Annexes: Basic facts underlying the final decision in the ethyl ethyl rubber anti-dumping case (public section)

I. inquiry procedure

Opening of a case and notification.

1. File a case.

On 8 May 2019, China Oil and Gas Inc., Jilin PIC and Shanghai Polychemical Triplex Limited Ltd. (hereinafter referred to as the applicant) formally filed with the investigating authorities an anti-dumping investigation into imports of three yuan ethyl rubber originating in the United States, South Korea and the European Union.

The investigating authority examined the application and found that the application met the requirements of articles 11, 13 and 17 of the Anti-Dumping Regulations relating to the applicant ' s application for an anti-dumping investigation. At the same time, the application contains the elements required for an anti-dumping investigation under articles 14 and 15 of the Anti-Dumping Ordinance and related evidence.

On the basis of the above-mentioned review and the provisions of article XVI of the Anti-Dumping Ordinance, the Investigative Body, on 19 June 2019, decided to open an anti-dumping case against the import of three-dollar ethyl acropyl rubber originating in the United States, the Republic of Korea and the European Union

Check it out. Dumping investigations lasted from 1 January 2018 to 31 December 2018

The date (hereafter referred to as the dumping investigation period) and the period from 1 January 2015 to 31 December 2018 (hereafter referred to as the period of damage survey).

1. Notice of filing of a case.

Before deciding to open the case, pursuant to section 16 of the Anti-Dumping Ordinance, the investigating authorities informed the United States Embassy in China, the Korean Embassy in China and the European Union Mission in China of the receipt of an application for an anti-dumping investigation into the country ' s three-dollar ethyl rubber industry.

On June 19, 2018, the investigating authorities issued a proclamation and provided the United States embassy in China, the Korean Embassy and the European Union Mission in China with a public version of the proclamation and application. On the same day, the investigating authorities informed the applicant in the case and the United States, Korean and European Union enterprises listed in the application.

1. Public information.

In the public announcement, the investigating authority informed stakeholders that the public version of the letter and the confidential version of the confidential version of the letter relating to this anti-dumping investigation could be accessed through the Trade Relief Open Information Reference Room of the Ministry of Commerce.

On the day of the case, the investigating authorities made public and confidential summaries of the application submitted by the applicant, through the Trade Relief Public Information Office of the Department of Commerce, and posted an electronic version on the website of the Ministry of Commerce.

1. Pre-screening investigation.
2. Registration of participation in the survey.

The Dow Chemistry Company of the United States within the prescribed time frame

Chemical Company, Exxon Mobil Corporation, ARLANXEO USA LLC, Lion Copolymer Geismar (LLC), KUMHO

POLYCHEM Co., Ltd., KLR (subsequently Chinese)

The name was changed to Lotte Versalis Elastomers Co., Ltd., Alan Xinko Netherlands Ltd. (ARLANXEO Netherlands B.V.), ExxonMobil Chemical France (ExxonMobil Chemical France), Versalis S.p. A., Inc., Ltd. Investigating S.p. A.

1. Sample survey.

Four U.S. companies, 3 EU companies and 2 Korean companies registered to participate in the survey. Due to the large number of companies surveyed by the United States and the European Union, and pursuant to Article XX of the Anti-Dumping Regulations and the Interim Rules for Anti-Dumping Inventory Sampling, the investigating authorities decided to use the sampling method to conduct anti-dumping investigations of U.S. and EU enterprises, without a sample of Korean enterprises.

On 17 July 2019, the Investigative Agency issued a Notice on the Simpling Programme and Preliminary Sampling Results of the ethyl ethyl rubber anti-dumping case, informing the United States and EU registered participating companies and soliciting their comments on the sampling programme and the preliminary sampling results. At the deadline for submission of comments, no stakeholders objected to the sample options and results.

On 25 July 2019, the Investigative Agency issued the Notice on the Issuance of a questionnaire on the anti-dumping case of three yuan B-prol and decided to follow the sampling of the sampling programme and preliminary sampling results used in the Circular on Anti-Dumping Cases of Tridolent B-Procrete: The United States and EU producers were ranked according to the volume of exports registered for participation in the questionnaire report, with companies selected for the top 2 exports as respondents.The companies that were eventually selected were: (1) United States:Dow Chemistry, Exxon Mobil;2) EU companies:Alan Newco Netherlands Limited, Exxon-Fuchemical Industries France.

1. Distribution and recovery questionnaires.

On 29 July 2019, the Investigative Agency distributed to stakeholders the "Questionnaire of Extra-territorial Exporters or Producers of the (Regional) Anti-Dumping Countries of Tri-dollar Ethyl-Dumping", "Questionnaire for Domestic Producers of the Tri-Yuan ECP case".

The "Questionnaire for Domestic Importers of the Tri-Yuan ECP Anti-Dumping Case", which requires accurate and complete responses to be submitted within the prescribed time frame. An electronic version of the questionnaire issued by the investigating authority is posted on the website of the Ministry of Commerce and any stakeholders can access and download the questionnaire in this case on the website of the Department of Commerce. On that day, the investigating authorities also sent individual questionnaires to domestic applicants and sample companies and informed the United States, the Korean Embassy in China and the European Union Mission in China.

Within the prescribed deadlines, Dow Chemistry, Exxon Mobil, Korea Champion Lake Polychem, Limited Limited Limited Limited Limited, Allen Nederland Ltd. and Exxon Fuer Chemical France submitted requests for an extension.After review, the investigating authority agreed to extend it. As of the deadline for submission, Dow Chemistry Company, Dow Chemistry Japan Limited, Dow Chemistry Pacific Limited, Dow Chemistry Pacific Limited, privately-owned Dow Chemical Pacific (Singapore)

Limited, Dow Chemistry (Shanghai) Limited, Exxon Mifufu Asia Pacific Limited, Exxon Mobil Asia Pacific Limited, Exxon Fu Chemical Commerce (Shanghai) Ltd., Kampshiko POLYCHEM, JSR Corporation, JSR Trading Co., Ltd., Shanghai Limited.

Limited, Tianjin State Rubber Industries Limited, Zhimitsu Rubber Industries Limited, Littian Salis Limited Limited, Littlesale Trade (Shanghai) Limited, Alan Xinko Holland Ltd., Alan New Co. Ltd., Exxon Merco Chemical Industry France, Exxon Petrochemical Industries Company, Inc., and China Petroleum Gas Limited Ltd.

1. Listening to stakeholders.

On 20 September 2019, Lotte Versalis Elastomers Co., Lotte Versalis Elastomers Co., Lotte Versalis Elastomers Co., Ltd.

At the application of the Korean Littles Limited Limited, the investigating machine heard its views on the case on 6 November 2019, and the main elements of the meeting were sent to the Open Information Reference Room.

At the application of POLYCHEM, Korea Jinko, the investigating machine heard the company ' s views on the case on 20 January 2020.

On 20 March 2020, Dow Chemistry Inc. of the United States filed a " Damage-free Advocate in the Anti-Dumping Case of ethyl-prox rubber " .

On 20 April 2020, the U.S. Embassy in China submitted the Comments of the Government of the United States on the Anti-Dumping Investigation of Tridolent ECP Rubber originating in the United States.

On June 19, 2020, Exxon's Fu Chemical Industries France submitted a letter of confirmation of English names in English between the two manufacturers of Exxon Mofu.

On 25 September 2020, the applicant submitted a " Note on the Clearing Costs of Three yuan ethyl rubber " .

On 19 October 2020, the applicant submitted a questionnaire on the U.S. Interest System & lt; Questionnaire on the Non-market Status of the United States Anti-Dumping Case of Tridolent ECP Rubber.

"Responsive comments".

1. Pre-primary field verification.

In accordance with article 20 of the Anti-Dumping Regulations, on 7 January 2020, the investigating authority issued the Notice on the Conduct of Field Verification by Domestic Enterprises in Anti-Dumping Cases of Three yuan ECP.From 15 to 17 January 2020, the investigating machine closed a pre-scheduled field check of Shanghai Polychemical Triflex Inc. to gather evidence, and the relevant verification material was sent to the Open Information Reference Room.

1. Survey of non-market conditions affecting price comparability in the calculation of dumping margins in the United States.

On 13 April 2020, the applicant submitted to the investigating authorities an application for an investigation into the non-market status of the U.S. three-dollar ethyl rubber anti-dumping case.

On 15 April 2020, the investigating authorities placed the application in the Open Letter Reference Room and informed the United States Embassy in China and United States stakeholders in writing, asking them to visit the Public Information Reference Room and submit comments within the 7th word. Within the prescribed time frame, Dow Chemistry and Exxon Mobil submitted comments and the United States Embassy in China requested an extension of the submission of comments on the application for investigation of non-market conditions. After review, the investigating authorities agreed to postpone the submission of comments by the United States embassy in Daily China until April 27. On 27 April, the U.S. Embassy in China submitted the "Comments of the United States Government on the Application for Investigation of the Non-Martial Situation of ECP Rubber in the US$ Three.

On 23 April 2020, the Investigative Agency issued the United States Non-market Situation Questionnaire on the application of the applicant in this case to the United States Embassy in China and United States stakeholders, requesting them to submit the questionnaire to the investigating authority within seven days.

Within the prescribed time, Dow Chemistry and Exxon Mobil requested an extension of the submission of the "Tri-dollar ethyl rubber anti-dumping case of U.S. Non-market Profile".As a result of the review, in response to the above-mentioned stakeholders ' reply of 28 April 2020, the Machine agreed to extend the deadline for responses to the questionnaire until 6 May.

On May 6, 2020, Dow Chemistry Inc., Exon Mifu, presented the "Questionnaire on the Non-market Status of the Anti-Dumping Case of Tri-dollar ECP".

1. Public information.

In accordance with the provisions of article 23 of the Anti-Dumping Ordinance, the investigating authority has promptly forwarded all public material received and produced in the course of the investigation to the Trade Relief Public Information Reference Office of the Ministry of Commerce. Stakeholders can search, read,

Reproduce and reproduce relevant public information.

Proclamation of extensions.

On 18 June 2020, the investigating authority issued a proclamation in which it decided to extend the investigation in the case by six months, the deadline of 19 December 2020.

The first award and proclamation.

On 23 October 2020, the investigating authority issued a Proclamation of Preliminarily concluded that imports of three yuan ethyl rubber originating in the United States, Korea, and the European Union had been dumped, that the domestic triple ethyl rubber industry suffered substantial damage, and that there was a causal link between dumping and material damage. The announcement decided to implement interim anti-dumping measures for the products under investigation as of 28 October 2020.

On the day of the announcement, the investigating authorities informed the United States and Korean embassies in China, the European Union Mission in China and the enterprises known in the case, and posted the bulletin on the website of the Ministry of Commerce for stakeholders and the public.

Post-recording investigation.

1. Post-discretion information disclosure.

On 23 October 2020, the investigating authority, pursuant to the Interim Rules for Disclosure of Information on Anti-Dumping Investigations, disclosed to the known enterprise the underlying facts and reasons for calculating the company ' s dumping margins in the decision and gave it an opportunity to comment. On 26 October 2020, the United States Embassy in China submitted an extension of the submission of comments. After review, the investigating authorities agreed to extend it until 4 November 2020. Within the specified time frames, the United States Tao Chemistry Company, Exxon Mobil, Korea Jint Lake Polychem, Le Tianza Les Les Less Leser Limited, the Netherlands Limited Division of Alang Newco Netherlands, Exxon Fuer Chemistry France and the Embassy of the United States in China submitted comments on the initial disclosures.In its final decision, the investigating authorities considered the above observations.

1. Listening to stakeholders.

On 6 November 2020, it was stated that the applicant submitted the opinion on the exclusion of unqualified goods from the calculation of dumping margins.

1. Disclosure of final information.

Prior to the finalization of the case, the investigating authorities, in accordance with article 25 of the Anti-Dumping Ordinance, gave the above-mentioned stakeholders the opportunity to make comments by disclosing and explaining the basic facts on which the final decision of the anti-dumping investigation was based, to the embassies of the United States and Korea in China, the EU Mission in China and the known companies involved.

1. Public information.

In accordance with the provisions of the Anti-Dumping Ordinance, the investigating authority forwards all public material in this case received and produced during the preliminary investigation to the Trade Relief Access Office of the Ministry of Commerce for searching, reading, expropriation, reproduction, reproduction and reproduction by stakeholders

About the disclosure of information.

II. products under investigation

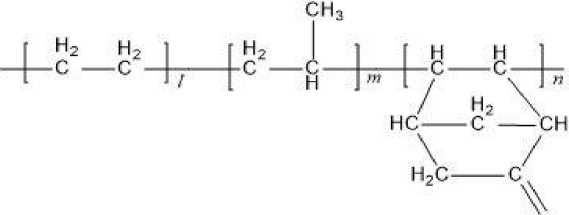
Scope of the survey: Imported from the United States, South Korea and the European Union three-dollar ethylene ethyl rubber.

Name of product surveyed: Three yuan ethyl rubber.

Name in English:Ethylene-Propylene-non-conjugated Diene Rubber or Ethylene Propylene Diene Monomer (EPDM)

Chemical structural formula:

MCCH3



Physico-chemical properties: Three-dollar ethyl rubber is a trinopolymer of ethylene, acrylic, and non-conjugated diene hydrocarbons, which appear white or micro-yellow solids at temperature, easy to mix. The physics, chemical properties, and process performance of the ethyl ethyl rubber vary mainly depending on the molecular structure of the polymer, whereas the factors associated with the molecular structure have various elements such as the third monomer type, Menni viscosity, and fuel content. Triple ethyl rubber has better aging, chemical-resistant, low-temperature, and interelectric properties.

Main purpose: The use of ethyl ethyl rubber is extensive and can be used in such areas as construction, cable cables, automobile industry, and transportation. Construction, mainly for buildings, single-layered waterproof rolls, etc.; Cable cables, mainly for civilian and commercial electrical input lines, construction mechanical cables, mining cables, cables for nuclear power plants, car ignition lines, control and signal cables, etc.; In the automobile industry, mainly non-tyre parts for vehicles, trucks and buses, including water tanks and heat-resistant tubes, seals, rubber bands, parts of the body and chassis, rain blocks, floors and tubes, etc.;Transport is used mainly for car doors and windows, shooks, water stopping belts, etc.

The product falls under the Export and Import Tax Rules of the People ' s Republic of China 40027010 and 40027090.

III. dumping and dumping margins

Normal value, export price, final determination of the adjustment project.

American company.

Non-market conditions affecting price comparability in the calculation of dumping margins for United States companies.

In the present case, the applicant argued that there was a situation in the United States that led to the deviation of the production costs of the products under investigation and their equivalents from normal market levels and that the manufacture and prices of similar products in the United States market could not be the basis for a fair comparison. These include: (1) The United States Government has been considering energy as a priority area of government work, with federal and state governments enacting laws, regulations and guidance documents that jointly intervene in the country ' s basic oil, gas, coal and renewable industries, including through industrial planning, support and subsidies, to encourage increased domestic oil and gas production and reduce external dependence; The benefits of such basic industries as oil, gas, coal, renewable energy, etc., have an impact on the raw materials, dynamics, etc. of the functioning of the national economy, have a prominent advantage, hamper the market allocation of resources and make the United States a non-competitive, non-competitive market environment; (3) Oil, gas and coal are the origins of the product chain of the chemical industry, including ethylene and coal, as well as the main ethylene rubber raw ethylene and acrylon. Guided by the product chain, the United States Government supports the above-mentioned basic industries in many ways so that the chemical industry is subject to government intervention from the source, with the costs and prices of its industries clearly containing support and subsidy components; (4) The U.S. companies are all major U.S. chemical manufacturers, and manufactured products such as ethyl-epropyl rubber are end-products in their chemical chains, all associated with (oil, natural gas) ethylene and coal chemicals. In an incomplete, uncompetitive market environment, the basic elements of raw materials, dynamics, etc., and the company ' s profitability of the three yuan ethyl rubber produced by the enterprise, are benefiting from a significant reduction in production costs and prices, which deviate from normal market levels.

For the above reasons, the applicant requested the investigating authorities to investigate the non-market situation affecting the costing and price comparability of products of the same type of product investigated in the United States market and to adjust accordingly in determining the normal value of the same product in order to exclude the impact of non-market factors on the costs and prices of similar products.

In their comments, the Government of the United States, Dow Chemistry and Exxon Mofu stated that the applicant ' s application to investigate the non-market situation in the present case lacked a Chinese legal or procedural basis and that the initiation of the investigation would violate China's obligations under the World Trade Organization and that the evidence provided by the applicant was not related to the production of ethyl-propyl rubber in the United States three dollars and prices.

In addition, Dow Chemistry made the following further comments: Applicants claim that the United States oil and gas industry has received substantial government "subsidies" to investigate alleged projects outside the framework of the Countervailing Agreement by circumventing the substantive requirements of the Agreement; It is also important to differentiate between subsidies in a market economy and non-market-based government intervention, which involves not only economic incentives but also government micromanagement of target industries, the upstream industry or the United States chemical industry itself does not have such micromanagement by the United States Government; The applicant has failed to fulfil the burden of proof of his claim; The applicant did not identify the specific legal provisions to which the United States Government had intervened in the upstream market and the chemical industry itself through laws and regulations (other than the use of subsidies) in order to have a favourable effect on prices and production levels in the United States, without specifying the specific provisions of such laws and regulations; The applicant merely asserted that the U.S. three-dollar ethyl rubber producer had the capacity to manipulate prices without providing any analysis other than such conclusive statements.

The opinion was examined by the investigating authorities. According to the Investigative Body, article 41 of the Foreign Trade Act of the People ' s Republic of China provides that products of other countries or regions enter our markets by dumping below normal value, causing substantial damage or threat of damage to established domestic industries, or creating a substantial obstacle to the establishment of a domestic industry, the State may take anti-dumping measures to eliminate or mitigate the threat or obstruction of such damage or damage. Article III of the AD Regulations states that dumping means the entry into the market of the People ' s Republic of China of products imported in the normal course of trade at an export price below their normal value. The investigation and determination of dumping is the responsibility of the Department of Commerce. Article VI of the Anti-Dumping Regulations provides that the export price and normal value of imported products shall be compared in a fair and reasonable manner, taking into account the comparability factors affecting the price.

