



2025/2219

4.11.2025

COMMISSION IMPLEMENTING REGULATION (EU) 2025/2219

of 3 November 2025

**imposing provisional anti-dumping duties on imports of softwood plywood originating in the
Federative Republic of Brazil**

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union ⁽¹⁾ ('the basic Regulation'), and in particular Article 7 thereof,

After consulting the Member States,

Whereas:

1. PROCEDURE

1.1. Initiation

- (1) On 6 March 2025, the European Commission ('the Commission') initiated an anti-dumping investigation with regard to imports of softwood plywood originating in the Federative Republic of Brazil ('the country concerned' or 'Brazil') on the basis of Article 5 of the basic Regulation (EU). It published a Notice of Initiation in the *Official Journal of the European Union* ⁽²⁾ ('the Notice of Initiation').
- (2) The Commission initiated the investigation following a complaint lodged on 20 January 2025 by the Softwood Plywood Consortium ('the complainant'). The complaint was made by on behalf of the Union industry of softwood plywood in the sense of Article 5(4) of the basic Regulation. The complaint contained evidence of dumping and of resulting material injury that was sufficient to justify the initiation of the investigation.

1.2. Registration

- (3) The Commission made imports of the product concerned subject to registration by Commission Implementing Regulation (EU) 2025/922 ⁽³⁾ ('the registration Regulation').

1.3. Interested parties

- (4) In the Notice of Initiation, the Commission invited interested parties to contact it to participate in the investigation. In addition, the Commission specifically informed the complainant, the known Union producers, the known exporting producers and the Brazilian authorities, known importers, suppliers and users, traders, as well as associations known to be concerned about the initiation of the investigation and invited them to participate.
- (5) Interested parties had an opportunity to comment on the initiation of the investigation and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21.

⁽²⁾ OJ C, C/2025/1490, 6.3.2025, ELI: <http://data.europa.eu/eli/C/2025/1490/oj>.

⁽³⁾ Commission Implementing Regulation (EU) 2025/922 of 20 May 2025 making imports of softwood plywood originating in Brazil subject to registration (OJ L, 2025/922, 21.5.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/922/oj).

1.4. Comments on initiation

- (6) After initiation, the complainant, the Brazilian Association for Mechanically Processed Timber ('ABIMCI'), the Plywood Trade Interest Alliance ('PTIA'), which is an *ad hoc* grouping of unrelated importers in the EU, and the unrelated importers Bo André AB, Keflico and Schüttler Holzmakler/Agentur e.K. made submissions on the evidence in the complaint relating to dumping, injury, causality and the Union interest. In response, three Union producers as well as the complainant provided comments. The comments are addressed below.
- (7) ABIMCI made additional submissions rebutting the complainant's comments, pursuant to Section 8 of the Notice of Initiation. Section 8 provides that any comment on information submitted by interested parties before the deadline of imposition of provisional measures should be made at the latest on day 75 from the date of publication of the Notice of Initiation, unless otherwise specified. ABIMCI's rebuttal comments were submitted on 14 July 2025.
- (8) As these comments were submitted outside the relevant time limits set by the Notice of Initiation, they could not be taken into account at this stage of the investigation.

Comments on the complaint and the procedure

- (9) ABIMCI raised concerns about the confidentiality of information in the complaint, particularly ABIMCI alleged the lack of meaningful non-confidential summaries of data used to calculate the normal value relied upon for dumping allegations and the methodology and sources used in the 'Normal Value Report'. ABIMCI argued that this lack of transparency prevented interested parties from having a reasonable understanding of the confidential information, which was essential for defending their rights and providing meaningful comments on the allegations of dumping and injury.
- (10) PTIA alleged an excessive redaction of injury data in the complaint. They argued that this hampered the ability of interested parties to understand and respond meaningfully to allegations of material injury.
- (11) Article 19 of the basic Regulation allows for the safeguarding of confidential information in circumstances where disclosure would be of significant competitive advantage to a competitor or would have a significantly adverse effect upon a person supplying the information or upon a person from whom that person has acquired the information.
- (12) The Commission noted that certain information (such as the study commissioned by the complainant for the purpose of collecting information on domestic prices for softwood plywood in Brazil) was confidential by nature and not susceptible to a non-confidential summary. In addition, the various reports referred to in the complaint were subject to copyright.
- (13) The Commission considered that the version open for inspection by interested parties of the complaint contained sufficient essential evidence and non-confidential summaries of data granted confidential treatment to allow interested parties to exercise their rights of defence throughout the proceeding and complied with the requirements of Article 19(2) of the basic Regulation. The Commission also considered the provision of ranged data in combination with indexes as sufficient to allow interested parties to exercise their rights of defence throughout the proceeding and complied with the requirements of Article 19(2) of the basic Regulation. The Commission thus rejected these claims.
- (14) Bo André AB argued that the values used in the complaint as Brazil's domestic market prices were inaccurate as the products sold on the Brazilian market would largely have different product characteristics and these differences would make any direct price comparison between domestic Brazilian panels and export product invalid. Further, Bo André AB argued that the data of the International Tropical Timber Organization (ITTO) used in the complaint as a reference for calculating the Normal Value would not be representative as the ITTO primarily tracks tropical hardwood products, not softwood plywood. This would artificially inflate the dumping margins. Bo André AB requested the Commission to reassess that data and incorporate alternative data sources or methodologies that accurately reflects the Brazilian softwood plywood market.

- (15) In this regard, the Commission emphasised that an application must contain sufficient evidence. In particular, according to settled case-law, the quantity and quality of the evidence necessary to meet the criteria of the sufficiency of the evidence for the purpose of initiating an investigation is different from that which is necessary for the purpose of a preliminary or final determination of the existence of dumping and injury ⁽⁴⁾. Against this background, the Commission considered that the application sufficiently provided evidence of dumping. The domestic prices report in Annex 8 of the complaint contained a descriptive part of the methodology used and the sources of the data as well as sufficient price data to serve as evidence.

Comments on dumping

- (16) ABIMCI challenged the complainant's allegations of dumping, asserting that they lack legal validity under Article 5.2 of the WTO Anti-Dumping Agreement ('ADA'). ABIMCI stated that the complainant's claims relied on unverified and incomplete data and that the complainant had speculated on price stability using parica plywood (a non-comparable hardwood product), a methodologically flawed approach.
- (17) ABIMCI also stated that the domestic prices used in the complaint were inflated compared to the actual pine plywood (of *pinus elliottii*) prices in Brazil, which were significantly lower. Finally, Argentina's terminated anti-dumping investigation on imports of certain types of phenolic plywood panel from Brazil ⁽⁵⁾ supported ABIMCI's position that dumping was not occurring. ABIMCI concluded that these deficiencies rendered the allegations unsubstantiated and legally insufficient.
- (18) The Commission nonetheless considered that the complaint contained sufficient evidence tending to show the existence of dumping, in accordance with the relevant legal standard described in Recital 15. The dumping calculations in the open version of the complaint provided a detailed explanation of all different elements used to arrive at the dumping calculation, including all sources used for these calculations, thereby allowing interested parties with a meaningful understanding of the key elements of the dumping allegation.
- (19) The investigation in Argentina concerned a different market than the EU and was therefore irrelevant for allegations to initiate current investigation.
- (20) The comment regarding the complaint's allegations of dumping were therefore dismissed.

Comments on injury

- (21) ABIMCI contested the injury allegations claimed in the complaint. They argued that the allegations of injury due to increased Brazilian import volumes at low prices lacked an objective examination. They also argued that micro- and macroeconomic indicators reported were based on estimates and speculative data.
- (22) ABIMCI emphasised that a genuine objective examination should have involved an unbiased assessment involving the verification of contradictory evidence and should have conformed to the principles of good faith and fundamental fairness.
- (23) Moreover, ABIMCI argued that the volume of Brazilian imports had decreased, claiming that they followed the same trend as Union consumption. They also claimed that the Brazilian import prices increased during the period considered.
- (24) PTIA also contested the injury allegations claimed in the complaint. They argued that the increase in Brazilian imports was overstated and they attributed the uptick mainly to a return to normality following the COVID-19 related market disruption. They noted that the reported volume increase from 2021 to the IP only reflected a return to historical levels prevalent before the pandemic.

⁽⁴⁾ Judgment of 11 July 2017, *Viraj Profiles Ltd v Council of the European Union*, Case T-67/14, ECLI:EU:T:2017:481, para. 98.

⁽⁵⁾ <https://globaltradealert.org/intervention/16770>.

- (25) Moreover, PTIA argued that the imports from Brazil actually decreased by 11 % from 2022 to the IP, challenging the allegations in the complaint that there was a significant influx during the period considered. They further argued that any observed negative trends were falsely depicted as injury since they are merely the effects of the markets stabilizing after the post-COVID recovery.
- (26) Lastly, they challenged the sufficiency and clarity of data regarding the import prices and volumes, indicating the injury analysis was inconclusive due to reliance on non-representative periods and speculative data.
- (27) The Commission found that the complaint contained sufficient evidence for a finding of material injury necessary for the initiation of an investigation. Both macroeconomic and microeconomic indicators were analysed in Section 6 of the complaint. The Commission recalls that a finding of material injury necessary for the initiation of an investigation requires an examination of the relevant factors as described in the basic Regulation.
- (28) It is not specifically required by Article 5 of the basic Regulation that all injury factors mentioned in Article 3(5) show deterioration for material injury to be sufficiently substantiated for the purpose of the initiation of an investigation. The wording of Article 5(2) of the basic Regulation states that the complaint shall contain the information on changes in the volume of the allegedly dumped imports, the effect of those imports on prices of the like product on the Union market and the consequent impact of the imports on the Union industry, as demonstrated by relevant (not necessarily all) factors. The complaint contained this information, which pointed to the existence of injury.
- (29) Accordingly, the Commission considered that the complaint contained sufficient evidence of injury and rejected the claims by ABIMCI and PTIA.
- (30) ABIMCI and PTIA also contested the use of the year 2021 as a reference point (base year), arguing that during this year and 2022, industries were recovering from COVID-19 and, therefore, it is not representative for the injury analysis.
- (31) The Commission found that the chosen period considered for evaluating injury is in line with the Commission's established practice, which involves reviewing material injury over a span of three calendar years plus the investigation period. Therefore, the Commission rejected the claims by ABIMCI and PTIA.

