

APPENDIX D.14.1 TO THE ANTI-DUMPING QUESTIONNAIRE REPLY

The LB GROUP files this submission as an Annex to the Anti-Dumping Questionnaire Replies ("ADQ Replies") filed by its exporting producers:

- Henan Billions Advanced Material Co., LTD
- LB Sichuan Titanium Industry Co., LTD
- LB Group Co., LTD
- LB Lufeng Titanium Co., LTD
- LB Xiangyang Titanium Industry Co., LTD

In this submission, the LB GROUP makes comments on the following cross-cutting issues:

- 1) The representative third country;
- 2) The requirement to establish that the sales do not permit a proper comparison prior to adjusting them; and
- 3) Adjustments to the costs of inputs.

In addition, in the respective ADQ Replies, the exporting producers make specific comments with regard to inputs used in the production of rutile titanium dioxide ("TiO₂").

I Representative third country

Regulation 13(5) of the Dumping and Subsidisation Regulations ("D&S Regulations") requires the TRA to determine whether a third country is appropriate taking into account: availability of reliable information by overseas exporters in that country, level of economic development and any other relevant factors. In previous investigations, such other relevant factors have included the levels of production of the product under investigation.¹ Moreover, pursuant to the Statutory Guidance, other relevant factors include "whether public data specific to relevant inputs is available."²

The LB GROUP notes that among the proposed representative countries, Mexico is the most superior in all respects. In any event, LB GROUP notes that public data specific to relevant inputs is available to the TRA.

First, as LB GROUP submitted in the Pre-Sampling Questionnaires of the exporting producers, Mexico (and Malaysia) are more similar to China than Brazil (which the

¹ Secretary of State Statutory Guidance on how to conduct PMS assessments, available at << [<< https://www.gov.uk/guidance/trade-remedies-investigations-directorate-trid-dumping-and-subsidisation-investigations-guidance/particular-market-situation-and-costs-adjustments >>](https://www.gov.uk/guidance/trade-remedies-investigations-directorate-trid-dumping-and-subsidisation-investigations-guidance/particular-market-situation-and-costs-adjustments) ("Statutory Guidance on PMS Assessments"); Dumping investigation into Biodiesel imported into the United Kingdom from the People's Republic of China (PRC), Investigation No. AD0058, ("**Biodiesel from China**") Final Determination, 24 November 2025, paras. 67-68.

² Statutory Guidance on PMS Assessments.

Applicant proposed) in respect of relevant comparators such as GDP per capita, level of employment in industry, and manufacturing value added.³ The LB GROUP also notes that recently, the TRA selected Mexico as the appropriate representative third country in another investigation, and observed that Mexico has similar economic development to China based on indicators,⁴ further confirming the LB GROUP's position.

Second, a Mexican producer, The Chemours Company México, S. de R.L. de C.V. ("Chemours"), registered its interest to participate in this investigation as a third country producer. Thus, the Applicant's basis for arguing against Mexico⁵ is without merit.

Third, the Mexican producer (Chemours) has a higher level of production, and is therefore more comparable to Chinese producers than the Brazilian producer who expressed an interest (Tronox Pigmentos do Brasil SA ("Tronox Brazil")). As the LB GROUP had observed in the exporting producers' Pre-Sampling Questionnaires, Chemours' Mexico plant has a significantly larger nameplate capacity than Tronox Brazil.⁶ This has been confirmed by the Registrations of Interest filed by Chemours⁷ and Tronox Brazil⁸:

	Chemours	Tronox Brazil
<i>Total production of the like goods during the POI (Metric Tonnes)</i>	250,000-300,000	40,000-50,000
<i>Total production capacity of the like goods during the POI (Metric Tonnes)</i>	330,000	60,000

Thus, based on the data provided by the two companies, Chemours' total production and production capacity is around six times that of Tronox Brazil.⁹ This vast difference is also evident from the sales volumes and values of the two companies.

