D. Related Proceedings and Previous Requests for Relief (19 C.F.R. § 351.202(b)(4))

Petitioner has not filed for import relief pursuant to section 337 of the Act, 19 U.S.C. § 1337, or section 201 or 301 of the Trade Act of 1974, 19 U.S.C. §§ 2251 or 2411, or section 232 of the Trade Expansion Act of 1962, 19 U.S.C. § 1862, with respect to the subject merchandise. To Petitioner's knowledge, the subject merchandise has not been subject to previous antidumping and/or countervailing duty investigations under sections 702 and 732 of the Trade Act of 1930, as amended (the "Act") (19 U.S.C. §§ 1671a and 1673a). As such, currently, there are no antidumping or countervailing duty orders on the subject merchandise from Indonesia or Malaysia.

E. Description of the Subject Merchandise (19 C.F.R. § 351.202(b)(5))

1. Requested Scope of Investigations

The imported merchandise that Petitioner intends to cover in these investigations are certain fatty acids ("CFA"), as described by the following language:

The merchandise subject to these Petitions is certain fatty acids (CFA), which are organic acids made of a hydrocarbon chain with a carboxylic acid group (i.e., an organic acid that contains a carboxyl group (−C(=O)−OH) attached to an R-group, sometimes also written as R-COOH, R−C(O)OH, or R-CO_2H) at one end with a carbon chain length (i.e., the number of carbon atoms in the fatty acid chain) of C6, C8, C10, C12, C14, C16, or C18, with an iodine value below 105 g/100 g and with a ratio of free fatty acids to triglycerides (also known as the "degree of split" or "DoS")) of at least 97 percent, including single fatty acid (also referred to as "pure cut"), and blends containing a combination of two or more carbon chain lengths.

CFA is also commonly called pure, pure cut, fractionated, or distilled fatty acid or mixed, mixed cut, or blended fatty acid, with the terms pure, pure cut, fractionated, and distilled typically referring to specific single-chain fatty acids that have been separated from a mixed natural source such as animal fat or vegetable oil using processes like hydrolysis (the breakdown of fat molecules by water, catalyzed by acid, base, or enzymes (lipases) to yield glycerol and free fatty acids), distillation, and crystallization, and the terms mixed or mixed cut referring to combinations, blends or mixtures of different single-chain fatty acids also derived from a natural source such as animal fat or vegetable oil using processes like hydrolysis, distillation, and

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crystallization. Common names for pure, pure cut, fractionated, or distilled fatty acids forms include stearic acid and oleic acid. Common names for mixed or mixed cut fatty acids include coconut fatty acid, hardened coconut fatty acid, topped coconut fatty acid, topped hardened coconut fatty acid, palm kernel fatty acid, hardened palm kernel fatty acid, topped palm kernel fatty acid, topped hardened palm kernel fatty acid, palm fatty acid, palm stearin fatty acid, palm fatty acid distillate, and palm olein fatty acid.

CFA is normally associated with Chemical Abstracts Service (CAS) registry numbers 57-11-4, 112-80-1, 61790-38-3, 67701-05-7, 67701-06-8, 67707-01-3, 68938-15-8, 101403-98-9, 91771-90-3, 90990-15-1, 68440-15-3, 84238-17-5, 98106-68-4, 98106-66-2, 84238-17-5, 90990-08-1, and 90990-08-2 but several others may also be used.

CFA ranges in physical form from low viscosity liquids to solids. CFA is covered by the scope of these Petitions irrespective of whether it has gone through a distillation process and regardless of acid content, reactivity, functionality, freeze stability, heat stability, physical form, viscosity, grade, purity, molecular weight, or packaging.

CFA may contain additives, such as catalysts, solvents, antioxidants, fire retardants, colorants, pigments, diluents, thickeners, fillers, softeners, and toughening agents.

Specifically excluded from the scope are CFA containing 90 percent or more, by weight, of fatty acids with carbon chain lengths of C6, C8, or C10 (or any combination thereof).

The scope also does not include mixtures of CFA with other materials, when the combined CFA component comprises less than 80 percent of the total weight of the mixture.

The scope includes merchandise matching the above description that has been processed in a third country, including by commingling, diluting, introducing or removing additives, or performing any other processing that would not otherwise remove the merchandise from the scope of the Petitions if performed in the subject country.

The scope also includes CFA that is comingled or blended with CFA from sources not subject to these Petitions. Only the subject component of such comingled products is covered by the scope of these Petitions.

The merchandise is currently classifiable under Harmonized Tariff Schedule of the United States (HTSUS) subheadings 2915.70.01.20, 2915.70.01.50, 2915.90.10.50, 2916.15.10.00, 2916.15.51.00, 3823.11.00.00, 3823.12.00.00, 3823.19.20.00, and 3823.19.40.00, and may also enter under 2915.70.01.10 and 2915.90.10.10.

The HTSUS subheadings set forth above are provided for convenience and customs purposes only. The written description of the scope is dispositive.

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