1.5. **Sampling**

- (32) In the Notice of Initiation, the Commission stated that it might sample the interested parties in accordance with Article 17 of the basic Regulation.

Sampling of Union producers

- (33) In its Notice of Initiation, the Commission stated that it had provisionally selected a sample of Union producers. The Commission selected the sample on the basis of the largest volume of production and sales that could be reasonably investigated within the time available and that ensured a good geographical spread. This sample consisted of three Union producers. The sampled Union producers represented more than 55 % of the estimated total volume of production and sales of the like product in the Union. The Commission invited interested parties to comment on the provisional sample. No comments were received. The sample is representative of the Union industry.

Sampling of unrelated importers

- (34) To decide whether sampling is necessary and, if so, to select a sample, the Commission asked unrelated importers to provide the information specified in the Notice of Initiation.

- (35) Fourteen unrelated importers provided the requested information and agreed to be included in the sample. In accordance with Article 17(1) of the basic Regulation, the Commission selected a sample of two unrelated importers on the basis of the volume of imports from Brazil into the Union of the product under investigation during the investigation period. The sample represented about 10 % of the estimated total import quantity of the product under investigation from Brazil into the Union. In accordance with Article 17(2) of the basic Regulation, all known importers concerned were consulted on the selection of the sample. No comments were received.

Sampling of exporting producers

- (36) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all exporting producers in Brazil to provide the information specified in the Notice of Initiation. In addition, the Commission asked the Mission of the Federative Republic of Brazil to identify and/or contact other exporting producers, if any, that could be interested in participating in the investigation.
- (37) Fifty-nine exporting producers in the country concerned provided the requested information and agreed to be included in the sample. In accordance with Article 17(1) of the basic Regulation, the Commission selected a sample of two exporting producers on the basis of the largest representative volume of exports to the Union which could reasonably be investigated within the time available, namely Nereu Rodrigues & Cia Ltda ('Nereu') and Indústria de Compensados Sudati Ltda ('Sudati').
- (38) In accordance with Article 17(2) of the basic Regulation, all known exporting producers concerned and the authorities of the country concerned were consulted on the selection of the sample.
- (39) An exporting producer that was not included in the provisional sample, Indústria de Compensados Guararapes Ltda. ('Guararapes') requested to be included in the sample. Guararapes argued that the provisional sample has limited representativity, since it covered only 30 % of Brazilian softwood plywood exports to the Union with just two exporters. It also argued that there was a discrepancy in representativeness since the Union industry represented 50 % of the Union's production.
- (40) At the same time, the sampled exporter Sudati identified related companies that also produced and exported the product concerned, namely Guararapes and Conply Indústria de Compensados Ltda. These exporting companies were subsequently included in the final sample.
- (41) The final sample of exporting producers therefore consisted of one group of companies related by family (Sudati, Guararapes and Conply, to be referred to as the 'SCG Group') and one unrelated exporting producer (Nereu).
- (42) In response to the comment made by Guararapes, the Commission notes that the Union industry's representation of the Union's production is irrelevant for selection of the sample of exporting producers.

1.6. Individual examination

- (43) Guararapes submitted a request for individual examination under Article 17(3) of the basic Regulation, asserting that family ties connecting it to Sudati and Conply do not compromise its legal and operational independence. The company maintains complete legal and operational autonomy from the two Brazilian exporters and should therefore be treated as a distinct economic entity for the purposes of this investigation.

- (44) The Commission notes that, pursuant to Article 127(h) of Commission Implementing Regulation (EU) 2015/2447 ⁽⁶⁾, exporting producers are deemed to be related entities if they belong to the same family. The request for individual examination submitted by Guararapes under Article 17(3) of the Basic Regulation was therefore rejected.

1.7. Questionnaire replies and verification visits

- (45) The Commission sent questionnaires to the sampled exporting producers in Brazil, the sampled Union producers, the importers and the users. The same questionnaires were made available online ⁽⁷⁾ on the day of initiation.
- (46) The Commission sought and verified all the information deemed necessary for a provisional determination of dumping, resulting injury and Union interest. Verification visits pursuant to Article 16 of the basic Regulation were carried out at the premises of the following companies:

Union producers

- UPM Plywood Oy, Lahti, Finland ('UPM')
- Paged Plywood S.A., Morąg, Poland ('Paged')
- SAS Thebault Plyland, Solférino, France ('Thebault')

Importers

- Altripan NV, Antwerp, Belgium ('Altripan')

Exporting producers in Brazil

- Indústria de Compensados Sudati Ltda., Palmas, Paraná, Brazil
- Conply Indústria de Compensados Ltda., Palmas, Paraná, Brazil
- Indústria de Compensados Guararapes Ltda., Palmas, Paraná, Brazil
- Nereu Rodrigues & Cia Ltda., Correia Pinto, Santa Catarina, Brazil and its related sales company

1.8. Investigation period and period considered

- (47) The investigation of dumping and injury covered the period from 1 January 2024 to 31 December 2024 ('the investigation period' or 'IP'). The examination of trends relevant for the assessment of injury covered the period from 1 January 2021 to the end of the investigation period ('the period considered').

2. PRODUCT UNDER INVESTIGATION, PRODUCT CONCERNED AND LIKE PRODUCT

2.1. Product under investigation

- (48) The product under investigation is plywood consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6 mm thickness, with both outer plies of coniferous wood, whether or not coated or surface-covered ('softwood plywood'), currently falling under CN code 4412 39 00 ('the product under investigation').
- (49) Softwood plywood is used in a wide range of applications, such as in construction, furniture, wall panels, floor underlayment (such as in parquet), as well as in packaging and roofing industries.

⁽⁶⁾ Commission Implementing Regulation (EU) 2015/2447 of 24 November 2015 laying down detailed rules for implementing certain provisions of Regulation (EU) No 952/2013 of the European Parliament and of the Council laying down the Union Customs Code (OJ L 343, 29.12.2015, p. 558, ELI: http://data.europa.eu/eli/reg_impl/2015/2447/oj).

⁽⁷⁾ <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2779>).

2.2. Product concerned

- (50) The product concerned is softwood plywood originating in Brazil, currently falling under CN code 4412 39 00 ('the product concerned').

2.3. Like product

- (51) The investigation showed that the following products have the same basic physical chemical and technical characteristics as well as the same basic uses:

- the product concerned when exported to the Union;
- the product under investigation produced and sold on the domestic market of the country concerned; and
- the product under investigation produced and sold in the Union by the Union industry.

- (52) The Commission decided at this stage that those products are therefore like products within the meaning of Article 1(4) of the basic Regulation.

2.4. Claims regarding product scope

- (53) PTIA raised concerns about the comparability and classification of products involved. They argued that there is a critical distinction between structural and non-structural softwood plywood, which the current product scope does not adequately address. PTIA suggested that these differences significantly impact pricing and market application, thus affecting the dumping and injury analysis.
- (54) PTIA emphasized that including a structural/non-structural parameter in the PCN structure would be necessary to ensure fair comparison and accurate determination of dumping margins. They argued that the investigation should recognize these differences to prevent the unwarranted inclusion of products not relevant to the alleged dumping or injury.
- (55) Moreover, PTIA took the view that spruce and pine plywood should not be considered like products, as they stem from different wood species and have varied applications and markets. This difference is significant enough to warrant a re-evaluation of the scope and potentially exclude certain products that do not compete directly with EU-produced softwood plywood.
- (56) ABIMCI emphasized the significant differences in comparability, interchangeability, and substitutability between various types of plywood, such as pine versus spruce and coated versus uncoated product varieties. ABIMCI argued that these products serve distinct market segments and have unique technical and physical characteristics, leading to differentiated consumer preferences. They highlighted the importance of a segmented analysis that takes into account factors like structural versus non-structural softwood plywood, as well as premium versus lower-end segments. ABIMCI argued for a need to conduct a segmented injury analysis.
- (57) In response the complainant pointed to the evidence provided in the complaint, demonstrating that both spruce and pine species are part of the broader coniferous wood species family. Compared to other types of wood, notably broadleaved and other hardwood species, spruce and pine both have a lighter or pale colour, are easier to cut, and have a simplified porous structure and high resin content. In addition, there are no relevant differences between softwood plywood made from spruce and pine when it comes to their production process, selling process and distribution channels in the Union, all of which are identical.

- (58) The Commission found that even within one type of wood there are different qualities as it is a natural material. This is reflected in the PCN. However, the Commission found that both pine and spruce species are frequently used interchangeably. The fact that both species stem from the broader family of coniferous woods, known for their lighter colour, relatively easy workability, and simplified porous structure leads to physical properties, production methodologies, and market applications that are similar. Significantly, the resin content in both spruce and pine is relatively high, which impacts their durability and usability in similar product applications.
- (59) Consumers differentiate primarily between softwood and hardwood plywood.
- (60) Moreover, contrary to the allegation that Union producers mainly focus on producing coated softwood plywood, in contrast to Brazilian imports which are predominantly uncoated, the Commission's comprehensive analysis revealed that the sampled Union producers predominantly produce uncoated softwood plywood products.
- (61) The Commission also noted that the complaint contained specific examples of an Union industrial user that sources softwood plywood of both spruce and pine species for the same end-uses; and Union producers who source both softwood species, often mix them and inter-use pine and spruce veneers in their production of softwood plywood panels.
- (62) For all the aforementioned reasons, the Commission determined that irrespective of whether they are composed of pine or spruce species, and regardless of whether they are coated or uncoated, or for structural or non-structural uses, all softwood variations are considered like products, they have the same basic physical, technical and chemical characteristics, and they compete in the same market. They collectively fall within the same product definition under the scope of the current investigation, ensuring a coherent and comprehensive analysis consistent with established regulatory frameworks and past Commission practice. The Commission therefore rejected the claim for a segmented analysis.

