



Anti-Dumping Questionnaire for interested parties and contributors

Case ER0084: Expiry Review of biodiesel products originating in the USA (including biodiesel products consigned from Canada).

Period of Investigation (POI):	1 January 2025 to 31 December 2025
Injury period:	1 January 2022 to 31 December 2025
Deadline for response:	1 April 2026
Contact details:	ER0084@traderemedies.gov.uk
Completed on behalf of:	<i>Valero Energy Ltd</i>

When you have completed this form, indicate the **confidentiality status** 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 a **Confidential** and a **Non-Confidential** version of both the questionnaire and annex, as well as any additional documents you append. All documents should be uploaded to the Trade Remedies Service (www.trade-remedies.service.gov.uk) by 1 April 2026.



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Introduction

About us, this case and this questionnaire

The Trade Remedies Authority (TRA) investigates whether trade remedies are needed to prevent injury to UK industry.

This expiry review is in reference to the [Trade Remedies Notice 2026/06](#) and TRA [Notice of Initiation](#), and will consider whether dumping of biodiesel products originating in the USA (including biodiesel products consigned from Canada), causing injury to the UK industry, is continuing or likely to recur if the goods were no longer subject to current anti-dumping duty.

Why should I take part?

We are asking contributors and interested parties to complete this questionnaire to inform our review of whether the current anti-dumping amount should be maintained, varied or discontinued.

The information your company provides will help us to reach a fair and proportionate decision.

Please refer to our online guidance to understand more about how we carry out [expiry reviews](#) and the [differences between interested parties and contributors](#).

How do I respond?

Detailed guidance on how to complete the questionnaire is provided in the [instructions](#) section below.

Please provide all the information requested by 1 April 2026. We may send a notice asking for clarification or supplementary information where necessary. Make sure you provide the sources for any information or data you don't own and clearly state any restrictions on sharing it.

Where can I find more information?

Our [trade remedies guidance](#) provides more information about our investigations and processes we follow.

If you have any specific questions relating to the case, now or while you're completing the questionnaire, please contact the Case Team at ER0084@traderemedies.gov.uk.



You can also find out more about the regulatory basis of our investigations. The TRA investigates cases under the provisions of *Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 as Amended by the Trade Remedies (Amendment) (EU Exit) Regulations 2019* and under the *Taxation (Cross-border Trade) Act 2018*.

Instructions on completing this questionnaire

Preparing your response

This section sets out guidance on how to complete this questionnaire

If you think you won't be able to complete the questionnaire within the required time, please contact the Case Team ahead of the deadline using the contact details on the cover of this questionnaire. You should outline the length of extension you need and the reasons why. We will notify you of our decision.

If we can accommodate an extension, we will publish a note on our [public file](#) to record both the request and the extension granted.

Preparing confidential and non-confidential copies

You will need to submit one confidential version and one non-confidential version of your questionnaire by the due date. We will publish the non-confidential version on the public file. **Please ensure that each page of information you provide is clearly marked either “Confidential” or “Non-Confidential” in the header.**

Please see our guidance on [how to submit information](#) for further details on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

In preparing your response, please note the following:

- It is your responsibility to ensure that the non-confidential version does not contain any confidential information.
- Remember to include a statement explaining why information obtained in your response should be treated as confidential e.g. the data is commercially sensitive.
- Provide the source for all information or data you don't own and clearly state any restrictions on sharing it.
- If you do not provide a non-confidential summary (or a statement of reasons why you cannot provide this) each time you provide confidential information, the TRA may disregard the information you give us.

All information provided to the TRA 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 stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on <https://www.trade-remedies.service.gov.uk/public/case/ER0084/>.

How to complete this questionnaire

All statements should be substantiated with relevant data, information and the sources of these. You may be asked to attach supporting documents in appendices to supplement your responses. To help us verify your information, please retain all your supporting documents, including any calculations made when developing your responses.

Please also note the following points:

