REPORT NO. 622

INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON CERTAIN ALUMINIUM ROLLED SHEETS, STRIPS, PLATES, CAN STOCK, AND FOIL PRODUCTS CLASSIFIABLE UNDER TARIFF HEADINGS 76.06 AND 76.07

The International Trade Administration Commission herewith presents its Report No. **622: INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON CERTAIN ALUMINIUM ROLLED SHEETS, STRIPS, PLATES, CAN STOCK, AND FOIL PRODUCTS CLASSIFIABLE UNDER TARIFF HEADINGS 76.06 AND 76.07,** with recommendations.

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MELULEKI NZIMANDE
CHIEF COMMISSIONER

PRETORIA

8/5/.......**2020**

REPUBLIC OF SOUTH AFRICA

INTERNATIONAL TRADE ADMINISTRATION COMMISSION OF SOUTH AFRICA

REPORT NO. 622

INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON CERTAIN ALUMINIUM ROLLED SHEETS, PLATES, STRIPS, CAN STOCK, AND FOIL PRODUCTS CLASSIFIABLE UNDER TARIFF HEADINGS 76.06 AND 76.07

Synopsis

Hulamin Operations (Pty) Ltd ("Hulamin" or "applicant") applied for an increase in the general rate of customs duty on aluminium rolled sheets, plates, strips, can stock, and foil products, classifiable under tariff headings 76.06 and 76.07, from free of duty to the World Trade Organisation (WTO) bound rate of 15% *ad valorem.*

The Commission considered all the relevant information at its disposal. In particular, the Commission considered the following factors:

- Dynamics of global trade in aluminium rolled products, characterised by volatility, government subsidies and excess global supply;
- Various trade barriers instituted by several countries and the impact these will have in the form of trade diversion towards markets without protection like SACU;
- The strategic position of aluminium rolled products in the domestic aluminium value chain given its backward and forward linkages;
- The rising level of imports in general and from the East Asian economies in particular, and the concomitant erosion of the market share of the SACU industry manufacturing aluminium rolled products;
- The significant decline in sales, production, and capacity utilisation of the domestic industry manufacturing aluminium rolled products;

- The diminishing domestic employment opportunities in the aluminium rolled products industry;

- The significant investment currently made by the applicant in strategic assets and strategic investments in the pipeline that would contribute meaningfully to job creation and export growth;

- The escalating costs and price suppression facing the applicant;

- The worsening competitive position of the domestic manufacturing industry as a result of low-priced imports; and

- The increasing opportunities in the domestic market presented by aluminium becoming the preferred material due its lightweight, recyclability and corrosion resistance properties.

Pertaining to the contention that the requested duty if granted will affect products not manufactured by the domestic industry, the Commission recommended the creation of Schedule 4 rebate provisions in order to exclude the product range currently not manufactured locally. Rebate item 470.03 and drawback item 521.00 are currently available for local manufacturers who manufacture for the export markets.

The Commission found that, it is unlikely that an increase in the general rate of customs duty on aluminium rolled products will erode local competition and allow excessive increases in prices given that the imports of the subject products from the Europe Union will continue to be free of duty. This will ensure that the market continues to influence prices, and that customers have alternative sources of supply, which will mitigate the risk of the applicant abusing its dominance.

The Commission concluded that tariff support should enable the industry manufacturing aluminium rolled products to increase the domestic production for the subject products; continue to invest in strategic assets; achieve economies of scale in new product range; and create both direct and indirect jobs.

In light of the foregoing, the Commission recommended the following:

- An increase in the general rate of customs duty on aluminium rolled sheets, plates, strips can stock, and foil products, classifiable under tariff headings 76.06 and 76.07, from free of duty to the WTO bound rate of 15% *ad valorem;*

- The creation of Schedule 4 temporary rebate provisions to cater for the product range not currently manufactured domestically, as outlined in Paragraph 32 of this report;
- The duty on the subject products be reviewed at least one year after the introduction of tariff support (unless otherwise determined by the Commission) as part of monitoring the performance of the domestic industry.