3. DUMPING

3.1. Normal Value

- (63) The Commission first examined whether the total quantity of domestic sales for each sampled cooperating exporting producer was representative, in accordance with Article 2(2) of the basic Regulation.
- (64) The domestic sales are representative if the total domestic sales quantity of the like product to independent customers on the domestic market per exporting producer represented at least 5 % of its total export sales quantity of the product concerned to the Union during the investigation period. On this basis, the total sales by each sampled exporting producer of the like product on the domestic market were not representative.
- (65) The Commission subsequently identified the product types sold domestically that were identical or comparable with the product types sold for export to the Union for the exporting producers with representative domestic sales.
- (66) The Commission then examined whether the domestic sales by each sampled exporting producer on its domestic market for each product type that is identical or comparable with a product type sold for export to the Union were representative, in accordance with Article 2(2) of the basic Regulation.
- (67) The domestic sales of a product type are representative if the total quantity of domestic sales of that product type to independent customers during the investigation period represents at least 5 % of the total quantity of export sales of the identical or comparable product type to the Union.
- (68) Of the four companies investigated, one had no domestic sales at all. The other three companies had either no representative product types, or only few product types that were representative.

- (69) The Commission next defined the proportion of profitable sales to independent customers on the domestic market for each product type during the investigation period to decide whether to use domestic sales for the calculation of the normal value, in accordance with Article 2(4) of the basic Regulation.
- (70) The normal value is based on the actual domestic price per product type, irrespective of whether those sales are profitable or not, if:
- (a) the sales quantity of the product type, sold at a net sales price equal to or above the calculated cost of production, represented more than 80 % of the total sales quantity of this product type; and
 - (b) the weighted average sales price of that product type is equal to or higher than the unit cost of production.
- (71) If both tests are met, then the normal value is the weighted average of the prices of all domestic sales of that product type during the IP.
- (72) The normal value is the actual domestic price per product type of only the profitable domestic sales of the product types during the IP, if:
- (a) the volume of profitable sales of the product type represents 80 % or less of the total sales quantity of this type: or
 - (b) the weighted average price of this product type is below the unit cost of production.
- (73) The analysis of the three exporters with domestic sales showed that no product types met the tests of sales in the ordinary course of trade.
- (74) As there were no or insufficient sales of a product type of the like product in the ordinary course of trade or where a product type was not sold in representative quantities on the domestic market, the Commission constructed the normal value in accordance with Article 2(3) and (6) of the basic Regulation.
- (75) The normal value was constructed by adding the following to the average cost of production of the like product of the sampled exporting producers during the investigation period:
- (a) the weighted average selling, general and administrative ('SG&A') expenses incurred by the sampled exporting producers on domestic sales of the like product, in the ordinary course of trade, during the IP; and
 - (b) the weighted average profit realised by the cooperating sampled exporting producers on domestic sales of the like product, in the ordinary course of trade, during the IP.
- (76) For the product types not sold in representative quantities on the domestic market, the average SG&A expenses and profit of transactions made in the ordinary course of trade on the domestic market for those types were added.
- (77) For the product types not sold at all on the domestic market, the weighted average SG&A expenses and profit of all transactions made in the ordinary course of trade on the domestic market were added.
- (78) For the sampled exporting producer with no domestic sales, the SG&A expenses and profit was based on the weighted average of the amounts determined for the three other sampled exporting producers subject to investigation in respect of production and sales of the like product in the domestic market, in accordance with Article 2(6)(a) of the basic Regulation.

3.2. Export price

- (79) The sampled exporting producers exported to the Union either directly to independent customers or through related trading companies located in Brazil.
- (80) The export price was the price actually paid or payable for the product concerned when sold for export to the Union, in accordance with Article 2(8) of the basic Regulation.

3.3. Comparison

- (81) Article 2(10) of the basic Regulation requires the Commission to make a fair comparison between the normal value and the export price at the same level of trade and to make allowances for differences in factors which affect prices and price comparability.
- (82) In this case the Commission chose to compare the normal value and the export price of the sampled exporting producers at the ex-works level of trade. As further explained below, where appropriate, the normal value and the export price were adjusted to (i) net them back to the ex-works level; and (ii) make allowances for differences in factors which were claimed, and demonstrated, to affect prices and price comparability.

3.3.1. Adjustments made to the normal value

- (83) The Commission found no reasons for making any allowances to the normal value, nor were such allowances claimed by any of the sampled exporting producers, as the normal value was constructed using the cost of manufacturing plus SG&A expenses and profit.

3.3.2. Adjustments made to the export price

- (84) In order to net the export price back to the ex-works level of trade, adjustments were made on the account of customs duty, other import charges, freight, insurance, handling loading and ancillary expenses.
- (85) Allowances were made for the following factors affecting prices and price comparability: credit cost, bank charges and commissions.
- (86) For the exporting producer Nereu, where sales were made through a related trading company in Brazil, the Commission found that the related trader performed functions similar to those of an agent working on commission basis. The trader was operating in parallel with Nereu's sales department and was receiving a markup for its function. The trader was also trading other products than the product concerned.
- (87) An adjustment based on the relevant SG&A costs and a profit was therefore warranted under Article 2(10)(i) of the basic Regulation for sales through the related Brazilian trader. The SG&A costs of the related company and a profit of 1 %, which was obtained from one cooperating unrelated importer, were deducted.

3.4. Dumping margins

- (88) For the sampled exporting producers, the Commission compared the weighted average normal value of each type of the like product with the weighted average export price of the corresponding type of the product concerned, in accordance with Article 2(11) and (12) of the basic Regulation.
- (89) On this basis, the provisional weighted average dumping margins expressed as a percentage of the CIF Union frontier price, duty unpaid, and following the changes described in recitals 224-227, are as follows:

Company	Provisional dumping margin (%)
Indústria de Compensados Sudati Ltda	5,4
Conply Indústria de Compensados Ltda	
Indústria de Compensados Guararapes Ltda	
Nereu Rodrigues & Cia Ltda	0

- (90) For the cooperating exporting producers outside the sample, the Commission calculated the weighted average dumping margin, in accordance with Article 9(6) of the basic Regulation. Given that the average export price of the other cooperating non-sampled exporting producers, as reported in the sampling replies, was below the export price of the sampled exporting producer with zero dumping margin, the dumping margin for cooperating non-sampled exporting producers was established on the basis of the margins of the sampled exporting producers, disregarding the margins of the exporting producers with zero and *de minimis* dumping margins, as well as margins established in the circumstances referred to in Article 18 of the basic Regulation.
- (91) On this basis, the provisional dumping margin of the cooperating exporting producers outside the sample is 5,4 %.
- (92) For all other exporting producers in Brazil, the Commission established the dumping margin on the basis of the facts available, in accordance with Article 18 of the basic Regulation. To this end, the Commission determined the level of cooperation of the exporting producers. The level of cooperation is the volume of exports of the cooperating exporting producers to the Union expressed as proportion of the total imports from the country concerned to the Union in the investigation period, which were established on the basis of Eurostat.
- (93) The level of cooperation in this case is high because the exports of the cooperating exporting producers constituted around 100 % of the total imports during the investigation period. On this basis, the Commission decided to establish the dumping margin for non-cooperating exporting producers at the level of the cooperating sampled individually examined company with the highest dumping margin.
- (94) The provisional dumping margins, expressed as a percentage of the CIF Union frontier price, duty unpaid, are as follows:

Company	Provisional dumping margin
Indústria de Compensados Sudati Ltda Conply Indústria de Compensados Ltda Indústria de Compensados Guararapes Ltda	5,4 %
Nereu Rodrigues & Cia Ltda	0 %
Other cooperating companies not sampled	5,4 %
All other imports originating in Brazil	5,4 %

4. INJURY

4.1. Definition of the Union industry and Union production

- (95) The like product was manufactured by 13 producers in the Union during the investigation period. They constitute the 'Union industry' within the meaning of Article 4(1) of the basic Regulation.
- (96) The total Union production during the investigation period was established at around 675 726 m³. The Commission established the figure on the basis of all the available information concerning the Union industry, such as data provided by the complainant and the sampled Union producers. As indicated in recital 33, three sampled Union producers represented 55 % of the total Union production of the like product.

4.2. Union consumption

- (97) The Commission established the Union consumption on the basis of the Union industry's sales volume in the Union market and the imports from all countries of the product concerned. The source of information was the reply to the macro questionnaire by the complainant and the official data by Eurostat.

(98) Union consumption developed as follows:

Table 1

Union consumption

	2021	2022	2023	Investigation period
Total Union consumption (m ³)	1 709 127	1 830 144	1 375 376	1 584 193
<i>Index</i>	100	107	80	93

Source: Macro questionnaire reply by the complainant and Eurostat.

(99) Union consumption witnessed an initial increase in 2022 by 7 % followed by a substantial decrease in 2023 by 20 %. During the investigation period, although consumption rebounded from its 2023 low, it did not return to 2021 levels.

4.3. Imports from the country concerned

4.3.1. Volume and market share of the imports from the country concerned

(100) The Commission established the volume of imports on the basis of Eurostat. The market share of the imports was established on the basis of the import volume and total Union consumption.

(101) The Commission found distorted data in the reported statistics at the level of the supplementary unit (m³ in this case). For comparison purposes, the Commission, therefore, decided to convert the reported weight (tonnes), a more reliable and stable set of data, into m³. The conversion was based on the density of the panels, calculated based on weight divided by the supplementary unit. For Brazil, the reported weight in tonnes was converted in m³ using the average density reported by the sampled exporting producers; for the other countries, the average industry-standard density was used.

(102) As described in recital 89, dumping was found only for one of the sampled exporting producers. The Commission therefore distinguished between dumped and non-dumped Brazilian imports in its analysis. The impact of the dumped imports on the situation of the Union industry is addressed below, while the effect of the non-dumped imports is examined under causation aspects in recitals 156 and 158. Non-dumped imports are presented and analysed in Table 11 below.