- Do not leave any questions blank. If the question is not relevant to your organisation, please explain why. If the answer to a question is “zero”, “no” or “none”, please write this.
- Please provide all formulas and calculations used within your questionnaire response.
- If there is insufficient space in any part of the questionnaire to provide the details requested, or we ask for copies of additional information, please submit this information as appendices. Please ensure that any attachments are given a corresponding appendix reference in the title of the document and that these are referenced in the boxes provided.
- Any documents not in English should be accompanied by an English translation.
- Please provide all dates in the format DD/MM/YYYY (e.g. 23/05/2023).
- Unless otherwise stated, ‘year’ or ‘calendar year’ refers to the period 1 January – 31 December and ‘quarter’ refers to the associated three-month periods e.g. 1 January – 31 March, 1 April – 30 June, etc.
- Identify all units of measurement and currencies used in tables, calculations and lists, if not provided by the corresponding instructions, and use units of measurement consistently (e.g. do not use kg and metric tonnes interchangeably).
- For all numerical figures, where appropriate please express every third number with a comma (e.g. ‘1,300’ for one-thousand three hundred, ‘1,300,000’ for one million and three-hundred thousand).
- Please limit all sales/currency/income figures to two decimal places, apply a full point as a decimal separator and use the appropriate currency symbol or abbreviation (e.g. £1,300.00).
- Provide all costing figures as actual amounts. Where actual amounts cannot be provided and you have reported standard costing instead, please indicate this in the relevant answer, and explain the variance from actual costs, if any.
- All figures should be reported net of tax unless otherwise stated.
- Please refer to the case number, ER0084, in any correspondence with the TRA.



What happens next

Once you have completed your questionnaire responses, you must upload confidential and non-confidential versions along with any additional documents you're providing through our [Trade Remedies Service](#). Following this:

- you will receive an email confirming the documents have been uploaded successfully;
- the Case Team will contact you if further information is required; and
- the non-confidential responses will be placed on the public file.

The scope of this review

Goods subject to review

This review covers biodiesel products originating in the USA (including biodiesel products consigned from Canada), described as:

Category 1 Goods (biodiesel, pure or blend, greater than 20% biodiesel content)

Fatty-acid mono-alkyl esters (FAME) and/or paraffinic gasoil obtained from synthesis 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 of non-fossil origin, originating in the United States of America, including consignments from, whether or not declared as originating in, Canada.

AND

Category 2 Goods (biodiesel, blend, less than 20% biodiesel content)

Fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis of non-fossil origin, commonly known as 'biodiesel', in a blend containing by weight 20% or less of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis of non-fossil origin, originating in the United States of America.

These biodiesel products are currently classifiable within the following CN codes:

1516209821	2710201121	3826001029
1516209829	2710201129	3826001050
1516209833	2710201133	3826001059
1518009121	2710201621	3826001089
1518009129	2710201629	3826001099



1518009133	2710201633	3826009011
1518009521	2710201693	3826009019
1518009921	2710201910	3826009033
1518009929	2710201990	3826001029
1518009933	3826001020	3826001050

These codes are only given for information and are subject to change.

In this questionnaire, these goods will be referred to as **'the goods subject to review'**. Any reference to 'goods subject to review' in this questionnaire refers to the goods description above, regardless of the commodity code under which they are exported.



SECTION A: About the case

A1 General information

1. Please complete the table below. Make sure the point of contact you name has the authority to provide this information.

Name (point of contact):	[Confidential: personal information]
Address:	
Telephone No:	
Email:	
Website:	

If you are representing a company, please also fill in the information below:

Company registration number:	8566216
Place of registration:	United Kingdom
Legal name of organisation:	Valero Energy Ltd.
Legal structure (e.g. limited company, sole trader, partnership etc):	Private Limited Company
Position in the organisation:	[Confidential: personal information]
Year of establishment:	June 12, 2013
Other operating names:	N/A
Countries you operate in:	[Confidential: commercially sensitive data]

2. Please explain your interest in this review.

<p>Valero Energy Ltd (“VEL”) is a subsidiary of Valero Energy Corporation (NYSE: VLO).</p> <p>Valero Energy Corporation (“Valero”), through its subsidiaries, is an international manufacturer and marketer of transportation fuels, and a leader in the commercialisation of emerging low-carbon intensity biofuels. Valero is a Fortune 50 company based in San Antonio, Texas [Confidential: commercially sensitive data].</p> <p>In the UK, VEL owns and operates Pembroke Refinery in southwest Wales, which is one of Europe’s largest and most complex refineries [Confidential: commercially sensitive data]. VEL is an importer of [Confidential: commercially sensitive data] FAME into the UK.</p>
Appendix reference:



A2 Information about this review

For each question, please give any information you feel is relevant to the case. If you have no information, please say so in your answer. This expiry review will consider whether dumping of biodiesel products originating in the US causing injury to the UK industry is continuing or likely to recur if the goods were no longer subject to current anti-dumping duty.

1. Please provide any information about the goods subject to review that you consider relevant.

N/A

Appendix reference:

2. Provide any information which you think could help us assess the likelihood of dumping occurring if the existing anti-dumping measure for the goods subject to review no longer applied.

