



Department for
International Trade

Register as a contributor to the case Anti-dumping/Subsidy Transition Review of anti- dumping and/or countervailing measures

Cases 004 and 005: 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:	Diamond Green Diesel 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**.

Table of Contents

Table of Contents	2
I – Why you are being asked to complete this pre-sampling questionnaire	4
II – Who should complete this form	4
III – Deadline for response	4
V – Period of Investigation	5
VI – Injury Period.....	5

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

Any reference to 'like goods' in this pre-sampling questionnaire refers to goods produced in the UK or imported to the UK from a country other than the United States of America and/or Canada which are like the goods subject to review in all respects, or with characteristics closely resembling them.

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 in 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 a contributor to inform our review of whether the current anti-dumping and countervailing measures should be maintained, varied, or discontinued.

This pre-sampling questionnaire allows us to collect basic information and data about your organisation.

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

II – Who should complete this form

You should complete this form if you are interested in being a contributor to the transition review and you are not a producer, importer or exporter of the goods subject to review or like goods.

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 – Your organisation’s interest in the case

To register your organisation’s interest in this case, please complete the text boxes below. You should use this form if you are not a producer, importer or exporter of the goods subject to review or like goods. For a definition of goods subject to review/like goods, please refer to the section above, ‘The scope of this review’.

Please describe the role of your organisation with regards to the goods subject to review or the like goods:

Diamond Green Diesel LLC (“DGD”) <https://www.diamondgreendiesel.com/> is a global leader in the production of Hydrotreated Vegetable Oil (“HVO”), a biomass-based diesel product that, unlike methyl ester products, is a true hydrocarbon. DGD’s production facility, based outside New Orleans, Louisiana, USA, produces 808,824 Metric Tons per year of HVO, and is currently undergoing an expansion to increase the production capacity of the plant. The new production capacity is estimated to become operational at the end of 2021, and the new production capacity will be 1,985,294 Metric Tons per year. DGD uses waste oils and animal fats as feedstocks, and pursuant to the BioGrace model, the greenhouse gas emissions savings for the HVO produced by DGD is over 80%.

Please describe your interest in this case:

DGD markets its HVO products globally. Currently, DGD sells a significant portion of its production to Norway and Switzerland. Unfortunately, due to the EU anti-dumping and countervailing duties, DGD has been unable to sell its product to clients in the United Kingdom, as these duties result in DGD’s product being economically unviable. We believe that if these protectionist measures were removed, DGD would receive significant buying interest from customers in the UK. This would also give the UK market more supply and optionality in reaching their climate change goals. Further, DGD is unaware of any UK producers of DGD's renewable diesel.

Section B – Additional information

Use the box at the end of this section to provide any other relevant information which you think would be useful to help our investigation.

This may include:

- other 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 concerned/goods subject to review;
- the scope of the investigation; or
- anything else you consider relevant.

[CONFIDENTIAL]

Section C – Certification

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 their organisation.

Signature (including e-signature):

A handwritten signature in blue ink, appearing to read "Lourdes Catrain", with a horizontal line underneath it.

Name: Lourdes Catrain

Position at company: Partner, Hogan Lovells LLP, legal representative of the company

Date: 14 September 2020