(103) The volume of non-dumped imports from Nereu amounted to [5-10] % of the total imports from Brazil in the investigation period. To establish whether the findings with regard to this company could be extended to all non-sampled imports, the Commission compared the prices of Nereu to prices from the non-sampled cooperating exporting producers. Based on the information submitted in the sampling forms and in the questionnaire reply, Nereu's average export price was [5-10] % higher than the average export price of the non-sampled Brazilian exporters that submitted sampling replies. Therefore, the Commission considered that it could not extend the findings of absence of dumping regarding Nereu to the non-sampled exporting producers.

(104) Dumped imports into the Union from the country concerned developed as follows:

Table 2

Dumped import quantity and market share

	2021	2022	2023	Investigation period
Quantity of imports from Brazil (m ³)	[500 000-600 000]	[650 000- 800 000]	[550 000-700 000]	[650 000- 800 000]
<i>Index</i>	100	132	118	130
Market share (%)	[30-35]	[35-40]	[45-50]	[45-50]

Source: Eurostat.

(105) The data illustrates a noticeable upward trend in both the quantity of the dumped imports from Brazil and their corresponding market share over the period from 2021 through the investigation period. In 2021, dumped imports from Brazil were [500 000-600 000] m³ with a market share of [30-35] %. By 2022, the dumped import quantity increased to [650 000-800 000] m³, marking an impressive 32 % rise from the previous year; reflected in a higher market share of [35-40] %. Though the quantity of dumped Brazilian imports decreased by 14 % in 2023, i.e. a year where the Union consumption significantly decreased, the Brazilian market share continued increasing significantly to [45-50] %. During the investigation period, dumped imports reached their peak, with a 30 % increase from 2021, while the market share slightly declined by two percentage point.

4.4. Prices of the dumped imports from the country concerned and price undercutting

(106) The Commission established the prices of dumped imports on the basis of Eurostat data. Price undercutting of the imports was established on the basis of questionnaire replies provided by the sampled exporting producers and sampled Union producers.

(107) The weighted average price of dumped imports into the Union from the country concerned developed as follows:

Table 3

Import prices (EUR/m³)

	2021	2022	2023	Investigation period
Brazil	339	443	311	302
<i>Index</i>	100	131	92	89

Source: Eurostat.

(108) The data on dumped import prices from Brazil reflects a fluctuating trend over the period from 2021 through the investigation period. In 2022 there was a significant increase, with prices rising to 443 EUR/m³, indicating a 31 % surge. However, this was followed by a substantial drop in 2023, with prices falling to 311 EUR/m³, i.e. a drop by 39 % in relation to the previous year. Continuing this downward trend, the prices decline further to 302 EUR/m³ during the investigation period, indicating an overall 11 % reduction from the 2021 levels.

(109) The Commission determined the price undercutting during the investigation period by comparing:

- (1) the weighted average sales prices per product type of the sampled Union producers charged to unrelated customers on the Union market, adjusted to an ex-works level; and
- (2) the corresponding weighted average prices per product type of the imports from the sampled Brazilian producers to the first independent customer on the Union market, established on a Cost, insurance, freight (CIF) basis, with appropriate adjustments for customs duties and post-importation costs.

(110) The price comparison was made on a type-by-type basis for transactions at the same level of trade, duly adjusted where necessary, and after deduction of rebates and discounts. The result of the comparison was expressed as a percentage of the sampled Union producers' theoretical turnover during the investigation period. It showed a weighted average undercutting margin of 31,8 % by the imports from the country concerned on the Union market.

4.5. Economic situation of the Union industry

4.5.1. General remarks

(111) In accordance with Article 3(5) of the basic Regulation, the examination of the impact of the dumped imports on the Union industry included an evaluation of all economic indicators having a bearing on the state of the Union industry during the period considered.

(112) As mentioned in recital 33, sampling was used for the determination of possible injury suffered by the Union industry.

(113) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated the macroeconomic indicators on the basis of the verified data contained in the reply to the macro-questionnaire submitted by the complainant. The Commission evaluated the microeconomic indicators on the basis of data contained in the questionnaire replies from the sampled Union producers. Both sets of data were found to be representative of the economic situation of the Union industry.

(114) The macroeconomic indicators are: production, production capacity, capacity utilisation, sales volume, market share, growth, employment, productivity, magnitude of the dumping margin, and recovery from past dumping.

(115) The microeconomic indicators are: average unit prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investments, and ability to raise capital.

4.5.2. Macroeconomic indicators

4.5.2.1. Production, production capacity and capacity utilisation

(116) The total Union production, production capacity and capacity utilisation developed over the period considered as follows:

Table 4

Production, production capacity and capacity utilisation

	2021	2022	2023	Investigation period
Production quantity (m ³)	888 286	851 718	607 714	675 726
Index	100	96	68	76

	2021	2022	2023	Investigation period
Production capacity (m ³)	1 106 000	1 110 000	1 113 000	1 113 000
<i>Index</i>	<i>100</i>	<i>100</i>	<i>101</i>	<i>101</i>
Capacity utilisation (%)	80	77	55	61
<i>Index</i>	<i>100</i>	<i>96</i>	<i>68</i>	<i>76</i>

Source: Verified macro questionnaire reply by the complainant.

(117) The production quantities of the Union producers displayed a declining trend over the period considered, with slight variations. In 2021, the production quantity was 888 286 m³. In 2022 production had decreased by 4 % to 851 718 m³. The decline continued into 2023, where production further reduced by 28 % to 607 714 m³ in relation to the year before. During the investigation period, there was a slight recovery, with production increasing to 675 726 m³. For the whole period considered there was an overall drop by 24 %.

(118) The production capacity remained stable with an overall increase of 1 % over the period considered.

(119) The capacity utilisation mirrored the changes in production quantities trends. In 2022, the capacity utilisation decreased marginally by 4 % compared to 2021. The most substantial decline occurred in 2023, with utilisation dropping by 28 % in relation to the previous year. During the investigation period, there was a moderate recovery in utilisation by 8 %. Overall, the reduction in capacity utilisation for the period considered reached 24 %.

4.5.2.2. Sales quantity and market share

(120) The Union industry's sales quantity and market share developed over the period considered as follows:

Table 5

Sales quantity and market share

	2021	2022	2023	Investigation period
Total sales quantity on the Union market (m ³)	756 724	648 176	503 231	572 942
<i>Index</i>	<i>100</i>	<i>86</i>	<i>67</i>	<i>76</i>
Market share (%)	44	35	37	36

Source: Verified macro questionnaire reply by the complainant.

(121) The trends in total sales quantity on the Union market demonstrate a general decline from 2021 through the investigation period, with some fluctuations. In 2021, the sales quantity stood at 756 724 m³. By 2022, sales had dropped to 648 176 m³, continuing the downward trend into 2023, where sales further declined to 503 231 m³, representing a 19 % decrease from the previous year. During the investigation period, however, there was a modest rebound, with sales increasing by 9 % to 572 942 m³.

(122) In terms of market share, Union producers had 44 % in 2021. This share decreased to 35 % in 2022, reflecting a notable reduction in their market presence. Although the overall market was shrinking, due to the development of the building activity, a slight recovery of market share was seen in 2023, climbing to 37 %. Nevertheless, during the investigation period, the market share again experienced a minor decline, dipping slightly to 36 %.

4.5.2.3. Growth

(123) In a context of decreasing consumption, the Union industry not only lost sales volumes in the Union but also market share, contrary to Brazilian imports, which gained absolute sales volume and market share in the Union. As such, over the period considered, the Union industry did not experience any growth.

4.5.2.4. Employment and productivity

(124) Employment and productivity developed over the period considered as follows:

Table 6

Employment and productivity

	2021	2022	2023	Investigation period
Number of employees	1 866	1 807	1 570	1 582
<i>Index</i>	100	97	84	85
Productivity (m ³ /FTE)	476	471	387	427
<i>Index</i>	100	99	81	90

Source: Verified macro questionnaire reply by the complainant.

(125) Between 2021 and the investigation period, there was a noticeable downward trend in employment among the sampled Union producers. The number of employees decreased from 1 866 in 2021 to 1 582 during the investigation period, reflecting a reduction of nearly 15 %. This trend clearly suggests that the sector faced challenges that have necessitated workforce reduction.

(126) Alongside the decrease in employment, productivity, as measured by m³ per full-time equivalent, also varied over the period from 2021 to the investigation period. In 2022, productivity remained relatively stable, only slightly decreasing by 1 %. However, there was a more significant decline by 2023, with the productivity falling by 18 %. This trend rebounded somewhat during the investigation period, as the productivity rose by 9 %. Overall, during the period considered the productivity of the Union industry fell by 10 %.

4.5.2.5. Magnitude of the dumping margin and recovery from past dumping

(127) All dumping margins were significantly above the de minimis level. The impact of the magnitude of the actual margins of dumping on the Union industry was not negligible, given the volume and prices of imports from the country concerned.

(128) This is the first anti-dumping investigation regarding the product concerned. Therefore, no data were available to assess the effects of possible past dumping.

4.5.3. Microeconomic indicators

4.5.3.1. Prices and factors affecting prices

- (129) The weighted average unit sales prices of the sampled Union producers to unrelated customers in the Union developed over the period considered as follows:

Table 7

Sales prices in the Union

	2021	2022	2023	Investigation period
Average unit sales price in the Union on the total market (EUR/ m ³)	449	622	575	508
<i>Index</i>	100	139	128	113
Unit cost of production (EUR/m ³)	419	511	571	556
<i>Index</i>	100	122	136	133

Source: Verified questionnaire reply of the sampled Union producers.

- (130) The weighted average unit sales prices of the sampled Union producers to unrelated customers in the Union showed notable fluctuations over the period considered. In 2021, the average sales price was 449 EUR/m³. In 2022, there was a considerable increase by 39 % in prices to 622 EUR/m³. However, in 2023, the average sales price decreased by 11 % from the previous year to 575 EUR/m³. During the investigation period, prices continued to decline to 508 EUR/m³.