There is no likelihood of recurrence of dumping of U.S. FAME into the UK if the current measures imposed under TD0004 are no longer applied, given the current U.S. domestic demand as well as third country markets for FAME. As will be further explained below, the TRA should terminate the ER0084 review.

Production capacity trends, high utilisation rates, and low inventory levels indicate that the U.S. FAME industry does not hold surplus volumes of FAME that could be redirected into the UK at dumped prices.

1. The U.S. has no incentive to sell FAME to the UK at dumped prices

Currently, there is no incentive to redirect U.S. FAME into the UK, as indicated by low excess capacity, inventory, and high domestic utilisation:

- **Capacity:** In recent years, U.S. FAME production capacity has declined materially, primarily due to weak margins and unfavourable feedstock dynamics that have led to plant slowdown and closures. According to U.S. Energy Information Administration data, U.S. FAME production capacity has been decreasing in the last years. Since 2021, production capacity fell by approximately 423 million gallons, from 2.409 billion gallons per year¹ to 1.986 billion gallons per year in 2025.²

¹ U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2021', available [here](#).

² U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2025', available [here](#).



- **Production:** Data from the US Department of Agriculture (“**USDA**”) for 2024 indicate that U.S. FAME production was 1,67 billion gallons in 2024 (see USDA data in the Table below).³ Against an estimated production capacity of around 2.09 billion gallons in that year,⁴ this corresponds to a utilisation rate of approximately 80%.
- **Stocks:** USDA data further show that beginning stocks for 2025 were at their lowest level since 2015 (see USDA data in the Table below). This low stock position indicates that U.S. producers do not hold surplus inventories that could be redirected to new export markets. Rather, available volumes are required to service domestic consumption and established export destinations.

USDA Data on Biodiesel Supply and Disappearance

Table 4b. U.S. biodiesel supply and disappearance by calendar year (1,000 gallons)

Calendar year	Beginning stocks	Production	Imports	Total supply	Consumption	Exports	Total use	Ending stocks	Discrepancy 1/
2001	NA	8,576	3,399	11,975	10,268	1,707	11,975	NA	NA
2002	NA	10,484	8,288	18,773	16,361	2,412	18,772	NA	NA
2003	NA	14,209	4,066	18,275	13,510	4,766	18,275	NA	NA
2004	NA	27,982	4,223	32,205	26,841	5,364	32,205	NA	NA
2005	NA	90,787	8,975	99,762	90,828	8,934	99,762	NA	NA
2006	NA	250,439	46,423	296,862	260,926	35,936	296,863	NA	NA
2007	NA	489,825	145,108	634,933	353,708	281,225	634,933	NA	NA
2008	NA	678,106	325,711	1,003,817	303,556	700,262	1,003,817	NA	NA
2009	NA	515,805	80,047	595,852	321,832	274,936	596,768	29,862	-30,778
2010	29,862	343,445	23,686	396,993	260,075	108,695	368,769	28,224	0
2011	28,224	967,481	37,396	1,033,101	886,171	75,542	961,713	84,194	-12,806
2012	84,194	990,711	35,826	1,110,731	899,046	128,342	1,027,388	83,343	0
2013	83,343	1,359,456	342,384	1,785,183	1,428,840	196,336	1,625,175	160,008	0
2014	160,008	1,278,979	192,276	1,631,262	1,416,857	82,919	1,499,777	131,486	0
2015	131,486	1,263,347	352,758	1,747,591	1,494,161	87,812	1,581,972	165,619	0
2016	165,619	1,567,730	708,918	2,442,266	2,085,437	88,124	2,173,561	268,705	0
2017	268,705	1,595,709	393,708	2,258,122	1,985,282	93,586	2,078,868	179,254	0
2018	179,254	1,857,319	166,698	2,203,270	1,903,705	103,752	2,007,457	195,813	0
2019	195,813	1,724,507	171,276	2,091,596	1,812,843	114,675	1,927,518	164,078	0
2020	164,078	1,814,698	196,728	2,175,504	1,876,343	145,215	2,021,558	153,946	0
2021	153,946	1,708,826	210,210	2,072,982	1,710,104	187,003	1,897,107	175,875	0
2022	175,875	1,622,028	249,900	2,047,803	1,658,088	238,186	1,896,274	151,530	0
2023	151,530	1,696,828	501,018	2,349,376	1,930,096	259,114	2,189,210	160,166	0
2024	160,166	1,671,408	429,702	2,261,276	1,931,228	180,728	2,111,957	149,319	0
2025	149,319	878,179	17,430	1,044,928	838,103	75,462	913,565	NA	NA

Taken together, declining capacity, high utilisation rates, and minimal inventories establish that U.S. producers lack both the capacity and the commercial incentive to increase exports to the UK should the measures lapse.