While the Applicant states in passing that Chemours is the only Mexican producer of TiO₂,¹⁰ the LB GROUP notes that: (i) the Applicant has not identified any other producers in Brazil, hence its passing assertion is without merit, and (ii) in any event, Chemours' production is significant enough to provide the TRA with requisite information for its assessment. Moreover, in the LB GROUP's view, the fact that

³ See e.g., LB Group's Registration of Interest dated 18 March 2026, page 18.

⁴ Dumping investigation into Boom Lifts imported into the United Kingdom from the People's Republic of China (PRC), Investigation No. AD0075, ("**Boom Lifts from China**") Note to the public file – proposed appropriate representative third country, 2 April 2026, page 4.

⁵ Tronox Pigment UK Limited, Comments on pre-sampling questionnaires, 17 April 2026, para. 58.

⁶ LB Group's Registration of Interest dated 18 March 2026, page 16.

⁷ Chemours, Registration of Interest, 16 April 2026, page 9.

⁸ Tronox Brazil, Registration of Interest, 16 April 2026, page 7.

⁹ Chemours, Registration of Interest, 16 April 2026, page 9; Tronox Brazil, Registration of Interest, 16 April 2026, page 7.

¹⁰ Tronox Pigment UK Limited, Comments on pre-sampling questionnaires, 17 April 2026, para. 59.

Chemours is not affiliated to the Applicant (or the sampled producers) makes it a more superior source of information.

In any event, the LB GROUP considers that the absence of reliable data from specific producers located in third countries should not impede the TRA's assessment. This is because in this case, the TRA can reliably construct the normal value based on publicly available information.¹¹ For example, the TRA may rely on international benchmark prices for feedstocks, as did the European Commission in the recent investigation into TiO₂ from China.¹² In other investigations, the TRA has also used international sources to establish benchmarks of inputs such as raw materials,¹³ coal,¹⁴ and labour (based on the International Labour Organization database).¹⁵ The cost of energy can also be sourced from publicly available sources.¹⁶

In this regard, the LB GROUP has provided the TRA with the following data to facilitate its assessment:

1. Benchmarks for electricity;¹⁷
2. Benchmarks for natural gas;¹⁸
3. Benchmarks for labour;¹⁹ and
4. Benchmarks for feedstocks based on TZMI data.²⁰

In sum, the LB GROUP submits that, (a) Mexico is a more superior representative country, including when compared to Brazil, and (b) in any event, the TRA has access to sufficient publicly available information to undertake its assessment.

¹¹ Where no third country producers provide information to the TRA, Regulation 47 permits the TRA to use facts available from secondary sources in place of submitted information from the benchmark country. (Dumping investigation into Tin Mill Products imported into the United Kingdom from the People's Republic of China (PRC), Investigation No. AD0062, ("**Tin Mill Products from China**") Final Determination, para. 271.) See also Statutory Guidance.

¹² Commission Implementing Regulation (EU) 2024/1923 of 10 July 2024 imposing a provisional anti-dumping duty on imports of titanium dioxide originating in the People's Republic of China, recital (228).

¹³ Dumping investigation into Aluminium Extrusions imported into the United Kingdom from the People's Republic of China (PRC), Investigation No. AD0012, ("**Aluminium Extrusions from China**") Final Determination, 16 December 2022, para. 196.

¹⁴ **Biodiesel from China**, Final Determination, para. 405.

¹⁵ Dumping investigation into Certain Excavators imported into the United Kingdom from the People's Republic of China (PRC), Investigation No. AD0047, ("**Certain Excavators from China**") Final Determination, 24 November 2025, para. 393.

¹⁶ See e.g., in the **Tin Mill Products from China**, the TRA sourced the electricity benchmark from the Brazilian Department of Mines and Energy monthly energy bulletin, which is also publicly available. (**Tin Mill Products from China**, Final Determination, para. 280).

¹⁷ Appendix D.14.2.

¹⁸ Appendix D.14.3.

¹⁹ Appendix D.14.4.

²⁰ Appendix D.14.5.

II The requirement to establish that the sales do not permit a proper comparison

The LB GROUP maintains that there is no PMS in the TiO₂ sector in China. The LB GROUP purchases inputs at fair prices, many of which are comparable to benchmark prices, as demonstrated in the exporters' individual ADQ Replies.

