	***
2024	Overselling	—	***	***	***	***
Total, all years	Overselling	—	***	***	***	***

Source**:** Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Lost sales and lost revenue

The Commission requested that U.S. producers of aluminum containers report purchasers with which they experienced instances of lost sales or revenue due to competition from imports of aluminum containers from China during January 2021 to March 2024. Petitioners submitted lost sales and lost revenue allegations, identifying 79 firms with which

they lost sales or revenue (6 consisting of lost sales allegations, 3 consisting of lost revenue allegations, and 70 consisting of both types of allegations).

In the final phase of the investigation, of the eight responding U.S. producers, eight reported that they had to reduce prices, eight reported that they had to roll back announced price increases, and eight firms reported that they had lost sales.

Staff contacted 90 purchasers and received responses from 21 purchasers.[15] Responding purchasers reported purchasing or importing *** pounds of aluminum containers during January 2022 to December 2024 (table 5.13), approximately *** percent of U.S. consumption of aluminum containers over the same period.

Of the 21 responding purchasers, 11 reported that, since 2022, they had purchased imported aluminum containers from China instead of U.S.-produced product. All eleven of these purchasers reported that subject import prices were lower than U.S.-produced product. Seven of these purchasers reported that price was a primary reason for the decision to purchase imported product rather than U.S.-produced product. These firms estimated the quantity of aluminum containers from China purchased instead of domestic product; quantities ranged from *** pounds to *** pounds (table 5.14). Purchasers identified availability, reliability, service, innovation, and product range (assortment) as non-price reasons for purchasing imported rather than U.S.-produced product.

One purchaser (***) reported that U.S. producers had reduced prices *** percent in order to compete with lower-priced imports from China. Sixteen purchasers indicated that U.S. producers had not reduced prices in response to lower-priced imports from China, and four reported that they did not know (table 5.15).

[15] Three purchasers (***) submitted lost sales lost revenue survey responses in the preliminary phase, but did not submit purchaser questionnaire responses in the final phase.

Table 5.13 Aluminum containers: Purchasers' reported purchases and imports, by firm and source

Quantity in 1,000 pounds, share in percent

Purchaser	Domestic quantity	Subject quantity	All other quantity	Change in domestic share	Change in subject country share
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	313,130	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: All other includes all other sources and unknown sources. Change is the percentage point change in the share of the firm's total purchases of domestic and/or subject country imports between first and last years.

Table 5.14 Aluminum containers: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in 1,000 pounds

Purchaser	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Explanation
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***

Table continued next page.

Table 5.14 Aluminum containers: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in 1,000 pounds

Purchaser	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Explanation
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	Yes--11; No--10	Yes--11; No--0	Yes--7; No--3	***	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Table 5.15 Aluminum containers: Purchasers' responses to U.S. producer price reductions, by firm

Purchaser	Reported producers lowered prices	Estimated percent of U.S. price reduction	Explanation
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
All firms	Yes--1; No--16	***	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Part 6: Financial experience of U.S. producers

Background[1]

Eight U.S. producers provided usable financial results on their aluminum container operations: Durable Packaging, D&W Fine Pack, Handi-Foil, Penny Plate, Reynolds, Shah Foil, Smart USA and Trinidad Benham.[2] [3] All U.S. producers reported financial data on a calendar year basis.[4] Six of the responding U.S. producers provided their financial data on the basis of GAAP.[5]

Commercial sales represented the large majority of U.S. producers' net sales of aluminum containers, although *** also reported a small amount of internal consumption and transfers to related firms.[6] Internal consumption and transfers to related firms combined represented *** percent of total net sales quantity in 2024 and are included in the presented data but are not shown separately. Figure 6.1 presents each responding firm's share of the total reported net sales quantity in 2024.

[1] The following abbreviations are used in the tables and/or text of this section: generally accepted accounting principles ("GAAP"), fiscal year ("FY"), net sales ("NS"), cost of goods sold ("COGS"), selling, general, and administrative expenses ("SG&A expenses"), average unit values ("AUVs"), research and development expenses ("R&D expenses"), and return on assets ("ROA").

[2] In addition, U.S. producer King Natan Foil submitted an incomplete U.S. producer questionnaire response that is not included in the presented data.

[3] Staff conducted a verification of ***'s questionnaire data and incorporated revisions resulting from verification within the report.

[4] ***. U.S. producers' questionnaire response, section 3.2A.1-2

[5] *** reported their financial results on a tax accrual basis. U.S. producers' questionnaire response, section 3.2B.4.

[6] ***. Email from ***.

Figure 6.1 Aluminum containers: U.S. producers' share of net sales quantity in 2024, by firm

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on aluminum containers

Table 6.1 presents aggregated data on U.S. producers' operations in relation to aluminum containers, while table 6.2 presents corresponding changes in AUVs. Table 6.3 presents selected firm-specific financial data.

Table 6.1 Aluminum containers: U.S. producers' results of operations, by item and period

Quantity in 1,000 pounds; value in 1,000 dollars; ratios in percent

Item	Measure	2022	2023	2024
Total net sales	Quantity	***	***	***
Total net sales	Value	***	***	***
COGS: Raw materials	Value	***	***	***
COGS: Direct labor	Value	***	***	***
COGS: Other factory	Value	***	***	***
COGS: Less scrap revenue	Value	***	***	***
COGS: Total	Value	***	***	***
Gross profit or (loss)	Value	***	***	***
SG&A expenses	Value	***	***	***
Operating income or (loss)	Value	***	***	***
Interest expense	Value	***	***	***
All other expenses	Value	***	***	***
All other income	Value	***	***	***
Net income or (loss)	Value	***	***	***
Depreciation/amortization	Value	***	***	***
Cash flow	Value	***	***	***
COGS: Raw materials	Ratio to NS	67.7	66.7	67.5
COGS: Direct labor	Ratio to NS	6.1	6.4	6.6
COGS: Other factory	Ratio to NS	8.8	9.7	10.4
COGS: Less scrap revenue	Ratio to NS	3.9	2.9	3.1
COGS: Total	Ratio to NS	78.7	79.9	81.5
Gross profit	Ratio to NS	21.3	20.1	18.5
SG&A expense	Ratio to NS	8.0	9.7	10.7
Operating income or (loss)	Ratio to NS	13.3	10.4	7.9
Net income	Ratio to NS	13.4	10.6	8.0

Table continued.

Table 6.1 (Continued) Aluminum containers: U.S. producers' results of operations, by item and period

Shares in percent; unit values in dollars per pound; count in number of firms reporting

Item	Measure	2022	2023	2024
COGS: Raw materials	Share	81.9	80.5	79.9
COGS: Direct labor	Share	7.4	7.7	7.8
COGS: Other factory	Share	10.7	11.8	12.3
COGS: Total	Share	100.0	100.0	100.0
Total net sales	Unit value	4.87	4.69	4.51
COGS: Raw materials	Unit value	3.29	3.13	3.05
COGS: Direct labor	Unit value	0.30	0.30	0.30
COGS: Other factory	Unit value	0.43	0.46	0.47
COGS: Less scrap revenue	Unit value	0.19	0.14	0.14
COGS: Total	Unit value	3.83	3.75	3.68
Gross profit or (loss)	Unit value	1.04	0.94	0.84
SG&A expenses	Unit value	0.39	0.46	0.48
Operating income or (loss)	Unit value	0.65	0.49	0.35
Net income or (loss)	Unit value	0.65	0.50	0.36
Operating losses	Count	***	***	***
Net losses	Count	***	***	***
Data	Count	8	8	8

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Revenue from the sale of aluminum scrap is treated as an offset (reduction) to COGS. Shares represent the share of COGS before scrap revenue is deducted. Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table 6.2 Aluminum containers: Changes in AUVs between comparison periods

Changes in percent

Item	2022–24	2022–23	2023–24
Total net sales	▼(7.3)	▼(3.7)	▼(3.8)
COGS: Raw materials	▼(7.5)	▼(5.0)	▼(2.6)
COGS: Direct labor	▲0.3	▲0.7	▼(0.5)
COGS: Other factory	▲8.8	▲6.0	▲2.6
COGS: Less scrap revenue	▼(27.9)	▼(28.0)	▲0.2
COGS: Total	▼(4.0)	▼(2.1)	▼(1.9)

Table continued.