The non-market situation in the United States market claimed by the applicant has the potential to affect the main factor inputs of the products under investigation and their equivalents, thereby having a significant impact on the costs and prices of the products surveyed and their equivalents. Accordingly, in accordance with the above provisions, and in view of the prima facie requirements of the application submitted by the applicant, the investigating authority decided to investigate these factors that might affect normal value calculations and issued a questionnaire to various stakeholders in the United States.

Within the prescribed time period after the extension, Dow Chemistry and Exxon Mifu submitted their responses to the investigating authorities. In addition, the investigating authorities did not receive responses from any other U.S. stakeholders. Dow Chemistry, in response to the questionnaire, many questions related to the oil, gas and coal industries, not related to the products surveyed, and the company does not operate directly in these industries, nor is it the manufacturer of such goods, so the company does not have all such information, and answered on the basis of publicly available information. In response, Exon Melfu's questionnaire was not related to the cost of the raw materials reported in the company's response, stating that the impact on raw materials as reported in the company's responses could be traced back to the crude oil level, that integration like Exxon Merfu was unfair to the source chemical company, the questionnaire was set from the perspective of the chemical industry as a single company unable to provide comprehensive and reasonable answers, based on open information.

As a result of the review, Dow Chemistry and Exxon Melfu Corporation (hereinafter referred to as the United States Company) did not answer or merely refer to some of the questionnaire questions for web links and failed to provide complete and accurate responses as requested by the questionnaire. As a result, the investigating authorities were unable to obtain all relevant information on the industries in which the products under investigation were located and their upstream raw materials and energy industries. The survey agencies found that the information requested in the questionnaire was directly related to the production and cost of determining the normal value of the products surveyed, and that other stakeholders in the United States, with the exception of Doo and Exxon Mofu, had received questionnaires and had been given sufficient time and opportunity to complete the responses, but were not provided. Accordingly, with regard to this part of the United States company ' s response that did not respond as required, the investigating authority decided, in accordance with section 21 of the Anti-Dumping Ordinance, to review and evaluate it on the basis of the facts already obtained and the best available information, including the material submitted by the applicant and other relevant factual information held by the investigating authority. No other factual information has been submitted in this regard by various stakeholders after the premise. The above-mentioned material and information was further reviewed by the investigating authorities and found them reliable and accurate and therefore decided to use them in the final decision.

1. Management and restrictions on resources such as oil, gas, coal, renewable energy, etc. in the U.S. government or public sector.

In their responses, U.S. companies provided relevant sector information on the United States Government ' s regulatory responsibilities in relation to the oil and gas industries (inclusive shale oil and shale gas), coal, renewable energy, etc. With regard to specific regulatory content, the United States companies did not provide a complete response to the questionnaire, although the questionnaire did require specific regulatory behaviour by the government or the public sector and the specific regulation of the relevant producers in their operations, such as investment, production, etc. For example, U.S. companies only referred in their responses to the Mineral Leasing Act and the Outer Continental Shelf Land Act, that the United States Department of the Interior manages oil, gas and coal in federal underground minerals on land and offshore submarine land, and state public authorities generally regulate the development and production of oil and gas without providing relevant specific content. Even for the integrated energy chemistry company Exxon Mobil. Other U.S. stakeholders also did not submit responses or responses.

As a result of the review, the investigative authorities found that the United States Government, through legislation and industry planning and policies, as well as financial support measures, import and export controls, had an important impact on resource allocation and achieved overall planning and high control over resources such as oil, gas, coal and renewable energy.

U.S. government departments or public institutions that regulate and limit oil, gas, coal and renewable energy include the United States Federal Energy Management Commission, the Department of Energy, the Department of Energy, the Environmental Protection Agency, the Department of the Interior, the Department of the Interior's Land Management, the Department of Home Affairs, the Natural Resources Revenue Office of the Department of the Interior, the Department of Energy and Mineral Development, Department of Transport Pipelines and Hazardous Material Security. At the state level are the Texas Environmental Quality Commission, the Texas Railway Commission, and the Pennsylvania Environmental Protection Agency.

The United States Government ' s legislation governing and restricting access to resources such as oil, gas, coal and renewable energy include: Amendments to the Mineral Leasing Act of 1920, the Federal Oil and Gas Excluding Powers Act of 1932, the Outer Continental Shelf Land Act 1953, the Multiple Mineral Development Act of 1954, the National Environmental Policy Act 1969, the Federal Land Policy and Management Act 1976, the Gas Policy Act 1978, the Cruil Oil Storage Tax Act 1980, the Energy Policy Act, 1992 Energy Policy Act, 1992 Energy Policy Act, 2008 Emergency and Tax Reduction Act, and the 2005 Emergency Economic Reduction Act.

1. Implementation and impact of oil, gas and renewable energy industry planning and strategies.

The applicant argues that energy has been a priority area for the United States Government, which manages and regulates large energy markets in the form of energy planning. In order to understand industrial planning, laws and policies in the oil and natural gas industries, as the main source of raw material and power for the production of triple ethyl rubber, as well as in the renewable energy sector,

And the impact that the implementation of these documents may have on United States energy-producing entrepreneurial activities, production costs and U.S. energy market prices, in particular the United States Government ' s specific implications for the allocation of resources in the energy sector by the United States Government through the above-mentioned policy objectives. The questionnaire also requested relevant government documents developed by the United States to ensure energy security. The U.S. company did not respond explicitly, but provided links to the relevant website and did not provide the details of the reports and related documents as requested by the questionnaire. Other United States stakeholders also did not submit responses or responses.

United States companies responded to some information on the purpose of the relevant energy government documents. According to Dow Chemistry, the Energy Policy Act 2005 was designed to protect our future employment with safe, affordable and reliable energy; One of the objectives of the United States Recovery and Reinvestment Act 2009 is to provide additional funding for energy efficiency and science and technology. Exon Melfu also noted that the National Security Strategy of the United States focused on the use of various and necessary U.S. forces to achieve national security goals.

In his comments to the U.S. stakeholder responses, the applicant further noted that, as a result of the energy crisis of the 1970s, successive U.S. governments have consistently pursued energy independence as a central strategic quest from 1973 to the present. In 1973, President Nixon first proposed an independent energy policy. President Boxh signed the United States Energy Policy Act 2005, which focused on the diversification of energy supply in the United States, and the 2006 U.S. Energy Strategic Plan strongly supported the development of clean energy, dominated by natural gas and nuclear energy, and encouraged increased domestic energy production through funding, compulsory purchases, etc. The Obama administration began to pursue the balance between fossil energy and clean energy development in its second term. President Trump has reaffirmed the independence of giant energy and focused on the opening and export of traditional fossil energy sources. The U.S. Priority Energy Plan calls for the full development and utilization of U.S. energy resources, increasing employment opportunities for Americans, promoting economic development, reducing dependence on oil abroad, and achieving American energy independence. In June 2017, President Trump announced a series of new initiatives to promote the development of the energy industry, and proposed that the U.S. should take ownership of the global energy market, with its strategic goal being elevated from thin energy independence to dominate the energy market. In particular, the United States is increasing its traditional fossil-energy openings, leading to a substantial increase in shale oil production, as well as an explosion in natural gas production.

According to the investigating authorities, the United States Government attaches great importance to the energy industries, including oil, gas, renewable energy, and even as one of the key elements of national security strategies, through comprehensive and systematic strategic planning such as the United States Energy Sources Strategic Plan and the U.S. Priority Energy Plan. The United States Government has emphasized energy independence since 1973, and since 2005 has adopted a series of government planning documents that further clarify the objectives of intervention in energy industries such as energy supply, reducing external energy dependence, embracing energy dominance and promoting energy exports. To achieve these goals, the United States Government has implemented a number of specific initiatives to promote the development of the energy industry.

As a result of the investigation, the investigative authorities found that, legislatively, the United States had enacted a series of laws, regulations, ordinances, policy documents to regulate, regulate and incentivize the energy sector. In 2005, the Energy Policy Act was enacted to clarify the position of oil shale as an emerging strategic resource, directing the Ministry of Energy to coordinate the promotion of the commercial development of oil shale resources and the introduction of tax exemptions for relevant hydrocarbon companies. The Revitalization and Reinvestment Act, etc., was enacted in 2009 to guide the industry by explicitly providing support for increasing the supply of oil and gas production and reducing reliance on imported oil. In 2011, the United States Federal Government released the Blueprint for Future Energy Security, which re-emphasizes the strategic importance of the energy industry and proposes three main strategies to ensure future energy supply and security in the United States: The first is to increase domestic hydrocarbon development and production, leading the global clean and safe supply of energy; The second is to provide consumers with more options to reduce cost and energy consumption; The third is to encourage the creation of clean energy technologies, as well as the provision of incentives for hydrocarbon production through the identification of open areas of publicly owned land, the provision of incentives for hydrocarbon production, the development of regional development strategies, and the promotion of responsible natural gas development behaviour, and other provisions that encourage development, reduce the cost of enterprise opening, facilitate the flow of resources to energy development and production. At the same time, the Government has set up appropriate governmental bodies to monitor and regulate these acts, including authorization, certification, implementation of incentives, etc. In addition, there are a number of laws and concessions, such as income tax credits, applied to high-risk prospecting producers and small-scale producers in the United States.

According to the investigating authorities, it is the United States Government ' s comprehensive and systematic strategic planning of the oil, gas and renewable energy sectors, as well as a set of specific incentives that distort the allocation of resources in the relevant sectors, contribute to the growth of oil, gas and renewable energy production and lower product prices in the United States. In particular, following the identification of shale oil and shale gas as emerging strategic resources in 2005, United States oil and gas production increased significantly. Industrial planning in the U.S. energy industry has a significant impact on US energy sector development, resource allocation, activity and production costs of energy-producing firms, market supply and market prices, with significant increases in U.S. oil, natural gas, shale gas production. According to the United States Energy Information Agency, oil production increased from 1.93 billion to 3.98 billion barrels between 2009 and 2018; Natural gas increased from 26 trillion cubic feet to 37 trillion cubic feet; Shale gas increased from 3.1 billion cubic feet to 22 billion cubic feet, with the most significant increase in shale gas. Moreover, as a result of these industrial policies, domestic oil and gas production in the United States has begun to export large amounts to foreign markets, in addition to meeting its domestic consumption needs. In the case of natural gas, in the United States, in 2018, total domestic consumption was 30 trillion cubic feet, and the oversupply portion was largely on foreign markets.

1. The United States Government ' s affirmative measures for the energy sector.

U.S. companies responded that the relevant issues in the questionnaire were not relevant to the products surveyed and that the company did not have relevant information, but only submitted web links to the relevant Act, US WTO subsidy Circulars, or stressed that tax provisions relating to time deductions for operating costs were not subsidy, instead of describing specific initiatives by government departments to implement the relevant bills and providing details of policies in the bill, etc. Other United States stakeholders also did not submit responses or respond to them.

The subsidy related to Exxon MV is related to the time when taxpayers can deduct operating expenses in determining the amount of taxable income, which does not affect the taxpayer's claim that the total operating expenses are deducted and not subsidized. The authorities found that the company did not provide further evidence of its claim, but, according to the relevant information held by the investigating authorities, the time deduction of operating expenses would affect the amount and time of payment of taxes and payments by United States companies or related energy companies and would have an impact on the actual operating expenses of the Division. The claim that the time frame of evidence, such as the submission of a report by the Exon Méfu applicant, went beyond the time frame of the investigation in the case. The investigating authorities found that the company did not provide further evidence on its claim, but that government interventions in the energy sector concerned were related to production costs, such as raw materials and energy consumption of the products under investigation in the case, and that the impact of the intervention distorted market allocation was not necessarily limited to the duration of the implementation of the measures and could have a far-reaching impact after the implementation of the measures, which could still have an impact during the investigation period of the case.

As a result of the review, the investigative bodies found that the Government of the United States has provided a number of enabling policies for productive investment in the energy sector in order to achieve the aforementioned energy strategy, which have stimulated investors to invest in the exploration and exploitation of resources associated with investment, attracted investment and production, and had an impact on resource allocation.

1. General enabling measures for the energy sector.

Support measures of the Federal Government.

First, tax credits and fiscal subsidies are provided to reduce business operating costs and promote investment. The application submitted by the applicant indicates that, under the United States Energy Policy Act of 2005, the United States Government will, as of 2006, provide the bill with a total of $14.5 billion in tax deductions and subsidies, amounting to $9 billion to traditional energy companies such as oil, gas and coal, to encourage them to increase production; Non-conventional energy production in 2006 with a subsidy of $3 per barrel of oil equivalent from 2006 to 2010; Subsidies for efficiency and renewable energy over a 10-year period from 2006 amounted to nearly $5 billion. The U.S. Emergency Economic Stabilization Act introduced in 2008 provides a $18.2 billion tax credit incentive for the clean energy industry. The 2009 Economic Recovery and Reinvestment Act empowers the U.S. Department of the Treasury to provide a $2.3 billion tax credit for taxpayers investing in Advanced Energy Projects, including "products for the production of solar, wind, geothermal or other renewable energy sources".

Research by the United States Energy Information Agency (EIA) and the University of Texas showed that from 2010 to 2016, US government subsidies for coal, gas and nuclear power generation ranged from 0.05 to 0.2 cents per kWh.2010 - 2013

Federal Government subsidies for renewable energy increased by 54 per cent, from $8.6 billion to $13.2 billion; Between 2010 and 2016, the US government subsidized solar energy from 10 to 88 cents per kWh; Wind energy allowance for the same period ranged from 1.3 to 5.7 cents per kWh. The United States Energy Information Agency (EIA) published in April 2018 by the Federal Government's Direct Financial Interventions and Subsidies to Energy for Fiscal Year 2016 showed that US subsidies to the energy industry amounted to $14.983 billion in 2016.According to documents released by the United States Congressional Budget Office (CBO), the fossil fuel industry received $2.5 billion in tax concessions under the 2011 US federal subsidy scheme.In December 2015, the United States submitted to the G20 Peer Review Panel the US Fossil Fuel Subsidy Report, according to which the federal government subsidizes 16 annual subsidies for the fossil fuel industry, including oil, gas and coal, and one consumer subsidy, according to which US fossil fuel subsidies are projected at $8157 million for fiscal year 2016, of which $4757 million for producers and $3.4 billion for consumer supplements.

Local government support measures.

In addition to the federal government's enabling policies, local governments in the United States have enacted and implemented a series of enabling policies to encourage oil and gas companies to develop resources, attract investment from petrochemical-energy production firms and expand production.

The state governments have matched corresponding enabling policies on energy policy guidance, such as the Revival and Reinvestment Act. The U.S. Department of Energy website reveals the state in detail.

Memorandum on the Government ' s Energy Renewal Plan. In Texas, for example, section 380 of the Texas Local Government Code provides that municipalities are empowered to provide a series of incentives to promote national and local economic development, such as access to loans and grants from municipal capital, using municipal employees, facilities, municipal services, etc. at minimal cost or free of charge. The responses showed that United States stakeholders had benefited greatly from the policy; The Texas Economic Development Act provides for the encouragement of large-scale manufacturing and research and development and renewable energy capital investment schemes in Texas and provides for a certain amount of investment by enterprises to allow for a deduction of eight years of property tax; Under the Freeport Area tax exemption policy, enterprises are exempted from property taxes for products that remain in Texas for specific purposes, for a period of 175 days, for various types of trade assembling, storage, manufacturing, processing, etc. Free port tax-free items include goods, products, commodities, ores, etc.; Under the manufacturing tax exemption policy, state sales and use taxes are exempted from the physical property, natural gas and electricity of existing and expanded manufacturing enterprises.

A large number of subsidy lines exist in parts of the United States to attract or expand investment. These include: Section 122.011 of the Ohio Amendment Code empowers the Ohio Department of Development to manage within a certain range of incentive projects in the state; The Indiana Administrative Code authorizes a package of incentives to attract business investment; Section 12.0220 of the Kentucky Industrial Renewal Act empowers the Kentucky Government to provide a tax incentive package; Chapter 154.32 of the Kentucky Code empowers the Government of Kentucky to implement a business investment plan, Chapter 154.31 for the Enterprise Incentives Project and Chapter 154.34 authorizes reinvestment incentives projects; The Illinois Enterprise Parks Act empowers the Illinois State Government to implement the Enterprise Park Tax Relief Project; The Iowa Act authorizes the Iowa Government to implement a high-quality employment subsidy project; Arkansas Comprehensive Economic Stimulus Act 2003, where the Arkansas Government implements investment and job creation incentives, including upgrading Arkansas incentives, investment in Arkansas, incentives for entrepreneurial tax refunds, investment income tax credits and tax incentives; The Century Code of North Dakota authorizes the implementation of tax relief projects for new industry companies; Michigan Act No. 198 of 1974 empowers the state of Michigan to apply producer tax concessions, etc.

According to the United States Energy Information Agency, the United States became the largest producer of crude oil in 2018. The increase in United States oil and gas production in 2018 created a new record and led the world, as well as oil and gas exports. In the last week of November 2018, the United States achieved net exports of crude oil and petroleum products. According to the survey, U.S. intervention and support in the energy industry has not only stimulated energy production in the country, profoundly affecting the supply and demand relationship in the domestic energy market in the United States.

1. United States Government ' s support measures for the shale gas industry.

As a result of the investigation, the investigation found that the Government of the United States has provided various enabling measures in the area of technological research and development of shale gas openings. The U.S. government established and funded the Center for Research of the Federal Energy Management Commission and the American Gas Research Institute, inviting universities, research institutions and private oil and gas companies to undertake joint research to promote shale gas projects in the east. The research center successfully developed shale-gas hydraulic fission technology, which greatly improved the development efficiency of non-conventional energy, and introduced and widely used technology to a large number of domestic companies in the United States, significantly reduced the cost of shale oil and gas, allowing shale hydrocarbons into scale and commercial orbits, and production increased significantly.

