

May 17, 2023

The Honorable Gina Raimondo  
Secretary of Commerce  
International Trade Administration  
Attn: Enforcement and Compliance  
APO/Dockets Unit, Room 18022  
U.S. Department of Commerce  
14<sup>th</sup> Street and Constitution Avenue, NW  
Washington, D.C. 20230

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Case Nos. A-122-869, A-570-150,  
A-428-851, A-580-915, A-421-816,  
A-583-870, A-489-848, A-412-827,  
C-570-151

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Investigation

**PUBLIC DOCUMENT**

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**Re: Antidumping and Countervailing Duty Investigations of Tin Mill Products**

Dear Secretary Raimondo,

We write with great concern about a recent petition to impose anti-dumping duties on tin mill steel products, filed by Cleveland-Cliffs on January 18. Companies and associations across myriad manufacturing sectors, from food manufacturing to can-making to home-building, are alarmed that decisions in the case could rest on egregious claims and incorrect assertions, and that the requested duties — if imposed — would markedly increase costs on consumers and especially America's most vulnerable. Significant job losses, inflation, increased imports of consumer goods, waning reliance on domestic agriculture, and compounding socio-economic disparities are inevitable if the petitioner's claims are accepted. It is critical that Commerce review the record carefully to ensure that there is a full understanding of the actual market dynamics in play, and that it apply anti-dumping methodologies in a fair and thorough manner.

Tin mill steel is the primary component in many food, beverage, household, and personal product cans. Everything from canned soup and vegetables, to pet food and paints, primarily comes in cans made from tin mill steel. Domestic tin mill steel manufacturers are critical to can manufacturing operations and the industries that utilize these cans, but domestic steel producers can supply only 50 percent of total demand from U.S. can manufacturers.

Moreover, certain can-making specifications and qualification requirements can only be met using steel that only foreign producers manufacture. These unique can specifications are based on the products they contain (such as baby formula or acidic foods like tomatoes). The vast majority of tin mill steel imports come from allied nations. Certain types of steel, like drawn-and-ironed, and certain widths of steel are not manufactured in commercial quantities in the United States.

Imposing duties on products that domestic steel producers cannot or will not make simply does not make sense. Despite record high prices for tin mill steel globally and in the U.S. market, domestic tin mill steel makers have reduced capacity by more than 60 percent since the introduction of Section 232 tariffs and quotas on steel in 2018. Any finding that imposes duties on necessary imports of tin mill steel would be unwarranted considering already high U.S. prices and lack of domestic production. Indeed, the prohibitively high tariffs requested in the petition will lead to domestic shortages, which will, in turn, threaten nearly 40 thousand union and non-union American jobs in industries that make or use steel cans. Imports from the very few countries that are not subject to investigation cannot make up for the shortages.

Lastly, it bears mentioning that the petition's inclusion of Chinese steel is a red herring; China accounts for only 10% of U.S. tin mill steel imports. Imposing duties on allies like Germany, the Netherlands,

Canada, the United Kingdom, South Korea, Taiwan, and Turkey is not only without merit, but runs counter to long-standing trade partnerships and diplomatic efforts to oppose China's geopolitical influence.

We are especially concerned that imposition of the duties proposed by the petitioner would raise the cost of canned foods and everyday household products, placing new burdens on food banks and families who rely on government food and nutrition assistance programs. In fact, a recent study found that average canned food prices would increase by between 19% and 30%. That translates to an additional 36 to 58 cents per can of food.

The duties pose an existential threat to domestic can manufacturers and packaging suppliers. Imports of finished cans and canned food products from China, Mexico, and other countries are already increasing. Canned food imports from China alone increased 19% from 2021 to 2022. New tariffs and restrictions, based on incorrect assertions, would only accelerate these trends.

In short, the duties sought by Cleveland-Cliffs would put tens of thousands of union and non-union jobs on the line, while failing to fix chronic quality and on-time delivery issues that domestic tin mill steel producers have not addressed despite years of trade relief, including the Section 232 action in place since 2018.

As domestic manufacturers and stakeholders with a vested interest in the appropriate application of U.S. laws supporting fair competition, we hope that you will approach this case with the utmost scrutiny and careful consideration of the facts presented.

Sincerely,

American Coatings Association

American Frozen Food Institute

American Fruit and Vegetable Processors and Growers Coalition

Agriculture Transportation Coalition

Beer Institute

California League of Food Producers

Can Manufacturers Institute

Consumer Brands Association

Corn Refiners Association

Farmers for Free Trade

FMI – The Food Industry Association

Household & Commercial Products Association

Independent Bakers Association

Midwest Food Products Association

North American Meat Institute

National Confectioners Association

National Foreign Trade Council

National Retail Federation

National Turkey Federation

Pet Food Institute

Refrigerated Foods Association

Retail Industry Leaders Association (RILA)

Shelf Stable Food Processors Association

SNAC International

Southeastern Food Processors Association