- (131) The unit cost of production for the sampled Union producers also experienced changes over the period, closely mirroring trends in sales prices. In 2021, the unit cost was 419 EUR/m³. In 2022, the unit cost had increased by 22 % to 511 EUR/m³. Despite increasing costs, the Union industry was generally able to offset these costs by increasing their sales prices. In 2023, unit costs rose further to 571 EUR/m³, indicating an increase by 14 % in relation to the previous year. During the investigation period, costs slightly decreased to 556 EUR/m³. In 2023 and the investigation period, the Union industry was no longer able to cover the increasing costs by increasing their sales prices, demonstrating a price suppression. The overall increase for the period considered was 33 %.

4.5.3.2. Labour costs

- (132) The average labour costs of the sampled Union producers developed over the period considered as follows:

Table 8

Average labour costs per employee

	2021	2022	2023	Investigation period
Average labour costs per employee (EUR)	41 757	44 521	45 724	49 079
<i>Index</i>	100	107	110	118

Source: Verified questionnaire reply of the sampled Union producers.

- (133) The average labour costs per employee for the sampled Union producers exhibited a consistent upward trend over the period considered. In 2021, the average labour cost per employee was 41 757 EUR. By 2022, these costs rose to 44 521 EUR, reflecting a 7 % increase in relation to the previous year. The upward trajectory continued in 2023, with costs climbing to 45 724 EUR. During the investigation period, labour costs escalated further to 49 079 EUR, indicating an 18 % overall increase from 2021.

4.5.3.3. Inventories

- (134) Stock levels of the sampled Union producers developed over the period considered as follows:

Table 9

Stocks

	2021	2022	2023	Investigation period
Closing stock (m³)	45 684	84 878	68 699	62 180
Index	100	186	150	136
Closing stock as a percentage of production (%)	10	18	21	16

Source: Verified questionnaire reply of the sampled Union producers.

- (135) The trends in closing stock levels demonstrate a significant increase followed by a gradual reduction over the period considered. In 2021, the closing stock was 45 684 m³. By 2022, the stock level had increased dramatically to 84 878 m³, i.e. an 86 % increase. In 2023, the stock levels decreased to 68 699 m³, reflecting a gradual reduction from the previous year yet still significantly above the 2021 levels. During the investigation period, stocks continued to decrease, as the Union industry was able to increase sales in the investigation period, reaching 62 180 m³; indicating an overall 36 % increase during the period considered.

4.5.3.4. Profitability, cash flow, investments, return on investments and ability to raise capital

- (136) Profitability, cash flow, investments and return on investments of the sampled Union producers developed over the period considered as follows:

Table 10

Profitability, cash flow, investments and return on investments

	2021	2022	2023	Investigation period
Profitability of sales in the Union to unrelated customers (% of sales turnover)	15	25	9	2
Cash flow (EUR)	46 114 328	56 315 204	35 911 903	19 351 190
Index	100	122	78	42

	2021	2022	2023	Investigation period
Investments (EUR)	5 432 018	3 301 570	9 092 561	4 787 861
<i>Index</i>	100	61	167	88
Return on investments (%)	54	111	37	13
<i>Index</i>	100	205	68	24

Source: Verified questionnaire reply of the sampled Union producers.

- (137) The Commission established the profitability of the sampled Union producers by expressing the pre-tax net profit of the sales of the like product to unrelated customers in the Union as a percentage of the turnover of those sales. The profitability of sales of Union producers to unrelated customers within the Union experienced fluctuations over the period considered. Starting at 15 % of sales turnover in 2021, profitability sharply increased to 25 % in 2022, indicating a robust performance during that year. However, this peak was not sustained, as profitability dropped dramatically to 9 % in 2023 and further declined to a mere 2 % during the investigation period, suggesting challenges in maintaining profit margins.
- (138) The net cash flow is the ability of the Union producers to self-finance their activities. The cash flow trend over the period considered showed a decline after an initial rise in 2022. In 2021, the cash flow was 46 114 328 EUR. This figure improved to 56 315 204 EUR in 2022, marking a 22 % increase. In 2023, cash flow decreased dramatically falling by 44 % to 35 911 903 EUR. The trend continued downward during the investigation period, with cash flow dropping to 19 351 190 EUR. The overall reduction of the cash flow during the period considered reached 58 %, indicating deteriorating financial liquidity.
- (139) Investment levels exhibited considerable variability throughout the period. In 2021, investments amounted to 5 432 018 EUR. They decreased sharply in 2022 to 3 301 570 EUR, indicating a drop by 39 %. Conversely, 2023 saw a significant increase in investments to 9 092 561 EUR, i.e. increasing by 106 % in relation to the year before. However, during the investigation period, investments fell to 4 787 861 EUR, marking an overall reduction by 12 % during the period considered and reflecting a more cautious investment approach.
- (140) The return on investments is the profit in percentage of the net book value of investments. This followed a declining trend after an initial surge. It began at 54 % in 2021, soaring to 111 % in 2022, which suggests exceptional efficiency in generating returns during that year. However, in 2023, the return on investments decreased substantially to 37 %. During the investigation period, the return diminished further to 13 %, with the index at 24, indicating diminishing returns on the investments made and reflecting the challenges faced by the Union producers during this period.
- (141) Given the significant drop in profitability, net cash flow and return on investment, the sampled Union producers' ability to raise capital was severely affected.

4.6. Conclusion on injury

- (142) All main injury indicators showed a negative trend during the period considered. The production volume of the Union industry decreased by 24 % and its sales volume decreased also by 24 %. The Union industry also lost market share, which fell from 44 % in 2021 to 36 % in the investigation period. On the contrary, the quantity of dumped Brazilian imports to the Union during the same period increased by 30 %; and their market share increased from [30-35] % in 2021 to [45-50] % in the investigation period. This was achieved despite the drop in Union consumption by 7 % during the period considered.

- (143) The profitability of the Union industry significantly declined over the period considered, decreasing from around 15 % in 2021 to 2 % in the IP, which shows a non-sustainable trend showing the existence of price suppression. A similar decreasing trend was observed for the productivity of the Union industry (decreased by 10 %), its employment (decreased by 15 %), investments (decreased by 12 %), return on investment and cash flow, which all decreased over the period considered.
- (144) The Union industry was unable to compensate for the lost sales volumes in the Union market through increased exports, as exports accounted for only approximately 15 % of the industry's total production and were gradually declining, as set out in Section 5.4 below.
- (145) On the basis of the above, the Commission concluded at this stage that the Union industry suffered material injury within the meaning of Article 3(5) of the basic Regulation.

5. CAUSATION

- (146) In accordance with Article 3(6) of the basic Regulation, the Commission examined whether the dumped imports from the country concerned caused material injury to the Union industry. In accordance with Article 3(7) of the basic Regulation, the Commission also examined whether other known factors could at the same time have injured the Union industry. The Commission ensured that any possible injury caused by factors other than the dumped imports from the country concerned was not attributed to the dumped imports. These factors are: the non-dumped imports from Brazil, the imports from countries other than Brazil, the export performance of the Union industry, consumption decline and increase in cost.
- (147) PTIA and ABIMCI claimed that the analysis in the complaint has failed to establish a clear causal link between Brazilian imports and the purported injury.
- (148) In particular, ABIMCI argued that there has been no increase in Brazilian imports in absolute volumes. They emphasised that the complainant's assertion of relative increases is based on a flawed premise of decreased consumption during their investigation period, making it unreliable. Moreover, ABIMCI claimed that since the Brazilian softwood plywood imported products do not compete in the same market segments with the Union softwood plywood products, the Union producers could not have suffered any injury due to the Brazilian imports. ABIMCI also took the view that the declines in import volumes and prices from Brazil should be interpreted as simply returning to pre-pandemic levels. They argued that the Union industry never claimed to suffer injury before 2022, and post-pandemic import prices from Brazil were higher than pre-pandemic levels. Last, ABIMCI named several other potential causal factors for any injury experienced by the Union industry. These include rising costs due to increased interest, freight, and exchange rates, as well as the impact of the Russian war against Ukraine, regulatory compliance costs, and competition from other lumber products.
- (149) PTIA argued that the volume of imports from other third countries increased significantly more than the volume of imports from Brazil. They argue that these third country imports should be considered in the causality analysis, as these imports also exert pressure on market prices and affect Union industry performance. PTIA also argued that using atypical periods such as the post-pandemic recovery in 2021 for the injury determination inaccurately inflates the appearance of injury.
- (150) These arguments are addressed below.

5.1. Effects of the dumped imports

- (151) The Commission examined whether there was a causal link between the dumped imports and the injury suffered by the Union industry. Over the period considered, imports of the dumped product from Brazil rose by 30 %, even as Union consumption declined by 7 %. This finding refutes the allegation made by ABIMCI that the Brazilian imports did not increase in absolute volumes.

- (152) Moreover, the 11 % price reduction of Brazilian imports, coupled with a 33 % rise in production costs for the Union industry during the same time, enabled Brazilian imports to capture an additional 13 % of the market share. This shift came at the expense of the Union industry, which experienced a notable 24 % drop in sales volume and a decrease of 8 percentage points in its market share. Consequently, the profitability of the Union industry plummeted to unsustainable levels, operating with only a 2 % profit during the investigation period.
- (153) The fact that there was such a significant gap between the average price of the dumped imported product from Brazil and the average price of the Union industry like product (302 EUR/m³ compared to 508 EUR/m³) prevented the Union industry from increasing its prices to reflect the increased cost of production and, thus, sustain its profitability.
- (154) It was, therefore, provisionally concluded that dumped imports of softwood plywood from Brazil caused material injury to the Union industry in terms of price and volume.

5.2. Effects of other factors

- (155) The Commission examined whether factors of injury other than the dumped imports from Brazil had an impact on the state of the Union industry.

5.2.1. Non dumped imports from Brazil

- (156) The volume of non-dumped imports from Brazil developed over the period considered as follows:

Table 11

Non-dumped imports from Brazil

	2021	2022	2023	Investigation period
Quantity (m ³)	[12 000- 16 000]	[20 000- 24 000]	[20 000- 24 000]	[45 000-55 000]
Index	100	154	157	371
Market share (%)	[0-2]	[0-2]	[0-2]	[1-3]
Average price (EUR/m ³)	[250-300]	[250-300]	[230-280]	[280-320]
Index	100	100	85	101

Source: Verified questionnaire reply of the exporting producer.