With funding from a special fund set up by the United States Department of Energy, the Sandia National Laboratory of the United States Department of Energy quickly developed technologies such as microseismography, shale and coal hydraulic fission;Texas gas company Mitchell Energy successfully drilled the first shale gas level with co-financed by the United States Department of Energy and the United States Federal Energy Management Commission;With government funding, Mitchell Energy developed a cost-effective water rift technique, which is widely used as a core technology in shale gas development.These government-funded technology scaled up shale gas production, reduced opening costs and rapidly expanding shale gas production.

The 2005 Energy Policy Act provides that the government will invest $45 million a year over the next 10 years for non-conventional gas research and development, including shale gas. From the 1980s to the present, several government departments, such as the United States Department of Energy and the Federal Energy Management Council, have invested more than $60 billion in unconventional exploration and development, including nearly $2 billion for training and research, and many technological breakthroughs have since benefited from these studies. In the meantime, government-funded R & D technologies include: Horizontal drilling technology, horizontal fission technology, hydraulic fracture technology and recent synchronous fracture technologies, which scaled up shale gas production and reduced shale gas production.

Opening costs have brought shale gas production into the plantation and scale development phase. The increase in shale gas production also contributed to a decline in crude oil prices.

According to the US Government ' s subsidy notification to WTO, funds for research and development on natural gas technology in 2013 and US$ 20.6 million in 2014 were US$ 13.9 million and US$ 20.6 million, respectively. In addition to the federal government's industrial policy, the Texas government, which has shale gas resources, has successive incentives, the most representative of which is Texas. Since 1992, the state has been exempted from a production tax on shale and gas development, with a state subsidy of 3.5 cents per cubic metre (7.5 per cent of the total annual tax).

Thus, according to the investigating authorities, these policies have greatly encouraged the development of shale gas resources by the oil and gas company, which has led to a significant increase in the number of unconventional U.S. gas exploration reserves and production.

1. Regulation of market access in the oil and gas industries.

With regard to regulatory measures for oil and gas market access, in response to the non-market situation questionnaire, United States stakeholders did not provide all the necessary information as requested by the surveying body. As a result of the investigation, the investigating authorities found that the Government of the United States regulated market access in the oil, gas and coal industries in the country and had jurisdiction over market access for oil and gas resources on government-owned land. Government has interfered with the normal allocation of market resources through the regulation of market access described above.

The United States Government has rigorous market regulations on oil market access, including, inter alia, review of professional qualifications, organization of oil and gas resource exploration, tendering for exploitation and licensing. Meanwhile, in part 7 of the Gas Act, the United States granted the Federal Energy Management Commission jurisdiction over companies engaged in gas sales or resales and inland transport to market access. The Federal Energy Management Commission authorizes natural gas companies to transport and sell natural gas by issuing certificates of public convenience and necessity. The United States Government regulates oil market access and access to gas sales and transport, affecting the resourcing role of the market.

The United States Government has jurisdiction over market access to oil and gas resources on government-owned land. Mineral interests in the United States, such as oil and gas, are usually owned by individuals, companies or government units that own surface land. According to the Blueprint for Future Energy Security released by the United States federal government in 2011, the U.S. government has given more than a million acres of public land and federal water resources for hydrocarbons in the last two years alone. The Government of the United States has ownership and control over oil and natural gas resources on an important part of its government-owned land. The United States Department of the Interior Lands Administration has jurisdiction over the rental, exploration, exploitation and production of oil and gas on all lands belonging to the United States Government. Requests for approval of applications for drilling and mining on federal land are reviewed by the Land Administration. The United States Postal Administration and the General Administration have lease rights over oil and gas on all federal government land. The Government of the United States has implemented supervision and management of the rational development and utilization of mineral use and hydrocarbon resources through the above measures. Achieve its industrial policy and strategy objectives.

Therefore, according to the investigating authorities, the Government of the United States has market access control over its domestic oil and gas industry; The Government of the United States has jurisdiction over market access for oil and gas resources on all government-owned lands that are important for all hydrocarbon resources. In order to achieve its industrial policy, the government intervened in the market by allocating resources to the market.

1. Import and export controls in the oil and gas industries.

(1) Import and export controls in the oil sector.

With regard to import and export controls in the oil industry, in the responses to the non-market situation questionnaire, United States stakeholders did not provide all the necessary information as requested by the survey agency. As a result of an investigation, the investigation found that the United States federal government had intervened directly in the export of U.S. crude oil for a long time and artificial control over the allocation of oil resources, affecting the normal oil market in the United States.

In 1975, the United States Federal Government introduced the Energy Policy and Protection Act, under which the import and export of U.S. crude oil is controlled primarily by the United States Department of Commerce, which requires prior authorization from the U.S. Government for the export of crude oil to be licensed by the United States Department of Commerce. Through the control of exports authorized by the Act, the United States Government serves the purpose of controlling United States domestic oil prices and ensuring the security of oil supply. In December 2015, the United States Federal Government introduced the Consolidated Appropriations Act 2016. The Act entered into force on 18 December 2015 and formally lifted the 40-year ban on crude oil exports. Crude oil exports no longer require a licence from the United States Department of Commerce. However, under the Consolidated Appropriations Act, export bans are still not unregulated and fully marketed. The U.S. Export Control Regulations still provide for short supply clauses requiring permission from the United States Department of Commerce Industrial Safety to export crude oil from the United States. After saying on May 12, 2016, the U.S. Department of Commerce amended the Exit Regulations to bring it into line with the requirement of the Consolidated Appropriations Act to impose or enforce any restrictions on crude oil exports by any part of the federal government, but the Act still contains exemptions and government intervention in the normal export of oil through sanctions and bans.

Since the introduction of the Energy Policy and Protection Act in 1975, the United States Government has imposed severe restrictions on the export of oil in order to guarantee the security of its oil supply and to achieve industrial policy, and its interference in normal oil trade has resulted in irregular market conditions in the stone oil industry. Although, in recent years, the United States Government has gradually relaxed controls over crude oil exports, investigations have found that United States government controls on crude oil have not been completely lifted. At the same time, the impact of long-term controls on the oil industry and the oil market of the United States Government has not been sufficiently demonstrated by United States stakeholders that have been eliminated during the survey period. On the contrary, the information submitted by Exxon Mobil shows a retaliatory trend in United States oil production following the cancellation of long-term export controls, rising from 3.223 billion barrels in 2016 to 3.984 million barrels in 2018, which continues to this day.

(2) Import and export controls in the gas industry.

With regard to import and export controls in the gas industry, in response to the non-market status questionnaire, United States stakeholders did not provide all the necessary information as requested by the survey agency. As a result of an investigation, the investigation found that the United States federal government had intervened directly in the import and export trade of American natural gas and artificial controls over the allocation of natural gas resources, which affected the gas market in the United States.

In 1938, the U.S. Government introduced the Gas Act of 1938, and United States gas imports and exports are regulated by the United States Department of Energy. Under the U.S. Gas Act 1938, no one may engage in the import or export of American and foreign natural gas without the approval of the Federal Power Commission (now the United States Federal Energy Management Commission) since June 21, 1938. The bill requires a licence from the United States Department of Energy for the import and export of natural gas, including liquefied natural gas. Subjects wishing to engage in natural gas transactions with offshore buyers and sellers are required to apply for import and/or export authorization in accordance with the requirements and procedures contained in the relevant provisions of the Ministry of Energy. The Commission has the power to approve, in whole or in part, by authorizing it to make adjustments as it deems necessary and appropriate.

The U.S. government has imposed restrictions on the import and export of natural gas since the introduction of the Gas Act in 1938, and the U.S. government intervention in natural gas trade has resulted in irregular market conditions in the gas industry. During the survey period, the U.S. government did not reduce or deregulate the import and export of natural gas, and the gas industry remained in non-market conditions during the survey period.

1. United States Government intervention and restrictions on oil and gas prices.

With regard to the United States Government ' s intervention and restrictions on oil and gas prices, in the non-market questionnaire, United States stakeholders did not provide all the necessary information as requested by the surveying authority. As a result of the investigation, the investigating authorities found that the U.S. government intervened directly or indirectly in and influenced the prices of American oil and gas.

The United States Department of Commerce has long-standing controls over oil exports, affecting the normal allocation of resources to oil markets, indirectly intervening in oil prices through government intervention. At the same time, the United States Government has intervened in the transport and sale of oil by regulating pipeline pipeline companies' operations and tariffs, pipeline services and openings, regulating pipeline pricing, setting tariffs and price announcements, and proposing maximum and minimum prices, thus directly affecting United States oil prices.

The Federal Power Commission of the United States (now the Federal Energy Management Commission) has long-term control over the import and export of natural gas, affecting the normal allocation of resources in the natural gas market and indirectly intervening in natural gas prices. At the same time, under the United States Gas Act of 1938, the rates and fees established and received by any natural gas company in relation to the transport and sale of natural gas are covered by the Federal Power Commission (now the Federal Energy Management Commission), requiring the company to report costs and rates to the Commission, and stipulating that no gas company may change the rates, fees, etc., except 30 days after notification to the Commission and the public.

As a result, the investigation found that the Government of the United States intervened in the formation of U.S. stone oil, natural gas and coal prices through the above-mentioned transportation and sales rate regulation, approval jurisdiction and substantial financial support, resulting in distortions in the prices of the products concerned and not reflecting normal market conditions.

1. Non-market conditions in the electricity sector in the United States.

The applicant submits that the cost of power, water, steam etc. for the production of three yuan ethyl rubber is higher, and that support and subsidies for oil, gas and coal are bound to reduce their power costs through the electricity market to triple ethyl ethyl rubber. In the responses to the non-market situation questionnaire, United States stakeholders did not provide all the necessary information as requested by the survey agency.

(1) The regulation and control of the electricity sector by the Government of the United States.

According to some of the responses provided by American companies, survey agencies found that the United States Department of Energy, the Energy Information Agency, and the Federal Energy Management Board were the main government agencies involved in the management of the electricity industry. The U.S. Department of Energy is a federal government department responsible for the United States federal government's energy policy formulation, energy industry management, energy-related technology development, etc. The Ministry of Energy, which is responsible for the control of electricity, is the Office of Electricity and Energy Reliability, whose main function is to promote the modernization of the electricity grid and energy infrastructure elasticity, ensuring the elasticity, reliability and flexibility of electrical systems through survey, cooperation, facilitation, modelling and analysis, and emergency preparedness. The Office is also responsible for authorizing the export of electricity and issuing permits for cross-border transmission lines. The Energy Information Agency is the Energy Information Data Statistics and Analysis Agency of the Department of Energy, which supports the United States Government's energy decision-making. The Energy Information Agency regularly publishes weeks, months, annual reports and thematic reports on energy production, reserves, demand, import, export and prices, and is the main source of information for U.S. energy sources and their analytical forecasts. The Federal Energy Management Council is responsible for: Supervision of interstate power transmission and wholesale transactions, review of certain mergers and acquisitions and corporate affairs of power companies, review of site applications for transmission facilities, licensing and inspection of private, municipal and state hydroelectric projects, protection of the reliability of high-pressure interstate transmission systems through mandatory reliability standards, early warning and investigation of energy markets, regulation of environmental matters related to electricity, regulatory requirements through the collection of fines, etc.

Sustainable energy supply.

The U.S. federal government regulates the electricity industry, mainly through the Federal Energy Management Board, and regulates and approves power companies for power generation, distribution, marketing, market access, construction of facilities, contractual terms and environmental compliance, particularly in terms of market access. No individual or agency may build new or expand old power plants, or suspend the operation of existing grids unless authorized by a regulatory body. According to the investigating authorities, the United States electricity industry is regulated and controlled by the United States Government.

(2) United States Government regulation of the electricity market in terms of strategic planning and resource requirements.

As a result of the investigation, the investigating authorities found that the strategic planning and resource requirements of the United States electricity market were regulated in many ways as a result of the division of competence between federal and state regulators over the electricity sector. For example, many states have implemented resource sufficiency to check whether local power distribution companies in the state have sufficient resources to meet demand and have sufficient back-up measures to prevent overdependence on a power generation resource. In the 2009 U.S. Congress enacted the Clean Energy Security Act, in which the U.S. government demanded that at least 12 percent of the electricity sector generates electricity by 2020 from renewable sources of energy, such as wind and solar energy. The Act refers to the establishment of an integrated standard for efficient and renewable energy, requiring each retail power supplier to sell more than 4,000 gigawatts for electricity savings and renewable energy generation to meet the growing consumer demand per year.

The U.S. Federal Government introduced the U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. U.S. Utilities Holdings Act and the Federal Electricity ActWhile policies such as the Energy Policy Act, Federal Energy Management Council Acts 888 and 889, and the Energy Policy Act 2005 have gradually liberalized the electricity market, it is further illustrated by the fact that the United States federal government has adopted a series of policies, bills, or long-term planning to realize its ownership and control over the electricity industry and the direction of the market. According to the investigating authorities, the strategic regulations and resource requirements of the US electricity market are not entirely market-oriented, but are regulated and controlled by U.S. government agencies.

1. The United States Government controls the export of electricity.

As a result of an investigation, the investigating authorities found that prior authorization from the United States was required to export electricity from the United States to the United States Department of Energy (DOE).Similarly, in cases where the construction of facilities is needed to transport electricity out of the United States, the Department of Energy must issue a presidential grant authorizing the construction and operation of these facilities. The main objective of the Ministry of Energy approval process is to ensure that the proposed export does not have a negative impact on the reliability of the electricity system. The United States does not regulate the import of electricity into the United States.

The investigation found that the U.S. federal government intervened directly in the U.S. electricity export trade, and that United States electricity exports were restricted, affecting the market allocation of U.S. power sources.

1. United States government controls on electricity prices.

As a result of an investigation, the investigating authorities found that the price of electricity in the United States was subject to the United States Federal Energy Source Management Board or the State Utilities Management Board. The U.S. Source Management Board is specifically responsible for trans-state transmission pricing regulation, while the State Utilities Management Board is responsible for regulating the price of distribution. Major pricing procedures include submission of nuclear pricing applications by enterprises, legal approval of transmission prices, periodic and irregular adjustments of transmission prices and hearing of stakeholders.

U.S. electricity companies include private and non-private electricity companies, including federal and local utility companies and power cooperatives. The Federal Electricity Corporation is owned by the Federal Government and local public power companies are owned by local governments. The price of electricity for non-private power companies is set by the Corporate Management Board, which is the supreme lead agency responsible for all management matters, including the price of electricity. Members are appointed or elected by the Government, and many are part-time by government officials. Pricing targets and basic principles for non-private electricity companies are common in relevant corporate acts or by-laws, and can be summarized as follows: (8) Provide the necessary financial support for the normal operation of the company; The objective of profit is not permitted; Setting the lowest possible price for electricity; Reflecting the actual cost of electricity supply, to the extent possible, maintaining terminal prices stable, comprehensible and enforceable; Fair treatment of all categories of users; It is conducive to energy conservation and environmental conservation. As a result, non-private electricity companies in the United States do not actually aim for profit and set the lowest possible electricity prices, and although the cost of electricity is taken into account, the ultimate principle is that the price of electricity is as stable as possible, and the price of non-private electricity companies in the United States does not fully reflect normal market prices.

The United States Government imposes a series of controls and approvals on private electricity suppliers. The general overview consists of, inter alia: The Department of Energy has strict control over U.S. electricity exports, and government approval is required for anyone to export electricity. The Federal Energy Management Commission regulates interstate power transmission and wholesale transactions, examines certain mergers and acquisitions and corporate affairs of power companies, examines site applications for power transmission facilities in limited circumstances, licensing and access to private, municipal, and state hydroelectric projects, protects the reliability of high-pressure interstate transmission systems through mandatory reliability standards, early warning and investigation of energy markets, regulation of environmental matters related to electricity, etc. In addition to the approval of the prices of electricity commodities and transmission and distribution services, the supervision of supplying enterprises, bonds, environmental compliance plans, geographical coverage of services, project construction, acquisition of new plants and installations can also be initiated for all supplying enterprises.

The Federal Energy Regulatory Commission approves the pricing of private electricity companies in two main ways. One is a market-based approach, the other is the traditional cost-based approach. Which method depends on the competitive environment in which electricity is sold. If the power enterprise clearly does not have a monopoly or market power of that type of enterprise is weakened, the Federal Energy Regulatory Commission uses a market-based approach. In regions with insufficient competition and market power in electricity enterprises, the Federal Energy Regulatory Commission uses traditional cost-based methods to prevent entrepreneurial companies from using market forces to charge excessive electricity prices.

According to the investigating authorities, the U.S. government departments are the regulatory and approving authorities.

The functions of the department will be included in their regulatory or approval criteria and implemented through electricity suppliers. Both private and non-private power companies, the Government ' s function is to ensure affordable and safe and reliable energy for consumers of energy supply, and it is through multiple regulations and approvals that provide affordable and safe and reliable electricity to respondents. In areas where there is insufficient competition for companies to have market power, the United States Federal Energy Management Council uses traditional cost-based methods to prevent it from exercising market power and charging excessive electricity prices. In assessing price proposals, the Federal Energy Management Commission of the United States must prevent companies from leviing excessive fees on consumers for profit, ensuring that companies recover their costs and have access to a reasonable rate of return on capital. As a result, the investigating authority concluded that the United States electricity company did not determine the price of electricity solely on the basis of market conditions, and that the price of electricity in the United States did not fully reflect its market price.

1. These factors contribute to distortion in the cost and prices of ethylene and acrylic production in the United States.

The applicant contends that the three-dollar ethyl rubber manufacturers in the United States are large chemical manufacturing enterprises whose products are end-products in the chemical chain, with links to ethylene chemistry (oil, natural gas) and coal. The main raw materials of ethyl ethyl rubber are ethylene and acrylic, subsidies for oil, gas, and coal passed through upstream product chains to investigated products, resulting in the cost of production deviating from normal market levels. The respondents in the United States did not answer the relevant topics in the questionnaire on the grounds that it did not know any federal, state or local government price management of ethylene and acrylic acryne, or "unknown any government agency's management measures on ethylene or acrylon, and submitted that the pricing of ethylene and acrylon was determined by supply and demand, but without any supporting documentation. Other U.S. stakeholders also did not submit responses or responses.