2. RTFO limits on UK-bound FAME

³ U.S. Department of Agriculture, 'U.S. Bioenergy Statistics' (21 January 2026), available [here](#). NB. Data for 2025 covers only the period until September 2025 and therefore is incomplete.

⁴ U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2024', available [here](#).



In the UK, demand for FAME is predominantly waste-based, driven by the UK's Renewable Transport Fuel Obligation (“RTFO”) programme, which allows double-counting of waste-derived FAME to meet supplier obligations. Given the strict regulatory requirements under RTFO, which limits imports mainly to FAME made from Used Cooking Oil (“UCO”) or other waste-based feedstock that commands premium prices, the U.S. capacity for exports to the UK is further limited.

It is generally only economically viable to export FAME that qualifies for RTFO double-counting (i.e., verified waste-based FAME). Because the majority of U.S. FAME is produced from soybean oil (a crop-based feedstock), such products are typically not competitive in the UK market and often are not economically viable under RTFO. As a result, U.S. export capacity into the UK market is constrained.

In addition, the UK imposes a 'crop cap' under the RTFO to limit the use of crop-derived biofuels, further reducing the demand for vegetable oil-based FAME. In 2026, the 'crop cap' value for biofuels derived from crops was set at only 3% of the total fuel volume supplied. The 'crop cap' will continue to decrease until 2032, when it will be set at 2%.⁵ Crop-based FAME volumes exceeding the 'crop cap' are ineligible for RTFO credits. Consequently, U.S. soybean oil-based FAME is either ineligible for meeting RTFO obligations or commercially unviable compared to waste-based FAME that benefits from double-counting.

3. The U.S. market is absorbing domestic FAME supply

The majority of domestic U.S. FAME production is consumed in the U.S. In 2024, U.S. consumption reached one of the highest levels (second only to 2016). Exports remain limited relative to production, demonstrating that producers are not dependent on exports (see Table “USDA Data on Biodiesel Supply and Disappearance” above).

The U.S. Renewable Volume Obligations (“RVO”) released on 27 March 2026 set the record-high renewable fuel volume requirements. The U.S. Environmental Protection Agency (“EPA”) estimates that U.S. FAME and HVO production and use will need to increase by over 60% compared to 2025 volumes in order to meet the 2026 and 2027 volume levels. In addition, starting in 2028, foreign fuels and feedstocks will receive half the compliance value compared to U.S. products.⁶ As such, with record-high domestic demand and favourable treatment of U.S.-origin products, U.S. FAME production is expected to be absorbed by the domestic market. Given the scale of the 2026 and 2027 obligations, current domestic production capacity is unlikely to be sufficient, and the U.S. will likely need to import additional FAME to meet those RVOs.

4. There is no incentive to increase production

⁵ Department for Transport, 'Renewable Transport Fuel Obligation: Compliance Guidance 2026: 1/01/26 to 31/12/26', available [here](#), p. 18-19.

⁶ U.S. Environmental Protection Agency (EPA), 'EPA Finalizes Historic New Renewable Fuel Standards to Strengthen American Energy Security, Support Rural Economies' (27 March 2026), available [here](#).



The termination of the Blenders Tax Credit (“**BTC**”) must be taken into account when assessing the likelihood of recurring dumping. With the BTC no longer offering benefits, a significant incentive for U.S. FAME production and exports has disappeared.

Appendix reference:

3. Do you think there would be injury to the UK industry if the existing anti-dumping measure for the goods subject to review no longer applied? Provide any information supporting your conclusions including what the cause of this injury would be. You can refer to our [guidance on how we assess injury](#) for a definition of injury.

As explained by the Appellate Body in *US – Country Tubular Goods Sunset Reviews*, a likelihood-of-injury determination must “rest on a ‘sufficient factual basis’ that allows the agency to draw ‘reasoned and adequate conclusions’”.⁷ In the present review, the evidence on the record indicates that the expiry of the measures would not lead to the continuation or recurrence of injury. This is based on the following arguments.

1. The UK industry is neither injured nor vulnerable to injury

As clarified by the Appellate Body, the examination of injury factors analysed in the original investigation in the context of an expiry review “may prove to be probative, or possibly even required, in order for an investigating authority in a sunset review to arrive at a ‘reasoned conclusion’”. The Appellate Body also stressed that “factors such as volume, price effects, and the impact of domestic industry of dumped imports taking into account the conditions of competition, may be relevant to varying degrees in a given likelihood-of-injury determination”.⁸

Moreover, in general terms, the fundamental requirement of Article 3.1 that an injury determination be based on “positive evidence” and an “objective examination” would be equally relevant to likelihood determinations under Article 11.3 of the WTO Anti-dumping Agreement.⁹

During the period from January 2022 to June 2025 (the injury period provided in the Expiry Review Request or the “**EER injury period**”), the UK domestic industry was neither injured nor vulnerable to injury. On the contrary, it remained commercially viable and competitive in the UK market.