THE APPLICATION AND TARIFF POSITION

1. Hulamin applied for an increase in the general rate of customs duty on aluminium rolled sheets, plates, strips, can stock, and foil products, classifiable under tariff headings 76.06 and 76.07, from free of duty to the WTO bound rate of 15% *ad valorem*.
2. The applicant is the sole mid-stream aluminium semi-fabricator of aluminium rolled sheets, plates, strips, can stock and foil products in the SACU region. The company is amongst the major mineral beneficiating exporters in the domestic industry.
3. The company has its manufacturing plant for the subject products located in the KwaZulu-Natal province (Pietermaritzburg) with sales offices in South Africa, Europe, and the United States of America ("US").
4. As motivation for the application, the applicant referred to the following:
   - Import volumes of aluminium sheet, plate and foil products into the SACU market have increased over the past few years and these have resulted in a decline in its domestic market share;
   - The loss in market share has resulted in a negative impact on production, an inability to fully utilise recent investment in strategic assets and a negative impact on its financial position;
   - The significant decline in sales in the can stock market. As a consequence, Hulamin is buying reduced volumes of used beverage cans in South Africa,

negatively impacting on the livelihoods of over 3,000 scrap collectors;

- The potential loss in local market share and declining profits which will require re-evaluation of the business model and its market offering. This may result in the impairment or downsizing of certain key machine centres of the operation. These will have negative socio-economic effects on the Pietermaritzburg region because of lower output/production; and

- The excess supply of steel and aluminium products out of China, which is adversely affecting global trade. The decision of the US to increase import duties in terms of section 232 of the Trade Expansion Act, 1962 ("US Section 232 Duties") will have a negative impact on markets without protection, such as the South African aluminium market, in the form of trade diversion.

5. The application was published in the Government Gazette No. 42337 on 29 March 2019 under Notice 178 of 2019 for four (4) weeks as follows:

INCREASE IN THE GENERAL RATE OF CUSTOMS DUTY ON:

"Certain aluminium plates, sheets, strips and foil products classifiable under tariff headings 76.06 and 76.07, from free of duty to the WTO bound rate of 15% ad valorem".

6. The existing tariff structure for the respective aluminium rolled products is as follows:

Table 1: Current tariff structure for the affected aluminium rolled products

Tariff heading	Tariff subheading	Description	Statistical unit	Rate of duty				
				General	EU	EFTA	SADC	MERCOSUR
76.06		**Aluminium Plates, Sheets and Strip, of Thickness Exceeding 0,2 mm**						
	7606.1	**- Rectangular (including square):**						
	7606.11	**-- Of aluminium, not alloyed:**						
	7606.11.07	- - Containing by mass, not more than 99,9 % of aluminium, laminated or coated on one or both sides with paint, enamel or plastics [excluding non-slip flooring with patterns in (tread plate)]	Kg	free	free	free	free	free
	7606.11.17	— Containing by mass, not more than 99,9 % of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in (tread plate) and those which are perforated]	Kg	free	free	free	free	free
	7606.11.90	**---Other**	kg	free	free	free	free	free
	7606.12	**-- Of aluminium alloys:**						

	7606.12.07	—Coated or covered on one or both sides with paint, enamel or plastics of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	free	free	free	free	free
	7606.12.17	—Not coated or covered with paint, enamel or plastics of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate), those which are perforated, and those containing by mass more than 0,5% of copper, 6% of magnesium, or 4% of silicon]	kg	free	free	free	free	free
	7606.12.90	- - -Other	kg	free	free	free	free	free
	7606.9	Other:						
	7606.91	- - Of aluminium, not alloyed:						
	7606.91.07	- - -Containing, by mass, not more than 99,9 per cent of aluminium, coated or covered on one or both sides with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	free	free	free	free	free
	7606.91.17	Containing, by mass, not more than 99,9 per cent of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	free	free	free	free	free
	7606.91.90	– Other						
	7606.92	**Of aluminium alloys:**						
	7606.92.07	- - - Coated or covered on one or on both sides with paint, enamel or plastics, of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	free	free	free	free	free
	7606.92.17	- Containing, by mass, not more than 99,9 per cent of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	free	free	free	free	free
	7606.92.90	- - - Other	kg	free	free	free	free	free
76.07	**Aluminium Foil (Whether or not printed, backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0,2 mm:**							
	7607.1	-Not backed:	kg	free	free	free	free	free
	7607.11	--Rolled but not further worked	kg	free	free	free		free
	7607.19	**—Other**						
	7607.19.10	—Etched, of a width not exceeding 105 mm	kg	free	free	free	free	free
	7607.19.25	- - Other, self-adhesive, coated with glass microspheres	kg	free	free	free	free	free
	7607.19.90	—Other	kg	free	free	free	free	free
	7607.20	**-Backed**						
	7607.20.20	- - Unprinted, of thickness of 0,1 mm or more but not exceeding 0,15 mm and a width not exceeding 40mm,lacquered on one side only (excluding that laminated to paper or plastics and reinforced with glass or sisal fibre)	kg	free	free	free	free	free
	7607.20.25	—Other, self-adhesive, coated with glass microspheres	kg	free	free	free	free	free
	7607.20.90	- - -Other	kg	free	free	free	free	free