In his comments to the U.S. stakeholder responses, the applicant noted that the use of ethylene and acrylon as a direct raw material for the production of triple ethyl apropyl rubber is common practice in national production enterprises. Traditional methods of production of ethylene and acrylon are cerebral oil ruptures, but the non-market situation in the United States has greatly contributed to the development of domestic oil and natural gas production while generating a large number of inexpensive ethane propane products such as Ethanepropane, and U.S. enterprises began to directly produce ethylene and aprocrene products. The U.S. business is an important American chemical giant, and its petrochemical chain begins with the direct opening of oil and gas. For example, Exxon Mofu has integrated 90% of the company's chemical products with the company's refineries or gas processing. Considering that XTO will provide large non-conventional natural gas reserves in the United States, in late December 2009 the Exxon Mobil Division announced the acquisition of XTO Energy, which is engaged in non-conventional natural gas production.As a result of the extensive intervention of the U.S. government, U.S. companies were supplied with large and low-cost ethane propane products, and ethane propane products such as ethanepropane were the main raw materials for ethylene and aprocrene production in the United States chemical industry, the cost of raw materials and energy consumption, which accounted for a significant proportion of the cost of ethylene and acrylon production.

The applicant also made available on the website of the China National Energy Agency, Shale Gas, which promotes the flourishing of relevant industries in the United States. The article provides a clearer picture of the low and sustained growth of natural gas supply in the United States, which promotes the use of natural gas as raw materials for products such as ethylene.

Upon review, the investigating authorities found that the analysis in sections 1-7 above shows that the extensive intervention of the United States Government has resulted in a significant increase in the supply of energy products such as oil, gas and other energy products in the United States, and that the price of coal and electricity in the United States cannot completely reverse its market prices. According to publicly available information, U.S. companies such as Exxon Mobil used oil and gas to produce downstream chemical products. Ethylene and acrylon are the main chemical feedstocks of oil and terrestrial fracture, coal and electricity are also the main energy consumption costs for the production of raw materials of ethylene and acrylon, which are the direct raw materials used in the production of triple ethylene and acrylon in this case. Moreover, the U.S. company answered that its ethane propane costs and energy consumption costs, such as electricity, accounted for a significant proportion of the cost of ethylene and apropylene production. In view of the above-mentioned analysis of the distortion of the oil, gas, coal and electricity markets in the United States, and taking into account the cost of ethane, propane products such as ethane, propane and other energy consumption as a proportion of the cost of ethylene and aprocrene production costs, the investigating body determined that there was a distortion in production costs and prices for ethylene and acrylon in the United States.

1. Conclusions.

In summary, the investigating authorities investigated the non-market situation in the United States of America ' s oil, gas, coal, renewable energy sources, electricity and ethylene and acrylon markets. The results show that industrial planning and strategies, management, control, regulation, regulation or import and export control of resources such as oil, gas, coal, renewable energy sources, electricity, etc., as well as incentives such as financial support, tax exemptions and taxes, have encouraged and stimulated investment and development in the above-mentioned industries, disrupting the allocation of resources in the industry, affecting normal market demand and prices and prices for oil, gas, and non-coald products in the United States.

The production costs and prices of ethylene and acrylon are directly downstream products of oil, gas, coal and electricity as the primary source of oil, gas, coal and electricity, and their production costs and prices are closely linked to the price of oil, gas, coal and electricity. In the context of distortions in the quantity and prices of the supply of oil, gas, coal and electricity in the United States, taking into account the weight of the relevant upstream energy products and energy consumption costs in ethylene and acrylon production costs, and the integration of United States companies from oil and gas to the production of three-dollar ethyl-acrythyl rubber, the investigating body found that there was a non-market situation in the U.S. domestic market for ethylene and acryne.

Following the initial cut-off, the United States Government, Dow Chemistry, and Exxon Mofu reported that the investigating bodies had no legal basis and did not comply with China's obligations under the World Trade Organization, which concluded that there was a lack of evidence of non-market conditions in the United States oil, natural gas, coal, and electricity sectors, and failed to link the alleged price distortions in these industries to the products under investigation. In the post-screening review, Exxon Mobil argued that it had provided full and complete responses to non-market survey questionnaires as required.

Following the examination, the investigating authorities found, first, that the non-market situation investigation in this case was based on the applicant ' s application, and that it was in accordance with the provisions of article 41 of the Foreign Trade Act of the People's Republic of China, articles III and VI of the Anti-Dumping Regulations, to determine the export price and normal value of imported products and to compare them in a fair and reasonable manner.

Second, in the course of the survey, the investigating authorities gave relevant stakeholders in the United States ample opportunity to provide evidence and comment and to extend the responses, but the relevant stakeholders failed to provide complete and accurate responses as requested by the questionnaire. Therefore, for the part of the respondents that did not respond as required, the investigating machine was closed to the preliminary commission to review and assess it on the basis of the facts and best available information, in accordance with article 21 of the Anti-Dumping Regulations. In the comments following the premise, relevant stakeholders in the United States were unable to provide relevant additional information.

Finally, the available evidence shows that the United States oil, gas, coal, renewable energy, renewable energy and electricity market non-market conditions in the United States oil, gas, coal, renewable energy and electricity markets, as well as financial support, tax exemptions and incentives, etc., have disrupted the allocation of resources in the relevant industries, affecting normal market supply and demand relationships and price levels. Both ethylene and acrylon are directly downstream production of oil, natural gas, coal and electricity as primary raw materials or fuel-powered, subject to distortion of upstream prices, taking into account relevant upstream energy sources

Product and energy consumption expenditures represent a significant share of the cost of ethylene and acrylon production, and downstream costs and prices are also affected. In addition to the integration of U.S. companies, from oil and air to the production and processing of three yuan ethyl rubber, the investigating authorities found that there was a non-market situation in the ethylene and acrylic markets in the United States.

In conclusion, the investigating body rejected the above comments and decided to uphold the initial decision in the final decision.

The Dow Chemical Company

1. Normal value.

At the time of the commissioning, the investigating authority reviewed the classification of the company's products under investigation and the same type of product and decided to accept the company's claim for model classification for the time of the initial cut. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

During the dumping investigation, the investigating authority determined that, during the dumping investigation, both of the company ' s domestic sales of products of the same type amounted to more than 5 per cent of the number of products under investigation that had been exported to China during the same period, meeting the quantitative requirements as the basis for determining normal values. During the dumping investigation, the company sold its domestic products directly to unrelated clients. The investigating authorities therefore relied on the company's total domestic sales in the United States as the basis for determining normal values. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

At the time of the commissioning, the Investigative Authority reviewed the data submitted by the company on the production costs and costs of all types of products of the same type and found that the company was self-producing, reported production costs, such as ethylene, reported production costs such as ethylene, and did not report the cost or purchase price of raw materials such as ethylene, and that a particular model was surveyed The cost of products and their equivalents was inconsistent with that reported in Corporate 6-1, which the company did not explain. Company responses reported in tables 6-3 the quantities of the products surveyed and of their equivalents, which were not consistent with the data reported in Tables 6-2; In terms of amounts, tables 6-2 and 6-4 are also inconsistent. In addition, the company entered the inventory invention schedule 6-2 reflecting the production costs of the products under investigation and the same type as those shown in Tables 6-4. In summary, the investigating body first concluded that the cost data reported by the company did not provide a realistic and reasonable picture of its costs.

The company submitted comments that the company reported production costs, such as ethylene, and reported actual production costs according to its accounting system, and requested the investigating authority to accept the cost data reported by the company. In response, the investigating authorities considered that the company had not reported the cost or purchase price of raw materials such as ethylene, as well as the inconsistencies in the data on the different tables in the responses, and therefore decided not to accept the company ' s claim and maintain the preliminary determination.

Due to non-market conditions for raw materials such as ethylene in the United States, prices have been distorted, and Dow Chemistry did not submit complete and accurate raw materials costs for surveyed and similar products. Instegrative bodies did not use the raw material cost data reported in the company's response to the company's response, but adjusted the cost of raw materials based on comparatively accurate raw material price data that would reasonably reflect market prices, as required by article 21 of the Anti-Dumping Regulations. At the end of the decision, the investigating body decided to uphold the preliminary determination.

With regard to sales, management and financial costs, the preliminary commission of the investigating body accepted the cost-sharing methodology and data advocated by the company. Based on the above adjusted cost and cost data, the investigating authorities tested whether company products of the same type were lower in the United States than in the United States. During the dumping investigation period, over 20 per cent of the total in-house sales of one type of company product in the United States was less than 20 per cent of the total amount sold in the United States, and all of the models were sold below cost. In accordance with article IV of the Anti-Dumping Act, for models that have a ratio of less than 20 per cent of sales below cost, the investigating body's pre-emption of domestic sales sales below cost is the basis for determining normal value; For models that are all below cost-sales, the investigating authority's initial adjustment is based on the normal value of the method of production costs and costs plus profit, with the profit rate determined on the basis of a profitable transaction of the same type of product during the dumping investigation period. No comments were received from stakeholders and, after further investigation, the investigating machine decided to maintain the determination in the final cut-off.

1. Export prices.

The investigating authorities examined the company ' s export of the products investigated to China during the period under investigation. During the dumping investigation period, companies export to China through a variety of channels, including direct sales to unrelated Chinese customers, sales through associated traders located in third countries (area) to unrelated customers or associated end-users, and resale through associated traders stationed in China. In determining the basis of the export price, in accordance with article V of the Anti-Dumping Regulations, the investigating authority determines the export price at the export price for direct sales to unrelated clients; For resales through associated traders, the investigating authority uses structural export prices to determine the final resale price, which is resold to the associated end-user, at the export price of resale to unrelated customers. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

3. Price adjustments.

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the investigating authority examined the company's adjustment items affecting price comparability on a case-by-case basis.

1. Normal value component.

For the normal value adjustment, the investigating authority decided to accept other discounts, rebates, refunds and compensation submitted by the company, inland freight charges from factories to distribution warehouses, pre-sale warehousing costs, inland freight from warehouse to customer, handling and handling fees, credit costs, etc. Following the premise, no comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. Export price component.

With regard to the adjustment of export prices, the Preliminary Investigative Body decided to accept the company's proposals for adjustments from factory to customer inland freight, pre-sale storage, inland freight, handling and handling of plants, international freight insurance premiums, factory handling charges, credit costs and other items requiring adjustment. For transactions sold by the company through its associated trading company located in the third location, the investigating authority adjusted the export price by computing indirect costs based on tables 6-5 submitted by the Public Division. For resales through associated traders in China, the investigating authorities decided to supplement the overheads and profits of associated traders in China. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. On CIF prices (CIF prices).

The investigating body decided to accept the company's CIF data. No comments were received from stakeholders after the preliminary appointment, and after further investigation, the survey mechanism

The decision is upheld in the final decision.

Exxon Mobil Corporation

1 Normal value.

The Investigative Agency reviewed the classification of the company's products under investigation and the same type of product, and respondents advocated the division of the products surveyed and the same product into two models. After review, the investigating authority decided to accept the company's claim for modelling scores in the preliminary cuts for a temporary period. No comments were received from stakeholders and, after a step-by-step investigation, the investigating authority decided to maintain the determination in the final cut-off. I don't know.

The investigating authorities examined the company ' s sales in the United States. As a result of the review, during the dumping investigation period, the volume of sales by countries of the same type of product of the same type exceeded 5 per cent of the volume of products under investigation to middle countries during the same period, meeting the quantitative requirements as the basis for determining positive values. During the dumping investigation, the company ' s domestic product of the same type was sold directly to unrelated customers. As a result of the review, the investigating authority decided to base the determination of normal value on the company ' s entire domestic sales in the United States. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

The Investigative Body reviewed the cost of production of the same type of product submitted by the company

And cost data.

With regard to production costs, companies are surveyed as major raw materials for products of the same type

There are cases of self-production and outsourcing, such as ethylene and acrylic. Reviewed for self-production

Ethylene, etc., the company reported production costs, etc., not Ethylene.

Cost or purchase price of raw materials, such as vinyl, and a detailed breakdown of production costs for companies

Cost of raw materials reported in 6-4 as reported in tables 6-1-1 and 6-1-2

The cost of raw materials production and purchases was inconsistent and the company did not explain it.

Company entered the surveyed product as reflected in the inventory invention schedule 6-2

Production costs for products of the same type are also inconsistent with Tables 6-4 and Tables 6-2 and 6-4

Failure to provide filling units as required, resulting in the inability of investigative bodies to obtain cross-checks

Information on the cost of raw materials for the production of three yuan ethyl rubber cannot be determined

Status of production costs. As a result, the investigating authorities found that the company reported the cost data not.

The cost profile can be accurately and reasonably reflected.

After the primitive, the company submitted comments requesting the use of the company ' s actual production

Cost. Because any market distortion doesn't refuse to use the company's records.

This is justifiable, the investigating authority has not provided an explanation or an example basis for refusing.

Reasons for rejecting the actual cost of raw materials kept by the company. The company also asserts that it's...

All cost data requested in the questionnaire have been provided and companies are based on their accounting faculties

All actual production costs are reported, and the investigating authority is based on cost tables

Inconsistencies, the rejection of corporate production costs is contrary to WTO rules.

Relevant obligations. In addition, the investigation agency's methodology for adjusting the cost of company raw materials

Incompatibility of WTO rules obligations, as replacement adjustment data are inaccurate.

The probes did not consider the appropriateness of alternative data, which was unreasonable and seriously twisted the facts. If alternative methods are needed, the investigating authorities must be particularly careful and have to check the accuracy, authenticity and best accessibility of the information. The company also submitted relevant import data as evidence.

In its post-staff comments, the U.S. government argued that the investigating authorities did not inform the United States companies of the alleged defects in the cost and sales data reported by the U.S. company, failed to inform the company of the reasons for its non-acceptability, or to give the company the opportunity to correct the defects, and that the United States company did not have the opportunity to fully defend its rights under the World Trade Organization.

In this regard, the investigating authorities considered that, in accordance with articles 41 of the Foreign Trade Law of the People ' s Republic of China, Articles III and VI of the Anti-Dumping Regulations, the Investigative Machinery should examine the factors that affect prices in the relevant United States markets in order to determine the export price and normal value of imported products and to compare them in a fair and reasonable manner. The foregoing analysis shows that prices are distorted due to non-market conditions for raw materials such as ethylene in the United States. In addition, this information is the necessary information for the survey, the questionnaire clearly identifies the relevant issues and extends the response. In the course of the survey, the survey agencies gave United States companies ample opportunity to provide survey information and comment, but the investigating authorities were unable to accept the company's explanation in the post-scheduling comment because it lacked a factual basis, the company did not report the cost of producing raw materials such as ethylene, and the inconsistencies between the original production materials. Since the company ' s response did not submit complete and accurate raw material costs for the products surveyed and of the same type, the investigating machine decided not to accept the company's claim, maintain the preliminary determination not to use the data on the cost of raw materials reported in the company ' s response, but to adjust the cost of raw materials on the basis of comparative raw material price data that could be more accurate and reasonably reflective of market prices, in accordance with the provisions of article XXI of the Anti-Dumping Regulations. The data submitted by the company after the company's preliminary appointment included 2 statistical calibers, which were marked as abbreviations in English. According to the investigating authorities, the company did not explain the meaning of the various statistical calibers, that the figures used by the preliminary cuts were the same as the data provided by the company under 2 statistical calibers, whereas the data proposed by the company differed under 2 statistical calibers. The figures used by the Crown were based on third parties and matched the data provided by the company, and the data claimed by the company could not correspond to third-party data and failed to explain the difference between the two statistical calibres. Accordingly, the investigating authority decided to maintain the preliminary determination in the final decision.

With regard to sales, management and financial costs, the surveying bodies reviewed the relevant data in the responses, and the preliminary commissioner temporarily accepted the method and number of assessments advocated by the company. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

Based on the above adjusted production cost and cost data, the investigative authorities tested whether or not the same products of the same type are sold in the United States. During the dumping investigation period, all of the company's products of the same type were sold in the United States at a lower cost than cost. Pursuant to article IV of the Anti-Dumping Regulations, the investigating machine shut down the normal value of the method of production costs and costs plus profits, and the profit margin is determined by profitable in-trading transactions by other United States producers. In its post-recording comments, the company argued that the use of profit margins was not objective enough. Following a further investigation, the investigating authorities found that where the company's equivalent products were all below the market in the United States, the Crown Tender used actual data from other United States producers to produce and sell the same product during the normal course of trade, which was the real profit margin of the United States manufacturers of the same type, and decided to maintain the initial determination in the final decision.

1. Export prices.

The investigating authorities examined the company ' s export to China of the products under investigation. During the dumping investigation, the company exported its products to China in two ways: One is the resale of companies to unrelated customers in China through associated traders based in Singapore; The second is to resale to unrelated customers in China through associated traders located in Singapore before selling them through associated traders in China.

In accordance with article V of the Anti-Dumping Regulations, for the first distributor, the investigating authority temporarily decided to use the resale price between Singapore associated traders and non-contact customers in China as the basis for determining the export price; For the second mode of sale, the investigating authority temporarily decided to use the structural export price method, using domestically related traders' resale prices to China's unrelated customers as the basis for determining the export price. No comments were received from stakeholders and, after a further investigation, the investigating authority decided to maintain the determination in the final cut.

1. Price adjustments.

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the Investigative Body examined the company ' s adjustment items affecting price comparability on a case-by-case basis.

1. Normal value component.

In the case of normal value adjustments, the investigating authorities decided, upon review, to accept, on a temporary basis, the company's claim for volume discounts, inland freight charges - factory to distribution warehouse, pre-sale warehousing costs, inland transport of a plant/store to customer, credit costs, etc. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. Export price component.

With regard to the adjustment of export prices, the investigating authority decided to accept, in the preliminary commission, the company's claim for volume discounts, inland freight charges - factory to distribution warehouse, pre-sale storage costs, inland transport factory/storage to the port of export, international freight, international transport insurance premiums, credit charges, customs clearance agent fees, associated traders overheads, China's import duties, associated traders ' profits, etc. For transactions that companies resold through their associated traders located in Singapore, the company response did not specify the source of the adjustment overheads claimed, and the survey agency temporarily recalculated the adjustment against the respondent data. With regard to the use and profits of associated traders in China, the company's response did not clearly indicate the source of the adjustment data that it claimed, and the survey authorities temporarily recalculated the respondent data. After further investigation, the investigating authority decided to maintain the preliminary determination in the final decision.