Table 6.2 (Continued) Aluminum containers: Changes in AUVs between comparison periods

Changes in dollars per pound

Item	2022–24	2022–23	2023–24
Total net sales	▼(0.36)	▼(0.18)	▼(0.18)
COGS: Raw materials	▼(0.25)	▼(0.16)	▼(0.08)
COGS: Direct labor	▲0.00	▲0.00	▼(0.00)
COGS: Other factory	▲0.04	▲0.03	▲0.01
COGS: Less scrap revenue	▼(0.05)	▼(0.05)	▲0.00
COGS: Total	▼(0.15)	▼(0.08)	▼(0.07)
Gross profit or (loss)	▼(0.20)	▼(0.10)	▼(0.10)
SG&A expense	▲0.09	▲0.06	▲0.03
Operating income or (loss)	▼(0.29)	▼(0.16)	▼(0.13)
Net income or (loss)	▼(0.29)	▼(0.15)	▼(0.13)

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Percentages and unit values shown as “0.0” or “0.00” represent values greater than zero, but less than “0.05” or “0.005,” respectively. Zeroes, null values, and undefined calculations are suppressed and shown as “---”. Period changes preceded by a “▲” represent an increase, while period changes preceded by a “▼” represent a decrease.

Table 6.3 Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net sales quantity

Quantity in 1,000 pounds

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net sales value

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

COGS

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss)

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

SG&A expenses

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss)

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net income or (loss)

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

COGS to net sales ratio

Ratios in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
All firms	78.7	79.9	81.5

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss) to net sales ratio

Ratios in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	21.3	20.1	18.5

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

SG&A expenses to net sales ratio

Ratios in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	8.0	9.7	10.7

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss) to net sales ratio

Ratios in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	13.3	10.4	7.9

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Net income or (loss) to net sales ratio

Ratios in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	13.4	10.6	8.0

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit net sales value

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	4.87	4.69	4.51

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit raw material costs

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	3.29	3.13	3.05

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit direct labor costs

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	0.30	0.30	0.30

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit other factory costs

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	0.43	0.46	0.47

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit COGS

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	3.83	3.75	3.68

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit gross profit or (loss)

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	1.04	0.94	0.84

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit SG&A expenses

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	0.39	0.46	0.48

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit operating income or (loss)

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	0.65	0.49	0.35

Table continued.

Table 6.3 (Continued) Aluminum containers: U.S. producers' sales, costs/expenses, and profitability, by firm and period

Unit net income or (loss)

Unit values in dollars per pound

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	0.65	0.50	0.36

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Net sales

Total net sales quantity decreased overall by *** percent from 2022 to 2024. Total net sales value followed the same directional trend, decreasing overall by *** percent from 2022 to 2024. The domestic industry's net sales AUV decreased from $4.87 per pound in 2022 to $4.51 per pound in 2024. On a company specific basis, five out of eight companies reported an overall decrease in net sales quantity and seven out of eight companies reported an overall decrease in net sales value from 2022 to 2024.[7] Six out of eight companies reported an overall decrease in net sales AUVs from 2022 to 2024.

[7] ***. U.S. producers' questionnaire response, section 2.2a.

Cost of goods sold and gross profit or loss

Raw material costs, direct labor costs, and other factory costs represented 79.9 percent, 7.8 percent, and 12.3 percent of COGS, respectively, in 2024. Raw material costs represented the largest component of COGS and decreased overall by *** percent from 2022 to 2024. Seven out of eight companies reported an overall decrease in raw material costs from 2022 to 2024.[8] On a per-pound basis, raw material cost AUVs decreased from $3.29 in 2022 to $3.05 in 2024. Six out of eight companies reported an overall decrease in raw material cost AUVs from 2022 to 2024.

Thin gauge aluminum coils are the primary raw material input in aluminum containers, representing *** percent of total raw material costs in 2024. Foil gauge aluminum coils were the large majority of thin gauge aluminum coils.[9] *** reported "other raw material inputs" which the companies described as ***.[10] Table 6.4 presents raw materials, by type.[11]

Table 6.4 Aluminum containers: U.S. producers' raw material costs in 2024

Value in 1,000 dollars; share of value in percent

Item	Value	Share of value
Foil gauge aluminum coils	***	***
Sheet gauge aluminum coils	***	***
All thin gauge aluminum coils	***	***
Other material inputs	***	***
All raw materials	***	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

[8] ***. Email from ***.

[9] ***; sheet gauge coils represented *** percent and *** percent of their raw material costs in 2024, respectively. U.S. producers' questionnaire response, section 3.9c.

[10] ***. U.S. producers' questionnaire response, section 3.9c.

[11] ***. U.S. producers' questionnaire response, section 3.6.

Direct labor costs were the smallest component of COGS and decreased overall by *** percent from 2022 to 2024. Half of the companies reported an overall decrease in direct labor costs from 2022 to 2024. On a per-pound basis, direct labor cost AUVs remained stable at $0.30 during the period for which data were collected. Three out of eight companies reported an overall decrease in direct labor cost AUVs from 2022 to 2024.

Other factory costs were the second largest component of COGS and increased overall by *** percent from 2022 to 2024.[12] Five out of eight companies reported an overall increase in other factory costs from 2022 to 2024. On a per-pound-basis, other factory cost AUVs increased from $0.43 in 2022 to $0.47 in 2024. Six out of eight companies reported an overall increase in other factory cost AUVs from 2022 to 2024.[13]

Total COGS decreased from $*** in 2022 to $*** in 2024 for an overall decrease of *** percent between 2022 to 2024.[14] On a per-pound-basis, total COGS decreased overall from $3.83 in 2022 to $3.68 in 2024. Five out of eight companies reported an overall decrease in total COGS AUVs from 2022 to 2024. As a ratio to net sales, total COGS increased from 78.7 percent in 2022 to 81.5 percent in 2024.

Gross profit decreased from $*** in 2022 to $*** in 2024 for an overall decrease of *** percent between 2022 and 2024. The gross profit margin decreased from 21.3 percent in 2022 to 18.5 percent in 2024.

[12] ***. Email from ***.

[13] ***. Email from ***.

[14] Total COGS represents the sum of raw materials, direct labor, and other factory costs, reduced by the revenue generated from the sale of aluminum scrap.

SG&A expenses and operating income or loss

SG&A expenses increased from $*** in 2022 to $*** in 2024. *** accounted for the majority of SG&A expenses and was *** during the period for which data were collected.[15] As a ratio to net sales, SG&A expenses increased from 8.0 percent in 2022 to 10.7 percent in 2024.

Operating income decreased from $*** in 2022 to $*** in 2024. The operating income margin decreased from 13.3 percent in 2022 to 7.9 percent in 2024. *** company reported a decrease in operating income from 2022 to 2023 and *** of the responding companies reported an increase from 2023 to 2024. Seven out of eight companies reported an overall decrease in operating income from 2022 to 2024. Operating losses were reported by *** companies in 2023 and 2024.

All other expenses and net income or loss

Interest expense, other expense, and other income are classified below the operating income level. Interest expense increased from $*** in 2022 to $*** in 2024.[16] All other expenses decreased overall from $*** in 2022 to $*** in 2024.[17] All other income increased overall from $*** in 2022 to $*** in 2024.[18] [19]

Net income decreased from $*** in 2022 to $*** in 2024. The net income margin decreased from 13.4 percent in 2022 to 8.0 percent in 2024. ***.