Source: SARS 2019

7. As shown in Table 1 above, the subject products are currently free of duty. The

applicable WTO bound rate is 15% *ad valorem*.

8. Table 2 below shows the requested tariff structure for the subject products is as follows:

Table 2: Requested tariff structure for the affected aluminium rolled products

Tariff heading	Tariff subheading	Description	Statistical unit	Rate of duty				
				General	EU	EFTA	SADC	MERCOSUR
76.06		**Aluminium Plates, Sheets and Strip, of Thickness Exceeding 0,2 mm**						
	7606.1	**- Rectangular (including square):**						
	7606.11	**-- Of aluminium, not alloyed:**						
	7606.11.07	- - Containing by mass, not more than 99,9 % of aluminium, laminated or coated on one or both sides with paint, enamel or plastics [excluding non-slip flooring with patterns in (tread plate)]	Kg	15%	free	free	free	free
	7606.11.17	— Containing by mass, not more than 99,9 % of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in (tread plate) and those which are perforated]	Kg	15%	free	free	free	free
	7606.11.90	—Other	kg	15%	free	free	free	free
	7606.12	**– Of aluminium alloys:**						
	7606.12.07	—Coated or covered on one or both sides with paint, enamel or plastics of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	15%	free	free	free	free
	7606.12.17	—Not coated or covered with paint, enamel or plastics of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate), those which are perforated, and those containing by mass more than 0,5% of copper, 6% of magnesium, or 4% of silicon]	kg	15%	free	free	free	free
	7606.12.90	- - -Other	kg	15%	free	free	free	free
	7606.9	Other:						
	7606.91	- - Of aluminium, not alloyed:						
	7606.91.07	- - -Containing, by mass, not more than 99,9 per cent of aluminium, coated or covered on one or both sides with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	15%	free	free	free	free
	7606.91.17	Containing, by mass, not more than 99,9 per cent of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	15%	free	free	free	free
	7606.91.90	– Other						
	7606.92	**Of aluminium alloys:**						
	7606.92.07	- - - Coated or covered on one or on both sides with paint, enamel or plastics, of a thickness exceeding 0,25 mm and a width exceeding 100 mm [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	15%	free	free	free	free

	7606.92.17	- Containing, by mass, not more than 99,9 per cent of aluminium, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate) and those which are perforated]	kg	15%	free	free	free	free
	7606.92.90	- - - Other	kg	15%	free	free	free	free
76.07	**Aluminium Foil (Whether or not printed, backed with paper, paperboard, plastics or similar backing materials) of a thickness (excluding any backing) not exceeding 0,2 mm:**							
	7607.1	-Not backed:	kg	15%	free	free	free	free
	7607.11	--Rolled but not further worked	kg	15%	free	free		free
	7607.19	**---Other**						
	7607.19.10	---Etched, of a width not exceeding 105 mm	kg	15%	free	free	free	free
	7607.19.25	- - Other, self-adhesive, coated with glass microspheres	kg	15%	free	free	free	free
	7607.19.90	---Other	kg	15%	free	free	free	free
	7607.20	**-Backed**						
	7607.20.20	- - Unprinted, of thickness of 0,1 mm or more but not exceeding 0,15 mm and a width not exceeding 40mm,lacquered on one side only (excluding that laminated to paper or plastics and reinforced with glass or sisal fibre)	kg	15%	free	free	free	free
	7607.20.25	---Other, self-adhesive, coated with glass microspheres	kg	15%	free	free	free	free
	7607.20.90	- - -Other	kg	15%	free	free	free	free