1. On CIF prices (CIF).

Following a review, the investigating authority decided to accept the company's CIF data in the preliminary cuts. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

ARLANXEOUSALLC, Lion Copolymer Geismar (LLC)

The above-mentioned companies registered to participate in the survey and provided corresponding material. In accordance with the Anti-Dumping Regulations and the Department of Commerce ' s Provisional Rules for Anti-Dumping Surveys, the investigating authorities decided not to review them separately from the preliminary commission to determine their dumping margins by using the weighted average dumping margins of Tow and Exxon Mobil. No comments were received from stakeholders after the initial cut-offs.

By step, the investigating authorities decided to maintain the preliminary determination in final secondary school.

Other United States companies

On June 19, 2019, the investigating authorities launched an anti-dumping investigation into imports of three yuan ethyl C originating in the United States, Korea, and the European Union. On that occasion, the investigating authorities informed the U.S. embassy in China and posted it on the website of the Department of Commerce, so that any stakeholder could access the proclamation of the case on the website of the Department of Commerce. Upon the establishment of the case, the investigating authority gives stakeholders a 20-day period of registration to participate in the survey, giving all stakeholders reasonable time to be informed of the circumstances of the case. When the case was opened, the survey agency posted the questionnaire on the website of the Ministry of Commerce, and any stakeholders could access and download the questionnaire on the website of the Department of Commerce.

The investigating authority has notified all known stakeholders to the maximum of its ability and, to the maximum extent of its ability, alerts all known stakeholders of the consequences of failure to cooperate with the investigation.

In cases where the investigating authority has fulfilled its obligation to notify and not provide the necessary information to cooperate with the investigation, the investigating authority, in accordance with article 21 of the Anti-Dumping Ordinance, determines the margin of dumping on the basis of the facts available and the best available information. The investigating authorities compared the information obtained in the investigation and decided to determine the dumping margins of other U.S. companies on the basis of information from Dow Chemistry. No comments were received from stakeholders after the initial cut-off, and further

The investigating authorities decided to maintain the preliminary determination in final secondary school.

Korean company.

POLYCHEM Kumho Polychem Co., Ltd.

1 Normal value.

The Investigative Agency reviewed the classification of the company's products surveyed and its products of the same type, and the respondents asserted that the model should not be divided. Following a review, the investigating authority decided to accept the company's claim on model classification in the Provisional Temporary. After the initial cut, there was no stakeholder comment on this. After further investigation, the investigating authority decided to maintain the preliminary determination in the final secondary school.

The investigating authorities examined the company ' s sales in Korea. During the dumping investigation period, the volume of domestic sales of products of the same type of company accounted for more than 5 per cent of the number of products under investigation that were exported to China during the same period, meeting the quantitative requirements as the basis for determining the normal value of positive values. During the dumping investigation, the company ' s domestic product of the same type was sold directly to unrelated customers. Following a review, the investigating authority decided to base its normal value on the company's total domestic sales in Korea for the purposes of determining its normal value. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

The investigating authorities reviewed the data submitted by companies on the costs and costs of production of similar products.

With regard to production costs, tables 6-4 of the production costs of the questionnaire require single consumption and prices for fuel and power costs, utilities for producing the products surveyed and similar products. The company ' s electricity, steam and water were reviewed, and company responses did not provide the above-mentioned consumption and prices as requested by the questionnaire. At the time of the preliminary appointment, the investigating authority decided to adjust the company's production costs for a temporary basis based on the relevant data of other producers.

The company submitted comments arguing that the responses should be used, and resubmitted proofs of production as shown in sub-electricity, vapour and water-specific items in this detailed table 6-4 and some associated purchase transactions. Following a further investigation, the investigating authorities found that the company had information on the unit consumption and price of electricity, steam and water, but that the company had not yet requested the necessary information as required by the questionnaire. Moreover, the relevant correlation buying transaction provided by the company was incomplete, comprehensive and failed to prove the reliability of the associated price, so the investigating authority decided to maintain the preliminary determination in the final decision.

With regard to sales, management and financial costs, the surveying bodies reviewed the relevant data in the responses and provisionally decided to accept the distribution methodology and data advocated by the company in the preliminary commission. No comments were received from stakeholders after the initial cut-off. After a step-by-step investigation, the investigating authorities decided to maintain the preliminary determination in final secondary school.

On the basis of the above adjusted production cost and cost data, the investigating authorities have tested the sale of similar products in the Republic of Korea below cost. The number of similar products sold in Korea during the dumping investigation period amounted to more than 20 per cent of all sales in Korea. In accordance with the provisions of article IV of the AD Regulations, the investigating authorities decided temporarily to exclude the sale of Korea below cost as the basis for determining normal value.

1. Export prices.

The investigating authorities examined the company ' s export to China of the products under investigation. During the dumping investigation, the company exported its products to China through the following five ways: One is the direct export of companies to unrelated customers in China; Second, export to non-associated customers in China through unrelated traders in Korea; Third, resale to unrelated customers in China through associated traders in China; Fourthly, resale to China's associated customers through China's associated traders, all of which are used to produce downstream products; Fifthly, the company is resold to China's associated customers, all Chinese associated customers are used to produce downstream products.

In accordance with article V of the Anti-Dumping Regulations, for the first and second modes of sale, the investigating authority decided to suspend the sale price between the company and unrelated customers as a basis for determining the export price; For the third mode of sale, the investigating authority decided to use the structural export price method for temporary use of the resale price of domestically associated traders to unrelated customers in China as the basis for determining export prices; In the fourth mode of sale, the investigating authority decided, upon review, to accept, on a temporary basis, the resale price for China's associated customers reported in response to a questionnaire from the associated trader in China and to use that price as the basis for structural export prices; For the fifth mode of sale, the investigating authority decided to accept, on a temporary basis, the resale price of China's Customs Associate customers as reported in the response from the Japanese Associated Company and used that price as the basis for determining the export price. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

1. Price adjustments.

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the Investigative Authority reviewed the whole project of adjustments affecting price comparability, such as the company and its associated traders.

1. Normal value component.

In the case of normal value adjustments, the investigating authorities decided, upon review, to accept the company's claim to adjust inland transport of a plant/store to customer, packaging fees, credit costs, etc. in the preliminary commission. No stakeholder comments were made following the preliminary cuts. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

1. Export price component.

With regard to the adjustment of export prices, the investigating authority decided to accept the company's inland transport of an inland transport plant/warehouse to port of export, international freight charges, international transport insurance, port handling charges, packaging charges, credit charges, commissions, customs agents, inland freight from port to warehouse, inland China from port to unconnected customers, pre-sales storage costs,

China's inland freight costs range from warehouses to unrelated customers, China's inland freight from warehouses to associated customers, import customs claims, other items requiring adjustment, currency exchange, Chinese import duties, etc. After the premise, no stakeholder commented on this. After further investigation, the investigating authority decided to maintain the preliminary determination in the final decision.

With regard to export tax rebates, the company responded by advocating the adjustment of export rebates to China's export transactions. As a result of the review, the investigating authorities found that the import of raw materials for export tax refunds was not entirely consistent with the specific raw materials for the production of the products under investigation and the same type of product as reported in Tables 6-4 and concluded that the evidence currently submitted by the company did not show that the export tax rebate of the products surveyed for China was affected by its claim, and therefore decided not to accept the company ' s claim for that adjustment. In its post-recording comments, the company reiterated its proposals for adjustments and related documents submitted in its responses, and resubmitted tables 6-4 which itemize the raw materials. After further investigation, the investigating authorities found that there were still contradictions between the relevant documentation provided by the company and its claims. In the opinion of the investigating authorities, the evidence currently submitted by the company does not prove that the export prices of the products under investigation to China were indeed affected by the export tax rebate claimed. In the final decision, the investigating body decided to uphold the preliminary determination.

With regard to China's associated traders' overhead costs of resale and the company's resale overheads, the company's response did not advocate an adjustment, and the investigating authorities decided to make additional adjustments based on the cost data reported in the company's responses. After the initial cut, no interested parties made any comments on this. After further investigation, the investigating authority decided to maintain the preliminary determination in the final posture.

With regard to China's associated traders' profits, the company's response did not advocate adjustment, and the investigating authorities decided to make additional adjustments based on the profit margins of other exporters' associated Chinese traders. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

4. On CIF prices (CIF).

Following a review, the investigating authority decided to accept the company's CIF data in the preliminary cuts. No comments were received from stakeholders after the initial cut-off. I'm coming in.

By step, the investigating authorities decided to maintain the preliminary determination in final secondary school.

Lotte Versalis (Lotte Versalis)

Elastomers Co., Ltd.)

1. Normal value.

The investigating authorities examined the classification of the company's products under investigation and the same type of product. Respondents advocated a classification of 5 grades for both surveyed and similar products, including 1 level of qualification and 4 unqualified ratings. On this basis, the company subdivides the product into several models according to the product type, sequence, class and packaging, and assigns a product code for each model.

With regard to product exclusions, the respondent argued that since the company was still in production, unqualified goods that could not be used for conventional purposes should be excluded from the calculation of the dumping margin. As a result of the review, the investigating authorities found that although the publication of the case gave a brief description of the main uses of the product under investigation, it did not limit the other uses of the product under investigation, and that the unqualified items were only individual indicator parameters exceeding the standard intervals, but that the chemical structure, physico-chemical properties, tax numbers, etc. were all investigated in the publication.

The description is consistent. Therefore, in the preliminary allocation, the investigating authority decided not to accept the company's claim.

After the primitive position, the company resubmitted the above claim and commented that the three disqualified items exported to China, one or more of the indicator parameters were defective and could only be sold to recipient customers, such as level VI and V, only for low-level industrial applications described in the transcripts of the transcripts and titanium runways, and the second level could only be recycled as scrap products. The company's production and sale of unqualified goods during the period under investigation is linked to the special circumstances of the Public Division in which the applicant does not have a competitive relationship with the regular products sold by the applicant and therefore does not have any adverse effect on the applicant ' s industry.

In response, the applicant submitted comments that, firstly, the unqualified goods claimed by the company were not materially different from the qualifying goods in terms of physical characteristics, chemical structure, product performance, tax numbers, etc., but that they did not conform to a specification level from numerical criteria or certain parameters and could not fundamentally deny the same product as the qualifying goods; Second, the emergence of unqualified goods is the normal output inherent in the production of any product of any enterprise, without distinction between the consumption of the factor of production and the qualifying goods, which the enterprise will still account for the cost of production; Third, the scope of use of the products under investigation described in the Establishment Bulletin is only a list of the main, conventional areas and scopes of application, and other non-primary, different levels of use should also be covered; Fourthly, the disqualified goods sold by the company enter the Chinese market through exports, and in the areas of circulation and production have been subject to varying degrees of competition with similar domestic products and other imported products, and domestic distributors or direct users may even demand prices for unqualified goods.

In the opinion of the investigating authorities, firstly, the publication of the case did not provide intervals for one or more indicators of the characteristics of the product under investigation, and that both the qualifying and incompetent items corresponded to the description of the products surveyed in the publication; Secondly, the public notice only lists the main uses of the products under investigation and, in the field verification, the applicant's owner's qualification may also be used for the transport of belts, titanium rubber runways, shoes, etc. in the field checks; Third, the company's original response stated that grades VI, V and II could be sold to defective users, and that the third level of disability could be sold only on the national market, and that the third level of disablement was in conflict with the company's preliminary transcription as a reuse of waste. In conclusion, the investigating authority concluded that the company had failed to demonstrate that its claim that the disqualified goods did not belong to the same product, and decided to uphold the initial decision in the final decision.

With regard to model classification, the different models of the company's products were reviewed to have different production costs, but the cost of production of different classes of products of the same type is the same. For the purposes of fair comparison, the investigating authorities decided to accept, in the Provisionals, the company's claim to categorize the products and models of the same product according to internal product codes. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

The investigating authorities examined the company ' s sales in Korea. It was examined that, during the dumping investigation period, the company exported 37 types of inspected products to China, eight of which accounted for more than 5 per cent of the domestic sales of products of the same type to China during the same period, meeting the quantitative requirements as the basis for determining normal values; The number of domestic sales of 29 types of products of the same type accounted for less than 5 per cent of the number of investigated products exported to China during the same period. In accordance with the provisions of article IV of the Anti-Dumping Ordinance, the investigating authority has decided temporarily to use Korean domestic sales corresponding to the export sales to China as the basis for determining their normal value for eight models that meet the quantification requirements; For the other 29 models, the investigating authority temporarily decided to use the normal value method to determine its normal value. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

The investigative authorities examined the associated transactions sold by the company in Korea. During the dumping investigation, the company sold a similar product of one type to its associated customers. As a result of the review, the company did not export the product under investigation to China, and therefore, the Junior Secondary and Secondary Investigative Authority temporarily decided to use the price of the eight products that the company sold to unrelated customers in the country as the basis for determining normal values. Following the premise, no comments were received from stakeholders, and after further investigation, the investigating authority decided to maintain the determination in the final decision.

The investigating authorities reviewed the data submitted by the company on the costs and costs of production of similar products of the same type.

With regard to production costs, the company recorded the cost of production separately for different types of products, but the same cost was the same for different levels of the same model. The company responded with the cost of 16 product codes that did not differentiate. It was also argued that the Division was still in production, that production was much smaller than the design capacity, and that fixed costs and costs should be apportioned on the basis of consideration of start-up rates. Upon review, the investigating authority decided to accept the cost and cost data reported by the company on a temporary basis. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

On this basis, the Investigative Authority is lower in Korea with regard to the company's similar products

The cost sales were tested. The company was reviewed during the dumping investigation

Survey of 2 models of products of the same type of product sold below cost in Korea

Ratio of more than 20 per cent of domestic sales, with 4 models

20 Per cent, all 2 models are sold below cost. In accordance with the Anti-Dumping Ordinance

In the case of two models with a ratio of less than 20 per cent below cost,

The Investigative Authority decided to temporarily exclude the domestic sales of below-cost sales

Serve as the basis for determining normal values; For less than 20 per cent of sales below cost4

One model, the investigating authority decided to use all its domestic sales as the basis for determining the models.

The basis of normal values; For all 2 models sold below cost, survey

The organ decided temporarily to use the cost of production plus reasonable costs and profit to determine it in the premise

Normal value. No comments were received from stakeholders after the initial cut-offs.

By step, the investigating authorities decided to maintain the preliminary determination in final secondary school.

With respect to the profit margin of 31 models of normal structural value, the investigating authority will decide

The profit margins of other companies are to be used temporarily in the initial allocation. After the initial cut, the company submitted it.

Kinko's profit sheet for 2015-2018 and advocates the use of Jinko-kun.

The Division ' s weighted average profit margin for 2015-2018. After review, the investigating authority recognized

For the reason that the company asserted a profit margin for all products produced by Jinko for 2015-2018, not the profit margin of domestic sales of the same product during the dumping investigation period, the investigating body decided to maintain the initial award in the final cut.

1. Export prices.

The investigating authorities examined the company ' s export to China of the products under investigation. During the dumping investigation, the company exported its products to China in three ways: The first is to be sold directly to unrelated customers in China; Second, sales by traders to unrelated customers in China through Shanghai Associates; Third, sales are made to unrelated customers in China through unrelated traders in Hong Kong. In accordance with article V of the Anti-Dumping Regulations, for the first mode of sale, the investigating authority temporarily decided to use the price sold directly by the company to unrelated customers in China as the basis for determining the export price; For the second mode of sale, the investigating authorities temporarily decided to use the sale price between associated traders in Shanghai and non-affiliated customers in China as the basis for determining the price; For the third mode of sale, the investigating authority temporarily decided to use the price sold by the company to unrelated traders in Hong Kong as the basis for determining the export price. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. Price adjustments.

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the Investigative Body examined the company ' s adjustment items affecting price comparability on a case-by-case basis.

(1) Part of normal value.

In the case of normal value adjustments, the investigating authorities decided, upon review, to accept the company's claims for inland freight (plant/store-to-client), packaging costs, credit costs, etc. from the preliminary commission. No comments were received from stakeholders after the initial cut-offs

See, after further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

**(2) Export price component.**

With regard to the adjustment of export prices, the investigating authority decided to accept, in the preliminary commission, the principals of adjustments proposed by the company for inland freight (plant/store to the port of export), international transport insurance, packaging, credit charges, customs clearance agent fees, commissions, other bank charges to adjust and certificate of origin charges. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

In the case of the company's resale through the Shanghai Associated Trading Company, the investigating authority decided to accept, in the preliminary commission, the company's claims for adjustment of inland freight (depot-to-client), import customs duties, import customs duties, import clearance costs, etc. As adjustment items such as overheads and profits were not reported in the company ' s response, the investigating authority temporarily decided to adjust the indirect costs and profits of associated traders on the basis of the data in tables 6-5. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. **On CIF prices (CIF).**

Following a review, the investigating authority decided to accept the company's CIF data in the preliminary cuts. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

**Other Korean companies**

On June 19, 2019, the investigating authorities launched an anti-dumping investigation into imports of three yuan ethyl C originating in the United States, Korea, and the European Union. On that occasion, the investigating authorities informed the Korean Embassy in China and posted the publication of the case on the website of the Ministry of Commerce, so that any stakeholder could access the proclamation on the website of the Ministry of Commerce. Upon the establishment of the case, the investigating authority gives stakeholders a 20-day registration period, giving all stakeholders reasonable time to be informed of the case. Once the case was opened, the survey agency posted the questionnaire on the website of the Ministry of Commerce and any stakeholders could access and download the questionnaire on the website of the Department of Commerce.