- (157) Import volume and prices of the non-dumped Brazilian imports were based on the verified questionnaire reply by the sampled exporting producer for which no dumping was found.
- (158) The quantity of non-dumped Brazilian imports increased steadily over the period considered, reaching [45 000-55 000] m³ in the investigation period. The market share of non-dumped imports from Brazil increased from [0-2] % in 2021 to [1-3] % in the investigation period. However, import levels and market share of the non-dumped imports remained largely below the volume of the dumped imports from Brazil throughout the period considered. Therefore, the Commission considered that they did not attenuate the causal link between the dumped Brazilian imports and the injury suffered by the Union industry.

5.2.2. Imports from third countries

(159) The quantity of imports from other third countries developed over the period considered as follows:

Table 12

Imports from third countries

Country		2021	2022	2023	Investigation period
Chile	Quantity (m ³)	130 303	180 686	119 707	147 997
	Index	100	139	92	114
	Market share (%)	8	10	9	9
	Average price (EUR/m ³)	493	665	580	509
	Index	100	135	118	103
China	Quantity (m ³)	43 191	67 247	37 517	49 692
	Index	100	156	87	115
	Market share (%)	3	4	3	3
	Average price (EUR/m ³)	443	569	422	413
	Index	100	128	95	93
Total of all third countries except Brazil	Quantity (m ³)	216 879	190 486	48 479	46 181
	Index	100	88	22	21
	Market share (%)	13	10	4	3
	Average price (EUR/m ³)	458	524	621	538
	Index	100	114	135	117

Source: Eurostat.

(160) Imports from other third countries were mainly from two countries, Chile and China. These two countries had together a market share of 12 % during the investigation period, while the imports of all the remaining third countries accounted for 3 % during the same period.

- (161) Over the period considered, Chile's imports to the Union showed variability in volume. In 2022, the imports increased by 39 % compared to 2021 and the Chilean market share increased to 10 % from 8 % in 2021. However, in 2023, imports dropped by 47 % and the market share was reduced to 9 %. During the investigation period, the imports increased again while the market share remained the same. Overall, during the period considered, Chile's total quantity of imports increased by 14 % and the market share by 1 %. The average price of imports increased by 3 %, from 493 EUR/m³ in 2021 to 509 EUR/m³ in the investigation period.
- (162) China's imports followed a similar trend. Import quantities rose by 56 % in 2022 in comparison with the previous year. In 2023, the volume decreased significantly below 2021 levels, while during the investigation period, it rose again above 2021 levels. Overall import quantities from China increased by 15 % during the period considered. China's market share began at 3 % in 2021, increased to 4 % in 2022, and settled at 3 % in both 2023 and the investigation period. The average price of Chinese imports decreased over time from 443 EUR/m³ in 2021 to 413 EUR/m³ in the investigation period.
- (163) The total volume of imports from all other third countries, excluding Brazil, declined significantly, i.e. by 79 %, during the period considered. The market share also declined noticeably from 13 % to 3 % in the same period. The average price rose by 17 % during the period considered.
- (164) Even though the import quantities from Chile and China, as well as their market shares, increased during the period considered, the fact that imports from other third countries significantly declined suggests that cumulative imports from all other third countries, apart from Brazil, actually decreased. This trend is in stark contrast to Brazilian import quantities, which rose by 32 % during the same period, with their market share increasing by 14 percentage points. Throughout the period considered import prices from Chile and China were substantially higher than those of the dumped imports from Brazil, in the investigation period import prices from Chile were 71 % higher and from China they were 39 % higher.
- (165) Therefore, the Commission concluded that imports from other third countries were not the source of injury described above.

5.2.3. Export performance of the Union industry

- (166) The volume of exports of the sampled Union producers developed over the period considered as follows:

Table 13

Export performance of the sampled Union producers

	2021	2022	2023	Investigation period
Export volume (m ³)	155 869	142 630	106 345	100 172
<i>Index</i>	100	92	68	64
Average price (EUR/m ³)	500	687	657	601
<i>Index</i>	100	137	131	120

Source: Verified questionnaire replies of the sampled Union producers.

- (167) During the period considered, the Union industry's exports experienced a significant decline, decreasing by 36 %. This trend aligns with the negative trend observed in other areas of the Union industry. The average export price of the Union producers saw an increase of 20 % during the same period. This rise in export prices suggests that, while the volume of exports decreased, the value of the exports increased, potentially offsetting some impact of the reduced volume.

- (168) However, the export sales of the Union industry comprise a limited portion of the Union industry's overall sales, which implies that while the decline in exports might have contributed somewhat to the challenges faced by the industry, it was unlikely to have a significant impact on the broader trends affecting the industry. Therefore, the Commission concluded that the overall impact of reduced exports on the Union industry's injury was not capable of attenuating the causal link between the dumped imports from Brazil and the injury suffered by the Union industry.

5.2.4. *Decrease of the Union consumption*

- (169) During the period considered the Union consumption decreased by 7 %. The decrease was due to several interconnected factors: the Union economy experienced a slower growth in 2023 in comparison to the year before (the Union GDP grew by 0,4 % in 2023 v 3,5 % in 2022). This downturn affected various sectors, including the construction and manufacturing sectors, which are major consumers of softwood plywood. High energy prices and uncertainty in the energy market also contributed to reduced industrial output and weakened demand across sectors.
- (170) The Commission, therefore, examined whether this decrease in consumption could attenuate the causal link between the dumped imports and the material injury suffered by the Union industry. However, as shown in Table 2 above, despite the decrease in the Union consumption, Brazilian export sales increased steadily over the period considered and in total by 30 %. This increase translated in an increase of market share from [30-35] % to [45-50] %, i.e. 13 percentage points. In parallel, and as set out in recital 109, Brazilian import prices were undercutting the Union industry sales prices on the Union market by 31,8 % on average. As shown in Table 5, the Union industry's sales dropped by 24 % and the market share shrank by 8 percentage points during the period considered. On this basis, the Commission concluded that the decrease in consumption did not cause the material injury to the Union industry.

5.2.5. *Increased cost of production*

Increased cost of raw materials

- (171) ABIMCI noted that the alleged injury experienced by Union industry is due to 'an unprecedented escalation in raw material prices' and should not be attributed to the imports from Brazil.
- (172) The Commission verified that the cost of raw materials indeed experienced an overall increase in the period considered.
- (173) The Commission found that under normal market conditions, the Union industry would have been able to raise its sales prices to account for the increase in the cost of raw materials and pass these costs on to its customers. However, while the Union producers did raise their prices, they were unable to do so sufficiently to cover the production cost increases due to the significant influx of Brazilian imports at unfairly low prices.
- (174) The Commission therefore rejected the claim and provisionally concluded that the increased cost of raw materials did not attenuate the causal link between the dumped Brazilian imports and the material injury of the Union producers.

Increased cost of energy

- (175) ABIMCI claimed that rising energy costs due to the Russian war against Ukraine significantly contributed to the injury experienced by the Union industry. They asserted that these elevated energy costs, rather than the competition from Brazilian imports, were primarily responsible for the injury experienced by the Union industry.

- (176) The Commission found that the rising energy costs had indeed an impact on the rising production costs of the Union producers. However, this impact was not decisive. The Union producers partially generated their own energy fuelled by biomass (chips, bark, sawdust, faulty veneers). Further a part of the Union producers had hedged their external electricity costs for the investigation period. As a result, the increase in energy costs accounted for only a minor increase in costs over the period considered. As a consequence, the Union industry was relatively well shielded from the energy crisis. In addition, energy costs represented less than 11 % of the production cost. Finally, under fair competition, the Union industry would have been in the position to pass on this moderate increase in cost of production to their customers, which they were unable to do due to the price suppression caused by the Brazilian imports.
- (177) The Commission therefore rejected the claim and provisionally concluded that the increased cost of raw materials did not attenuate the causal link between the dumped Brazilian imports and the material injury of the Union producers.

Increased freight cost

- (178) ABIMCI asserted that Union producers were adversely affected by rising freight costs, contributing to their financial difficulties. However, the Commission found that the Union industry obtains its raw materials locally, and due to the proximity of their primary consumer base within the Union and the UK, the transport costs for their finished products remain low. Therefore, any increase in freight prices cannot be considered a contributing factor to the injury suffered by the Union industry. Consequently, the Commission dismissed these claims.

Unfavourable exchange rates fluctuations

- (179) ABIMCI contended that fluctuations in exchange rates have significantly impacted the competitiveness and profitability of the Union producers. They argued that unfavourable movements in exchange rates have raised the relative cost of EU-produced goods compared to imports, directly affecting the financial well-being of the Union industry. ABIMCI pointed to instances where the depreciation of the Euro against major currencies rendered imported goods, including those from Brazil, more affordable than domestically produced alternatives.
- (180) All sampled Union producers sourced their logs locally. The Commission has not found an important impact of exchange rate changes on this or any other major cost factors. The Commission therefore rejected this argument.

5.2.6. *Increased sales cost*

- (181) ABIMCI argued that required certifications for selling softwood plywood are more expensive in the EU than in Brazil due to lower demand and heavy bureaucracy.
- (182) ABIMCI has not substantiated this allegation. The Commission therefore rejected this argument.

5.2.7. *Better sales conditions*

- (183) ABIMCI argued that the customer decisions to purchase Brazilian softwood plywood would in addition be influenced by a better after-sale service and faster deliveries than when compared to the Union producers. Further, the Union producers would have taken advantage in 2022 of a booming demand and increased their prices exponentially.
- (184) ABIMCI did not substantiate the claim for a better after-sale service and faster deliveries. Further, there is no evidence that customers would prefer Brazilian softwood plywood due to high prices charged by the Union producers in 2022. The argument was therefore rejected.