[15] ***. Email from ***.

[16] Interest expense was reported by ***.

[17] ***.

[18] ***.

[19] ***. ***.

Variance analysis

A variance analysis for the operations of U.S. producers of aluminum containers is presented in table 6.5.[20] The information for this variance analysis is derived from table 6.1.

Table 6.5 Aluminum containers: Variance analysis on the operations of U.S. producers between comparison periods

Value in 1,000 dollars

Item	2022-24	2022-23	2023-24
Net sales price variance	***	***	***
Net sales volume variance	***	***	***
Net sales total variance	***	***	***
COGS cost variance	***	***	***
COGS volume variance	***	***	***
COGS total variance	***	***	***
Gross profit variance	***	***	***
SG&A cost variance	***	***	***
SG&A volume variance	***	***	***
SG&A total variance	***	***	***
Operating income price variance	***	***	***
Operating income cost variance	***	***	***
Operating income volume variance	***	***	***
Operating income total variance	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: These data are derived from the data in table 6.1. Unfavorable variances (which are negative) are shown in parentheses, all others are favorable (positive).

The variance analysis shows that the decrease in operating income from 2022 to 2024 was due to unfavorable price and volume variances that outweighed a favorable cost/expense variance (indicating that the negative effects of the decline in net sales AUVs and lower sales volume were greater than the positive effect of the decline in costs/expenses).

[20] The Commission's variance analysis is calculated in three parts: Net sales variance, COGS variance, and SG&A expense variance. Each part consists of a price variance (in the case of the net sales variance) or a cost or expense variance (in the case of the COGS and SG&A expense variance), and a volume variance. The sales or cost/expense variances are calculated as the change in unit price or per-unit cost/expense, respectively, times the new volume, while the volume variance is calculated as the change in volume times the old unit price or per-unit cost/expense. Summarized at the bottom of the table, the operating income price variance is from sales; the operating income cost/expense variance is the sum of the cost components in the COGS and SG&A expense variances, and the operating income volume variance is the sum of the volume components of the net sales, COGS, and SG&A expense variances.

Capital expenditures and research and development expenses

Table 6.6 presents capital expenditures, by firm, and table 6.7 present the firms' narrative explanations of the nature, focus, and significance of their capital expenditures. Capital expenditures decreased irregularly from $*** in 2022 to $*** in 2024.[21] *** reported the largest company-specific amounts of capital expenditures in all years. The firm was also the only company to report R&D expenses during the period for which data were collected. ***.[22]

Table 6.6 Aluminum containers: U.S. producers' capital expenditures, by firm and period

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

[21] ***. U.S. producers' questionnaire response, section 3.13c.

[22] ***. U.S. producers' questionnaire response, section 3.13c.

Table 6.7 Aluminum containers: U.S. producers' narrative descriptions of their capital expenditures, by firm

Firm	Narrative on capital expenditures
D&W Fine Pack	***
Durable	***
Handi-Foil	***
Penny Plate	***
Reynolds	***
Shah Foil	***
Smart USA	***
Trinidad Benham	***

Source: Compiled from data submitted in response to Commission questionnaires.

Assets and return on assets

Table 6.8 presents data on the U.S. producers' total assets while table 6.9 presents their operating ROA.[23] Table 6.10 presents U.S. producers' narrative responses explaining their major asset categories and any significant changes in asset levels over time.[24] Total assets decreased from $*** in 2022 to $*** in 2024 and the ROA decreased from *** percent in 2022 to *** percent in 2024.

Table 6.8 Aluminum containers: U.S. producers' total net assets, by firm and period

Value in 1,000 dollars

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

[23] The operating ROA is calculated as operating income divided by total assets. With respect to a firm's overall operations, the total asset value reflects an aggregation of a number of assets which are generally not product specific. Thus, high-level allocations are generally required in order to report a total asset value on a product-specific basis.

[24] ***. Email from ***.

Table 6.9 Aluminum containers: U.S. producers' ROA, by firm and period

Ratio in percent

Firm	2022	2023	2024
D&W Fine Pack	***	***	***
Durable	***	***	***
Handi-Foil	***	***	***
Penny Plate	***	***	***
Reynolds	***	***	***
Shah Foil	***	***	***
Smart USA	***	***	***
Trinidad Benham	***	***	***
All firms	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table 6.10 Aluminum containers: U.S. producers' narrative descriptions of their total net assets, by firm

Firm	Narrative on assets
D&W Fine Pack	***
Durable	***
Handi-Foil	***
Penny Plate	***
Reynolds	***
Shah Foil	***
Smart USA	***
Trinidad Benham	***

Source: Compiled from data submitted in response to Commission questionnaires.

Capital and investment

The Commission requested U.S. producers of aluminum containers to describe any actual or potential negative effects of imports of aluminum containers from China on their firms' growth, investment, ability to raise capital, development and production efforts, or the scale of capital investments. Table 6.11 presents the number of firms reporting an impact in each category and table 6.12 provides the U.S. producers' narrative responses.

Table 6.11 Aluminum containers: Count of firms indicating actual and anticipated negative effects of imports from subject sources on investment, growth, and development since January 1, 2022, by effect

Number of firms reporting

Effect	Category	Count
Cancellation, postponement, or rejection of expansion projects	Investment	4
Denial or rejection of investment proposal	Investment	0
Reduction in the size of capital investments	Investment	2
Return on specific investments negatively impacted	Investment	4
Other investment effects	Investment	4
Any negative effects on investment	Investment	8
Rejection of bank loans	Growth	1
Lowering of credit rating	Growth	1
Problem related to the issue of stocks or bonds	Growth	0
Ability to service debt	Growth	0
Other growth and development effects	Growth	7
Any negative effects on growth and development	Growth	8
Anticipated negative effects of imports	Future	8

Source: Compiled from data submitted in response to Commission questionnaires.

Table 6.12 Aluminum containers: U.S. producers' narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2022, by firm and effect

Item	Firm name and narrative on impact of imports
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***
Return on specific investments negatively impacted	***
Return on specific investments negatively impacted	***
Return on specific investments negatively impacted	***
Return on specific investments negatively impacted	***
Other negative effects on investments	***
Other negative effects on investments	***
Other negative effects on investments	***
Other negative effects on investments	***

Table continued

Table 6.12 (Continued) Aluminum containers: U.S. producers' narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2022, by firm and effect

Item	Firm name and narrative on impact of imports
Rejection of bank loans	***
Lowering of credit rating	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***

Table continued

Table 6.12 (Continued) Aluminum containers: U.S. producers' narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2022, by firm and effect

Item	Firm name and narrative on impact of imports
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part 7: Threat considerations and information on nonsubject countries

Section 771(7)(F)(i) of the Act (19 U.S.C. § 1677(7)(F)(i)) provides that—

> *In determining whether an industry in the United States is threatened with material injury by reason of imports (or sales for importation) of the subject merchandise, the Commission shall consider, among other relevant economic factors*[1]*--*
>
> *(I) if a countervailable subsidy is involved, such information as may be presented to it by the administering authority as to the nature of the subsidy (particularly as to whether the countervailable subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement), and whether imports of the subject merchandise are likely to increase,*
>
> *(II) any existing unused production capacity or imminent, substantial increase in production capacity in the exporting country indicating the likelihood of substantially increased imports of the subject merchandise into the United States, taking into account the availability of other export markets to absorb any additional exports,*
>
> *(III) a significant rate of increase of the volume or market penetration of imports of the subject merchandise indicating the likelihood of substantially increased imports,*
>
> *(IV) whether imports of the subject merchandise are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices, and are likely to increase demand for further imports,*
>
> *(V) inventories of the subject merchandise,*

[1] Section 771(7)(F)(ii) of the Act (19 U.S.C. § 1677(7)(F)(ii)) provides that "The Commission shall consider {these factors} . . . as a whole in making a determination of whether further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted under this title. The presence or absence of any factor which the Commission is required to consider . . . shall not necessarily give decisive guidance with respect to the determination. Such a determination may not be made on the basis of mere conjecture or supposition."