The LB GROUP also recalls that pursuant to regulation 7(1) and (2) of the Dumping and Subsidisation Regulations ("D&S Regulations"), even where a PMS is found to exist, the TRA is required to establish that the sales do not permit a proper comparison.

The WTO panel in *Australia – Copy Paper* understood the "proper comparison" language in the analogously worded provision of the Anti-Dumping Agreement²¹ to call for "an assessment of the relative effect of the [PMS] on domestic and export prices."²² The existence of a PMS may have the same effect on both domestic and export prices, in which case a proper comparison would be permitted. Hence, the TRA is required to establish not only the existence of a PMS, but also that the domestic sales of the exporting producer do not permit a proper comparison between the domestic prices and export prices, before resorting to alternative mechanisms of establishing the normal value.²³

In this context, the LB GROUP notes that it utilised the same inputs to produce goods which were destined for both the domestic and export markets. Therefore, even assuming that a PMS exists with regard to the inputs, the effect of such distortion is similar in both markets. Moreover, both the Chinese and UK TiO₂ markets are served by various competing suppliers, hence competitive pricing exists in both markets.

The LB GROUP thus considers that the existence of the alleged distortions does not impede a proper comparison. Should the TRA consider that a proper comparison is not permitted, the LB GROUP requests the TRA to provide a reasoned and adequate explanation.

III Subsequent adjustments to the costs of inputs

To the extent that the TRA determines that a PMS exists with regard to the various inputs, the LB GROUP requests the TRA to take into account the following aspects.

1. The costs incurred by the exporting producers in the purchase of certain feedstocks are higher than the average prices based on international markets.²⁴ The LB GROUP observes that this trend exists both with regard to domestic and imported feedstocks. This indicates that the domestic prices

²¹ Article 2.2 of the WTO Anti-Dumping Agreement.

²² Panel Report, *Australia – Copy Paper*, para. 7.75.

²³ See also Panel Report, *Australia – Copy Paper*, para. 7.89.

²⁴ Appendix D.14.5.

were not distorted by non-commercial factors in China, and were not artificially low.²⁵ To the extent that international benchmarks are higher than the costs incurred by the LB GROUP, such differences are marginal, and are not significant enough to warrant an adjustment. Thus, the LB GROUP requests the TRA not to apply an adjustment to the cost of feedstocks in the TiO₂ market.

2. The LB GROUP imported certain raw materials from international markets. The prices of those raw materials were not distorted, are substantially determined by market forces, and should therefore not be adjusted, even if the UKTRA determines that a PMS exists.²⁶
3. Where the costs incurred by the LB GROUP are not artificially low relative to the proposed benchmarks, the LB GROUP requests the TRA not to adjust the cost data.²⁷
4. The LB GROUP notes that in previous investigations, the TRA did not adjust raw materials and other costs which were not material to the production of the goods concerned.²⁸ In the same light, the LB GROUP requests TRA not to adjust the costs relating to cost items that are not material/significant to the cost of producing TiO₂.²⁹
5. Some of the inputs incurred by the various exporting producers in the production of TiO₂ are sourced from within the LB GROUP. The producers' cost of purchasing those inputs is not distorted. Thus, in line with TRA's past practice, the LB GROUP requests the TRA to not adjust the cost of purchasing those inputs.³⁰

²⁵ *Tin Mill Products from China*, Statement of Essential Facts, para. 101.

²⁶ *Tin Mill Products from China*, Statement of Essential Facts, para. 101; *Certain Excavators from China*, Final Determination, para. 239; Statutory Guidance on PMS Assessments.

²⁷ See also, *Tin Mill Products from China*, Statement of Essential Facts, para. 109; *Biodiesel from China*, Final Determination, paras. 398 and 408.

²⁸ See also, *Tin Mill Products from China*, Statement of Essential Facts, para. 109; *Tin Mill Products from China*, Final Determination, para. 174; *Biodiesel from China*, Final Determination, paras. 398, 409; *Aluminium Extrusions from China*, Final Determination, para. 168.

²⁹ Statutory Guidance on PMS Assessments.

³⁰ See also *Aluminium Extrusions from China*, Final Determination, para. 210.