

To:

Trade Remedies Authority (TRA)
Department for Business and
Trade United Kingdom

From:

United Arab Emirates

Date: 1 May 2025

Subject: Response to Provisional Affirmative Determination on Imports of Engine Oils and Hydraulic Fluids from the UAE

Dear Members of the Trade Remedies Authority,

I am writing in my capacity as a lubricant manufacturer and exporter based in the United Arab Emirates, in response to your **Provisional Affirmative Determination (PAD)** issued on 16 April 2025 concerning imports of engine oils and hydraulic fluids from the UAE.

We respectfully submit the following points and strongly urge the TRA to reconsider the imposition of the **59.40% countrywide duty** on XXXXXX, for the reasons detailed below:

1. XXXXXX Was Not Contacted During the Investigation

Despite being an active exporter to the UK, **XXXXX was never contacted or invited to participate** in the TRA investigation. As a result, we were deprived of any opportunity to present evidence, clarify our practices, or defend our position. This oversight violates principles of procedural fairness and impartiality. The company contacted was XXXXXX UK which is not related to us in any way, other than they are one of two importers of our products. They have no legal link to us. Also no entity in the UAE have contacted us for the investigation.

2. XXXXXX Is a New Exporter to the UK

Our company only began exporting to the UK in **January 2024**, less than 16 months ago. We are a **recent market entrant** and do not have a long trade history that could have contributed to any distortion of the UK domestic market.

3. XXXXXX Prices Are Not Abnormally Low

We categorically reject the assertion that our prices are undercutting UK producers. XXXXXX **sells at fair, commercially viable prices**, and we attach **copies of recent export invoices** as proof. These documents clearly demonstrate that our pricing is significantly above dumping levels.

4. We Acknowledge That Some Exporters Undercut Prices

We recognize that **some exporters from the UAE and other countries may be selling at abnormally low prices**. We agree that this is harmful to fair competition. However, it is essential to distinguish between companies engaging in these practices and those like XXXXXX that uphold responsible pricing strategies.

5. XXXXXX Should Not Be Penalized for Others' Practices

The decision to impose a **flat 59.40% countrywide tariff** on all UAE exporters is unjust and disproportionate. It effectively punishes compliant exporters along with violators. This undermines our investment in building legitimate trade relationships and penalizes responsible operators.

6. Outrage Over Discriminatory Treatment Among UAE Exporters

It is **completely unacceptable and outrageous** that the TRA has granted **preferential treatment to one UAE exporter**, imposing a **reduced duty of 24.95%**, while penalizing all others — including OXXXXX — with a **much higher 59.40% duty**. This differentiation is based solely on which companies the TRA chose to contact.

The TRA itself acknowledged in its report that **not all companies could be contacted**. However, if Oscar Lubricants had been approached during the investigation, we would have **ully cooperated** and submitted the required data, just as we are doing now.

To **reward one company** for being contacted and to **penalize others for not being contacted** is unjustifiable. Now that we are actively cooperating, **XXXXXX must be treated as an individual participating company**, not as part of the undifferentiated group subjected to the punitive 59.40% rate.

7. Pre-PAD Shipments Already at Sea Should Be Exempted

We currently have **shipments en route to the Port of London**, which were **dispatched before the Provisional Decision was issued on 16 April 2025**. These goods were shipped under the prior legal and trade framework. We respectfully request that these consignments **be exempted from provisional duties**.

Conclusion and Request for Reconsideration

In light of the above, we respectfully request that:

- XXXXX be **granted individual treatment** as a cooperating exporter;
- Our pricing data and cooperation be accepted for a proper individual duty calculation;
- The **countrywide 59.40% duty not be applied** to our shipments;
- Goods shipped prior to 16 April 2025 **be exempted** from provisional duties.

We reaffirm our commitment to full transparency and cooperation with the TRA. We are ready to supply any data or documentation needed to support our position.

Respectfully,
XXXXXXX