INDUSTRY AND MARKET

9. The subject products are aluminium rolled sheets, plates, strips, can stock, and foil products.

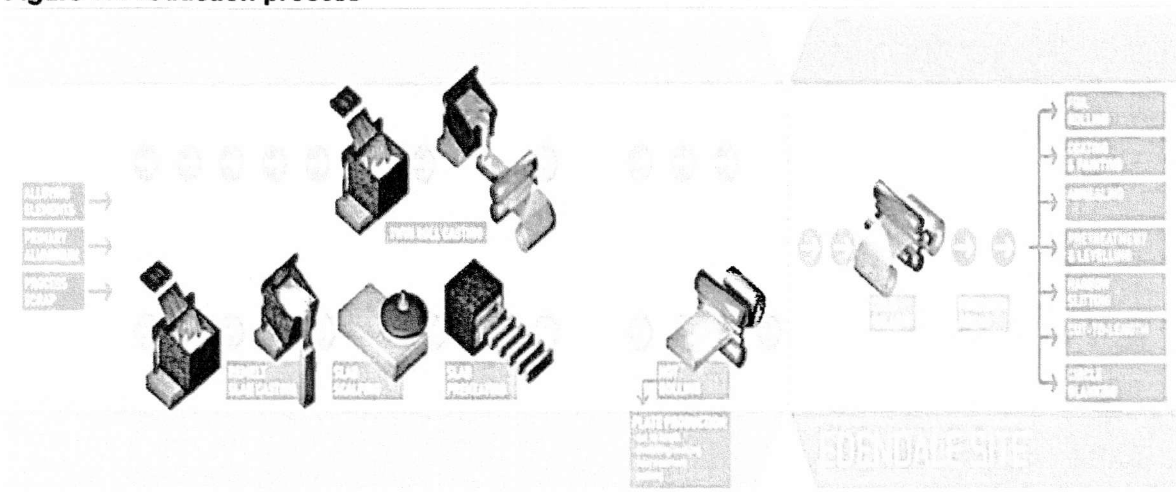
10. Key attributes that make aluminium material a preferred product include: the ability to be repeatedly recyclable without losing its properties; its lightness (one third the weight of steel) and strength, especially when alloyed with other materials; excellent conductor of heat and electricity; ability to protect against interference of magnetic fields; and durable and corrosion-free as a result of a resilient oxide layer that forms on the material resulting in low maintenance.

11. The main input material used in the manufacture of the subject products are primary aluminium ingots, alloyed aluminium rolling slab ingots, in-house scrap and scrap aluminium purchased from scrap merchants.

12. The applicant sources its input material mainly from South 32 Hillside Smelter and the other alloying materials are sourced from various local and international suppliers.

13. Figure 2 below depicts Hulamin's production process for the manufacture of the subject products. In general, the rolled products operation uses Direct Chill ("DC") casting/hot rolling technology.

Figure 1: Production process



Source: Applicant 2019

14. The rolled products operation includes a cast house and recycling facility, continuous casters, a hot mill line, cold and foil rolling mills and a range of finishing equipment. These precision finishing processing lines include cut-to-length lines, slitters, cleaning and tension levelling lines and coil coating lines. A dedicate plate plant is fully equipped with heat treatment, sawing, stretching and plate cut-to-length lines.

15. Hulamin has a shared machine capacity for the subject products in terms of the hot-rolling and cold-rolling manufacturing processes. A reduction in volume in one of the rolling processes will result in the overall decline in operational efficiency of the plant.

16. Hulamin is the only known manufacturer of the aluminium rolled products in the SACU region.

17. The subject products are mainly used in the packaging, transport (road, marine and rail), automotive, marine, construction, general engineering, electronics, energy and white goods industries.

18. The investigation revealed the major market segment for which they do not produce aluminium rolled products are aerospace and auto body sheet due to lack of large-

scale aircraft manufacture in South Africa and the substantial investment required in comparison to the relatively small market in South Africa.

19. The identified importers and users of aluminium rolled products are shown in Table 3 below.

Table 3: Identified importers of the subject products

Can body stock	Sheet, strips and plates	Foil
• Nampak Bevcan, a division of Nampak Products Ltd. • Indabingi Sithole (Pty) Ltd. t/a Gayatri Cans (Pty) Ltd. • GZ Industries Ltd t/a GZIcans.	• Aerosud Aviation (Pty) Ltd; • Copalcor (Pty) Ltd. • Euro Steel Services (Pty) Ltd. • Guala Closures SA (Pty) Ltd. • Mahle Behr SA (Pty) Ltd. • MA Automotive Tool and Die (Pty) Ltd. • Watertite Guttering (Pty) Ltd.	• Afripack Consumer Flexibles (Pty) Ltd. • Abbott Laboratories SA (Pty) Ltd. • Air Chefs SOC Ltd. • Colpack (Pty) Ltd. • Parmalat SA (Pty) Ltd. • Smith's Manufacturing (Pty) Ltd. • TetraPack (Pty) Ltd and. • WYDA Packaging (Pty) Ltd.

