

AS0067 Anti-subsidy investigation

Hydrotreated Vegetable Oil (HVO) originating in the United States of America

Note to public file

12 March 2026

Following the publication of its Notice of Initiation on 17 March 2025, the Trade Remedies Authority (TRA) has been conducting an anti-subsidy investigation into imports of HVO (also known as renewable diesel) originating from the United States of America (USA).

The TRA published its [Statement of Essential Facts \(SEF\)](#). This set out the TRA's intended final determination, which was to recommend putting measures in place. The TRA is now proposing to make a final negative determination, which would not recommend putting measures in place. This note explains why and how interested parties can comment.

On 28 November 2025, the TRA published its SEF. We concluded that HVO was being subsidised under the Blenders Tax Credit (BTC) during our Period of Investigation (POI) and that UK FAME producers were suffering injury due to the imported subsidised goods from the US. Based on this, the TRA intended to make a final determination recommending that the Secretary of State impose countervailing measures in the form of a fixed duty for a period of five years.

Following this publication, the TRA received comments from interested parties and contributors, which are available to view on the [public file](#). Having considered these comments, as well as additional information now publicly available, the TRA assessed whether there would still be present subsidisation of HVO imports under the BTC at the time when it makes its recommendation.

After careful consideration, we concluded that the BTC no longer offers present subsidisation to US HVO exporters. The final date when claims could be filed under the BTC was 15 October 2025. Without present subsidisation the TRA cannot recommend implementing measures.

Intended final negative determination

The TRA therefore intends to make a final negative determination under paragraph 11(8)(a) of Schedule 4 to the Taxation (Cross-border Trade) Act 2018 (the Act). The key considerations are outlined below.

Data from the cooperating exporters

The TRA received verifiable data from three US exporters – Diamond Green Diesel (DGD), Phillips 66 (P66) and St Bernard Renewables (SBR). The data and records seen as part of the TRA’s verification activity show that these parties submitted their final claims for BTC during January 2025 (for the period ending 31 December 2024, the end of the POI). Benefit under BTC was settled within the programme’s time limits. No data has been submitted or seen by the TRA that parties received any benefit beyond this.

The TRA concluded based on the data submitted and its verification activity of the three cooperating exporters that, for all three exporters, the BTC operated as a recurring subsidy, in that the benefit arose in the period in which the financial contribution was recognised for accounting purposes. Verification activity provided reasonable assurance that the BTC was recognised in full at the point of sale, as client sales were adjusted to account for the financial contribution being received. On this basis, there is no evidence to support an argument that BTC is a non-recurring subsidy.

US Inland Revenue Service (IRS) guidance on Blenders Tax Credit

The TRA has not been able to identify any payments made to blenders beyond the US tax submission deadline date of 15 April 2025. The benefit the TRA has identified being paid between 31 December 2024 and April 2025 was paid for fuel blended in the period up to 31 December 2024, therefore for the 2024 tax year for all known

HVO producers. The TRA notes that the US [Alternative Fuel Data Centre](#) marks the programme as expired as of 1 January 2025. Time limitations for submitting BTC in the USA depend on whether the credit is claimed as an excise tax credit (via **Forms 8849 / 720**) or an income tax credit (via **Form 4136**).

With both submission methods, claim forms 8849, 720, and 4136 have all been amended to remove the option for section 6426/6427 claims, including the BTC. [Schedule 3 of form 8849](#) has been removed from circulation, Schedule C ([lines 12a-12c](#)) have been removed from the updated form 720, and part II ([lines 10a-10c](#)) on form 4136 have also been removed. The associated guidance forms also detail these amendments, further implying that no more claims can be made under the BTC.

While the IRS allows for amendments to tax returns within three years from filing a return, the TRA understands that all BTC claims were required to be filed by 15 October 2025 (six months after the standard federal tax filing deadline on 15 April 2025). This is based on those companies that may have applied for an extension for the financial year ending 31 December 2024 and implies that 15 October 2025 is the limit of any ongoing subsidies under the BTC.

Conclusion

After considering the comments submitted by interested parties in response to the SEF, as well as the additional information now publicly available, the TRA has concluded that subsidisation of HVO under the BTC altered following the POI. BTC effectively ended by 15 October 2025 for those that filed for an extension (six months after the standard federal tax filing deadline on 15 April 2025) and no longer offers present subsidisation to the US exporters.

The TRA therefore intends to make a final negative determination under paragraph 11(8)(a) of Schedule 4 to the Act.

Next steps

If you have any evidence that shows present subsidisation of these imports which relates to the BTC, please contact the TRA via the Trade Remedies Service or at AS0067@traderemedies.gov.uk by **9 April 2026 at 17:30 hours GMT**.

We may consider submissions made after this date, but we are not obliged to do so if we believed it would cause an unnecessary delay. If we reject information for any reason, we will publish our reasons for rejection in our final determination.