



FACT SHEET

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

- On January 2, 2018, the Department of Commerce (Commerce) announced its affirmative preliminary determinations in the antidumping duty (AD) investigations of imports of citric acid and certain citrate salts from Belgium, Colombia, and Thailand.
- The AD law provides 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 of imports into the United States, establishing an opportunity to compete on a level playing field.
- For the purpose of AD investigations, dumping occurs when a foreign company sells an imported product in the United States at less than fair value.
- In the Belgium investigation, Commerce calculated a preliminary dumping rate of 24.41 percent for mandatory respondent S.A. Citrique Belge N.V. Commerce determined a preliminary dumping rate of 24.41 percent for all other producers and exporters of citric acid and certain citrate salts from Belgium.
- In the Colombia investigation, Commerce calculated a preliminary dumping rate of 27.48 percent for mandatory respondent Sucroal S.A. Commerce determined a preliminary dumping rate of 27.48 percent for all other producers and exporters of citric acid and certain citrate salts from Colombia.
- In the Thailand investigation, Commerce calculated a preliminary dumping rate of 15.73 percent for mandatory respondent COFCO Biochemical (Thailand) Co., Ltd. (COFCO). Commerce calculated a preliminary dumping rate of 12.95 percent for mandatory respondent Niran (Thailand) Co., Ltd. (Niran). Commerce calculated a preliminary dumping rate of 4.77 percent for mandatory respondent Sunshine Biotech International Co., Ltd. (Sunshine). Commerce determined a preliminary dumping rate of 10.55 percent for all other producers and exporters of citric acid and certain citrate salts from Thailand.
- As a result of the preliminary affirmative determinations, Commerce will instruct U.S. Customs and Border Protection (CBP) to require cash deposits based on these preliminary rates.
- Commerce preliminarily found that “critical circumstances” exist with respect to the Thai respondent, Niran, but not with respect to COFCO, Sunshine, and all other producers/exporters in Thailand. Consequently, Commerce will instruct CBP to impose provisional measures retroactively on entries of citric acid and certain citrate salts from Thailand for Niran, effective 90 days prior to publication of the preliminary determination in the *Federal Register*.
- Commerce preliminarily found that “critical circumstances” do not exist with respect to the Colombian respondent, Sucroal, and all other producers/exporters in Colombia. There was no allegation made that critical circumstances exist with respect to Belgium.

- The petitioners are Archer Daniels Midland Company (IL), Cargill, Incorporated (MN), and Tate & Lyle Ingredients Americas LLC (IL).
- The scope of this investigation 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 2016, imports of citric acid and certain citrate salts from Belgium, Colombia, and Thailand were valued at an estimated \$10.2 million, \$26.5 million, and \$49.9 million, respectively.

NEXT STEPS

- Commerce has postponed the final determinations in these investigations and is scheduled to announce them on or about May 14, 2018.
- If Commerce makes affirmative final determinations, and the U.S. International Trade Commission (ITC) makes affirmative final determinations that imports of citric acid and certain citrate salts from Belgium, Colombia, and Thailand materially injure, or threaten material injury to, the domestic industry, Commerce will issue AD orders. If either Commerce's or the ITC's final determinations are negative, no AD orders will be issued. The ITC is scheduled to make its final injury determinations approximately 45 days after Commerce issues its final determinations, if affirmative.

PRELIMINARY DUMPING RATES:

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Belgium	S.A. Citrique Belge N.V.	24.41 %
	All Others	24.41 %

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Colombia	Sucroal SA.	27.48 %
	All Others	27.48 %

COUNTRY	EXPORTER/PRODUCER	DUMPING RATES
Thailand	COFCO Biochemical (Thailand) Co., Ltd. (COFCO)	15.73 %
	Niran (Thailand) Co., Ltd. (Niran)	12.95 %
	Sunshine Biotech International Co., Ltd. (Sunshine)	4.77 %
	All Others	10.55 %

CASE CALENDAR:

EVENT	DATE
Petitions Filed	June 2, 2017
DOC Initiations Date	June 22, 2017
ITC Preliminary Determinations	July 17, 2017
DOC Preliminary Determinations	December 29, 2017
DOC Final Determinations	May 14, 2018
ITC Final Determinations*	June 27, 2018
Issuance of Orders**	July 5, 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. These deadlines may be extended under certain circumstances.

*This will take place only in the event of an affirmative final determination from Commerce.

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IMPORT STATISTICS:

BELGIUM	2014	2015	2016
Volume (metric tons)	9,392	10,970	8,345
Value (USD)	13,223,200	14,210,504	10,202,748
COLOMBIA	2014	2015	2016
Volume (metric tons)	18,588	20,229	21,656
Value (USD)	23,996,216	25,826,597	26,523,630
THAILAND	2014	2015	2016
Volume (metric tons)	34,594	40,491	48,411
Value (USD)	44,047,407	46,762,447	49,925,417

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.