As follows from the Complainants’ own data, UK sales to unrelated customers recovered strongly after 2023 and exceeded 2022 levels by a wide margin. In volume terms, sales to unrelated UK customers increased to an index of 118 in 2024 and

⁷ Appellate Body Report, *US – Country Tubular Goods Sunset Reviews*, para. 284.

⁸ See: Appellate Body Report, *US – Country Tubular Goods Sunset Reviews*, para. 284.

⁹ See: Appellate Body Report, *US – Country Tubular Goods Sunset Reviews*, para. 284.



further to 120 during July 2024 - June 2025 (the period of investigation provided in the Expiry Review Request or the “ERR POI”), i.e., approximately 20% above 2022 levels. When including related customers, UK sales followed the same trajectory, reaching an index of 121 in the ERR POI. This sustained recovery demonstrates both robust domestic demand and the UK industry’s continued ability to place products competitively with independent customers in the domestic market.

	2022	2023	2024	ERR POI
				July 2024 - June 2025
UK SALES TO UNRELATED COMPANIES (IN TONNES) (2022 = 100)	100	86	118	120
UK SALES TO UNRELATED AND RELATED COMPANIES (IN TONNES) (2022 = 100)	100	83	118	121

Source: Expiry Review Request, Appendix G.1 – Injury data

This positive domestic performance is reinforced by developments in productivity and inventories. Productivity improved markedly in 2024, rising to 113, and remained elevated at 109 in the ERR POI compared to the 2022 baseline. At the same time, closing stocks declined steadily throughout the EER injury period, falling from an index of 100 in 2022 to 55 in the ERR POI. Declining inventories alongside strong domestic sales volumes indicate effective stock management, the absence of unsold accumulation, and balanced supply-demand conditions in the UK market. These indicators are inconsistent with a situation of injury or vulnerability to injury.

	2022	2023	2024	ERR POI
				July 2024 - June 2025
PRODUCTIVITY (TONNES PRODUCED / EMPLOYEE) (2022 = 100)	100	94	113	109
CLOSING STOCKS (IN TONNES) (2022 = 100)	100	79	75	55

Source: Expiry Review Request, Appendix G.1 – Injury data

Importantly, the increase in UK industry sales occurred despite a contraction in demand. While UK consumption declined from an index of 100 in 2022 to 55 in the ERR POI and total imports fell even more sharply over the same period, the UK industry not only maintained but substantially expanded its sales volumes.

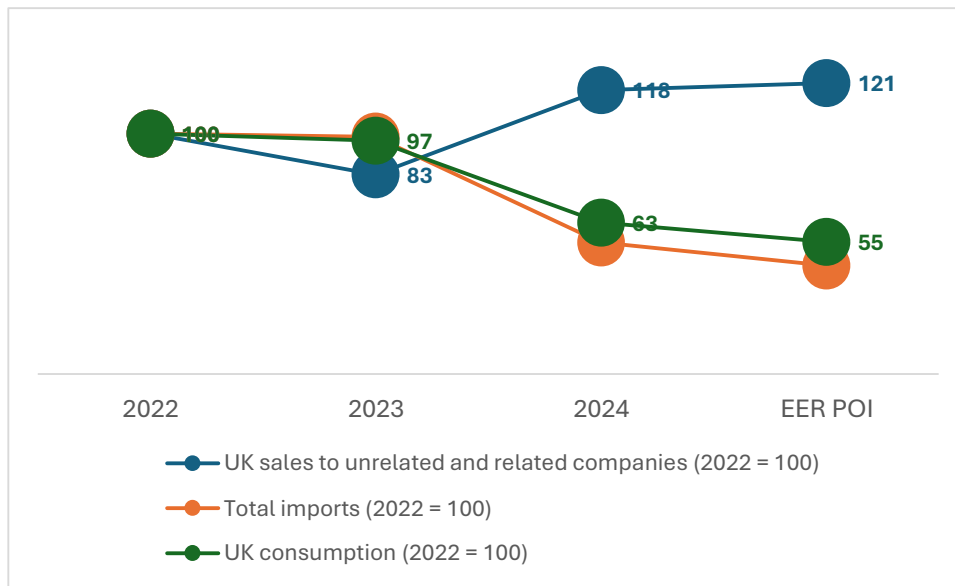
	2022	2023	2024	EER POI
				July 2024 - June 2025
UK SALES TO UNRELATED AND RELATED COMPANIES (IN TONNES) (2022 = 100)	100	83	118	121
TOTAL IMPORTS (IN TONNES)	1,295,835	1,278,951	709,284	585,345