(VI) the potential for product-shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products,

(VII) in any investigation under this title which involves imports of both a raw agricultural product (within the meaning of paragraph (4)(E)(iv)) and any product processed from such raw agricultural product, the likelihood that there will be increased imports, by reason of product shifting, if there is an affirmative determination by the Commission under section 705(b)(1) or 735(b)(1) with respect to either the raw agricultural product or the processed agricultural product (but not both),

(VIII) the actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and

(IX) any other demonstrable adverse trends that indicate the probability that there is likely to be material injury by reason of imports (or sale for importation) of the subject merchandise (whether or not it is actually being imported at the time).[2]

Information on the nature of the subsidies was presented earlier in this report; information on the volume and pricing of imports of the subject merchandise is presented in Parts 4 and 5; and information on the effects of imports of the subject merchandise on U.S. producers' existing development and production efforts is presented in Part 6. Information on inventories of the subject merchandise; foreign producers' operations, including the potential for "product-shifting;" any other threat indicators, if applicable; and any dumping in third-country markets, follows. Also presented in this section of the report is information obtained for consideration by the Commission on nonsubject countries.

[2] Section 771(7)(F)(iii) of the Act (19 U.S.C. § 1677(7)(F)(iii)) further provides that, in antidumping investigations, ". . . the Commission shall consider whether dumping in the markets of foreign countries (as evidenced by dumping findings or antidumping remedies in other WTO member markets against the same class or kind of merchandise manufactured or exported by the same party as under investigation) suggests a threat of material injury to the domestic industry."

The industry in China

The Commission issued foreign producers' or exporters' questionnaires to 61 firms believed to produce and/or export aluminum containers from China.[3] As presented in Table 7.1, useable responses to the Commission's questionnaire were received from six producers and one reseller believed to account for more than half of Chinese production and exports to the United States.[4]

Table 7.1 presents the number of producers/exporters in China that responded to the Commission's questionnaire, their exports to the United States as a share of U.S. imports by China in 2024, and their estimated share of total production of aluminum containers in China during 2024.

Table 7.1 Aluminum containers: Number of responding producers/exporters, approximate share of production, and exports to the United States as a share of U.S. imports from China, 2024

Country	Number of responding firms	Approximate share of production (percent)	Exports as a share of U.S. imports from China (percent)
China	7	***	***

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025, adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note: "Approximate share of production" reflects the responding firms' estimates of their production as a share of total China production of aluminum containers in 2024. Since not all firms have perfect knowledge of the industry in their home market, different firms might use different denominators in estimating their firm's share of the total requested. If more than one firm responded, the average denominator for reasonably reported estimates is used in the share presented. Approximate shares are rounded to the nearest whole number.

Note: "Exports as a share of U.S. imports" reflects a comparison of export data reported by firms in response to the Commission's foreign producer/exporter questionnaire with official Commerce import statistics using HTS statistical reporting numbers 7615.10.7125, accessed February 10, 2025.

[3] These firms were identified through a review of information submitted in the petitions and presented in third-party sources.

[4] Despite multiple attempts by staff to contact the firm, *** did not provide a questionnaire response in the final phase of these investigations. See email to ***, February 11, 2025. Staff incorporated *** preliminary phase questionnaire and used projections for 2026 that were provided for 2025 in the preliminary response.

Table 7.2 presents information on the aluminum containers operations of the responding producers and exporters in China. Table 7.3 presents information on subject resellers in China.

Table 7.2 Aluminum containers: Summary data for subject foreign producers in China, by firm, 2024

Quantity in 1,000 pounds; share in percent

Producer	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
GreenSource	***	***	***	***	***	***
Hammax	***	***	***	***	***	***
Henan Aluminum	***	***	***	***	***	***
Majestic	***	***	***	***	***	***
Reco	***	***	***	***	***	***
Uniriver	***	***	***	***	***	***
All individual producers	46,953	100.0	***	100.0	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 7.3 Aluminum containers: Summary data for subject foreign resellers in China, by firm, 2024

Reseller and (subject foreign industry)	Resales exported to the United States (1,000 pounds)	Share of resales exported to the United States (percent)
Tin Household	***	***
Uniriver	***	***
All individual resellers	***	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

There was no publicly available information on events in China's industry since January 1, 2022.

Changes in operations

Producers in China were asked to report any change in the character of their operations or organization relating to the production of aluminum containers since January 1, 2022. Five producers indicated in their questionnaires that they had experienced such changes. Table 7.4 presents the changes identified by these producers.

Table 7.4 Aluminum containers: Reported changes in operations in China since January 1, 2022, by reported change category and firm

Type of change	Firm name and accompanying narrative response regarding changes in operations
Plant openings	***
Plant closings	***
Prolonged shutdowns	***
Prolonged shutdowns	***
Production curtailments	***
Production curtailments	***
Relocations	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***

Source: Compiled from data submitted in response to Commission questionnaires.

Producers were also asked about the impact of COVID-19 on their operations. Three producers identified such an impact. *** and *** reported local government measures that caused plant closures. *** reported delays in raw material inputs, and *** reported high ocean freight costs and limited shipping space.[5]

[5] *** foreign producer questionnaire response, question 2.2b.

Table 7.5 presents anticipated changes in operations identified by producers in China.

Table 7.5 Aluminum containers: Chinese producers' anticipated changes in operations, by firm

Firm	Firm name and accompanying narrative response regarding changes in operations
Hammax	***
Henan Aluminum	***

Source: Compiled from data submitted in response to Commission questionnaires.

Installed and practical overall capacity

Table 7.6 presents data on Chinese producers' installed capacity, practical overall capacity, and practical aluminum containers capacity and production on the same equipment. Between 2022 and 2024, subject producers' installed overall capacity utilization fluctuated but decreased overall by 4.8 percentage points from 80.0 percent in 2022 to 75.2 percent in 2024. Subject producers' practical overall and product-specific capacity utilization decreased during 2022 to 2024 by 8.5 percentage points, from 94.6 percent in 2022 to 86.1 percent in 2024.

Table 7.6 Aluminum containers: Chinese producers' installed and practical capacity and production on the same equipment as in-scope production, by period

Capacity and production in 1,000 pounds; utilization in percent

Item	Measure	2022	2023	2024
Installed overall	Capacity	56,671	61,670	62,415
Installed overall	Production	45,318	51,818	46,953
Installed overall	Utilization	80.0	84.0	75.2
Practical overall	Capacity	47,925	55,001	54,553
Practical overall	Production	45,318	51,818	46,953
Practical overall	Utilization	94.6	94.2	86.1
Practical aluminum containers	Capacity	47,925	55,001	54,553
Practical aluminum containers	Production	45,318	51,818	46,953
Practical aluminum containers	Utilization	94.6	94.2	86.1

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Constraints on capacity

Tables 7.7 and 7.8 present Chinese producers' reported capacity constraints since January 1, 2022. All responding producers reported capacity constraints.

Table 7.7
Aluminum containers: Count of reported capacity constraints, by type of constraint

Count in number of firms reporting

Type of constraint	China
Production bottlenecks	3
Existing labor force	3
Supply of material inputs	2
Fuel or energy	1
Storage capacity	3
Logistics/transportation	2
Other constraints	2

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Table 7.8 Aluminum containers: Chinese producers' reported constraints to practical overall capacity since January 1, 2022, by constraint and firm

Type of constraint	Firm name and narrative response on constraints to practical overall capacity
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Logistics/transportation	***
Logistics/transportation	***
Other constraints	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on aluminum containers

Table 7.9 presents information on the aluminum containers operations of the responding producers and exporters in China.