The investigating authority has notified all known stakeholders to the maximum of its ability and, to the maximum extent of its ability, alerts all known stakeholders of the consequences of failure to cooperate with the investigation. In cases where the investigating authority has fulfilled its obligation to notify and not provide the necessary information to cooperate with the investigation, the investigating authority, in accordance with article 21 of the Anti-Dumping Ordinance, determines the margin of dumping on the basis of the facts available and the best available information. A comparative analysis of the information obtained during the investigation was decided by the investigating authorities to determine the dumping margins of other Korean companies on the basis of the information provided by the applicant in the case. No comments were received from stakeholders after the initial cut-off, and further

The investigating authorities decided to maintain the preliminary determination in final secondary school.

**EU Companies**

ARLANXEO Netherlands B.V.

**1 Normal value.**

The Investigative Agency reviewed the classification of the company's products under investigation and the same type of product, and respondents advocated the division of the products surveyed and the same product into two models. After review, the investigating authority decided to accept the company's claim for modelling scores in the preliminary cuts for a temporary period. No comments were received from stakeholders and, after a step-by-step investigation, the investigating authority decided to maintain the determination in the final cut-off.

The investigating authorities examined the company's sales within the EU.As a result of the review, during the dumping investigation, two types of products of the same type sold within the EU accounted for more than 5 per cent of the volume of products under investigation to China during the same period, meeting the quantitative requirements as the basis for determining normal values. During the dumping investigation, the company sold all products of the same type in the EU directly to unrelated customers. After review, the investigating authority decided to base the determination of normal values on the basis of the company's entire EU sales. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

The investigating authorities reviewed the data submitted by companies on the costs and costs of production of similar products.

With regard to production costs, respondents advocated the allocation of a full share of the fixed cost, such as manufacturing costs, to the eligible goods (model 1), on the grounds that the company was to produce qualified goods and non-qualified goods (model 2), thus disqualifying only direct materials, fuel and power, etc., while the fixed costs of direct manpower, manufacturing costs, etc. were shared among the eligible goods. At the time of the trial, the investigating body decided not to accept the cost-sharing methodology of the respondent's claim, but instead to redistribute fixed costs between eligible and unqualified items. After the primitive budget, the company resubmitted the above-mentioned assessment claim,

And commenting that if the investigating authority upholds the initial decision, it should qualify and discrepancies.

It is considered a single product. After further review, the investigating authorities considered that the type was concerned

No. In its original response, the company advocated the classification of the products surveyed and the same product.

Two models of qualified and unqualified and provisionally accepted by the Junior Secondary Investigative Agency

This claim, which was not contested by the prestige company; With regard to the cost-sharing methodology,

The company commented that there was no distinction between qualified and unqualified items during the production process

Calculating the cost of production, the cost sheet provided in the annex to the responses shows that the company is talking about it.

Costing and recording of different branded products during production, but with the same

The first name does not distinguish between eligible and unqualified items, respectively, the cost of production. The investigation.

In the view of the authorities, the company responds to the claim that fixed costs should be allocated only to qualifying goods

It is said that the costing and recording methods used consistently are inconsistent, and therefore the survey machine

The decision was upheld in the final decision.

With respect to sales costs, companies report separately according to three methods of assessment. That's right.

On commissions, freight, licence fees and other sales adjustments, responses based on actual occurrences

To be assessed; For in-house marketing costs, the responses are all distributed to qualified goods.

Marketing by companies only for the purpose of qualifying goods; For other indirect sales fees

It is assessed on the basis of the proportion of eligible and unqualified goods as a proportion of domestic sales. I'm sorry.

Review, investigation agencies found that the company had not responded to the questionnaire for internal marketing costs

Request for documentation (including but not limited to the Board of Trustees) of the methodology advocated for assessment

Parliamentary records, internal management documents, financial accounting records, etc.) and financial reports

Show that companies do not differentiate between qualification and disqualified in the course of their production and operation.

These costs are recorded separately. As a result, the investigating authorities decided not to accept the company.

The method of assessment advocated was to be reassessed for both qualifying and unqualified items. After the premise, the company again argued that the cost of internal marketing should be allotted to qualifying goods. After further review, the investigating bodies were of the opinion that the company, in its comments, stated that there was no separate statement of income and loss for the accounting of eligible and incompetent items, and that the financial report did not separately indicate the cost of the eligible and incompetent items. Accordingly, the investigating body decided to uphold the initial decision in the final decision. For direct sales costs and other indirect sales costs, the investigating authority decided to accept the data reported in response to the questionnaire on a temporary basis. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

With regard to management costs, the investigating authorities found differences in the basis of corporate apportionment of data and financial reports, and responded to the claim that the financial report did not take into account the cost of sales and income from business sector differences and therefore added sales costs and income from business sector differences on the basis of financial reporting. In the opinion of the investigating body, the administrative costs of the financial reports were audited by a third-party professional body and therefore decided to reshape the preliminary appointment on the basis of the management costs in the financial report. After the preliminary appointment, the company argued that another expense should be excluded. After further review, the investigating machine concluded that the company had misinterpreted the adjustment logic and methodology for managing costs. The decision of the investigating body to maintain the initial award in the final decision was decided by the investigating authority to maintain the initial award in the final decision, based on the administrative costs in the financial reports audited by a third-party professional body, and the company's assertion that the exclusion of another cost would result in discrepancies between the management costs and the financial report and did not submit any evidence in support of the claim.

With regard to R & D costs, respondents advocated a full share of eligible goods, on the grounds that the Public Division was only designed to produce qualified goods. As a result of the review, the surveying bodies found that the data reported in the responses form 6-5 were inconsistent with the data in Annex 6.2.9 (i) and did not provide supporting documentation of the methodology claimed (including but not limited to the minutes of meetings of the Board, internal management documents, financial accounting records, etc.) and that the financial reports showed that the company did not distinguish between qualified and non-qualified goods in the course of daily production.Accordingly, the investigating authorities decided not to accept the methodology in the preliminary commission and instead to reassess the samples and unqualified items on the basis of the R & D costs in annex 6.2.9 (i).After the preliminary cut, the company resubmitted the above claim. After further review, the investigating authorities were of the opinion that the company had stated in its comments that there was no separate statement of income and loss for the accounting of eligible and incompetent items, and that the financial report did not separately indicate the cost of qualified and unqualified items. Therefore, the investigating authority decided to uphold the initial decision in the final decision.

With regard to the financial costs, the investigating authorities found that part of the company ' s equity investment income was not related to the production of the products under investigation and the same type of product, as a result of the temporary acceptance of the financial deduction of the item. After the precinct, the company submitted comments that the equity proceeds held were used only in ethyl rubber production activities, as the investment proceeds should be allotted to all three-dollar ECP rubber products originating in the Netherlands. After further review, the investigating authorities concluded that the company had not submitted any evidence that the proceeds of the Unit had been used exclusively for the production of the products under investigation and similar products, and decided to maintain the initial decision in the final decision.

With regard to other costs, the investigating authorities considered that the data were not directly related to the production of the products under investigation, and therefore the data was not accepted in the preliminary appointment. In addition, the responses advocated the allocation of financial and other costs to eligible goods on the grounds that the Public Division was aimed solely at producing qualified goods. In the opinion of the investigating authorities, the company did not request supporting documentation of the methodology claimed (including, but not limited to, board records, internal management documents, financial accounting records, etc.), and that the financial report showed that the company did not distinguish between qualifying and unqualified ratings during the day-to-day production process. Accordingly, the investigating authorities decided not to accept the methodology in the preliminary commission and instead to reassess the qualifying and unqualified items. After the preliminary cut, the Public Division again made the above proposition. After further review, the investigating authorities were of the opinion that the company, in its comments, did not have an internal profit or loss statement for the accounting of eligible and incompetent items and that the financial report did not separately indicate the cost of qualified and unqualified items. Accordingly, the investigating body decided to uphold the initial decision in the final decision.

The investigating authority tested whether two of the company's products of the same type were sold in the EU on the basis of the adjusted production costs and three costs. As a result of the review, over 20 per cent of all sales in the EU of two types of company products of the same type were sold in the EU during the dumping investigation period. In accordance with article IV of the Anti-Dumping Ordinance, the investigating authorities have decided, in the preliminary commission, to exclude sales in the EU that are below cost as the basis for determining normal value. After the primitive cut-off, it submitted comments that the single transaction used to determine the normal value of the qualifying goods was not representative and that, in verifying the background of the transaction, it found that the transaction invoice was shown to be eligible, but the respondent classified it as unqualified due to packaging damage. After further examination, the investigating authorities considered that, with regard to the representation of transactions, the above detailed description of the two types of products of the same type within the EU as a proportion of the quantity of imported products exported to China during the same period was above 5 per cent, meeting the quantitative requirements as the basis for determining normal value. The investigating authority tentatively relied on all of the company's intra-EU sales as the basis for determining the normal value, and the company did not contest this. With regard to the model of the transaction, the investigating authority was based on the classification of the type reported by the company in its original response, and the product was in line with the type that the company advocated. Accordingly, the investigating authority decided to uphold the initial decision in the final decision.

1. **Export prices.**

The investigating authorities examined the company ' s export to China of the products under investigation. During the dumping investigation, the company exported its products to China in two ways: The first is to be sold directly to unrelated customers or distributors in China; The second is to sell to unrelated customers in China through Changzhou associated traders. In accordance with the provisions of article V of the Anti-Dumping Regulations, for the first mode of sale, the investigating authority temporarily decided to use the prices sold directly by the company to unrelated customers or distributors in China as the basis for determining the export price; For the second mode of sale, the investigating machine turned off the sale price between Changzhou associated traders and unrelated customers in China as the basis for determining export prices. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

1. **Price adjustments.**

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the Investigative Body examined the company ' s adjustment items affecting price comparability on a case-by-case basis.

**(1) Part of normal value.**

In the case of normal value adjustments, the investigating authorities decided, upon review, to accept the company's advance payment discounts, rebates, inland freight (plant to distribution warehouse), pre-sale storage, inland freight (plant/store-to-client), inland insurance premiums, credit charges, commissions, bank charges, etc. No comments were received from stakeholders and, after further investigation, the investigating machine decided to maintain the determination in the final cut-off.

**(2) Export price component.**

In the case of the export price adjustment project, the investigating authority decided to accept, in the preliminary commission, the company ' s claims for inland freight (plant to distribution warehouse), pre-sale storage, inland freight (plant/store to port of export), international transport, international transport insurance, port handling, credit charges, commissions, bank charges, etc. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

In the case of the company's resale transactions through Changzhou Associated Trading Corporation, the investigating authority decided to accept, in the preliminary commission, the adjustment claims submitted in response to the questionnaire, such as inland freight (port to warehouse), pre-sale storage, inland freight (store-to-client), inland insurance premiums, import customs duties and credit charges. After further investigation, the investigating authority decided to maintain the preliminary determination in the final cut.

With regard to import customs charges, the investigating authority found that the data provided by the company were not consistent with the supporting material in the annex, and therefore decided to recalculate the cost temporarily on the basis of the supporting material contained in the annex. Following a further investigation, the investigating authority decided to maintain the determination in the final cut.

With regard to indirect costs, after review, the surveying authorities found that the data for the respondent ' s claim included other costs and therefore decided to temporarily recalculate the indirect costs of Changzhou associated traders on the basis of table 6-5 of the responses. No comments were received from stakeholders and, after further investigation, the investigating machine decided to maintain the determination in the final cut-off.

With regard to profits, respondents advocated adjustments based on the profit margins of the products surveyed in tables 6-5, citing the profit margins of four Chinese rubber products trading companies or chemical companies engaged in trade. At the time of the trial, the investigating authorities decided to temporarily adjust the profit margins of other Chinese associated traders on the products investigated. The company again argued that the real profit margins of Alang New Cochn should be used. As a result of the review, the investigating authorities found that none of the four companies listed by the company had been investigated for the profit margins of products of the same type, and that the profit margins in Tables 6-5 of the report of the State of Alang Newco were significantly lower than those of other companies in the industry. As a result, the investigating authority decided to uphold the initial decision in final secondary school.

1. **On CIF prices (CIF).**

As a result of the review, the investigating authority decided to accept, on a temporary basis, the CIF data reported by the company. No comments were received from stakeholders and, after a further investigation, the investigating authority decided to maintain the determination in the final cut.

ExxonMobil Chemical France

**1 Normal value.**

The Investigative Agency reviewed the classification of the company's products under investigation and the same type of product, and respondents advocated the division of the products surveyed and the same product into two models. After review, the investigating authority decided to accept the company's claim for modelling scores in the preliminary cuts for a temporary period. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

The investigating authorities examined the company's sales within the EU.As a result of the review, during the dumping investigation, two types of products of the same type sold within the EU accounted for more than 5 per cent of the volume of products under investigation to China during the same period, meeting the quantitative requirements as the basis for determining normal values. During the dumping investigation, the company sold similar products to unrelated customers and associated customers, the price of the associated sale and non-associated sales was markedly unusual to reflect the normal course of trade within the EU. Accordingly, the investigating authority decided to base its normal value on the company's unrelated sales in the EU.No comments were received from stakeholders after the premise. After further investigation, the investigating authority decided to maintain the determination in final secondary school.

The investigating authorities examined the production costs and costs submitted by the company. As a result of the review, the surveying authorities considered that the data relating to the responses provided a reasonable picture of the products surveyed and the products of the same type, and decided to accept them temporarily in the preliminary allocation. Following the premise, no stakeholder comments were made on this. Following further investigation, machine

The decision is upheld in the final decision. Accordingly, the investigating authority tested whether the company's similar products were sold less than cost in the EU.As a result of the review, over 20 per cent of the total sales in the EU of company products of the same type within the EU during the dumping investigation period was less than 20 per cent. In accordance with article IV of the Anti-Dumping Regulations, the investigating authority decided temporarily to exclude sales in the EU that were below cost as the basis for determining normal values.

1. **Export prices.**

The investigating authorities examined the company ' s export to China of the products under investigation. During the dumping investigation, the company exported its products under investigation to China in two ways: One is the resale of companies to unconnected customers in China through Singapore associated traders; The second is the resale to unrelated customers in China through the associated traders in Singapore, and then through associated traders in China.

In accordance with article V of the Anti-Dumping Regulations, for the first distributor, the investigating authority temporarily decided to use the resale price between Singapore associated traders and non-contact customers in China as the basis for determining the export price; For the second mode of sale, the investigating authority temporarily decided to use the structural export price method, using domestically related traders' resale prices to China's unrelated customers as the basis for determining the export price. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authority decided to maintain the preliminary determination in final secondary school.

1. **Price adjustments.**

In accordance with article VI of the Anti-Dumping Regulations, for the sake of fair and reasonable comparison, the investigating authority reviewed the adjustment items affecting price comparability for the company and its associated traders on a case-by-case basis.

1. **Normal value component.**

In the case of normal value adjustments, the investigating authorities decided, upon review, to accept, on a temporary basis, the company's claim for volume discounts, inland freight charges - factory to distribution warehouse, pre-sale warehousing costs, inland transport of a plant/store to customer, credit costs, etc. No comments were received from stakeholders after the initial cut-off. Come in.

On a step-by-step basis, the investigating authorities decided to maintain the preliminary determination in final secondary school.

1. **Export price component.**

With regard to the adjustment of export prices, after a preliminary review, the investigating authority decided to accept the company's volume discounts, an inland freight factory to distribution stores, pre-sale storage costs, inland transport plant/storage to the port of export, international freight, international transport insurance, credit charges, customs agent fees, associated traders overheads, China's import tariffs, and profits from associated traders in China. No comments were received from stakeholders after the initial cut-off. After further investigation, the investigating authorities decided to maintain the preliminary determination in final secondary school.

With respect to transactions that companies resold through their associated traders located in Singapore, the Public Division ' s response did not specify the source of the adjustment overheads claimed, and the survey agency temporarily recalculated the respondent data. With regard to the costs and profits of associated traders in China, the company's response did not clearly indicate the source of the adjustment data that it claimed, and the survey agency temporarily recalculated the respondent data. There were no stakeholder comments on this after the premise. After further investigation, the investigating authority decided to maintain the preliminary determination in the final decision.

1. **On CIF prices (CIF).**

Following a review, the investigating authority decided to accept the company's CIF data in the preliminary cuts. No comments were received from stakeholders after the initial cut-off. After a step-by-step investigation, the investigating authorities decided to maintain the preliminary determination in final secondary school.

**Versalis S.p. A.**

The company enlisted to participate in the investigation and provided the corresponding material. In accordance with the Anti-Dumping Regulations and the Provisional Rules for the Sampling of Anti-Dumping Surveys of the Ministry of Commerce, the investigating body decided not to review them separately from the pre-employed, using the weighted average dumping margins of ALANZCOLAN and Exxon Forfuchemical France, to determine their dumping margins. Following the premise, no comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

All Others

On June 19, 2019, it was stated that the investigating authorities launched an anti-dumping investigation into imports of three yuan ethyl rubber originating in the United States, Korea, and the European Union. On that occasion, the investigating authority informed the European Union Mission in China and posted the public notice of the case on the website of the Ministry of Commerce, and any interested party could access the case file on the website of the Ministry of Commerce. Upon the establishment of the case, the investigating authority gives stakeholders 20 days of registration to participate in the survey period, giving all stakeholders reasonable time to be informed of the circumstances of the case. Once the case was opened, the survey agency posted the questionnaire on the Ministry of Commerce website, and any stakeholders could access and download the questionnaire on the website of the Department of Commerce.

The investigating authority has notified all known stakeholders to the maximum of its ability and, to the maximum extent of its ability, alerts all known stakeholders of the consequences of failure to cooperate with the investigation. In cases where the investigating authority has fulfilled its obligation to notify and not provide the necessary information to cooperate with the investigation, the investigating authority, in accordance with article 21 of the Anti-Dumping Ordinance, determines the extent of dumping on the basis of the facts already obtained and the best available information. The investigating authorities, in a comparative analysis of the information obtained in the course of the investigation, decided to establish in the preliminary commission the margins of dumping of other EU companies on the basis of the information provided by the applicant in the present case. No comments were received from stakeholders and, after further investigation, the investigating authority decided to maintain the determination in the final cut.

**Price comparisons**

In accordance with article VI of the Anti-Dumping Regulations, the investigating authority, taking into account the comparability of factors affecting prices, adjusts the normal value and export price to the level of the factory according to a fair and reasonable formula. In calculating dumping margins, the investigating authority compares the weighted average normal value with the weighted average exit price to arrive at the dumping margin.

