NISHIMURA & ASAHI

Trade Remedies Authority
Premier House
60 Caversham Road
Reading, RG1 7EB
United Kingdom

5 August 2026

NON-CONFIDENTIAL

Dear Case Team,

<u>Subject</u>: **AD0091 (Linear Low-Density Polyethylene from the United States of America) – Notification of proposed sample**

<u>Our client</u>: **Equistar Chemicals, LP (‘*Equistar*’)**

We refer to the Notification of Proposed Sample in the context of the above-captioned investigation which was published on 30 July 2026 (the ‘***Notification***’), in which the TRA informed our client that it had been provisionally selected for inclusion in the sample of overseas exporters for the purposes of the present investigation.

According to the Notification, the TRA has identified the two overseas exporters proposed for inclusion in the sample by applying a statistically valid method, covering a range of volumes of exports, production volumes and values and grades of LLDPE exported to the UK during the POI, in line with regulation 56(3)(b) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019.

By the present letter, our client wishes to convey its concern at the TRA’s proposal to select it for inclusion in the sample of overseas exporters.

Our client understands that, out of the three US overseas exporters that submitted a completed pre-sampling form to the TRA, its own exports to the UK market were by quite some margin smaller than the non-sampled producer. This is readily apparent from a comparison with the figures reported by Chevron Phillips Chemical Company LP (‘***Chevron***’) which is the other US overseas exporter that has not been included in the proposed sample:[1]

[1] See, the responses of Equistar and Chevron to the Pre-Sampling Form, at Question 15.

Exports of LLDPE (POI)				
	Total Direct Export Volume (MT)	**Total Indirect Export Volume (MT)**	**Total Direct Export Value (GBP)**	**Total Indirect Export Value (GBP)**
Chevron	[990 – 1,200]	[20,000 – 25,000]	[800,000 – 1,000,000]	[18,000,000 – 23,000,000]
Equistar	[0 – 5000]	[7,500 – 12,500]	[0 – 5,000,000]	[5,000,000 – 12,500,000]

[**CONFIDENTIAL:** business sensitive information not susceptible of meaningful summary].

We emphasise that — as established in the case law of the WTO — recourse to a 'statistically valid method' when selecting a sample to be used in an anti-dumping investigation is underpinned by the basic requirement that the sample is 'representative' of exporting producers in the country concerned.[2]

In light of the above, our client fails to understand the *rationale* for the TRA's proposal to include it in the sample of overseas exporters while simultaneously excluding Chevron — despite the latter exporting a considerably more significant volume and value of LLDPE to the UK during the POI. In such circumstances, we are concerned that the approach proposed by the TRA would inevitably entail that the resulting sample would not be 'representative' in nature, ultimately leading to distorted findings in this investigation.

In order to ensure that the TRA is in a position to make accurate and undistorted findings at the end of the investigation, we therefore request that the TRA considers excluding Equistar from the proposed sample and instead selecting Chevron for this purpose.

Best regards,

Benoit Servais, Victor Crochet & Eamonn Arbuckle

[2] WTO Panel Report, *EU – Footwear (China)*, para. 7. 216.