5.3. Conclusion on causation

- (185) The injury analysis showed that during the period considered, dumped imports from Brazil increased by 30 %, despite a decline in Union consumption. Additionally, the dumped Brazilian imports' price dropped by 11 % while Union production costs rose by 33 %, resulting in dumped Brazilian imports gaining an additional 13 % market share at the expense of the Union industry, which saw a 20 % reduction in sales volume and a 7 % loss in market share. This caused the Union industry profitability to fall sharply, with profits down to an unsustainable 2 % during the investigation. The considerable price gap between the dumped Brazilian imports and Union products (302 EUR/m³ versus 508 EUR/m³) prevented the Union industry from raising its prices to offset increased production costs and maintain profitability.
- (186) The Commission distinguished and separated the effects of all known factors on the situation of the Union industry from the injurious effects of the dumped imports.
- (187) While the export performance of the Union industry might have contributed to the material injury suffered by the Union industry to a small extent, it did not attenuate the causal link between the dumped imports and the material injury found.
- (188) Regarding the effects of imports from other third countries and the non-dumped imports from Brazil, the Commission concluded that those imports did not attenuate the causal link between the dumped imports from Brazil and the injury of the Union industry.
- (189) Regarding the decline in consumption and the rise in production costs, the Union industry encountered challenges during the period under consideration. Without the price pressure exerted by dumped imports, the industry could have adjusted its prices to accommodate higher costs and respond more effectively to changing market conditions. As mentioned earlier, dumped imports should not prevent Union producers from transferring cost increases to their prices. Consequently, even though the industry faced the challenges of rising costs and decreased demand, these factors were determined not to attenuate the causal link between the dumped imports from Brazil and the injury of the Union industry.
- (190) On the basis of the above, the Commission concluded at this stage that the dumped imports from the country concerned caused material injury to the Union industry and that the other factors, such as the export performance of the Union industry, did not attenuate the causal link between the dumped imports and the material injury. The injury consists of a reduced market share, production, production capacity utilisation, productivity, profitability, closing stocks, cash flow and return on investments.

6. LEVEL OF MEASURES

- (191) To determine the level of the measures, the Commission examined whether a duty lower than the margin of dumping would be sufficient to remove the injury caused by dumped imports to the Union industry.

6.1. Injury margin

- (192) The injury would be removed if the Union Industry were able to obtain a target profit by selling at a target price in the sense of Articles 7(2c) and 7(2d) of the basic regulation.
- (193) In accordance with Article 7(2c) of the basic Regulation, for establishing the target profit, the Commission took into account the following factors: the level of profitability before the increase of imports from the country under investigation, the level of profitability needed to cover full costs and investments, research and development (R & D) and innovation, and the level of profitability to be expected under normal conditions of competition. Such profit margin should not be lower than 6 %.

- (194) As a first step, the Commission established a basic profit covering full costs under normal conditions of competition. It was not possible to establish a profit margin on the basis of any of the years immediately prior to the increase of the share of dumped imports from Brazil. The years 2021 and 2022 were found to be heavily influenced by the post COVID-19 economic recovery and did not appear appropriate to set the target profit. Therefore, the Commission considered more appropriate to use the profitability level of 9 % reached in 2017.
- (195) The Union industry provided evidence that its level of investments, research and development (R & D) and innovation during the period considered would have been higher under normal conditions of competition. The Commission verified this information based on investment plans and refused and postponed projects, demonstrating that these investments were genuinely planned. To reflect this in the target profit, the Commission calculated the difference between investments, R & D and innovation ('IRI') expenses under normal conditions of competition as provided by the EU Industry and verified by the Commission with actual IRI expenses over the period considered.
- (196) Such difference, expressed as a percentage of turnover, was 0,03 % and was added to the basic profit of 9 % mentioned in the recital 194, leading to a target profit of 9,03 %.
- (197) In accordance with article 7(2d) of the basic Regulation, as a final step, the Commission assessed the future costs resulting from Multilateral Environmental Agreements, and protocols thereunder, to which the Union is a party, and of ILO Conventions listed in Annex Ia that the Union industry will incur during the period of the application of the measure pursuant to Article 11(2) of the basic Regulation. Based on the evidence available, the Commission established an additional cost for each Union producer of [0-5] EUR/m³, in comparison with the actual cost of compliance with such conventions during the investigation period. This additional cost was added to the non-injurious price.
- (198) On this basis, the Commission calculated a non-injurious price of 565 EUR/m³ for the like product of the Union industry by applying the above-mentioned target profit margin (see recital 193) to the cost of production of the sampled Union producers during the investigation period and then adding the adjustments under Article 7(2d) on a type-by-type basis.
- (199) The Commission then determined the injury margin level on the basis of a comparison of the weighted average import price of the sampled exporting producers in Brazil, as established for the price undercutting calculations, with the weighted average non-injurious price of the like product sold by the sampled Union producers on the Union market during the investigation period. Any difference resulting from this comparison was expressed as a percentage of the weighted average import CIF value.
- (200) The injury elimination level for 'other cooperating companies' and for 'all other imports originating in country concerned' is defined in the same manner as the dumping margin for these companies (see recitals 90 to 93).

Country	Company	Dumping margin (%)	Injury margin (%)
Brazil	Indústria de Compensados Sudati Ltda.	5,4	94,0
	Conply Indústria de Compensados Ltda.		
	Indústria de Compensados Guararapes Ltda.		
	Other cooperating companies	5,4	94,0
	All other imports originating in country concerned	5,4	94,0

6.2. Conclusion on the level of measures

(201) Following the above assessment, provisional anti-dumping duties should be set as below in accordance with Article 7(2) of the basic Regulation:

Country	Company	Provisional anti-dumping duty (%)
Brazil	Indústria de Compensados Sudati Ltda. Conply Indústria de Compensados Ltda. Indústria de Compensados Guararapes Ltda.	5,4
	Other cooperating companies	5,4
	All other imports originating in country concerned	5,4

7. UNION INTEREST

(202) Having decided to apply Article 7(2) of the basic Regulation, the Commission examined whether it could clearly conclude that it was not in the Union interest to adopt measures in this case, despite the determination of injurious dumping, in accordance with Article 21 of the basic Regulation. The determination of the Union interest was based on an appreciation of all the various interests involved, including those of the Union industry, importers, users.

7.1. Interest of the Union industry

(203) The complaint was submitted by the Softwood Plywood Consortium, which are four Union producers representing more than 60 % the total Union production of softwood plywood.

(204) The imposition of measures would improve the market conditions for Union producers. It would enable them to fortify their competitive position, recapture lost sales and market share, elevate their capacity utilization, and adjust their pricing to viable levels. Consequently, this would enhance their profitability to the degree expected under the conditions of fair competition.

(205) In the absence of such measures, the Union industry would continue to experience material injury due to persistent price suppression caused by the influx of underpriced imports from Brazil. This would lead to accelerated declines in market share, sales, and production, further plummeting the capacity utilization, and rendering operations of Union producers unfeasible. The prevailing deficit situation would worsen, severely impacting future investments and employment within the Union. Hence, the Commission determined that imposing provisional measures aligns with the best interests of the Union industry.

7.2. Interest of unrelated importers

(206) The unrelated importer Schüttler Holzmakler/Agentur e.K. argued that the capacities of the Union producers would not be sufficient to cover the demand.

(207) The Commission reiterated that the purpose of imposing anti-dumping duties on Brazilian imports is not to eliminate these imports but to restore fair competition in the Union market. Moreover, the Commission found no evidence that the measures would lead to reduced competition in the Union market, especially because the investigation confirmed various sources of supply of softwood plywood into the Union, including the Union producers, Brazilian producers as well as imports from other third countries, such as Chile and China.

(208) It is likely that importers will be able to pass on the additional costs of the duties to their clients. Resales of Brazilian softwood plywood only represent a minor part of the importers' business and contribute only a small share to their profitability. The Commission concluded therefore that no major impact on the importers' profitability should result from the imposition of duties at the determined level. While the duties do not appear in the interest of the unrelated importers, the Commission concluded that this does not constitute a compelling reason against the imposition of duties taking into account the limited impact of the duties on the unrelated importers.

7.3. Interest of users, consumers or suppliers

(209) PTIA argued that imposing high duties on imports from Brazil would lead to increased costs for EU users and final consumers. PTIA emphasized that EU users, particularly in sectors reliant on softwood plywood, would struggle to absorb these costs or pass them on to customers, who might turn to cheaper alternatives processed in third countries. This would ultimately weaken the added value of goods produced within the Union and severely affect the interests of users and economic sectors reliant on these imports.

(210) Moreover, PTIA highlighted that the Union industry would not be able to fully meet the demand for softwood plywood, as imports have historically played a crucial role in ensuring supply, particularly in the lower market segments.

(211) One user, Euroline, a Union furniture manufacturer, came forward and noted that possible anti-dumping duties imposed on Brazilian imports would lead to significant price increases, harming the competitiveness of Union companies. They also noted that there are no good alternatives to softwood products because hardwood plywood products are more expensive, and other materials like MDF/HDF and laminated particle board lack suitable physical properties for their products. They also highlighted negative implications for the Union supply chain and employment.

(212) The Commission found no evidence to suggest that Union producers would be unable to meet the demand of the Union market in the unlikely scenario where Brazilian imports of the product concerned were to cease following the imposition of anti-dumping duties. Moreover, the potential anti-dumping duties are relatively modest and are unlikely to lead to substantial price increases, disrupt supply chains or pose risks to employment within the Union. The Commission also considered the availability of alternative suppliers in other third countries, in addition to the substantial production capacities of the Union industry. It assessed that users would be able to continue sourcing softwood plywood in adequate quality and quantity from multiple suppliers in the Union, in other third countries, including Chile and China, and also from a supplier in Brazil at non-dumped prices. Therefore, the Commission concluded that, should anti-dumping measures be implemented, their impact on users would be limited.

7.4. Conclusion on Union interest

(213) On the basis of the above, the Commission concluded that there were no compelling reasons that it was not in the Union interest to impose measures on imports of softwood plywood originating in Brazil at this stage of the investigation.

8. PROVISIONAL ANTI-DUMPING MEASURES

(214) On the basis of the conclusions reached by the Commission on dumping, injury, causation, level of measures and Union interest, provisional measures should be imposed to prevent further injury being caused to the Union industry by the dumped imports.