IV. domestic products, domestic industries

**Domestic identification of the same type of product.**

Article XII of the Anti-Dumping Regulations provides that products of the same type are products of the same kind as dumped imports, or products with the most similar characteristics to dumped imports.

The Investigative Authority has investigated factors such as the physical properties of the ethyl ethyl ethyl rubber produced in the country, raw materials and production processes, use of products, distribution channels, customer groups and consumer evaluations:

**1 Physical characteristics and chemical performance.**

Domestic production of ethyl acepropyl rubber is the same as the physicalization properties of the products surveyed, all of which are trinopolymers of ethylene, acrylic, and non-condominated diene hydrocarbons, often at temperatures with white or micro-yellow solids, easy to mix.

As a result, the investigating authorities found that the three-dollar ethyl-propel rubber produced in the country was essentially the same as the physical and chemical properties of the tested product.

1. **Raw materials and production processes.**

Domestic production of three-dollar ethyl ethyl rubber, together with the main raw materials of the products surveyed, are ethylene, acrylic, and non-condominated diene hydrocarbons. The three-dollar ethyl rubber industry has three main routes of polymer licit, suspension legal and gas polymerization. Most manufacturers, both domestic and foreign, currently have solvent polymers, with only three yuan ethyl ethyl rubber produced by the Italian company Lussale and Allan Newco American companies using the suspended polymerization process.

As a result, the investigating authorities found that three yuan ethyl rubber produced in the country were the same as the raw materials used in the tested products and that the production process was essentially the same or similar.

1. **Use of products.**

Domestic production of three-dollar ethyl ethyl rubber and the products investigated can be used in such areas as construction, cables, automobile industry, transportation, etc. Construction, mainly for buildings, single-layered waterproof rolls, etc.; Cable cables, mainly for civilian and commercial electrical input lines, construction mechanical cables, mining cables, cables for nuclear power plants, car ignition lines, control and signal cables, etc.; In the automobile industry, mainly non-tyre parts for vehicles, trucks and buses, including water tanks and heat-resistant tubes, seals, rubber bands, parts of the body and chassis, rain blocks, floors and tubs, etc.; Transport is used mainly for car doors and windows, shooks, water stopping belts, etc.

Accordingly, the investigating authorities found that the three-dollar ethyl rubber produced in the country was essentially the same as the products examined.

1. **Sales channels, client groups and consumer evaluation.**

Domestic production of three yuan ethyl rubber and the products under investigation are sold in the Chinese market mainly through direct sales and broker sales. Domestic production of three-dollar ethyl-produced rubber and surveyed products is essentially the same in the same locality, with some downstream users buying or using both detected products and using domestically produced ethyl ethyl rubber products,



In conclusion, the investigating authorities found that the domestic production of ethyl ethyl-produced rubber was essentially the same in terms of physical and chemical properties, raw materials and production processes, product pathways, distribution channels, customer groups and consumer evaluation, with similarity and substitution, and that the domestic production of ethylene ethyl acecropyl rubber is of the same type as the product under investigation. Following the premise, no stakeholder comments were received, and the investigating body decided to maintain the findings.

**Identification of domestic industries.**

In this case, the applicants were Jilin petrochemical subsidiaries, China Oil and Gas Inc. and Shanghai China Polychemical Triplex Limited Ltd., and only the companies that submitted the domestic producer survey questionnaires to the investigating authorities were the same. In the opinion of the authorities, the disclosure of the applicant ' s total output as a proportion of the country ' s total output of the same type would result in two applicant enterprises being informed of each other ' s production and could have a negative impact on the applicant's industry. Accordingly, the investigating authorities decided to keep the data on the percentage of the applicant's output as a proportion of the country's total output of the same type, with real data that may be at any level of the area published by the investigating authorities.

In accordance with the provisions of article XI of the Anti-Dumping Ordinance on the determination of the domestic industry, the Investigative Authority examined and determined the domestic industry in the case. In the present case, the applicant submitted a questionnaire from the domestic producer to the investigating authority. In 2015, 2016, 2017 and 2018, the survey confirmed that the percentage of the total domestic product produced by the respondents in 2015, 2016, 2017 and 2018 was 50-55%, 40-45%, 65-70 per cent and 50-55% respectively, and accounted for the main part of the domestic industry, in accordance with Article 11 of the AD Ordinance on the identification of domestic production.

In conclusion, it was determined that the respondent domestic producers, who accounted for the bulk of domestic production, could represent the domestic industry and that their data could be used as a basis for analysis of damage and causal relationships. The domestic industrial data on which this decision is based, except to be specified, come from the above-mentioned domestic producers. Following the premise, no stakeholder comments were received, and the investigating authority decided to maintain the findings.

V. Cumulative assessment of industrial damage and extent of damage.

Pursuant to article 9 of the Anti-Dumping Ordinance, the investigating authorities considered the appropriateness of a cumulative assessment of the impact of imports of ethyl-epropyl rubber originating in the United States, the Republic of Korea and the European Union on domestic industries.

1. **The dumping margin is not insignificant.**

During the dumping investigation period, three yuan ethyl rubber imports from the United States, Korea and the European Union were dumped with a dumping margin of more than 2 per cent, not a de minimis dumping margin.

1. **Imports are not negligible.**

According to Chinese customs statistics, imports from the United States, the Republic of Korea and the European Union of three yuan ethyl rubber as a proportion of China ' s total imports exceed 3° per cent and are not negligible.

1. **Conditions for competition between products under investigation.**

The survey showed that imports of three yuan ethyl rubber from the United States, Korea and the European Union were essentially the same in terms of physical properties, raw materials and production processes, product use, distribution channels and client groups; U.S., Korean and EU enterprises sell three yuan ethyl rubber products in the Chinese market, including through direct or intermediary sales, with corresponding market shares; Each producer or seller has the same or similar pricing strategy to determine the sale price in consultation with the customer, depending on the situation or conditions of the marketplace in China; The products surveyed have the same customer group, and downstream enterprises can freely purchase and use the products under investigation. There is a direct competition between the U.S., South Korea, and the EU.

1. **Conditions for competition between the products investigated and similar domestic products.**

The survey showed that the materialization of the products surveyed and similar products in the country

The same material and production process, product use, distribution channels and customer groups; Products under investigation and similar domestic products are sold in the Chinese market through direct sale, intermediary resale, etc., with corresponding market shares; Each producer or distributor has the same or similar pricing strategy to determine the sale price in consultation with customers, depending on market conditions or conditions in China; The product under investigation has the same customer group as a domestic product, and downstream enterprises are free to purchase and make use of surveyed products and domestic equivalents. There is a direct competition between the products under investigation and the same domestic product.

In summary, the investigating authorities found it appropriate to undertake a cumulative assessment of the effects of ethyl-epropyl rubber originating in the United States, South Korea and the European Union on the domestic industry. Following the premise, no stakeholder comments were received, and the investigating body decided to maintain its findings.

**Number of dumped imports and market share.**

The investigating authorities have investigated whether there has been a significant increase in the absolute quantity of dumped imported products and the volume of production or consumption relative to China.

**1. Volume of dumped imported products.**

The survey showed that, according to customs statistics of the People ' s Republic of China, imports of dumped imports in 2015, 2016, 2017 and 2018

The amount was 172,500 tons, 165,000 tons, 16.10 tons and 184,600 tons, respectively.Of these, in 2016 it was 4.36 per cent less than 2015, 2.42 per cent less in 2017 than in 2016 and 14.64% more in 2018 than in 2017.Damage tone.

During the survey period, the absolute number of dumped imports showed a downward trend, with a sharp increase of 14.64 per cent at the end of the survey period, and imports at the end of the survey period exceeded the level at the beginning of the survey period, with an increase of 6.99 per cent in 2018 compared to 2015.As a result, the investigating authorities determined that the total absolute number of imported products dumped had increased significantly during the period under investigation of the damage.

**2. Share of the domestic market of dumped imports.**

In 2015, 2016, 2017 and 2018, dumped imports accounted for 57.73 per cent, 49.59 per cent, 46.02 per cent and 44.80 per cent, respectively. The overall downward trend in the share of the domestic market of dumped imported products remained above 40 per cent during the period under review, consistently at a relatively high level.

**The impact of dumped imported products on the prices of similar products in domestic industries.**

The investigating authorities investigated the impact of dumped imported products on the prices of similar products in the domestic industry.

**1. Dumped import prices and prices of similar products in domestic industries.**

In order to ensure comparability between the two, dumped import prices should be compared with those of domestic industries at the same level of trade. The investigating authorities found that the domestic import clearance price of dumped imported products and the prices of domestic products of the same type of product were essentially the same level of trade, both of which included value added tax, inland transport costs, insurance costs and secondary sales channels. On the basis of the CIF price of the products surveyed by Chinese Customs, the investigating authorities further considered the exchange rate, tariff rates and customs clearance costs of domestic importers during the period under investigation, adjusted the prices of imported products under investigation and used the adjusted price of imported products as dumped import prices.The exchange rate, based on the average monthly arithmetics published by the People's Bank of China for the year, was 7.5 per cent from the United States and the European Union for imports of three yuan ethyl rubber. According to the agreement rates established by the China-Korean Free Trade Agreement, the tariff rates for imports of three yuan ethylyl rubber from the Republic of Korea from 2015 to 2018 were 7°%, 6.5°%, 6°% and 5.5% respectively.With regard to import customs clearance costs, the applicant submitted customs clearance fees and evidentiary material from the two Departments of Public Information in the country, which averaged 205-295 yuan per ton.The investigating authority decided to use the average clearance costs submitted by the applicant as the basis for calculating the cost of customs clearance at the port of import in the preliminary commission.

According to the above-mentioned adjustment method, the weighted average price of the adjusted dumped imported product was $16982.227/tonnes in 2015, $14313.82/tonnes in 2016, 14741.15 yuan/tonnes in 2017 and 15,226.16 yuan in 2018.Of these, it fell 15.71% from 2015 in 2016, 2.99% in 2017 and 3.29% in 2018 over 2017.During the period of the damage survey period, the prices of dumped imports fell by 15.71 per cent in 2016 compared to 2015 and, although there was a small increase in prices from 2016 to 2018, the overall downward trend remained.

On the basis of the aggregation of the responses to the Domestic Producers Questionnaire, the survey agency uses the weighted average price of the domestic industry's derivatives as the price of the same domestic industry. Since only two applicants were submitted to the survey authorities. In the opinion of the investigating authorities, the disclosure of the sale price of domestic products of the same type of industry would result in two applicant enterprises being informed of each other's business secrets and could have a negative impact on the applicant. Accordingly, the investigating authorities decided to treat confidentially the price of products of the same type in the domestic industry and the difference between the prices of products of the same type in the domestic industry and dumped imports, the true number of which may be at any of the levels published by the investigating authority.

During the survey period, domestic industry prices of similar products ranged from 10,000 to 15,000 yuan/tonnes.In 2016 it was 5-10% lower than in 2015, 5-10% in 2017 and 10-15 percent in 2018 compared to 2017.During the period of the damage survey, sales prices of similar products in the domestic industry showed a downward trend before rising.

During the period of the damage survey period, the prices of dumped imports were generally higher than those of domestic industries of the same type, but both tended to be the same, both of which showed a downward and upward trend, with a more pronounced trend in the price of dumped imports.Between 2015 and 2018, the difference in prices for domestic products of the same type and dumped imports was $4500-5,000/ton, 3,000-3500 yuan, 2,500-3,000 yuan/ton, and 1500-2000 yuan/ton, respectively.

**2. Effects of dumped imports on prices of similar products in domestic industries.**

The investigating authorities considered the importation of dumped imports, changes in the prices of domestic industries of the same type and the relationship between them.

According to the responses to the questionnaire submitted by various stakeholders, domestically produced ethyl ethyl rubber is essentially the same, similar and alternative in terms of physical and chemical properties, raw materials and production processes, product use, distribution channels, customer group and consumer evaluation. The domestic ethyl ethyl rubber consumer market is a competitive and open market in which domestic products and dumped imports can meet downstream customers' requirements in terms of quality and performance, and there is a direct competition between dumped imports and domestic products. According to domestic industry responses and importer responses, there is a cross-over and overlap between downstream users of dumped imported products and domestic products of the same type, with travellers buying both dumped and imported products at the same time. In this case, prices are important factors influencing the sale of products.

During the period of the damage survey, the advantages of the volume of dumped imported products were evident and the market position was significant. The number of dumped imports showed a downward trend, with a large increase at the end of the survey period, and imports at the end of the survey period exceeded the level at the beginning of the survey period. At the same time, imports of dumped imports are higher than sales of similar products in the domestic industry. The share of dumped imports in the Chinese market at the beginning of the survey period amounted to 57 per cent. Although there was a decline during the survey period, the market share of imported products dumped at the end of the survey period was still over 44 per cent, well above the market share of similar products in the domestic industry. During the damaging survey period, prices of domestic industries of the same type of product and dumped imports showed a trend of upward trend, and price changes were generally consistent, and dumped import prices fell more markedly and generally downwards, and the difference declined year by year. Taking into account the above-mentioned factors of the volume and price of dumped imports, the investigating authority concluded that dumped imported products had an impact on the prices of similar products in the domestic industry.

Between 2015 and 2017, the price of dumped imports and domestic industries showed an overall downward trend, with the difference falling from $4500-5,000 to 2,500-3,000 tonnes. Dumped imported products continue to reduce prices significantly when they already dominated the market, and domestic industry products were forced to lower prices to survive. The domestic three-dollar ethyl rubber consumer market is a competitive and open market where dumped imports compete directly with domestic equivalents. The evidence provided by the domestic industry to the investigating authorities indicates that their downstream users often attach the price of the current dumped imports and require lower prices from the domestic industry when buying products at their request. In order to maintain basic production, domestic industries have to sell similar products on the market, face the declining prices of imported products under investigation, and have to follow lower sales prices for similar products. Due to the price of dumped imported products, domestic industries have been unable to return to reasonable levels when prices are below the cost of the product for long periods of time and are badly lost.

Taking into account the above considerations, the investigating authorities found that dumped imported products had a markedly low effect on the prices of similar products in the domestic industry between 2015 and 2017.

In 2018, domestic demand for ethyl-propyl rubber increased significantly by 17.75 per cent, with a certain increase in the prices of domestic industry and dumped imports. At the same time, the price of ethylene and aprocrene, the main raw materials of triple ethyl rubber, has also increased the cost of production and sale of similar products in the domestic industry. In 2018, despite a modest increase in domestic industry prices, sales prices were still lower than unit production costs, and were seriously inverted. In 2018, the volume of imports of dumped imports increased significantly, and the price differential between dumped imported products and products of the domestic industry decreased further to $1500-2000 per tonne. As a result of this, domestic industries have to continue to be sold at lower-cost prices, prices have not increased to normal and reasonable levels, and domestic industries are still in a state of severe losses. Taking into account the above considerations, the investigating authorities found that in 2018, dumped imports had a clear disincentive to the price of similar products in the domestic industry.

Following the premise, no stakeholder comments were received, and the investigating authority decided to maintain its findings.

**Damage to the state of the domestic industry during the survey period.**

In this case, the applicants were Jilin petrochemical subsidiaries, China Oil and Gas Inc., and Shanghai Tripetrochemical elastics Limited. In the opinion of the investigating authorities, the absolute data and the extent of change in the relevant economic indicators of the applicant would have a negative impact on the applicant ' s business as to know each other ' s business secrets. As a result, the investigating authorities decided to protect data relating to domestic industry. The data on domestic industry are disclosed intervals by the investigating authorities, whose real data may be at any level in the intervals published by the investigating authorities.

In accordance with articles 7 and 8 of the Anti-Dumping Ordinance, the investigating authorities conducted surveys of relevant economic factors and indicators in the domestic industry (see table for data). The evidence shows that:

**1. Domestic demand.**

From 2015 to 2018, the country's demand for ethyl ethyl ethyl rubber, respectively.

298,800 Tons, 332,800 tons, 349,900 tons and 412,000 tons.2016, 2017 and 2018 increased by 11.35 per cent, 5.14% and 17.75°% respectively. During the period of the damage survey, the domestic demand for three yuan ethyl rubber continued to grow.

1. **Production capacity.**

Between 2015 and 2018, the production capacity of domestic industry products ranged from 15 to 200,000 tons.The production capacity of domestic industries of the same type remained unchanged during the period of the damage survey.

1. **Production.**

From 2015 to 2018, the domestic industry produced the same product.

**5-55,000 Tons, 6-65,000 tons, 9.5-100,000 tons and 9.5-100,000 tons.It increased by 5-10% over 2015 in 2016, 65-70% in 2017 and 1-5° in 2018 compared to 2017.**During the period of the damage investigation,

Production of domestic industries of the same type rose and declined, with an overall trend of growth.

1. **Domestic sales volume.**

Share of domestic sales of domestic industry products from 2015 to 2018

For 4.5-50,000 tons, 6.5-70,000 tons, 9-100,000 tons and 10-150,000 tons.**In 2016 it increased by 45-50% over 2015, 35-40% more in 2017 and 10-15% more in 2018 than in 2017.**Damage investigation

Domestic sales of domestic industries continued to grow over the period.

1. **Market share.**

Market share of domestic industries for similar products from 2015 to 2018

15-20 Per cent, 20-25 per cent, 25-30 per cent and 20-25 per cent.**In 2016, there was an increase of 1-5 percentage points over 2015, 5-10 percentage points in 2017 and a decrease of 1-5 percentage points in 2018 compared to 2017.**During the period of the damage survey, the market share of domestic industries for similar products rose and declined, with an overall trend of growth.

1. **Sales price.**

From 2015 to 2018, domestic industry sales prices were located at

Between 10,000 yuan and 15,000 yuan/ton.In 2016 it was 5-10% down from 2015, 5-10% in 2017 and 10 to 15% in 2018.During the period of the damage survey, sales prices of domestic industries of the same type show a downward trend before rising.

