



FACT SHEET

Commerce Finds Dumping of Imports of Citric Acid and Certain Citrate Salts From Belgium, Colombia, and Thailand and Negative Subsidization of Imports of Citric Acid and Certain Citrate Salts from Thailand

- On May 30, 2018, the Department of Commerce (Commerce) announced its affirmative final determinations in the antidumping duty (AD) investigations of imports of citric acid and certain citrate salts from Belgium, Colombia, and Thailand, and its negative final determination in the countervailing duty (CVD) investigation of imports of citric acid and certain citrate salts from Thailand.
- The AD and CVD laws provide U.S. businesses and workers with a transparent, quasi-judicial, and internationally accepted mechanism to seek relief from the market-distorting effects caused by injurious dumping and subsidization of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of an AD investigation, dumping occurs when a foreign company sells a product in the United States at less than its fair value. For the purpose of a CVD investigation, a countervailable subsidy is financial assistance from foreign governments that benefits the production of goods from foreign companies and is limited to specific enterprises or industries, or is contingent either upon export performance or upon the use of domestic goods over imported goods.
- In the Belgium AD investigation, Commerce calculated a dumping rate of 19.30 percent for mandatory respondent S.A. Citrique Belge N.V. Commerce determined a dumping rate of 19.30 percent for all other producers and exporters of citric acid and certain citrate salts from Belgium.
- In the Colombia AD investigation, Commerce calculated a dumping rate of 28.48 percent for mandatory respondent Sucroal S.A. Commerce determined a dumping rate of 28.48 percent for all other producers and exporters of citric acid and certain citrate salts from Colombia.
- In the Thailand AD investigation, Commerce calculated a dumping rate of 15.71 percent for mandatory respondent COFCO Biochemical (Thailand) Co., Ltd. (COFCO). Commerce calculated a dumping rate of 13.00 percent for mandatory respondent Niran (Thailand) Co., Ltd. (Niran). Commerce calculated a dumping rate of 6.47 percent for mandatory respondent Sunshine Biotech International Co., Ltd. (Sunshine). Commerce determined a dumping rate of 11.25 percent for all other producers and exporters of citric acid and certain citrate salts from Thailand.
- In the Thailand CVD investigation, Commerce determined that mandatory respondents COFCO Biochemical (Thailand) Co., Ltd. (COFCO), Niran (Thailand) Co., Ltd. (Niran), and Sunshine Biotech International Co., Ltd. (Sunshine) received subsidy rates of 0.00%, 0.00%, and 0.21%, respectively, which are *de minimis*. Because the final determination is negative, no “all others” rate has been applied to any other producers/exporters in Thailand.
- Upon publication of the final affirmative AD determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to collect cash deposits equal to the applicable final dumping margins.

- As a result of the negative final CVD determination, Commerce will not instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on the final rates.
- The petitioners are Archer Daniels Midland Company (IL), Cargill, Incorporated (MN), and Tate & Lyle Ingredients Americas LLC (IL).
- The scope of these investigations covers all grades and granulation sizes of citric acid, sodium citrate, and potassium citrate in their unblended forms, whether dry or in solution, and regardless of packaging type. The scope also includes blends of citric acid, sodium citrate, and potassium citrate; as well as blends with other ingredients, such as sugar, where the unblended form(s) of citric acid, sodium citrate, and potassium citrate constitute 40 percent or more, by weight, of the blend.

The scope also includes all forms of crude calcium citrate, including dicalcium citrate monohydrate, and tricalcium citrate tetrahydrate, which are intermediate products in the production of citric acid, sodium citrate, and potassium citrate.

The scope includes the hydrous and anhydrous forms of citric acid, the dihydrate and anhydrous forms of sodium citrate, otherwise known as citric acid sodium salt, and the monohydrate and monopotassium forms of potassium citrate. Sodium citrate also includes both trisodium citrate and monosodium citrate which are also known as citric acid trisodium salt and citric acid monosodium salt, respectively.

The scope does not include calcium citrate that satisfies the standards set forth in the United States Pharmacopeia and has been mixed with a functional excipient, such as dextrose or starch, where the excipient constitutes at least 2 percent, by weight, of the product.

