

Note: Category 2 of the scope was added to this notice on 27 July 2021 after an error was identified in the original Notice. Please see the note published to the public file of this case for further information.

NOTICE OF INITIATION
TRANSITION REVIEW No. 0005

**Anti-subsidy amounts on biodiesel originating in the United States of America
and consigned from Canada**

Initiation of a Transition Review of Countervailing Measures

The Secretary of State for International Trade (the Secretary of State) makes the following Notice to initiate a transition review of an EU trade remedies measure under regulation 98 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (the Regulations).¹

The EU trade remedies measure subject to review is:

Commission Implementing Regulation (EU) 2015/1519 of 14 September 2015.

The date of initiation of the review is 11 August 2020.

Description of the goods subject to review:

Category 1 goods (biodiesel, pure or blend, greater than 20% biodiesel content)

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.

Commodity codes:

15 16 20 98 21	27 10 19 46 29	38 26 00 10 20
15 16 20 98 29	27 10 19 47 21	38 26 00 10 29
15 18 00 91 21	27 10 19 47 29	38 26 00 10 50
15 18 00 91 29	27 10 20 11 21	38 26 00 10 59

¹ As amended by the Trade Remedies (Amendment) (EU Exit) Regulations 2019, the Trade Remedies (Amendment) (EU Exit) Regulations 2020, and the Trade Remedies (Amendment) (EU Exit) (No. 2) Regulations 2020.

15 18 00 99 21	27 10 20 11 29	38 26 00 10 89
15 18 00 99 29	27 10 20 16 21	38 26 00 10 99
27 10 19 43 21	27 10 20 16 29	38 26 00 90 11
27 10 19 43 29	38 24 99 92 10	38 26 00 90 19
27 10 19 46 21	38 24 99 92 12	

Exporting Countries:

The United States of America and Canada

Category 2 goods (biodiesel, blend, less than 20% biodiesel content)²

Fatty-acid mono-alkyl esters or paraffinic gasoil obtained from synthesis or hydro-treatment, of non-fossil origin, commonly known as 'biodiesel', in a blend containing by weight 20% or less of fatty-acid mono-alkyl esters or paraffinic gasoil obtained from synthesis or hydro-treatment, of non-fossil origin, originating in the United States of America.

Commodity codes:

15 16 20 98 30	27 10 19 46 30	38 24 99 92 20
15 18 00 91 30	27 10 19 47 30	38 26 00 90 30
15 18 00 99 30	27 10 20 11 30	
27 10 19 43 30	27 10 20 16 30	

Exporting Countries:

The United States of America

Summary of the issues involved in the review

The review will consider—

² Category 2 of the scope was added to this notice on 20 July 2021 following the identification of an error in the original Notice. Please see the note published to the public file of this case for further information.

Transition Review TS0005

- whether the application of the countervailing amount is necessary or sufficient to offset the importation of the relevant subsidised goods in the UK market; and
- whether injury to the UK industry in the relevant goods would occur if the countervailing amount were no longer applied to those goods.

Period of investigation:

The period of investigation is 1 July 2019 to 30 June 2020. In order to assess injury, we will examine the period from 1 July 2016 to 30 June 2019.

Summary of the review process

The review will involve the following process:

- inviting parties to register their interest in the review,
- issuing questionnaires, where practicable, to:
 - overseas exporters or UK importers of the goods subject to review,
 - any trade or business association of overseas producers, overseas exporters or UK importers of the goods subject to review,
 - UK producers of like goods. Like goods means goods that are like the goods subject to review in all respects or, if there are no such goods, goods that have characteristics closely resembling those of the goods subject to review,
 - any trade or business association of UK producers of like goods; and
 - any other party (including interested parties and contributors) that has registered an interest in the review,
- verification visits to further assess and examine information,
- analysing information gathered; and
- publication of a Statement of Essential Facts. Interested parties will have 30 days to comment on the Statement of Essential Facts and the Secretary of State will then make a Preliminary Decision.

Interested parties may include:

- the Government of The United States of America and the Government of Canada
- any overseas exporter or importer of the goods subject to review
- any trade or business association of overseas producers, overseas exporters or importers of the goods subject to review,
- any producer of the like goods in the United Kingdom, and
- any trade or business association of UK producers of the like goods.

Contributors are those, other than interested parties, who have notified us that they would like to participate in the review.

Hearings

Interested parties can request a hearing by using the Trade Remedies Service at <https://www.trade-remedies.service.gov.uk/>.

Transition Review TS0005

For further information about hearings during a transition review, please see the [Meetings, Hearings and Visits Guidance](#) published by the Department for International Trade.

Registration period

Anyone interested in taking part in the review is invited to contact the Trade Remedies Investigations Directorate by **26 August 2020**. You can register your interest through the Trade Remedies Service at:

<https://www.trade-remedies.service.gov.uk/>

Please contact **TS0005@traderemedies.gov.uk** if you have any difficulties using this service.

It is possible that anyone registering their interest after **26 August 2020** may not be able to participate fully in the review process.

Other comments

Once registered, interested parties and contributors can submit comments on any issues relevant to the review through the Trade Remedies Service.

Information provided during an investigation may be treated as confidential. Anyone requesting that information be treated as confidential must demonstrate why, and provide:

- a non-confidential summary of the information; or
- where that is not possible, a statement of reasons as to why the information should be treated as confidential, and why it cannot be summarised.

Further information

The [Trade Remedies Guidance](#) produced by the Department for International Trade provides more information about the investigations process, including submitting confidential information.

Claire Bassett
Director
Trade Remedies Investigations Directorate
Department for International Trade

11 August 2020