TOTAL IMPORTS (IN TONNES) (2022 = 100)	100	99	55	45
UK CONSUMPTION (IN TONNES) (2022 = 100)	100	97	63	55

Source: Expiry Review Request, Appendix G.1 – Injury data; E.1 – HMRC import data

As a result, the UK industry’s market share increased materially. This demonstrates that the domestic industry was able to outperform the domestic market, capturing a larger share of declining demand, and further underscores the lack of injury.



To the extent that certain indicators, such as total production volume or overall profitability, show a downward trend, the data clearly point to export performance, rather than domestic market weakness, as the primary explanatory factor. As shown in the table below, exports to unrelated customers collapsed by approximately 95% over the EER injury period, declining from an index of 100 in 2022 to just 5 in the ERR POI. Even when related-party exports are included, total export sales declined significantly, reaching an index of 71 in the ERR POI. This sharp contraction in export activity readily explains the reduction in overall production volumes and profitability and cannot be attributed to competitive pressure in the UK market, nor to imports that could allegedly cause injury should the measures expire.

	2022	2023	2024	ERR POI
				July 2024 - June 2025
PRODUCTION IN VOLUME (IN TONNES) (2022 = 100)	100	95	91	87
UK SALES TO UNRELATED COMPANIES (IN TONNES) (2022 = 100)	100	86	118	120



UK SALES TO UNRELATED AND RELATED COMPANIES (IN TONNES) (2022 = 100)	100	83	118	121
EXPORT SALES TO UNRELATED (2022 = 100)	100	74	23	5
EXPORT SALES TO RELATED (2022 = 100)	100	110	96	94
TOTAL EXPORT SALES (IN TONNES) – RELATED AND UNRELATED (2022 = 100)	100	101	78	71

Source: Expiry Review Request, Appendix G.1 – Injury data

Moreover, while certain financial indicators and UK sales prices to unrelated customers declined compared to 2022, these movements are directly linked to – and explained by – a parallel and more pronounced decline in production costs, rather than by adverse market conditions or injurious pricing pressure. As shown by the data on record, UK sales prices to unrelated customers fell to an index of 77 in the ERR POI, while total manufacturing costs also declined to 77, and the cost of production per tonne fell to 83.

The decline in costs broadly matched the decline in prices, allowing the UK industry to preserve its cost-price relationship and maintain financial viability. This is further corroborated by the recovery in UK sales revenue to unrelated customers in 2024 and the ERR POI, despite lower unit prices. Accordingly, the observed decline in certain financial indicators does not signal injury but rather reflects structural cost improvements and normal commercial pricing behaviour in a competitive market.

	2022	2023	2024	ERR POI
				July 2024 - June 2025
UK SALES TO UNRELATED COMPANIES (in £) (2022 = 100)	100	70	89	92
TOTAL MANUFACTURING COSTS (2022 = 100)	100	109	88	77
UK SALES PRICE TO UNRELATED (in £/TONNE) (2022 = 100)	100	81	76	77
COST OF PRODUCTION (in £/TONNE) (2022 = 100)	100	92	83	83

Source: Expiry Review Request, Appendix G.1 – Injury data

Finally, other factors unrelated to the potential expiry of the measures on U.S. imports may be affecting the Complainants' performance. In particular, the Complainants themselves expressly acknowledge that the UK domestic industry “is currently suffering from injury caused by imports of biodiesel from China”.¹⁰ However, any injury attributable to imports from China cannot be considered for the assessment of the

¹⁰ Expiry Review Request, p. 99, para. 5.



likelihood of continuation or recurrence of injury in the event of the expiry of the anti-dumping measures on U.S. imports.

Taken together, the data on production, sales, productivity, inventories, prices, and costs indicate that the position of the UK domestic industry in the domestic market remains stable, while any negative trends observed during the EER injury period are overwhelmingly attributable to developments in external export markets.

In summary, the UK domestic industry is not materially injured. Consequently, the expiry of the measures cannot result in the continuation of injury. Moreover, as further explained below, the evidence on the record demonstrates that the expiry of the subject measures would not lead to the recurrence of injury.