Source: ITAC 2019

20. The SARS' official trade statistics reveal that imports of can stock, sheet, strips, and plates; and foil products increased by an average of 24 per cent, 22 per cent, and 19 per cent per year, respectively, from 2016 to 2018 . Imports of the subject products originating from China increased by 144% during the same period. The importers and users of the subject products use the material in the manufacture of goods destined for the food and beverage industries, pharmaceuticals, automotive components, construction and for household applications.

21. The Commission found that there are increasing opportunities for aluminium usage in the domestic market due its lightweight, ability to be recycled repeatedly and corrosion resistance properties. In this regard, the applicant made significant investments in strategic assets in order to maximize opportunities in the industry.

COMPETITIVE POSITION

22. The Commission understands that the pricing of aluminium rolled products consists of three portions, namely the base metal, conversion costs and geographic premium.

23. Challenges facing the domestic industry include high manufacturing costs; subsidised imports; relatively small domestic market that makes it difficult to sell sufficient volumes to recover investment costs and to achieve economies of scale;

high export-intensity on sales and the associated exposure to volatile global trading environment.

24. The domestic industry manufacturing aluminium rolled products is not price-competitive against East-Asian of the subject imports and is experiencing significant price disadvantages.

COMMENTS RECEIVED

25. Comments on the application were received from, *amongst others*, the following interested parties: Autoneum Feltex (Pty) Ltd; GRW Engineering (Pty) Ltd; MA Automotive Tool & Die (Pty) Ltd; Mahle Behr (Pty) Ltd; National Association of Automobile Manufacturers of SA (NAAMSA); National Association of Automotive Component and Allied Manufacturers (NAACAM); Smiths Manufacturing (Pty) Ltd; Nautic Africa & Vee Craft; Legacy Marine Group; Coca Cola Beverages South Africa (CCBSA); Distell; Nampak Bevcan; Printing SA; Argent Steel t/a Gammid; INSA (Pty) Ltd; Non-Ferrous Metal Works; Mr Volker Schütte; XA International Trade Advisors [representing CTI Systems (Pty) Ltd, Copalcor (Pty) Ltd, Metal and Tool Trade (Pty) Ltd, Watertite Guttering (Pty) Ltd and WYDA Packaging (Pty) Ltd] ; Qualipack Trading (Pty) Ltd; Aluminium Federation of South Africa; EasiGas; EnviroServe; Industrial Oleochemical Products, a division of AECI Ltd; Isizinda Aluminium; Oryx Oil South Africa; Polyslit Converters (Pty) Ltd; Sebenza Forwarding & Shipping; SLCNG; South 32- Hillside Aluminium Smelter; and Wispeco Aluminium.

26. Comments objecting to the application centred on the following allegations: the broad scope of the application; the cost-raising effect of duty on products not manufactured locally; the cost-raising effect of duty on downstream industries; the administrative burden of the rebate provisions; the impracticality of large minimum order requirements by the applicant; the applicant is a monopoly as it is the only producer locally of the subject products; the high conversion price of the subject products; the inconsistency in the application of the geographic premium; and the lower price of the subject products in the export markets.

27. Comments supporting the application centred on the following claims: the sustainability of the entire aluminium value chain is crucial; the volatile global trade

caused by the excess supply of aluminium and the US Section 232 Duties; South Africa is the only developing country with an aluminium industry that has a zero duty; suppliers of raw material like slabs need Hulamin as a customer to preserve their investment and jobs; the duty will support the vision of the South African Aluminium Industry Road Map; other countries are supporting their aluminium industry through government subsidies; tertiary fabricators will not be sustainable in the absence of semi-fabricators; and the applicant has already shut down its aluminium extrusions operations in SACU as evidence of harmful effect of the low-priced imports.

