

DUMPING COMMODITY REGISTER

⇒ 3826.00(1)

⇒ R. 0

BIODIESEL EXPORTED FROM THE UNITED STATES OF AMERICA

See also 2710.20.00, 2710.91.80 & 2710.99.80 – pages 2710.20(1) & (2)

Measures

Anti-dumping and countervailing measures have been imposed on biodiesel exported from the United States of America (the USA).

All exporters are subject to anti-dumping and countervailing measures.

Description of the goods

The goods subject to anti-dumping measures are biodiesel, which can be further described as:

Fuel manufactured by chemically altering non-fossil origin feedstocks (including recycled materials from those sources) through a process of transesterification and/or esterification to form mono-alkyl esters (commonly known as 'biodiesel') whether in pure form (B100) or in a blend with a biodiesel percentage in excess of 20% (B20).

The 'B' factor referred to in the description is an internationally recognised system for indicating the amount of biodiesel in a blend or mixture. The number after the B denotes the percentage of biodiesel in the blend e.g. B5 is a mixture of 5 % biodiesel and 95% other product.

Goods subject to measures should be classified using the tariff sub-headings and associated statistical codes contained in Table 1.

Table 1 - The tariff subheadings and statistical codes subject to measures

Tariff subheading	Tariff subheading
⇒ 3826.00.10 (biodiesel, other than goods of 2710 or 3826.00.20)	01
⇒ 3826.00.20 (mixtures of biodiesel and other substances, not being blends classified to 2710)	02

⇒ In Australian Customs Notice 2011/50 Customs and Border Protection advised that amendments to the Tariff Working Pages had been finalised. As a result of these changes the tariff classification and statistical codes for this commodity has changed. The changes are to take effect from 1 January 2012.

⇒ Prior to 1 January 2012, biodiesel, other than goods of 2710 or 3826.00.20, was classified to 3824.90.20/20.

⇒ Prior to 1 January 2012, mixtures of biodiesel and other substances, not being blends classified to 2710, were classified to 3824.90.30/46.

⇒ On 1 January 2012, subheadings 3824.90.20.00 and 3824.90.30 were repealed.

Dates of Effect

Anti-dumping and countervailing measures were initially imposed on 18 April 2011.

Direction for collection of anti-dumping and countervailing measures

⇒ In Australian Customs Notice 2011/50 Customs and Border Protection advised that amendments to the Tariff Working Pages had been finalised. As a result of these changes the tariff classification and statistical codes for this commodity has changed. The changes are to take effect from 1 January 2012.

Goods subject to the measures must be entered using the relevant dumping specification number (DSN) as shown in Table 2.

The interim duty rates and the ascertained export price (AEP) for each DSN are shown in Table 3.

The total amount of interim dumping and countervailing duty payable shall be the sum of:

- the amount equal to the **interim countervailing duty amount** shown in Table 3; **plus**
- the amount equal to the **interim dumping duty amount** shown in Table 3; **plus**
- the amount, if any, by which the dumping export price (DXP) is less than the AEP shown in Table 3.

⇒ Change 01/01/2012

DUMPING COMMODITY REGISTER

⇒ 3826.00(2)

BIODIESEL

EXPORTED FROM THE UNITED STATES OF AMERICA

See also 2710.11.80, 2710.19.80, 2710.91.80 & 2710.99.80 – pages 2710.11(1) & (2)

Release of details of measures

The interim duty rates and the ascertained export price (AEP) for each DSN in Table 3 are considered Confidential and will not be published. However, bona fide importers of the goods may be provided with the confidential information. Unless an importer is able to demonstrate a trading history with a nominated exporter/supplier of the goods from the USA, no confidential information will be provided.

Where no prior pattern of imports exists, evidence of an offer or quotation or acceptance of an order from a nominated exporter/supplier in the USA is considered the minimum requirement before confidential information relevant to that exporter/supplier may be disclosed.

Customs and Border Protection will conduct monitoring and compliance checks of imports consistent with its published policy.

Table 2 – Exporters and DSN

Exporter	Supplied by	CCID	Description	Measure	DSN
Exporters covered by interim dumping duties					
<u>All exporters</u>			All types	IDD & ICD	2

Table 3 – Interim Duty Rates and Ascertained Export Price

DSN	Interim countervailing duty – AUD/litre	Interim dumping duty - AUD/litre	Ascertained export price USD/litre	Export price terms	Non-Injurious Price - AUD/litre
2	Confidential	Confidential	Confidential	FOB, cash	Confidential

⇒ Above table to be read in conjunction with Confidential Instruction page 3826.00(1) – R.0 change 01/01/2012