



Department for
International Trade

**Pre-Sampling Questionnaire (Exporter)
Anti-dumping/subsidy Transition Review of anti-
dumping and/or countervailing measures
Cases 0004 and 0005: Biodiesel originating in the
United States of America and consigned from
Canada**

Period of Investigation:	1 July 2019 to 30 June 2020
Injury Period:	1 July 2016 to 30 June 2019
Deadline for response:	26 August 2020
Case Team Contact:	Josh Smith/Thomas Westlake at TD0004@traderemedies.gov.uk(dumping) or TS0005@traderemedies.gov.uk (subsidies)
Completed on behalf of:	RBF Port Neches LLC

When you have completed this form, indicate the **confidentiality** of this document by placing an X in the relevant box below:

Confidential

Non-Confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **Confidential** and a **Non-Confidential version**. Both copies should be returned to TRID using the Trade Remedies Service (www.trade-remedies.service.gov.uk) by **26 August 2020**.

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The scope of this review

Goods subject to review

This review covers biodiesel originating in the United States of America and consigned from Canada, described as:

Fatty-acid mono-alkyl esters (FAME) and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, commonly known as biodiesel. In a pure form or in a blend containing by weight more than 20%, fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, originating in the United States of America and consigned from Canada.

These goods are currently classifiable within the following commodity codes:

Dumping and Subsidy:

- 1516 20 98 (TARIC 1516 20 98 21, 1516 20 98 29, 1516 20 98 30)
- 1518 00 91 (TARIC 1518 00 91 21, 1518 00 91 29, 1518 00 91 30)
- 1518 00 99 (TARIC 1518 00 99 21, 1518 00 99 29, 1518 00 99 30)
- 2710 19 43 (TARIC 2710 19 43 21, 2710 19 43 29, 2710 19 43 30)
- 2710 19 46 (TARIC 2710 19 46 21, 2710 19 46 29, 2710 19 46 30)
- 2710 19 47 (TARIC 2710 19 47 21, 2710 19 47 29, 2710 19 47 30)
- 2710 20 11 (TARIC 2710 20 11 21, 2710 20 11 29, 2710 20 11 30)
- 2710 20 16 (TARIC 2710 20 16 21, 2710 20 16 29, 2710 20 16 30)
- 3824 99 92 (TARIC 3824 99 92 10, 3824 99 92 12, 3824 99 92 20)
- 3826 00 10 (TARIC 3826 00 10 20, 3826 00 10 29, 3826 00 10 50, 3826 00 10 59, 3826 00 10 89, 3826 00 10 99)
- 3826 00 90 (TARIC 3826 00 90 11, 3826 00 90 19, and 3826 00 90 30)

These commodity codes are only given for information.

In this pre-sampling questionnaire, these goods will be referred to as the goods subject to review. Any reference to goods subject to review in this pre-sampling questionnaire refers to the goods description above, regardless of the commodity code under which they are exported.

Like goods

In addition to seeking information about your company's export sales to the UK of the goods subject to review, this pre-sampling questionnaire will also ask about your sales of like goods in your domestic market and to third countries. Any reference to 'like goods' in this questionnaire refers to goods which are like the goods subject to review in all respects, or with characteristics closely resembling them.

Please follow the instructions for each question to provide the appropriate information regarding the goods subject to review or like goods.

Instructions

The Trade Remedies Investigations Directorate (TRID) of the United Kingdom's Department for International Trade will be carrying out a transition review of each trade remedy measure active under the EU system that the United Kingdom (UK) has decided to transition after EU exit. This transition review will consider whether the anti-dumping and/or countervailing measures for biodiesel originating from the United States of America and consigned from Canada are necessary or sufficient to offset dumping and/or subsidisation and whether there would be injury to the UK industry if these measures were removed.

I - Why you are being asked to complete this pre-sampling questionnaire

We are seeking your cooperation as an overseas exporter of the goods subject to review to inform our review of whether the current anti-dumping and/or countervailing measures should be maintained, varied or discontinued.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of overseas exporters complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further investigation. If you are sampled, we will send you a more detailed questionnaire to complete.

For more information in relation to this case, you may refer to the Notice of Initiation published at: www.trade-remedies.service.gov.uk/public/cases.

If you are sampled for further investigation, we will provide you with a further detailed questionnaire. By submitting a completed detailed questionnaire response, you might become eligible for an individual anti-dumping and/or countervailing amount, if we are recommending that measures continue following this review. Please refer to [Section C](#) for more information on individual anti-dumping and/or countervailing amounts.

If you do not complete this pre-sampling questionnaire or the detailed questionnaire, you could be found to be non-cooperating. For more details on how this may affect you, please consult our [operational guidance on non-cooperation](#).

II – Who should complete this form

You should complete this form if you are an overseas exporter of biodiesel originating in the United States of America and consigned from Canada (the goods subject to review).

III – Deadline for response

A completed pre-sampling questionnaire must be submitted to TRID by no later than **26 August 2020**. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact Josh Smith/Thomas Westlake at TD0004@traderemedies.gov.uk (dumping) or TS0005@traderemedies.gov.uk (subsidies).

IV – Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date. Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header. It is your responsibility to ensure that the non-confidential version does not contain any confidential information.

Please see <https://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/an-introduction-to-our-investigations-process#how-we-handle-confidential-information> for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to TRID in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019) and will be kept in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on www.trade-remedies.service.gov.uk/public/cases.

V – Period of Investigation

The Period of Investigation (POI) referred to in this pre-sampling questionnaire is 1 July 2019 to 30 June 2020.

VI – Injury Period

The Injury Period referred to in this pre-sampling questionnaire is 1 July 2016 to 30 June 2019.