Table 7.9 Aluminum containers: Data on industry in China, by item and period

Quantity in 1,000 pounds; ratio and share in percent

Item	2022	2023	2024	Projection 2025	Projection 2026
Capacity	47,925	55,001	54,553	50,430	50,400
Production	45,318	51,818	46,953	43,230	43,200
End-of-period inventories	***	***	***	***	***
Internal consumption	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***
Home market shipments	***	***	***	***	***
Exports to the United States	***	***	***	***	***
Exports to all other markets	***	***	***	***	***
Export shipments	40,204	44,446	43,733	38,095	38,065
Total shipments	***	***	***	***	***
Resales exported to the United States	***	***	***	***	***
Total exports to the United States	***	***	***	***	***

Table continued.

Note: *** and *** reported aluminum containers capacity equal to production. ***. ***. ***

Table 7.9 Continued
Aluminum containers: Data on the industry in China, by item and period

Item	2022	2023	2024	Projection 2025	Projection 2026
Capacity utilization ratio	94.6	94.2	86.1	85.7	85.7
Inventory ratio to production	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***
Internal consumption share	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***
Home market shipments share	***	***	***	***	***
Exports to the United States share	***	***	***	***	***
Exports to all other markets share	***	***	***	***	***
Export shipments share	***	***	***	***	***
Total shipments share	***	***	***	***	***
Producers' exports to the United States share	***	***	***	***	***
Resellers' exports to the United States share	***	***	***	***	***
Adjusted exports to the United States share of total shipments	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

Between 2022 and 2024, subject producers' practical capacity and production of aluminum containers fluctuated but increased overall by 13.8 percent and 3.6 percent, respectively. As capacity growth exceeded production growth, capacity utilization declined from 94.6 percent in 2022 to 86.1 percent in 2024. Capacity and production are projected to decrease in 2025 and 2026 as compared to 2024, resulting in slightly lower capacity utilization.

Subject producers' exports to the United States increased by *** percent from 2022 to 2024 while exports to other markets were lower in 2024 than in 2022. Exports to the United States are projected to decrease in 2025 and 2026 as compared to 2024 while exports to other markets are projected to increase, although not to a level that fully offsets the lower level of exports to the United States. Subject producers' exports to the United States accounted for the large majority of total shipments from 2022 to 2024 and are projected to continue to account for a large, if somewhat reduced, majority in 2025 and 2026.

Alternative products

The responding producers in China did not report any production of alternative products using the same equipment and/or labor as those used to produce aluminum containers during the period for which data were collected.

Exports

Table 7.10 presents Global Trade Atlas ("GTA") data for HS 7615.10 (aluminum household products), a category that includes aluminum containers and out-of-scope products. According to GTA, the leading export markets for aluminum household products from China are the United States, Japan, the United Kingdom, Spain, and Italy. During 2024, the United States was the largest export market for aluminum containers from China, accounting for 28.5 percent, followed by Japan, accounting for 5.2 percent.

Table 7.10 Aluminum household products: Exports from China, by destination market and by period

Quantity in 1,000 pounds; value in 1,000 dollars

Destination market	Measure	2022	2023	2024
United States	Quantity	346,523	370,563	437,743
Japan	Quantity	79,171	74,626	79,829
United Kingdom	Quantity	43,320	51,922	58,791
Spain	Quantity	39,569	32,316	45,362
Italy	Quantity	26,369	30,179	44,797
Germany	Quantity	47,735	36,270	44,615
Brazil	Quantity	13,536	26,857	43,458
Netherlands	Quantity	27,143	32,521	40,768
Canada	Quantity	37,431	32,175	37,967
All other destination markets	Quantity	495,602	552,144	704,528
Non-U.S. destination markets	Quantity	809,876	869,010	1,100,113
All destination markets	Quantity	1,156,399	1,239,573	1,537,856
United States	Value	1,020,784	981,766	1,136,215
Japan	Value	292,450	248,095	258,573
United Kingdom	Value	127,920	137,185	148,104
Spain	Value	113,165	84,453	110,437
Italy	Value	77,825	79,328	110,147
Germany	Value	132,520	92,361	109,652
Brazil	Value	37,561	65,917	99,397
Netherlands	Value	83,373	86,858	104,068
Canada	Value	103,627	79,588	92,089
All other destination markets	Value	1,430,326	1,454,297	1,741,418
Non-U.S. destination markets	Value	2,398,767	2,328,082	2,773,886
All destination markets	Value	3,419,551	3,309,848	3,910,100

Table continued.

Table 7.10 Continued
Aluminum household products: Exports from China, by destination market and by period

Unit values in dollars per pound; Shares in percent

Destination market	Measure	2022	2023	2024
United States	Unit value	2.95	2.65	2.60
Japan	Unit value	3.69	3.32	3.24
United Kingdom	Unit value	2.95	2.64	2.52
Spain	Unit value	2.86	2.61	2.43
Italy	Unit value	2.95	2.63	2.46
Germany	Unit value	2.78	2.55	2.46
Brazil	Unit value	2.77	2.45	2.29
Netherlands	Unit value	3.07	2.67	2.55
Canada	Unit value	2.77	2.47	2.43
All other destination markets	Unit value	2.89	2.63	2.47
Non-U.S. destination markets	Unit value	2.96	2.68	2.52
All destination markets	Unit value	2.96	2.67	2.54
United States	Share of quantity	30.0	29.9	28.5
Japan	Share of quantity	6.8	6.0	5.2
United Kingdom	Share of quantity	3.7	4.2	3.8
Spain	Share of quantity	3.4	2.6	2.9
Italy	Share of quantity	2.3	2.4	2.9
Germany	Share of quantity	4.1	2.9	2.9
Brazil	Share of quantity	1.2	2.2	2.8
Netherlands	Share of quantity	2.3	2.6	2.7
Canada	Share of quantity	3.2	2.6	2.5
All other destination markets	Share of quantity	42.9	44.5	45.8
Non-U.S. destination markets	Share of quantity	70.0	70.1	71.5
All destination markets	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 7615.10 as reported by China Customs in the Global Trade Atlas Suite database, accessed February 5, 2025.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“. United States is shown at the top followed by the top destination markets in descending order of 2024 quantity.

U.S. inventories of imported merchandise

Table 7.11 presents data on U.S. importers' reported inventories of aluminum containers.[6] U.S. importers' inventories from China decreased by *** percent between 2022 and 2024. The ratio of inventories to total shipments decreased by *** percentage points from 2022 to 2024. The ratio of inventories to imports from China decreased by *** percentage points from 2022 to 2024.

Table 7.11 Aluminum containers: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in 1,000 pounds; ratio in percent

Measure	Source	2022	2023	2024
Inventories quantity	China	***	***	***
Ratio to imports	China	***	***	***
Ratio to U.S. shipments of imports	China	***	***	***
Ratio to total Shipments of imports	China	***	***	***
Inventories quantity	Nonsubject sources	***	***	***
Ratio to imports	Nonsubject sources	***	***	***
Ratio to U.S. shipments of imports	Nonsubject sources	***	***	***
Ratio to total Shipments of imports	Nonsubject sources	***	***	***
Inventories quantity	All import sources	11,023	9,299	9,059
Ratio to imports	All import sources	19.2	18.9	16.0
Ratio to U.S. shipments of imports	All import sources	21.1	18.3	15.9
Ratio to total Shipments of imports	All import sources	21.1	18.3	15.9

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—".

[6] Nine of 25 importers reported no beginning or ending inventories from China. All nine importers confirmed their initial reporting, with some providing additional information on their inventory dispersal systems. In addition, one importer, ***, initially reported it was unable to provide beginning or ending inventories. After follow up from staff, the firm indicated that it maintains approximately one to two months of inventory across its supply chain and revised its questionnaire response to include inventory data. *** appeared to report inventory data at multiple levels within its internal supply chain, including at the retail level. Email from ***, March 24, 2025 and March 27, 2025. ***.

