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COMMISSION IMPLEMENTING REGULATION (EU) 2025/1334

of 10 July 2025

making imports of phosphorous acid originating in the People's Republic of China subject to registration

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 14(5) thereof,

After informing the Member States,

Whereas:

(1) On 19 March 2025, the European Commission ('the Commission') announced, by a notice published in the *Official Journal of the European Union* [2], the initiation of an anti-dumping proceeding with regard to imports into the Union of phosphorous acid originating in the People's Republic of China.

(2) This initiation followed a complaint lodged on 3 February 2025 by ICL Europe Coöperatief U.A. on behalf of producers representing more than 25 % of the total Union production of phosphorous acid.

1. PRODUCT SUBJECT TO REGISTRATION

(3) The product subject to registration ('the product concerned') is phosphorous acid, in solid or liquid (aqueous) forms, also denominated phosphonic acid, usually falling under Chemical Abstracts Service ('CAS') numbers 13598-36-2 and 10294-56-1, originating in the People's Republic of China ('PRC'). The Customs and Statistics ('CUS') numbers usually corresponding to this product are 0021895-1 and 0043878-8.

(4) The product is currently classified under CN code 2811 19 80 (TARIC code 2811 19 80 60). The CN and TARIC code are given for information only and without prejudice to a subsequent change in the tariff classification.

2. REGISTRATION

(5) Under Article 14(5) of the basic Regulation, imports of the product concerned may be made subject to registration for the purpose of ensuring that, if the investigation results in findings leading to the imposition of anti-dumping duties, those duties can, if the necessary conditions are fulfilled, be levied retroactively on the registered imports in accordance with the applicable legal provisions.

(6) The Commission has decided to make imports of the product concerned subject to registration on its own initative under Article 14(5) of the basic Regulation. The conditions for retroactive collection of duties will be assessed in the regulation imposing definitive duties if any.

(7) Any future liability would emanate from the findings of investigation.

(8) The calculations provided in the complaint requesting the initiation of an anti-dumping investigation estimate a dumping margin of 109 % and an injury elimination level between 85 % and 95 % for the product concerned for the period from July 2023 to June 2024. The amount of possible future liability would normally be set at the lower of those two levels according to Article 7(2) of the basic Regulation.

[1] OJ L 176, 30.6.2016, p. 21, ELI: http://data.europa.eu/eli/reg/2016/1036/oj.
[2] OJ C/2025/1687, 19.3.2025, p. 1, ELI: http://data.europa.eu/eli/C/2025/1687/oj.

(9) If, during the investigation, the Commission finds evidence of raw material distortions pursuant to Article 7(2a) of the basic Regulation, the amount of possible future liability would be set at the level of the dumping margin as provided for in Article 7(2b) of the basic Regulation if it is concluded that a duty lower than the margin of dumping would not be sufficient to remove the injury suffered by the Union industry.

(10) However, at this stage the Commission is not in a position to estimate the amount of possible future liability. Thus, the amounts mentioned in the complaint are only for information purposes and cannot create any expectations as to the actual level of liability which will be established as a result of the investigation.

3. **PROCESSING OF PERSONAL DATA**

(11) Any personal data collected in the context of this registration will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([3]) on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data,

HAS ADOPTED THIS REGULATION:

Article 1

1. The customs authorities are hereby directed, under Article 14(5) of Regulation (EU) 2016/1036, to take the appropriate steps to register imports into the Union of phosphorous acid, in solid or liquid (aqueous) forms, also denominated phosphonic acid, usually falling under Chemical Abstracts Service ('CAS') numbers 13598-36-2 and 10294-56-1, with the Customs and Statistics ('CUS') numbers 0021895-1 and 0043878-8 usually corresponding to it, currently classified under CN code 2811 19 80 (TARIC code 2811 19 80 60) and originating in the People's Republic of China.

2. Registration shall expire nine months following the date of entry into force of this Regulation.

Article 2

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, 10 July 2025.

For the Commission
The President
Ursula VON DER LEYEN

([3]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).