1. **Revenue from sales.**

Revenue from sales of domestic industries of the same type from 2015 to 2018

It is 5-1 billion yuan, 5-1 billion yuan, 10 - 1.5 billion yuan and 10-1.5 billion yuan.**In 2016, there was a 10-50% increase over 2015, 10-50% in 2017 and 10-50% more in 2018 than in 2017.**Duration of damage investigation

Within the country, there is a continuing trend of increasing revenue from sales of similar products from domestic industries.

1. **Pre-tax profits.**

Pre-tax profits for domestic industries from 2015 to 2018

For (-4 ) - (3 ) billions, (-5 ) - (4 ) billions, (-4 ) - (3 ) billions and (-3) - (2 billion yuan).In 2016, there was an increase of $1-200 million in losses over 2015, a decrease of $1-200 million in 2017 compared to 2016 losses, and in 2018 a decrease of 0-100 million from the 2017 deficit.During the period of the damage survey, pre-tax profits from domestic industries were always negative.

1. **Rate of return on investment.**

Share of return on investment in domestic industry products, 2015-2018

Not for (-15%) - (-10%), (-20%) - (-15%), (-15%) - (-10%) and (-15%) - (-10%) - (-10%).In 2016 it was 5-10 percentage points lower than in 2015, an increase of 1-5 percentage points over 2016 in 2017 and 1-5 percentage points in 2018 compared to 2017.During the period of the damage survey, the rate of return on investment in domestic industries has always been negative.

1. **Start rate.**

Between 2015 and 2018, the rate of start-up of domestic industry products was the same.

30-35 Per cent, 35-40 per cent, 60-65% and 60-65%.In 2016, an increase of 1-5 percentage points over 2015, 20-25 percentage points in 2017 compared to 2016, and 1-5 percentage points less in 2018 than in 2017.During the damage survey period, there was an overall upward trend in the start of similar products in the domestic industry.

1. **Number of employed persons.**

Between 2015 and 2018, the number of persons employed in domestic industries of the same type of product

400-450, 400-450, 350-400 and 350-400.**In 2016 it was 1-5% less than in 2015, 5-10% in 2017 and 5-10% less in 2018 than in 2017.**During the period of the damage investigation,

The number of people employed in domestic industries has continued to decline.

1. **Labour productivity.**

Labour productivity score for domestic industry products, 2015 - 2018

100-150 Tonnes per person, 100-150 tonnes/year/year/person, 250-300 tonnes/year/year/year/person.**Increase from 2015 in 2016**

**1015 Per cent, 80-85 per cent higher than 2016 in 2017 and 2018**

Increase of 1-5 per cent in 2017.During the period of the damage survey, the productivity of domestic industries of the same type of product was on the rise.

1. **Per capita wage.**

Per capita wage for domestic industry products from 2015 to 2018 was

10-150,000 Yuan/year/person.In 2016 it was 1-5% less than in 2015, by 10 to 15% in 2017, and by 10-15 percent in 2018 over 2017.During the period of the damage survey, the average wage per capita in domestic industries fell and rose, with an overall trend of growth.

1. **Inventory at the end of the period.**

End-of-period stocks of domestic industry products from 2015 to 2018

It was 20,000-50000 tons, 10,000-15,000 tons, 15000-20000 tons and 10,000-15,000 tons.**In 2016 it was 35-40% less than in 2015, 45-50% more in 2017 and 25-30% less in 2018 than in 2017.**During the period of the damage survey, there was a trend of decline in total stocks of domestic industries at the end of the period.

1. **Net cash flows from operating activities.**

Cash for domestic industry-like products, 2015 - 2018

Net flow (-10) - (5 billion yuan), (-10) - (-10) - (-10) - (-10) - (5 billion yuan) and (-5)-billion yuan (-1) billions.During the period of the damage survey, the net cash flow from domestic industry business activities was net outflows. Of which, outflows decreased by 0-100 million yuan compared to 2015 in 2016 and outflows in 2017 compared to 2016

It decreased by 0-100 million yuan, and in 2018 it was $4-500 million less than outflows in 2017.

1. **Capacity to invest in financing.**

During the period of the damage survey, there was no evidence that domestic industry ' s ability to invest in similar products was adversely affected by the importation of the products under investigation.

The extent of dumping of imported products from dumped imports was also reviewed by the investigating authorities, which showed that dumped imports were dumped at a margin of between per cent and were not de minimis dumping and were sufficient to adversely affect domestic market prices.

The above-mentioned domestic industry indicators show that domestic demand for three yuan ethyl ethyl rubber has continued to increase during the period of the damage survey, with domestic production capacity in the same industry remaining constant, followed by a general trend of growth in production, with a moderate increase in the overall start rate, while domestic sales have continued to grow, while domestic sales rose, followed by an overall increase in domestic sales, followed by an overall increase in domestic sales, followed by an overall decline in wages. Domestic sales prices show a destabilizing trend, with pre-tax profits, return on investment and net cash flows from business activities being negative, employment continues to decline, and the domestic industry is in a long-term and large deficit. Taking into account the above facts, the authorities found that the domestic industry suffered substantial damage. Following the premise, no stakeholder comments were received, and the investigating authority decided to maintain the findings.

VI. causality

Pursuant to article 24 of the Anti-Dumping Ordinance, the investigating authorities examined whether there was a causal link between dumped imports of ethyl ethyl rubber originating in the United States, the Republic of Korea and the European Union and the domestic industry to material damage, as well as other factors known to cause harm to domestic industries, in addition to the effects of dumped imports. On the basis of the above findings, the investigating authority found that imports of three yuan ethyl rubber originating in the United States, Korea and the European Union had been dumped, that there had been substantial damage to the domestic industry of ethyl-product, and that there was a causal link between dumping and material damage.

**The dumping of imported products causes substantial damage to domestic industries.**

According to customs statistics of the People ' s Republic of China, between 2015 and 2018, imports of dumped imports were 172516.09 tons, 165,000.32 tons, 16,1007.62 tons and 184579.32 tonnes, respectively. Imports of dumped products showed a downward trend, with the number of imports increasing by 14.64 per cent over the previous year in 2018 at the end of the survey period, and by 6.99 per cent more than at the beginning of 2015.

As a result of the investigation, the investigating authorities found that, during the period of the damage investigation, the domestic three-dollar ethyl rubber consumer market was a competitive and open market, that there was a direct competitive relationship between dumped imports and similar products in the domestic industry, and that prices were the main factors affecting sales. During the period of the damage survey, dumped imported products had a clear quantitative advantage over domestic industries, with market dominance, while domestic products of the same type were in a secondary market position. While dumped imports dominated the market, they also played a leading role in market pricing. Due to the relatively small market share of domestic industries, prices are actually passively followed by dumped imports. Dumped imported products have had a low and disincentive effect on the prices of domestic products of the same type. Country-to-country dumped imports

The effects of in-house industries are the result of a combination of their quantity and prices.

As a result of these factors, the domestic industry's production capacity for similar products has not increased during the period of the damage survey period, despite a significant increase in domestic market demand, the start rate has been inadequate and chronically low, and production has declined by the end of the survey period in 2018. Domestic sales and market shares have increased significantly, but remain in a secondary position compared to dumped imports. Owing to the depression and disincentive effect of dumped imports on domestic industry prices of similar products, the prices of domestic industries do not reflect normal costs and reasonable profits, resulting in an overall increase in sales income, but business indicators such as pre-tax profits, returns on investments and net cash flows from operating activities have been negative and the number of employed persons continues to decline, resulting in long-term high losses in domestic industries, difficulties in regaining investment, heavy operating pressures and real damage.

In conclusion, the investigating authorities found that the large volume of dumped imported products, the low levels of dumped imports and the disincentive of sales prices of products of the same type in the domestic industry during the period under review had led to a deterioration of a range of business indicators in the domestic industry and continued to be in a state of loss, causing substantial damage to the domestic industry.

Comments from relevant stakeholders:

In the view of the United States Government, there were a number of shortcomings in the applicant ' s claim of damages. Imports of products surveyed were decreasing for most of the period under investigation, with domestic industries taking part of the market share of imported products. During the survey period, the prices of domestic industries were consistently higher than the prices of the products surveyed, and between 2015 and 2018 the prices of domestic industries increased by 13.5 per cent.

Investigate the low prices of products of the same type of domestic industry.

According to Dow Chemistry, during the survey period, the three-dollar ethyl rubber industry in the country did not suffer material damage or threat of damage as a result of the products under investigation, and that there was no causal link between the product under investigation and the threat of damage or damage to the ethyl-eproduct industry in the country. Imports of surveyed products showed a downward trend from 2015 to 2017, with only a small increase in 2018, with a sustained downward trend in the market share of products surveyed during the survey period. Between 2015 and 2018, the prices of surveyed products were consistently higher than those of the same domestic industry, and the prices of domestic industries showed a more rapid upward trend than the prices of the products surveyed, so the products surveyed did not have a disincentive to domestic industry prices. Most of the country's three-dollar ethyl rubber industry exhibited positive growth trends, and the industry was robust and unable to support the applicant's claim of damage, and partly the poor economic indicators were due to the expansion of the production capacity of the ethyl ethyl rubber industry in the country and the poor operation of individual firms.

Analysis and determinations by the investigating authorities:

In reviewing the volume of dumped imports, the investigating authorities noted that the number of dumped imports showed a downward trend between 2015 and 2017 and resumed growing in 2018 and exceeded the 2015 level; During the survey period, the share of dumped imports in the domestic market continued to decline, from 57.73 per cent in 2015 to 44.80 per cent in 2018.

In the opinion of the investigating authorities, when examining the impact of the factors on the number of imported products dumped, the overall evolution of the volume of dumped imported products over the period under investigation does not require a single increase in the number of dumped imported products at any point during the survey period, and that changes in the number of imported products dumped over time do not necessarily affect the overall trend in the volume of dumped imports. In the present case, the number of dumped imported products fell slightly and increased significantly, and at the end of the survey period exceeded the level at the beginning of the period, the investigating body ' s examination of the quantity of imported products dumped was found to be in compliance with the provisions of the Anti-Dumping Regulations.

In reviewing the price and price impact of dumped imports, the investigating authorities noted that the prices of dumped imported products had been consistently higher than those of domestic industries for the same period. In the opinion of the investigating authorities, when examining the effects of dumped imports on domestic prices of products of the same type, a comprehensive examination should be conducted of the price levels, trends, interrelationships and impact mechanisms during the survey period, during which the effects of dumped imported products on domestic prices of domestic products may be present in different forms, i.e., reductions in prices of dumped imports or a significant depression and depression of domestic equivalents.

During the survey period, the prices of dumped imported products fell, followed by an overall downward trend, followed by an overall upward trend in domestic industries. Between 2015 and 2016, the prices of dumped imports decreased significantly by 15.71 per cent and domestic industry prices by 5-10 per cent; In 2017, the price of dumped imports rose slightly by 2.99 per cent, and domestic industry prices of similar products increased slightly by 5-10 per cent. Between 2015 and 2017, the trend in the prices of dumped imports and domestic industries was largely consistent with the trend in prices of domestic industries, both of which showed an upward trend and overall decline, with a greater decline in the prices of dumped imports than in domestic industries. Dumping The prices of imported products are significantly lowered in a market dominance, and domestic industries have to lower prices accordingly in order to guarantee the survival space. Taking into account the above considerations, the investigating authorities found that the dumping of imported products had a significant low effect on the prices of similar products in the domestic industry between 2015 and 2017. In 2018, the prices of three yuan ethyl rubber, the main domestic raw materials, ethylene, acrylon, etc., have risen significantly, and the prices of dumped imported products have increased along with domestic industries, but because of lower increases in the prices of dumped imported products, domestic industries are in a passive pricing position to increase the cost of higher sales prices. Taking into account the above considerations, the investigating authority found that in 2018, the price of dumped imported products had a clear disincentive to the prices of similar products in the domestic industry.

The investigating authorities carried out a comprehensive and comprehensive study of economic factors and indicators relating to products of the same type of industry in the country in the present case. In the opinion of the investigating authorities, examining the effects of dumped imported products on domestic industries, all economic factors and indicators should be assessed and, on this basis, a determination should be made of the state of the domestic industry during the survey period and whether there was a real threat of loss or damage. Although some domestic industrial economic indicators improved during the survey period, domestic industries suffered long-term losses. On the basis of a comprehensive consideration of all economic factors and indicators of the domestic industry, the investigating authorities determined that the domestic industry suffered substantial damage during the survey period.

Dow Chemistry's claim that there are problems with the operation of individual applications, provides evidence that is too macro and general and does not coincide with the investigation period to negate the causal link between dumped imported products and substantial damage to the domestic industry.

**Analysis of other known factors.**

Other known factors, in addition to dumping of imported products, were examined by the investigating authorities that could cause substantial damage to the domestic industry.

There is no evidence of a causal correlation between the quantity and prices of imported products not sold at dumping prices, the reduction of demand or changes in consumption patterns, the practices of foreign and domestic producers to restrict trade and their competition, technological development and productivity of domestic industries, among other factors, and the substantive damage to the ethyl-cropyl domestic industry.

Comments from relevant stakeholders:

According to the United States Government, almost all performance indicators of domestic industry increased during the survey period, and the applicants did not provide evidence of significant adverse effects on the domestic industry of imported products.

According to Dow Chemistry, the three-dollar ethyl rubber industry in the country did not suffer material damage or threat of damage as a result of the products under investigation during the survey period. Imports of surveyed products showed a downward trend from 2015 to 2017, with only a small increase in 2018, with a sustained downward trend in the market share of the products surveyed during the survey period. Between 2015 and 2018, the prices of the products surveyed remained higher than the prices of domestic industries of the same type, and domestic industry prices showed a faster upward trend than the prices of the products surveyed. Most of the economic indicators of the ethyl rubber industry show a positive growth trend, and the industry is sound and does not support the applicant ' s claim of damages.

Analysis and determinations by the investigating authorities:

In the preceding article, the investigating authorities have determined the price impact of dumped imported products on domestic industries. In the opinion of the investigating authorities, an analysis of whether the domestic industry suffers substantial damage or threat of damage as a result of the dumping of imported products should be combined with an examination of the economic indicators of the domestic industry, and that one or more indicators cannot play a decisive qualitative role. During the period of the damage survey, demand in the ethyl ethyl rubber market continued to grow, while the capacity of domestic industry products of the same type has not increased, and pre-tax profits and investment receipts continue to be negative, business cash flows have been in a net outflow, and the domestic industry suffers from long-term losses for similar products.

Overall, Dow Chemistry's idea of sound domestic industrial development cannot be established.

Attachment: Data sheet on anti-dumping cases of ethyl ethyl rubber

Data sheet on anti-dumping of ethyl ethyl rubber

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Programme of work |  |  |  |  |
| Total national production (tons) | 100,000 |  | 151,400 |  |
| Rate of change | - |  | 4.41 Per cent 26.16 per cent | |
| Total national demand (tons) | 298,844.58 | 332,759.90 | 349,879.52 | 411,988.68 |
| Rate of change | - | 11.35 Per cent | 5.14 Per cent | 17.75 Per cent |
| Imports of products under investigation (tons) | 172,516.09 | 165,000.32 | 161,007.62 | 184,579.32 |
| Rate of change | - |  | 2.42 Percent. |  |
| Market share of surveyed products | 57.73 Per cent | 49.59 Per cent | 46.02 Per cent | 44.80 Per cent |
| Range of change (points) | - | -8.14 | -3.57 | -1.22 |
| CIF weighted average price of imported products (US$/tons) | 2500.97 | 1973.45 | 2004.97 | 2117.96 |
| Rate of change | - | 21.09 Per cent | 1.60 Per cent |  |
| Capacity (millions of tons) | 15-20 | 15-20 | 15-20 | 15-20 |
| Rate of change | - | - | - | - |
| Production (thousands of tons) | 5-5.5 | 6-6.5 | 9.5-10 | 9.5-10 |
| Rate of change | - |  | 65-70 Per cent |  |
| Start rate |  | 35-40 Per cent |  |  |
| Range of change (points) | - | 1-5 | 20-25 | (-5) - (-1) |
| Domestic sales (thousands of tons) | 4.5-5 | 6.5-7 | 9-10 | 10-15 |
| Rate of change | - |  | 35-40 Per cent | 10-15 Per cent |
| Market share | 15-20 Per cent | 20-25 Per cent | 25-30 Per cent | 20-25 Per cent |
| Range of change (points) | - | 1-5 | 5-10 | 1-5 |
| Income from domestic sales (in millions of yuan) | 5-10 | 5-10 | 10-15 | 10-15 |
| Rate of change | - |  |  |  |
| Weighted average price (millions of United States dollars/tons) | 1-1.5 | 1-1.5 | 1-1.5 | 1-1.5 |
| Rate of change | - |  |  | 10-15 Per cent |
| Pre-tax profits | (-4) - (-3) | (-5) - (4) | (-4) - (-3) | (-3) - (-2) |
| Rate of change | - | Increase in losses | Decrease in losses | Decrease in losses |

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| Rate of return on investment | (-15%) - (-10%) | (-20%) - (-15%) | (-15%) - (-10%) | (-15%) - (-10%) |
| Rate of change (percentage points) | - | (-10) - (-5) | 1-5 | 1-5 |
| Net cash flow (in millions of dollars) | (-10) - (-5) | (-10) - (-5) | (-10) - (-5) | (-5) - (-1) |
| Rate of change | - | (-10 Per cent) - | (-10 Per cent) - | (-65%) - (-70%) |
| End of period (thousands of tons) | 2-5 | 1-1.5 | 1.5-2 | 1-1.5 |
| Rate of change | - | (-40%) - (35%) |  | (-30%) - (-25%) |
| Number of employed persons | 400-450 | 400-450 | 350-400 | 350-400 |
| Rate of change | - | (-5% ) - (-1%) | (-10 Per cent) - | (-10 Per cent) - |
| Per capita wage (millions of yuan/year/person) | 10-15 | 10-15 | 10-15 | 10-15 |
| Rate of change | - | (-5% ) - (-1%) | 10-15 Per cent | 10-15 Per cent |
| Labour productivity (tonnes/year/person) | 100-150 | 100-150 | 250-300 | 250-300 |
| Rate of change | - | 10-15 Per cent | 80-85 Per cent |  |