U.S. importers' outstanding orders

The Commission requested importers to indicate whether they imported or arranged for the importation of aluminum containers from China after December 31, 2024. Their reported data are presented in table 7.12. Approximately one-third of responding firms indicated they had arranged such imports from China and approximately one-half of responding firms indicated they had arranged such imports from nonsubject countries.

Table 7.12 Aluminum containers: U.S. importers' arranged imports, by source and period

Quantity in 1,000 pounds.

Source	Q1 2025	Q2 2025	Q3 2025	Q4 2025	Total
China	***	***	***	***	***
Nonsubect sources	***	***	***	***	***
All import sources	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Third-country trade actions

On April 15, 2015, Mexico initiated an antidumping investigation on aluminum kitchenware from China imported under HS 7615.10.[7] On December 21, 2015, provisional antidumping duties were placed on imports from China at the rate of $4.10 per kilogram. A duty rate of $3.74 per kilogram was applied to imports specifically from Zhejiang Sanhe Kitchenware Co., Ltd. Definitive duties were enforced on October 14, 2016, with duty rates ranging between $5.65 and $7.73 per kilogram. On March 31, 2023, the definitive duty was extended with the duty rate remaining unchanged.

On June 29, 2020, the Eurasian Economic Union, which consists of Armenia, Kazakhstan, Kyrgyz Republic and Russia, initiated an antidumping investigation on aluminum cookware products imported from China classified under HS 7615.10.[8] On August 26, 2021, a definitive duty rate of 21.89 was applied.

[7] WTO, Trade Remedies Data Portal, Antidumping, "Original Investigation 25/14-CHN." October 13, 2016, retrieved February 18, 2025, https://trade-remedies.wto.org/en/antidumping/investigations/investigation/mex-2514-chn-1.

[8] WTO, Trade Remedies Data Portal, Antidumping, "Original Investigation AD-32-CN," August 26, 2021, retrieved February 18, 2025, https://trade-remedies.wto.org/en/antidumping/investigations/investigation/rus-ad-32-cn-1.

Information on nonsubject countries

Table 7.13 presents GTA data for HS 7615.10, a category that includes aluminum containers and out-of-scope products. In 2023, the top exporter by value was China, accounting for 58.5 percent of total exports. Other major exporters (including France, Italy, Germany, Turkey, the Netherlands, Brazil, India, Thailand, South Korea, and Belgium) accounted for a total of 28.1 percent of the global export value. Complete data for 2024 are not available at this time.

Table 7.13 Aluminum household products: Global exports by reporting country and period

Value in 1,000 dollars; share in percent

Exporting country	Measure	2022	2023
United States	Value	138,165	114,068
China	Value	3,419,551	3,309,848
France	Value	301,936	324,867
Italy	Value	383,466	294,617
Germany	Value	159,864	165,937
Turkey	Value	215,772	164,539
Netherlands	Value	149,065	122,011
Brazil	Value	111,549	117,423
India	Value	128,753	115,788
Thailand	Value	145,202	107,899
South Korea	Value	124,088	104,310
Belgium	Value	83,535	78,512
All other exporters	Value	821,272	633,269
All reporting exporters	Value	6,182,219	5,653,088
United States	Share of value	2.2	2.0
China	Share of value	55.3	58.5
France	Share of value	4.9	5.7
Italy	Share of value	6.2	5.2
Germany	Share of value	2.6	2.9
Turkey	Share of value	3.5	2.9
Netherlands	Share of value	2.4	2.2
Brazil	Share of value	1.8	2.1
India	Share of value	2.1	2.0
Thailand	Share of value	2.3	1.9
South Korea	Share of value	2.0	1.8
Belgium	Share of value	1.4	1.4
All other exporters	Share of value	13.3	11.2
All reporting exporters	Share of value	100.0	100.0

Source: Official exports statistics under HS subheading 7615.10 as reported by various national statistical authorities in the Global Trade Atlas Suite database, accessed February 5, 2025.

Note: These data may be overstated as HS subheading 7615.10 is a basket category containing products outside the scope of this review. Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "—". United States is shown at the top followed by China, all remaining top exporting countries in descending order of 2023 value. Value is presented because statistical authorities report in mixed measures of quantity.

APPENDIX A

FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, Federal Register notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
89 FR 45016, May 22, 2024	*Disposable Aluminum Containers, Pans, and Trays From China; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations*	https://www.federalregister.gov/documents/2024/05/22/2024-11185/disposable-aluminum-containers-pans-and-trays-from-china-institution-of-antidumping-and
89 FR 49833, June 12, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Initiation of Countervailing Duty Investigation*	https://www.federalregister.gov/documents/2024/06/12/2024-12847/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-initiation-of
89 FR 49837, June 12, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Initiation of Less-Than-Fair-Value Investigation*	https://www.federalregister.gov/documents/2024/06/12/2024-12848/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-initiation-of
89 FR 55984, July 8, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From China: Preliminary Determinations*	https://www.federalregister.gov/documents/2024/07/08/2024-14905/disposable-aluminum-containers-pans-trays-and-lids-from-china-determinations

Citation	Title	Link
89 FR 60355, July 25, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Postponement of Preliminary Determination in the Countervailing Duty Investigation*	https://www.federalregister.gov/documents/2024/07/25/2024-16390/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-postponement
89 FR 81425, October 8, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids from the People's Republic of China: Postponement of Preliminary Determination in the Less-Than-Fair Value Investigation*	https://www.federalregister.gov/documents/2024/10/08/2024-23245/aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-postponement-of
89 FR 85495, October 28, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Preliminary Affirmative Countervailing Duty Determination, Preliminary Affirmative Determination of Critical Circumstances, and Alignment of Final Determination With Final Antidumping Duty Determination*	https://www.federalregister.gov/documents/2024/10/28/2024-25013/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-preliminary
89 FR 106433, December 30, 2024	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Preliminary Affirmative Determination of Sales at Less Than Fair Value, and Preliminary Affirmative Determination of Critical Circumstances*	https://www.federalregister.gov/documents/2024/12/30/2024-31082/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-preliminary

Citation	Title	Link
90 FR 1545, January 8, 2025	*Disposable Aluminum Containers, Pans, Trays, and Lids From China; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations*	https://www.federalregister.gov/documents/2025/01/08/2025-00156/disposable-aluminum-containers-pans-trays-and-lids-from-china-scheduling-of-the-final-phase-of
90 FR 11703, March 11, 2025	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Final Affirmative Countervailing Duty Determination and Final Affirmative Determination of Critical Circumstances*	https://www.federalregister.gov/documents/2025/03/11/2025-03834/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-final
90 FR 11703, March 11, 2025	*Disposable Aluminum Containers, Pans, Trays, and Lids From the People's Republic of China: Final Affirmative Determination of Sales at Less Than Fair Value and Final Affirmative Determination of Critical Circumstances*	https://www.federalregister.gov/documents/2025/03/11/2025-03833/disposable-aluminum-containers-pans-trays-and-lids-from-the-peoples-republic-of-china-final

APPENDIX B

LIST OF HEARING WITNESSES

CALENDAR OF PUBLIC HEARING

Those listed below appeared in the United States International Trade Commission's hearing:

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

Inv. Nos.: 701-TA-727 and 731-TA-1695 (Final)

Date and Time: March 18, 2025 - 9:30 a.m.

Sessions were held in connection with these investigations in the Main Hearing Room (Room 101), 500 E Street, SW., Washington, DC.

OPENING REMARKS:

In Support of Imposition (**John M. Herrmann**, Kelley Drye & Warren LLP)

In Support of the Imposition of the Antidumping and Countervailing Duty Orders:

Kelley Drye & Warren LLP
Washington, DC
on behalf of

Aluminum Foil Container Manufacturers Association

Paul Cobb, President, Aluminum Foil Container Manufacturers Association and President and Chief Executive Officer, Penny Plate, LLC

Raj Patel, Chief Operations Officer, Handi-foil Corp.

