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RTFA comments on submissions (Non confidential)

This submission by the RTFA is in response to various submissions to both cases, AS0067 and AD0068, and from the United States Government and St. Bernards Renewables in particular. We comment on four aspects of these submissions, namely

- Injury
- Standing
- Like goods
- Relevance of 45Z

1. Injury

To the comments that injury to the UK industry has not been demonstrated, we contend that the case has indeed demonstrated that, specifically, the imports of subsidised and dumped HVO from the USA have directly caused injury. Detailed verification of the UK industry's questionnaires has confirmed the level of that injury.

2. Standing

The RTFA is clear that the TRA has reflected accurately and appropriately the definition of standing in these cases. Indeed, without that confirmation the TRA would not have initiated the cases.

3. Like Goods

FAME and HVO are used in the same applications across the UK and indeed across the EU. The main consumption application for HVO is as a renewable substitute for fossil diesel, in the same way that FAME is used across the country as a renewable substitute for fossil diesel. RTFA is aware that the vast majority of HVO is used in road applications, where FAME is used; around 99% of HVO use is therefore in the same application and

for the same purpose as FAME. Furthermore, FAME and HVO are also both used for the RTFO fulfilment in the UK, both generating RTFC tickets. The RTFA is confident that the TRA's confirmation that the two products are 'like goods' is accurate and appropriate and in accordance with the WTO.

4. Relevance of 45Z

The change to 45Z regulation in the USA occurred after the end of the Period of Investigation (POI). The RTFA is clear that the investigation must abide by the rules and contend itself with the POI and not any changes that might occur outside that period.

Renewable Transport Fuel Association