Citric acid and sodium citrate are classifiable under 2918.14.0000 and 2918.15.1000 of the Harmonized Tariff Schedule of the United States (HTSUS), respectively. Potassium citrate and crude calcium citrate are classifiable under 2918.15.5000 and, if included in a mixture or blend, 3824.99.9295 of the HTSUS. Blends that include citric acid, sodium citrate, and potassium citrate are classifiable under 3824.99.9295 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

- In 2017, imports of citric acid and certain citrate salts from Belgium, Colombia, and Thailand were valued at an estimated \$9.4 million, \$17.6 million, and \$73.2 million, respectively.
- The Final Decision Memoranda are on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>, and to all parties in the Central Records Unit, Room B8024 of the main Department of Commerce building. Please refer to case numbers: Belgium A-423-813, Colombia A-301-803, and Thailand A-549-833 and C-549-834.

NEXT STEPS

- The ITC is scheduled to make its final determinations on or about July 6, 2018.
- If the ITC makes affirmative final determinations that imports of citric acid and certain citrate salts from Belgium, Colombia, and/or Thailand materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If the ITC makes negative determinations of injury, the investigations will be terminated.

FINAL DUMPING MARGINS:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Belgium	S.A. Citrique Belge N.V.	19.30 %
	All Others	19.30 %

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Colombia	Sucroal S.A.	28.48 %
	All Others	28.48 %

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Thailand	COFCO Biochemical (Thailand) Co., Ltd. (COFCO)	15.71 %
	Niran (Thailand) Co., Ltd. (Niran)	13.00 %
	Sunshine Biotech International Co., Ltd. (Sunshine)	6.47 %
	All Others	11.25 %

FINAL SUBSIDY RATES:

COUNTRY	PRODUCER/EXPORTER	SUBSIDY RATE
Thailand	COFCO Biochemical (Thailand) Co., Ltd. (COFCO)	0.00%
	Niran (Thailand) Co., Ltd. (Niran)	0.00%
	Sunshine Biotech International Co., Ltd. (Sunshine)	0.21%

* *de minimis* = less than 1% for developed countries, less than 2% for developing countries.

CASE CALENDAR:

EVENT	CVD	AD
Petitions Filed	June 2, 2017	June 2, 2017
DOC Initiation Date	June 22, 2017	June 22, 2017
ITC Preliminary Determinations	July 17, 2017	July 17, 2017
DOC Preliminary Determinations	October 30, 2017	December 29, 2017
DOC Final Determinations[^]	May 29, 2018	May 29, 2018
ITC Final Determinations	July 6, 2018	July 6, 2018
Issuance of Orders*	July 13, 2018	July 13, 2018

NOTE: Commerce preliminary and final determination deadlines are governed by statute. For AD investigations, the deadlines are set forth in sections 733(b) and 735(a)(1) of the Tariff Act of 1930, as amended (the Act). For CVD investigations, the deadlines are set forth in sections 703(b) and 705(a) of the Act. These deadlines may be extended under certain circumstances.

*This will take place only in the event of affirmative final determinations from Commerce and the ITC.

[^] As explained in the Memorandum for the Record from Christian Marsh, Deputy Assistant Secretary for Enforcement and Compliance, "Deadlines Affected by the Shutdown of the Federal Government" (January 23, 2018), Commerce has exercised its discretion to toll deadlines for the duration of the closure of the Federal Government from January 20, through January 22, 2018. Therefore, the final date for these investigations has been tolled by 3 days and all other deadlines have been adjusted accordingly.

IMPORT STATISTICS:

BELGIUM	2015	2016	2017
Volume (metric tons)	10,970	8,345	7,774
Value (USD)	14,210,504	10,202,748	9,441,603
COLOMBIA	2015	2016	2017
Volume (metric tons)	20,229	21,656	14,352
Value (USD)	25,826,597	26,523,630	17,565,682
THAILAND	2015	2016	2017
Volume (metric tons)	40,491	48,411	67,543
Value (USD)	46,762,447	49,925,417	73,203,208

Source: U.S. Census Bureau, accessed through Global Trade Atlas. (HTSUS 2918.14.0000 and 2918.15.1000)
Imports of citric acid and certain citrate salts may also enter under HTSUS subheadings 2918.15.5000 and 3824.99.9295. These HTSUS subheadings are basket categories and cover both subject and non-subject merchandise; therefore, these HTSUS subheadings have been excluded for purposes of reporting the above import statistics.