Donna Walters, Director of Aluminum Risk, Trinidad/Benham Corp.

Scott Anders, President and Chief Executive Officer, Durable Packaging International

William B. Hudgens, Senior Trade Analyst, Georgetown Economic Services, LLC

Jacob T. Jones, Trade Analyst, Georgetown Economic Services, LLC

John M. Herrmann)
Paul C. Rosenthal)
) – OF COUNSEL
Joshua R. Morey)
Matthew G. Pereira)

In Opposition to the Imposition of the
Antidumping and Countervailing Duty Orders:

Thompson Coburn LLP
Haynes and Boone, LLP
Washington, DC
on behalf of

King Zak Industries, Inc. ("King Zak")

Saadia Zakarin, Vice President of Sales and Operations, King Zak Industries, Inc.

Evelyn Clark)
) – OF COUNSEL
Edward M. Lebow)

Fox Rothschild LLP
Washington, DC
on behalf of

Colonna Brothers, Inc. ("Colonna Brothers")

Brittney R. Powell) – OF COUNSEL

REBUTTAL/CLOSING REMARKS:

In Support of Imposition (**Paul C. Rosenthal**, Kelley Drye & Warren LLP)
In Opposition to Imposition (**Edward M. Lebow**, Haynes and Boone, LLP)

APPENDIX C

SUMMARY DATA

Table C.1
Aluminum containers: Summary data concerning the U.S. market, by item and period
Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted; Interim period is Not applicable

Item	Reported data			Period change comparisons		
	Calendar year			Calendar year		
	2022	2023	2024	2022–24	2022-23	2023–24
U.S. consumption quantity:						
Amount	309,239	298,288	309,782	▲0.2	▼(3.5)	▲3.9
Producers' share (fn1)	74.4	75.4	72.6	▼(1.8)	▲0.9	▼(2.7)
Importers' share (fn1):						
China	***	***	***	▼***	▼***	▼***
Nonsubject sources	***	***	***	▲***	▲***	▲***
All import sources	25.6	24.6	27.4	▲1.8	▼(0.9)	▲2.7
U.S. consumption value:						
Amount	1,318,329	1,206,523	1,196,571	▼(9.2)	▼(8.5)	▼(0.8)
Producers' share (fn1)	85.2	87.5	85.0	▼(0.2)	▲2.4	▼(2.6)
Importers' share (fn1):						
China	***	***	***	▼***	▼***	▲***
Nonsubject sources	***	***	***	▲***	▲***	▲***
All import sources	14.8	12.5	15.0	▲0.2	▼(2.4)	▲2.6
U.S. imports from:						
China:						
Quantity	***	***	***	▼***	▼***	▲***
Value	***	***	***	▼***	▼***	▲***
Unit value	***	***	***	▼***	▼***	▼***
Ending inventory quantity	***	***	***	▼***	▼***	▼***
Nonsubject sources:						
Quantity	***	***	***	▲***	▲***	▲***
Value	***	***	***	▲***	▲***	▲***
Unit value	***	***	***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	▼***	***	▼***
All import sources:						
Quantity	79,046	73,515	84,840	▲7.3	▼(7.0)	▲15.4
Value	195,712	150,434	179,771	▼(8.1)	▼(23.1)	▲19.5
Unit value	$2.48	$2.05	$2.12	▼(14.4)	▼(17.4)	▲3.5
Ending inventory quantity	11,023	9,299	9,059	▼(17.8)	▼(15.6)	▼(2.6)
U.S. producers':						
Practical capacity quantity	352,913	379,454	388,427	▲10.1	▲7.5	▲2.4
Production quantity	237,337	225,199	225,343	▼(5.1)	▼(5.1)	▲0.1
Capacity utilization (fn1)	67.3	59.3	58.0	▼(9.2)	▼(7.9)	▼(1.3)
U.S. shipments:						
Quantity	230,193	224,773	224,942	▼(2.3)	▼(2.4)	▲0.1
Value	1,122,617	1,056,089	1,016,800	▼(9.4)	▼(5.9)	▼(3.7)
Unit value	$4.88	$4.70	$4.52	▼(7.3)	▼(3.7)	▼(3.8)

Table continued.

Table C.1 Continued
Aluminum containers: Summary data concerning the U.S. market, by item and period
Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted; Interim period is Not applicable

Item	Reported data			Period change comparisons		
	Calendar year			Calendar year		
	2022	2023	2024	2022–24	2022-23	2023–24
U.S. producers': Continued						
Export shipments:						
Quantity	***	***	***	▼***	▼***	▼***
Value	***	***	***	▼***	▼***	▼***
Unit value	***	***	***	▼***	▼***	▼***
Ending inventory quantity	28,518	26,928	25,755	▼(9.69)	▼(5.58)	▼(4.36)
Inventories/total shipments (fn1)	***	***	***	▼***	▼***	▼***
Production workers	2,306	2,301	2,170	▼(5.90)	▼(0.22)	▼(5.69)
Hours worked (1,000s)	4,659	4,568	4,372	▼(6.16)	▼(1.95)	▼(4.29)
Wages paid ($1,000)	100,043	100,106	96,298	▼(3.74)	▲0.06	▼(3.80)
Hourly wages (dollars per hour)	$21.47	$21.91	$22.03	▲2.58	▲2.06	▲0.51
Productivity (pounds per hour)	50.9	49.3	51.5	▲1.18	▼(3.22)	▲4.55
Unit labor costs	$0.42	$0.44	$0.43	▲1.38	▲5.46	▼(3.87)
Net sales:						
Quantity	***	***	***	▼***	▼***	▼***
Value	***	***	***	▼***	▼***	▼***
Unit value	$4.87	$4.69	$4.51	▼(7.3)	▼(3.7)	▼(3.8)
Cost of goods sold (COGS)	***	***	***	▼***	▼***	▼***
Gross profit or (loss) (fn2)	***	***	***	▼***	▼***	▼***
SG&A expenses	***	***	***	▲***	▲***	▲***
Operating income or (loss) (fn2)	***	***	***	▼***	▼***	▼***
Net income or (loss) (fn2)	***	***	***	▼***	▼***	▼***
Unit COGS	$3.83	$3.75	$3.68	▼(4.0)	▼(2.1)	▼(1.9)
Unit SG&A expenses	$0.39	$0.46	$0.48	▲23.0	▲16.4	▲5.7
Unit operating income or (loss) (fn2)	$0.65	$0.49	$0.35	▼(45.1)	▼(24.8)	▼(27.0)
Unit net income or (loss) (fn2)	$0.65	$0.50	$0.36	▼(44.3)	▼(23.7)	▼(27.0)
COGS/sales (fn1)	78.7	79.9	81.5	▲2.8	▲1.2	▲1.5
Operating income or (loss)/sales (fn1)	13.3	10.4	7.9	▼(5.4)	▼(2.9)	▼(2.5)
Net income or (loss)/sales (fn1)	13.4	10.6	8.0	▼(5.3)	▼(2.8)	▼(2.6)
Capital expenditures	***	***	***	▼***	▲***	▼***
Research and development expenses	***	***	***	▲***	▲***	▲***
Total assets	***	***	***	▼***	▼***	▼***

Source: Compiled data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed February 10, 2025. The official U.S. import statistics were adjusted to add in imports under other HTS numbers reported in Commission questionnaires. Imports are based on the imports for consumption data series. Import value data reflect landed duty-paid values. 508-compliant tables containing these data are contained in parts 3, 4, 6, and 7 of this report.

Note.--Shares and ratios shown as "0.0" percent represent non-zero values less than "0.05" percent (if positive) and greater than "(0.05)" percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as "—". Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Percent changes only calculated when both comparison values represent profits; The directional change in profitability provided when one or both comparison values represent a loss.