2. The U.S. biodiesel industry is not export-oriented and almost entirely focused on serving its domestic market

As confirmed by the Complainants themselves, the “total US biodiesel exports during the POI represented only 10% of the total biodiesel production in the US during the POI”.¹¹ This figure demonstrates that the U.S. biodiesel industry is overwhelmingly domestically oriented, with the vast majority of production absorbed by the U.S. market.

Such a limited export share is inconsistent with an export-oriented industry seeking to expand aggressively into third-country markets, including the UK. Rather, it confirms that U.S. producers’ commercial focus is on serving domestic demand.

This conclusion is reinforced by U.S. policy and demand dynamics. As explained in response to Question 2, the U.S. EPA estimates that U.S. FAME and HVO production will need to increase by over 60%, compared to the 2025 volumes, in order to meet the 2026 and 2027 RVOs. Starting in 2028, foreign fuels and feedstocks will receive half the compliance value compared to U.S. products,¹² further solidifying the domestic – rather than export-oriented – focus of U.S. FAME producers.

This lack of export orientation is particularly relevant in the context of the UK market. The UK accounts for only a small fraction of global biodiesel demand and does not represent a natural or indispensable outlet for U.S. producers, especially in the absence of the BTC. The data, therefore, do not suggest that U.S. producers are either incentivised or commercially compelled to target the UK market in volumes sufficient to cause injury.

¹¹ Expiry Review Request, p. 60, para. 24.

¹² U.S. Environmental Protection Agency (EPA), 'EPA Finalizes Historic New Renewable Fuel Standards to Strengthen American Energy Security, Support Rural Economies' (27 March 2026), available [here](#).



Accordingly, the very low share of exports in total U.S. production confirms that U.S. producers are neither structurally dependent on exports nor oriented towards the UK market, further undermining any claim that imports from the United States would increase to injurious levels following expiry of the measures.

3. The U.S. biodiesel industry is not oriented toward the UK market

The U.S. biodiesel industry is not focused on the UK market.

First, the data provided by the Complainants expressly confirms that the U.S. biodiesel industry is not oriented toward the UK market. As the Complainants' own evidence shows, U.S. biodiesel exports are overwhelmingly concentrated in only two destinations.

In particular, during July 2024 – June 2025, Canada alone accounted for more than 80% of total U.S. biodiesel exports, while Peru represented a further 18.58%, notwithstanding the existence of trade defence measures in that market. By contrast, exports to the EU accounted for only 0.80% of total U.S. biodiesel exports, while exports to all other destinations – including the UK – accounted for a negligible 0.36%. These figures demonstrate a pronounced geographic concentration of U.S. exports and confirm that the UK does not constitute a meaningful or strategic export destination for U.S. producers.¹³

US biodiesel exports (in tonnes)	July 2024 – June 2025	Share in total exports
Canada	366,916	80.26%
Peru	84,935	18.58%
EU (mainly Germany)	3,656	0.80%
Others	1,655	0.36%
Total	457,161	100%

Source: FAS – US Department of Agriculture – Code 3826000000 (biodiesel & blends >B30) – Appendix E.7

This conclusion is further corroborated by the persistently negligible level of U.S. biodiesel imports into the UK over the ERR injury period. As the data provided by the Complainants confirms, even where imports occurred, volumes remained minimal and inconsistent with any sustained market entry strategy.¹⁴

In tonnes	2022	2023	2024	POI
Imports of FAME biodiesel from the US	2.5	0.1	1,193	1,193

Source: HMRC – see Annex 2 and Appendix E.1

¹³ Expiry Review Request, p. 49.

¹⁴ Expiry Review Request, p. 39.



This export pattern is incompatible with any claim that the U.S. biodiesel industry would seek to redirect significant volumes to the UK following expiry of the measures. If U.S. exporters were genuinely interested in the UK market, this interest would be reflected in actual export flows, just as it is in the case of Peru. The fact that U.S. producers export substantial volumes to Peru despite the existence of trade defence measures in that market underscores that U.S. exporters are willing and able to serve markets they consider commercially attractive. The absence of comparable exports to the UK, therefore, cannot be explained by the current measures alone but rather reflects a lack of commercial interest in the UK market.

Second, U.S. producers' capacity to export FAME to the UK is further limited by the UK's regulatory framework, which favours double-counted waste-based feedstock. Because the majority of U.S. FAME is produced from soybean oil (a crop-based feedstock), such products are typically not competitive in the UK market and often are not economically viable under RTFO. In addition, the UK imposes a 'crop cap' which limits the eligibility of crop-derived biofuels under the RTFO, reducing the demand for vegetable oil-based FAME to only 3% of the total volume of fuel supplied under the RTFO in 2026.¹⁵

The evidence on the record does not support any likelihood of injury arising from the U.S. imports following expiry of the measures. U.S. biodiesel exports are overwhelmingly concentrated in Canada and Peru, while exports to the UK are *de minimis*. There is no credible basis to conclude that U.S. imports would increase to injurious levels upon expiry of the measures.

