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NBB FORMALLY RESPONDS TO EUROPEAN COMMISSION PROVISIONAL DUTIES ON U.S. BIODIESEL

WASHINGTON, DC: The National Biodiesel Board (NBB) today submitted formal written comments in response to the European Commission’s (EC) decision to impose provisional antidumping (AD) and countervailing duties (CVD) on U.S. biodiesel entering the European Union (EU). The NBB’s comments illustrate the significant procedural and factual shortcomings in the EC’s provisional ruling.

“The comments we have filed highlight that arbitrary procedural conclusions and inaccurate market assumptions were used by the EC as the basis for imposing provisional duties on U.S. biodiesel,” stated Manning Feraci, NBB’s Vice President for Federal Affairs. “The rationale used to impose AD and CVD duties - which clearly benefit the interests of European biodiesel producers - runs afoul of the EU’s WTO commitments.”

The NBB’s comments plainly illustrate that the European industry has not been harmed by U.S. competition, a fundamental fact that must be proven before duties can be finalized later this year. The comments filed by the NBB also note the faulty procedural assumptions that are utilized in the EC’s ruling, specifically relating to the arbitrary decision to change the definition of the product under investigation. In addition, the provisional ruling also appears to omit key information from significant EU biodiesel producers that would be detrimental to the European Biodiesel Board’s (EBB) claims in the investigations. Strikingly, the EU producers that are alleging harm in the complaints have increased their market share by 5.8% and posted a 5.7% profit, which is quite healthy by industry standards.

“Going forward, we hope the EC acts in an impartial manner consistent with its WTO obligations and recognizes the irrefutable data we have highlighted in our comments,” concluded Feraci.

The NBB is the national trade association of the biodiesel industry and is the coordinating body for biodiesel research and development in the U.S. NBB’s membership is comprised of state, national, and international feedstock and feedstock processor organizations, biodiesel suppliers, fuel marketers and distributors, and technology providers.

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