APPENDIX D

OFFICIAL IMPORT STATISTICS

Table D.1 Aluminum containers: U.S. official imports, by source, year, and month

Quantity in 1,000 pounds

Year	Month	China	Nonsubject sources	All import sources
2022	January	4,898	99	4,996
2022	February	4,170	265	4,435
2022	March	3,398	268	3,665
2022	April	3,340	306	3,647
2022	May	4,329	320	4,649
2022	June	3,191	347	3,538
2022	July	5,612	239	5,851
2022	August	6,756	171	6,928
2022	September	6,149	225	6,373
2022	October	6,867	87	6,954
2022	November	4,697	481	5,178
2022	December	3,780	213	3,993
2023	January	4,105	173	4,278
2023	February	2,294	204	2,498
2023	March	1,865	331	2,196
2023	April	3,561	318	3,879
2023	May	3,950	356	4,306
2023	June	5,076	354	5,430
2023	July	5,561	343	5,904
2023	August	5,317	347	5,664
2023	September	5,762	311	6,074
2023	October	6,976	349	7,325
2023	November	4,865	357	5,222
2023	December	4,890	236	5,126

Table continued on the following page.

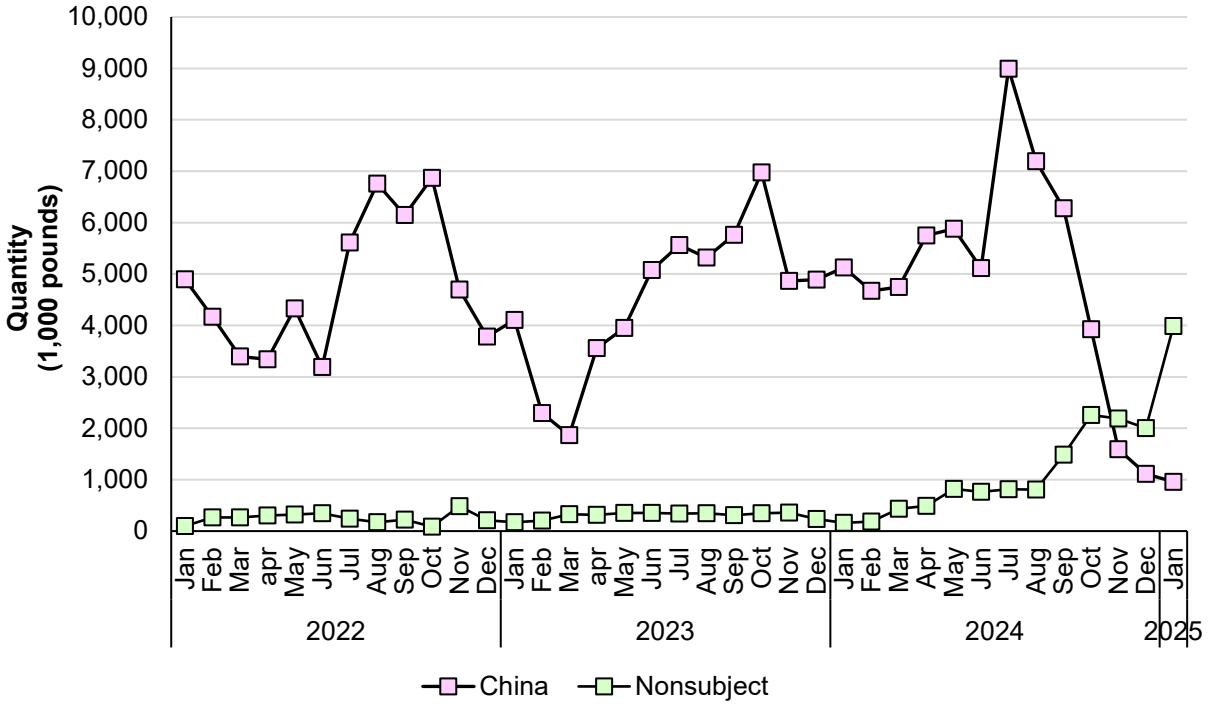
Table D.1 Continued: Aluminum containers: U.S. official imports, by source, year, and month

Quantity in 1,000 pounds

Year	Month	China	Nonsubject sources	All import sources
2024	January	5,129	162	5,291
2024	February	4,671	184	4,855
2024	March	4,748	435	5,183
2024	April	5,750	492	6,243
2024	May	5,882	820	6,702
2024	June	5,114	764	5,878
2024	July	8,993	811	9,804
2024	August	7,191	805	7,996
2024	September	6,279	1,486	7,766
2024	October	3,928	2,257	6,184
2024	November	1,592	2,186	3,779
2024	December	1,110	2,000	3,110
2025	January	959	3,986	4,945

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed March 19, 2025. Imports are based on the imports for consumption data series.

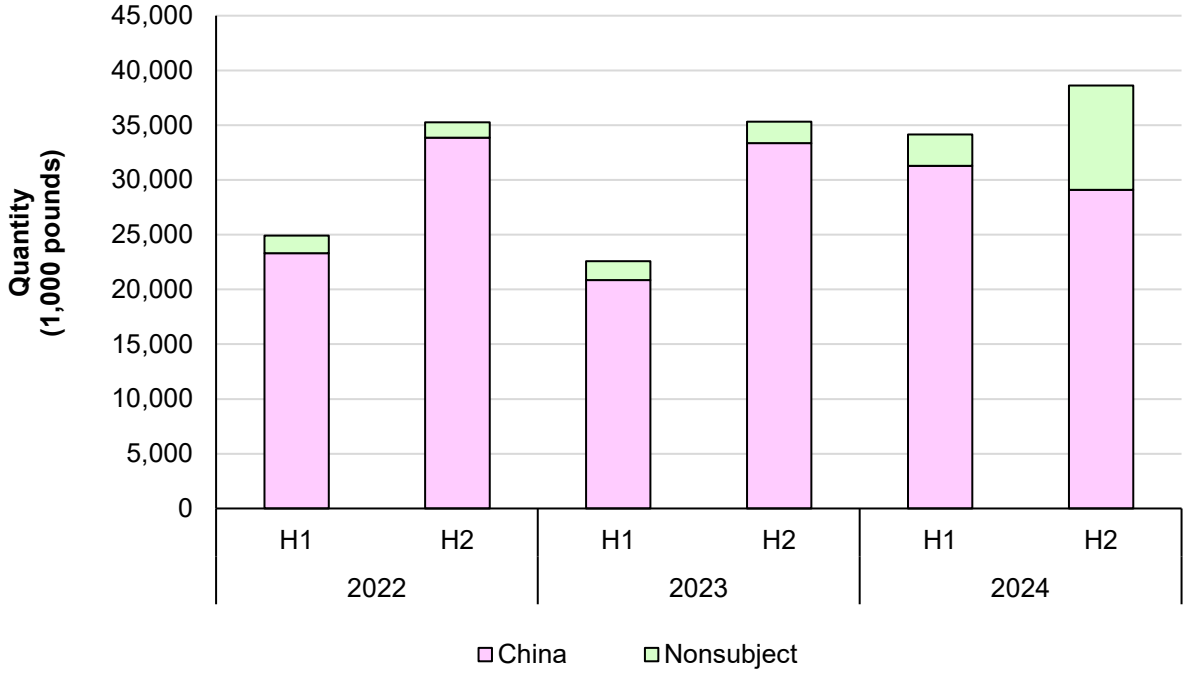
Figure D.1: Aluminum containers: Official import statistics, by source, year, and month



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed March 19, 2025. Imports are based on the imports for consumption data series.

Figure D.2: Aluminum containers: Official import statistics, by source and half year

H1 is January to June; H2 is July to December



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using statistical reporting number 7615.10.7125, accessed March 19, 2025. Imports are based on the imports for consumption data series.