Section A – Activities of your company and any associated parties

A1 – Your company’s activities

To determine whether your company is defined as an interested party or contributor for the purpose of this review, please select the activity/activities of your company below. For a definition of goods subject to review please refer to above section ‘the scope of this [review](#)’.

- overseas exporter of the goods subject to review
- importer of the goods subject to review in the UK
- producer of the like goods in the UK
- trade or business association representing the interests of producers or exporters of the goods subject to review
- trade or business association representing the interests of UK importers of the goods subject to review
- trade or business association representing the interests of UK producers of the like goods
- other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to the goods subject to review or the like goods:

As reflected in the data in this response, RBF [] during the period of investigation. However, RBF’s interests in this review are based on its capacity as a U.S. producer of biodiesel and potential exporter to the UK.

Please describe your interest in this case:

As noted above, RBF is a U.S. producer of biodiesel. RBF’s interests are based on its role as a foreign (U.S.) producer and potential exporter to the UK.

A2 – Associated parties and operational links

Please give details of all associated parties involved in the production and/or sales (export and/or domestic) of the goods subject to review or like goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of ‘Related Persons’ in [regulation 128 of the Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the goods subject to review or like goods.

	Company name	Company location (city, country)	Activities	Relationship
Your company	<i>RBF Port Neches LLC</i>	Houston, TX (USA)	Production /sale of biodiesel	N/A
Associated Party 1	<i>Renewable Biofuels LLC</i>	Houston, TX	Parent company of RBF Port Neches LLC	Wholly owns RBF Port Neches LLC
Associated Party 2				

+ Add additional rows as required

Section B – Production, conversion and sales volumes

B1 – Production

Please fill in your company’s total production volume and capacity for the goods subject to review and like goods in the table below.

	Volume (Metric tonnes)
Overall production of the goods subject to review and like goods during the POI	[_____]
Total production capacity of the goods subject to review and like goods during the POI	[_____]

B2 – Conversion

Please fill in whether your company primarily uses metric tonnes to measure its production volume and if not, then please describe your conversion method.

Does your company primarily use metric tonnes to measure its production volume?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If not, then please describe your conversion method to metric tonnes.	Gallons (at 60 deg. F) x 7.37353 lbs/gal, divided by 2204.62	

B3 – Sales volume and value

Please provide the total sales volumes and sales values in the table below. If you are exporting from both countries, please break down your data individually.

	Volume (units)	Value in US\$/CDN\$ (delete as appropriate)
Total export sales of the goods subject to review to the UK in the POI manufactured by your company	[]	[]
Total export sales of the goods subject to review to the UK in the POI not manufactured by your company	[]	[]
Total domestic sales of like goods in the POI manufactured by your company	[]	<u>USD</u> []
Total domestic sales of like goods in the POI not manufactured by your company	[]	<u>USD</u> []

Section C – Individual anti-dumping and/or countervailing amount

If TRID decides to sample overseas exporters, and you are **not** selected for this sample, please indicate whether you would like to complete the detailed questionnaire.

By submitting a completed detailed questionnaire response, you might become eligible for an individual anti-dumping and/or countervailing amount, if we recommend continuing measures following this review.

- Yes

- No

If you are not selected for this sample and you then do not choose to complete a detailed questionnaire, you will not be eligible for an individual anti-dumping and/or countervailing amount. Your anti-dumping and/or countervailing amount will be determined based on the amounts imposed on the overseas exporters in the sample.

Please note:

If we recommend that a trade remedy measure continues following this review, and you have requested an individual anti-dumping and/or countervailing amount, please note that you will be required to supply the necessary information within the given timeframe for us to calculate this for you.

TRID must accept an overseas exporter's request for an individual anti-dumping amount and/or countervailing amount and calculate an individual amount, providing that:

- the information required is complete and submitted on time; and
- the number of requests for individual calculations does not unduly burden the review and risk delaying its conclusion.

Section D – Additional information

Please provide any other relevant information which you think would be useful to help our investigation in the box below.

This may include:

- other interested parties you believe should receive a questionnaire;
- any initial views you have about the possible existence of a particular market situation in the domestic market of the exporting country or territory such as:
 - situations/distortions in the domestic market of the exporting country where prices are artificially low;
 - significant barter trade;
 - prices reflect non-commercial factors; or
 - any other reasonwhich means it is not appropriate to use the comparable price to determine the normal value of the goods subject to review; or
- the scope of the investigation;
- anything else you consider relevant

Please note that the value of domestic sales reported includes []

In addition, as part of this review, we will conduct an Economic Interest Test to assess whether a measure is in the economic interest of the UK. As part of this process, we would like your help to identify upstream and downstream industries which may wish to contribute to our review. If possible, please provide the names and contact information for any UK-based companies operating upstream or downstream of your business in the supply chain for the like goods.

As noted, RBF [
position to provide such information.

] and thus is not in

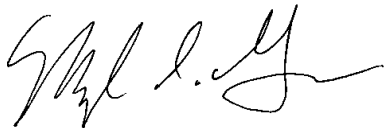
Section E – Certification

By providing the information above, you acknowledge that your company may be asked to complete a detailed questionnaire and TRID may ask to visit your premises in order to verify the questionnaire response.

The undersigned certifies that the information supplied herein is correct and complete to the best of their knowledge and belief.

The undersigned certifies that they have the authority to supply the information contained herein on behalf of [Click or tap here to enter text](#).

Signature (including e-signature):

A handwritten signature in black ink, appearing to read 'Myles S. Getlan', written in a cursive style.

Name: Myles S. Getlan

Position at company: Partner, Cassidy Levy Kent (USA) LLP, counsel to RBF Port Neches LLC

Date: August 26, 2020