4. U.S. does not have any substantial unused capacity

VEL disagrees with the assertion of the Complainants regarding the "significant" spare capacities in the U.S.¹⁶

As explained in response to Question 2 above, U.S. FAME production capacity has declined materially in recent years due to weak margins and unfavourable feedstock dynamics, falling by approximately 423 million gallons between 2021 and 2025, from 2.409 billion¹⁷ to 1.986 billion gallons per year.¹⁸

¹⁵ Department for Transport, 'Renewable Transport Fuel Obligation: Compliance Guidance 2026: 1/01/26 to 31/12/26', available [here](#), p. 18-19.

¹⁶ Expiry Review Request, pp. 56-59.

¹⁷ U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2021', available [here](#).

¹⁸ U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2025', available [here](#).



At the same time, USDA data show that U.S. FAME production reached approximately 1.67 billion gallons in 2024,¹⁹ corresponding to a utilisation rate of around 80% against estimated capacity,²⁰ a level inconsistent with the existence of substantial idle capacity that could be readily mobilised for additional exports. This tight supply situation is further confirmed by inventory data, which indicate that beginning stocks for 2025 were at their lowest level since 2015, demonstrating the absence of surplus volumes.

Taken together, declining capacity, high utilisation, and historically low stocks undermine any suggestion that U.S. producers have meaningful spare capacity and provide no credible basis to conclude that exports to the UK would increase to injurious levels if the measures were allowed to expire.

5. There is no incentive to increase production and exports

The termination of the BTC fundamentally alters the economic conditions underpinning U.S. FAME production. With the discontinuation of the BTC, U.S. FAME producers no longer benefit from the principal financial incentive that previously supported production and exports. In these circumstances, any assumption that U.S. producers would increase production or exports in the future is speculative and unsupported by the current incentive structure.

6. Conclusion

The evidence clearly demonstrates that the expiry of the measures would neither lead to the continuation nor the recurrence of injury. The UK industry is not materially injured or vulnerable to injury and remains commercially viable and competitive in its domestic market, with any adverse trends attributable to external export developments rather than imports.

At the same time, U.S. biodiesel exports are overwhelmingly domestically focused, lack any meaningful orientation toward the UK market, and no longer benefit from the BTC, while the 45Z PTC provides only negligible support. Taken together, these factors preclude any credible scenario in which U.S. imports would increase to injurious levels following expiry of the measures, and therefore do not satisfy the legal requirements for a finding of likelihood of injury under Article 11.3 of the Anti-Dumping Agreement and Regulation 70(6)(c) of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019.

Appendix reference:

¹⁹ U.S. Department of Agriculture, 'U.S. Bioenergy Statistics' (21 January 2026), available [here](#). NB. Data for 2025 covers only the period until September 2025 and therefore is incomplete.

²⁰ U.S. Energy Information Administration (EIA), 'U.S. biodiesel plant production capacity – 2024', available [here](#).



3. Please provide any information about the possible economic effects on the UK if the existing anti-dumping measure on the goods subject to review were no longer applied.

Terminating the measures on U.S. FAME would serve the UK's economic interests by increasing supply availability in a market where the UK is a net importer and supporting compliance with rising RTFO targets. Greater availability of FAME would also allow for free-market competition at a time when UK fuels are among the highest in Europe.

Imports of FAME from the U.S. could not cause injury to the UK FAME industry. Removing the measures would therefore have positive economic effects without harming domestic producers. In particular, lifting the duties would reintroduce an established supplier of secure, trusted, and high-quality FAME to the UK market. It would also reduce the risk of supply shortfalls that could otherwise further raise fuel prices in the UK, impede RTFO compliance, and undermine the UK's broader environmental objectives.

Appendix reference:

4. If you have any other information which may help us with this review, please provide it below.

N/A

Appendix reference:



SECTION B: Next steps

Next steps

Please submit this questionnaire through the Trade Remedies Service (www.trade-remedies.service.gov.uk) by 1 April 2026.

A confidential and non-confidential version of the questionnaire must be submitted. You can find guidance on how to complete confidential and non-confidential versions in our guidance on [how to submit information](#).

Please list any appendices that you have referenced in your responses and are attaching with this questionnaire.

Appendix reference	Document title

+Add additional rows as required