FINDINGS

28. The Commission considered all the relevant information at its disposal. In particular, the Commission considered the following factors:

- Dynamics of global trade in aluminium rolled products, characterised by volatility, government subsidies and excess global supply;
- Various trade barriers instituted by several countries in the global market and the impact these will have in the form of trade diversion towards markets without protection like SACU;
- Aluminium rolled products occupy a strategic position in the domestic aluminium value chain given the backward and forward linkages;
- The rising level of imports in general and from the East Asian economies in particular, and the concomitant erosion of the market share of the SACU industry manufacturing aluminium rolled products;
- The significant decline in sales, production, and capacity utilisation of the domestic industry manufacturing aluminium rolled products;
- The diminishing domestic employment opportunities in the aluminium rolled products industry;
- The significant investment currently made by the applicant in strategic assets and strategic investments in the pipeline that would contribute meaningfully to

job creation and export growth;

- The escalating cost pressures and price suppression facing the applicant;
- The worsening competitive position of the domestic manufacturing industry as a result of low-priced imports; and
- The increasing opportunities in the domestic market presented by aluminium becoming the preferred material due its lightweight, recyclability and corrosion resistance properties.

29. Pertaining to the contention that the requested duty if granted will affect products not manufactured by the domestic industry, the Commission recommended the creation of Schedule 4 rebate provisions in order to exclude the product range currently not manufactured locally. Rebate item 470.03 and drawback item 521.00 are currently available for local manufacturers who manufacture for the export markets.

30. The Commission found that, it is unlikely that an increase in the general rate of customs duty on aluminium rolled products will erode local competition and allow excessive increases in prices given that the imports of the subject products from the Europe Union will continue to be imported free of duty. This will ensure that the market determines the price, customers will have alternative sources of supply, and therefore the risk of abuse of dominance will be minimal.

31. The Commission concluded that tariff support should enable the industry manufacturing aluminium rolled products to increase the domestic production for the subject products; continue to invest in strategic assets; achieve economies of scale in new product range; and create both direct and indirect jobs.

RECOMMENDATION

32. In light of the foregoing, the Commission recommended an increase in the general rate of customs duty on aluminium rolled sheets, plates, strips can stock, and foil products, classifiable under tariff headings 76.06 and 76.07, from free of duty to the WTO bound rate of 15% *ad valorem*.

33. The Commission further recommended the creation of Schedule 4 rebate

provisions to cater for product range not manufactured domestically, as follows:

–*Aluminium plates, sheets or strip, of a thickness exceeding 0.2 mm, rectangular (including square), not alloyed, with a width not exceeding 200 mm or those with a width exceeding 1700 mm, classifiable In tariff subheading 7606.11, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Aluminium plates, sheets and strip, of a thickness exceeding 0, 2 mm but not exceeding 0.5 mm or with a thickness exceeding 1.2 mm, rectangular (including square), alloyed, classifiable in tariff subheading 7606.12.07, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Aluminium plates, sheets and strip, of a thickness exceeding 0.2 mm, rectangular (including square), alloyed, not coated or covered with paint, enamel or plastics [excluding non-slip flooring with patterns in relief (tread plate), those which are perforated, and those containing by mass more than 0.5 per cent of copper, 6 per cent of magnesium or 4 per cent of silicon], classifiable in tariff subheading 7606.12.17, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Aluminium plates, sheets and strip, rectangular (including square), alloyed, those with a thickness greater than 60mm; those with a width exceeding 2000 mm; those that are surface treated with titanium and/or zirconium; classified in tariff subheading 7606.12.90, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Other, of aluminium, classifiable in tariff heading 7606.9, at such times, in* *such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Aluminium foil, not backed, of a thickness not exceeding 0.2 mm, of a width not exceeding 200 mm or of a width exceeding 1550 mm, rolled but not further worked, classifiable in tariff subheading 7607.11, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market;*

–*Other aluminium foil (whether or not printed), not backed, of a thickness not exceeding 0.2 mm, classifiable in tariff heading 7607.19, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market; and*

–*Aluminium foil, backed (whether or not printed), of a thickness (excluding backing) not exceeding 0.2 mm, classified in tariff heading 7607.20, at such times, in such quantities and subject to such conditions as the International Trade Administration Commission may allow by specific permit, provided the goods are not available in the SACU market.*

34. Finally, the Commission recommended that the proposed duty on the subject products be reviewed after at least one (1) year following the introduction of tariff support (unless determined otherwise by the Commission) to monitor the performance of the domestic industry.