(215) Provisional anti-dumping measures should be imposed on imports of softwood plywood originating in Brazil, in accordance with the lesser duty rule in Article 7(2) of the basic Regulation. The Commission compared the injury margin and the dumping margin in recital 201 above. The amount of the duties was set at the level of the lower of the dumping and the injury margin.

- (216) On the basis of the above, the provisional anti-dumping duty rates, expressed on the CIF Union border price, customs duty unpaid, should be as follows:

Country	Company	Provisional anti-dumping duty (%)
Brazil	Indústria de Compensados Sudati Ltda. Conply Indústria de Compensados Ltda. Indústria de Compensados Guararapes Ltda.	5,4
	Other cooperating companies	5,4
	All other imports originating in country concerned	5,4

- (217) The individual company anti-dumping duty rate specified in this Regulation was established on the basis of the findings of this investigation. Therefore, it reflects the situation found during this investigation with respect to this company. This duty rate is exclusively applicable to imports of the product concerned originating in the country concerned and produced by the named legal entities. Imports of the product concerned produced by any other company not specifically mentioned in the operative part of this Regulation, including entities related to those specifically mentioned, should be subject to the duty rate applicable to 'all other imports originating in country concerned'. They should not be subject to any of the individual anti-dumping duty rates.
- (218) To minimise the risks of circumvention due to the difference in duty rates, special measures are needed to ensure the application of the individual anti-dumping duties. The application of individual anti-dumping duties is only applicable upon presentation of a valid commercial invoice to the customs authorities of the Member States. The invoice must conform to the requirements set out in Article 1(4) of this regulation. Until such invoice is presented, imports should be subject to the anti-dumping duty applicable to 'all other imports originating in country concerned'.
- (219) While presentation of this invoice is necessary for the customs authorities of the Member States to apply the individual rates of anti-dumping duty to imports, it is not the only element to be taken into account by the customs authorities. Indeed, even if presented with an invoice meeting all the requirements set out in Article 1(4) of this regulation, the customs authorities of Member States must carry out their usual checks and may, like in all other cases, require additional documents (shipping documents, etc.) for the purpose of verifying the accuracy of the particulars contained in the declaration and ensure that the subsequent application of the lower rate of duty is justified, in compliance with customs law.
- (220) Should the exports by one of the companies benefiting from lower individual duty rates increase significantly in volume after the imposition of the measures concerned, such an increase in volume could be considered as constituting in itself a change in the pattern of trade due to the imposition of measures within the meaning of Article 13(1) of the basic Regulation. In such circumstances and provided the conditions are met an anti-circumvention investigation may be initiated. This investigation may, inter alia, examine the need for the removal of individual duty rate(s) and the consequent imposition of a country-wide duty.

9. REGISTRATION

- (221) As mentioned in recital 3, the Commission made imports of the product concerned subject to registration. Registration took place with a view to possibly collecting duties retroactively under Article 10(4) of the basic Regulation.
- (222) In view of the findings at provisional stage, the registration of imports should be discontinued.
- (223) No decision on a possible retroactive application of anti-dumping measures has been taken/can be taken at this stage of the proceeding.

10. INFORMATION AT PROVISIONAL STAGE

- (224) In accordance with Article 19a of the basic Regulation, the Commission informed interested parties about the planned imposition of provisional duties. This information was also made available to the general public via DG TRADE's website. Interested parties were given three working days to provide comments on the accuracy of the calculations specifically disclosed to them.
- (225) The Brazilian exporting producer Guararapes replied to the information sent to them and noted a clerical error in the calculations, namely that the Commission had included the ocean freight and insurance on their sales to the unrelated customers in the Union for their free on board ('FOB') sales.
- (226) The Commission accepted the claim that the clerical error should be corrected and removed the amount corresponding to the ocean freight and insurance on Guararapes FOB sales to the unrelated customers in the Union from the allowances deducted from the export price. As a result, the Commission corrected the dumping margins for Guararapes, the SCG Group, the cooperating exporting producers outside the sample and the non-cooperating exporting producers.
- (227) No other comments regarding the information sent were received.

11. FINAL PROVISIONS

- (228) In the interests of sound administration, the Commission will invite the interested parties to submit written comments and/or to request a hearing with the Commission and/or the Hearing Officer in trade proceedings within a fixed deadline.
- (229) The findings concerning the imposition of provisional duties are provisional and may be amended at the definitive stage of the investigation,

HAS ADOPTED THIS REGULATION:

Article 1

1. A provisional anti-dumping duty is imposed on imports of plywood consisting solely of sheets of wood (other than bamboo), each ply not exceeding 6 mm thickness, with both outer plies of coniferous wood, whether or not coated or surface-covered ('softwood plywood'), currently falling under CN codes 4412 39 00 and originating in Brazil.
2. The rates of the provisional anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1 and produced by the companies listed below shall be as follows:

Country of origin	Company	Provisional anti-dumping duty (%)	TARIC additional code
Brazil	Indústria de Compensados Sudati Ltda. Conply Indústria de Compensados Ltda. Indústria de Compensados Guararapes Ltda.	5,4	89XQ
	Other cooperating companies listed in Annex	5,4	See Annex
	All other imports originating in country concerned	5,4	8999

3. Anti-dumping duties are not applicable to the Brazilian exporting producer Nereu Rodrigues & Cia Ltda (TARIC additional code 89XR).

4. The application of the individual duty rates specified for the companies mentioned in paragraph 2 shall be conditional upon presentation to the Member States' customs authorities of a valid commercial invoice, on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows: *'I, the undersigned, certify that the (volume in unit we are using) of (product concerned) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in country concerned. I declare that the information provided in this invoice is complete and correct.'* Until such invoice is presented, the duty applicable to all other imports originating in country concerned shall apply.

5. The release for free circulation in the Union of the product referred to in paragraph 1 shall be subject to the provision of a security deposit equivalent to the amount of the provisional duty.

6. Where a declaration for release for free circulation is presented in respect of the product referred to in paragraph 1, irrespective of its origin, the weight in m3 of the products imported shall be entered in the relevant field of that declaration.

Member States shall, on a monthly basis, inform the Commission of the number of m3 imported under CN code 4412 39 00.

7. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

1. Interested parties shall submit their written comments on this regulation to the Commission within 15 calendar days of the date of entry into force of this Regulation.

2. Interested parties wishing to request a hearing with the Commission shall do so within 5 calendar days of the date of entry into force of this Regulation.

3. Interested parties wishing to request a hearing with the Hearing Officer in trade proceedings are invited to do so within 5 calendar days of the date of entry into force of this Regulation. The Hearing Officer may examine requests submitted outside this time limit and may decide whether to accept to such requests if appropriate.

Article 3

1. Customs authorities are hereby directed to discontinue the registration of imports established in accordance with Article 1 of Commission Implementing Regulation (EU) 2025/922 of 20 May 2025.

2. Data collected regarding products which entered the EU for consumption not more than 90 days prior to the date of the entry into force of this regulation shall be kept until the entry into force of possible definitive measures, or the termination of this proceeding.

Article 4

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 3 November 2025.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Non-sampled cooperating exporting producers in Brazil

Name	TARIC additional code
Agil Madeiras Eireli	89XS
Agrosepac Serrados Ltda	89XT
Argenta Bonotto & Cia Ltda	89XU
Brasnile Industrial Ltda	89XV
Celplac Industria e Comercio Ltda	89XW
Comércio De Madeiras Brandes Ltda	89XX
Compensa Industry And Trade Plywood Ltda	89XY
Compensados Drabecki Ltda	89XZ
Compensados e Laminados Lavrasul S/A	89YA
Compensados Fiveply Ltda	89YB
Compensados Fuck Ltda	89YC
Compensados Laselva Ltda	89YD
Compensados Nm Ltda	89YE
Compensados Novo Milênio Ltda	89YF
Compensados Relvaplac Ltda	89YG
Compensados Scharan Ltda	89YH
Dalgallo Compensados e Portas Ltda	89YI
Dallo Madeiras Ltda	89YJ
Fabricio Antonio Moreira Neto Eireli	89YK
Faganello Industria e Comércio De Compensados Ltda	89YL
Formato Compensados Ltda	89YM
Fv De Araujo	89YN
G13 Madeiras Ltda	89YO
Guaraetá Compensados Ltda	89YP
Industrial Arbhores Compensados Eireli	89YQ
Industrial Madeireira S.A	89YR
Itamarati Plywood Industry Ltda	89YS
J8 Compensados Ltda	89YT
Laminadora Centenário Ltda	89YU
Lfr Carli & Cia Ltda	89YV
M7 Industria e Comercio e Compensados e Laminados Ltda	89YW
Madebil Madereira Bituruna Ltda	89YX
Madeiras Eulide	89YZ
Madeira Belo Horizonte Ltda	89ZA
Madeira Ek Ltda	89ZB
Madeira Rio Claro Ltda	89ZC

Name	TARIC additional code
Madeira Rochembach Ltda	89ZD
Marini Industria de Compensados Ltda	89ZE
Mgs Industria de Compensados Ltda	89ZF
Multi Ply Wood do Brasil SA	89ZG
Newply Madeiras Eireli	89ZH
Nobre Painéis Ltda	89ZI
Palmasola S/A Madeiras e Agricultura	89ZJ
Pinustan Industria e Comercio de Madeiras Ltda	89ZK
Placa Comercio de Madeiras e Compensados Ltda	89ZL
Miraluz Industria e Comércio de Madeiras Ltda	89ZM
Randa Portas, Molduras e Compensados Ltda	89ZN
Repinho Reflorestadora Madeiras e Compensados Ltda	89ZO
Rionile Madeiras Ltda	89ZP
Rodochapas Administradora de Bens Ltda	89ZQ
Senbra Industria e Comercio de Madeiras	89ZR
Somapar Sociedade Madeireira Paranaense Ltda	89ZS
Tableros Indústria e Comércio de Painéis Ltda	89ZT
Top Pisos Industria de Artefatos de Madeiras Ltda	89ZU
VW Indústria e Comércio de Madeiras	89ZV