COMMISSION IMPLEMENTING REGULATION (EU) 2025/1869

of 12 September 2025

correcting Implementing Regulation (EU) 2021/1267 imposing definitive countervailing duties on imports of biodiesel originating in the United States of America following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ([1]) ('the basic Regulation') and in particular Article 15 and Article 24(1) thereof,

Whereas:

(1) By Commission Implementing Regulation (EU) 2021/1267 ([2]), the European Commission imposed definitive countervailing duties on imports of biodiesel originating in the United States of America following an expiry review ('the original Regulation').

(2) The product concerned as described in section 3 of the original Regulation is 'fatty-acid mono-alkyl esters and/or paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-fossil origin', thus encompasses sustainable aviation fuels ('SAF') that are hydrotreated esters and fatty acids. SAF under the HEFA ([3]) pathway and HVO are paraffinic hydrocarbons and share the same basic physical and chemical characteristics. Even if countervailing measures are imposed according to the product definition irrespective of the tariff classification, for clarification purposes and to ensure the correct enforcement of the countervailing duties, it is considered necessary to amend the original Regulation to include CN codes ex 2710 19 11, ex 2710 19 15, ex 2710 19 21, ex 2710 19 25 and ex 2710 19 29 and the corresponding TARIC codes for SAF in its Articles 1(1), 2(1) and 3(1).

(3) This amendment does not have any impact on the product scope of the measures in force.

(4) The measures provided for in this Regulation are in accordance with the opinion of the Committee established by Article 15(1) of Regulation (EU) 2016/1036 ([4]),

HAS ADOPTED THIS REGULATION:

Article 1

Article 1(1) of Implementing Regulation (EU) 2021/1267 is replaced by the following:

'1. A definitive countervailing duty is imposed on imports of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, commonly known as 'biodiesel', in pure form or in a blend containing by weight more than 20 % of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis

([1]) OJ L 176, 30.6.2016, p. 55, ELI: http://data.europa.eu/eli/reg/2016/1037/oj.
([2]) Commission Implementing Regulation (EU) 2021/1267 of 29 July 2021 imposing definitive countervailing duties on imports of biodiesel originating in the United States of America following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council (OJ L 277, 2.8.2021, p. 62, ELI: http://data.europa.eu/eli/reg_impl/2021/1267/oj).
([3]) Hydroprocessed Esters and Fatty Acids.
([4]) 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 (OJ L 176, 30.6.2016, p. 21, ELI: http://data.europa.eu/eli/reg/2016/1036/oj).

and/or hydro-treatment, of non-fossil origin, originating in the United States of America currently falling under CN codes ex 1516 20 98 (TARIC codes 1516 20 98 21 and 1516 20 98 29), ex 1518 00 91 (TARIC codes 1518 00 91 21 and 1518 00 91 29), ex 1518 00 95 (TARIC code 1518 00 95 21), ex 1518 00 99 (TARIC codes 1518 00 99 21 and 1518 00 99 29), ex 2710 19 11 (TARIC code 2710 19 11 10), ex 2710 19 15 (TARIC code 2710 19 15 10), ex 2710 19 21 (TARIC code 2710 19 21 10), ex 2710 19 25 (TARIC code 2710 19 25 10), ex 2710 19 29 (TARIC code 2710 19 29 10), ex 2710 19 42 (TARIC codes 2710 19 42 21 and 2710 19 42 29), ex 2710 19 44 (TARIC codes 2710 19 44 21 and 2710 19 44 29), ex 2710 19 46 (TARIC codes 2710 19 46 21 and 2710 19 46 29), ex 2710 19 47 (TARIC codes 2710 19 47 21 and 2710 19 47 29), 2710 20 11, 2710 20 16, ex 3824 99 92 (TARIC codes 3824 99 92 10, 3824 99 92 14 and 3824 99 92 17), 3826 00 10 and ex 3826 00 90 (TARIC codes 3826 00 90 11 and 3826 00 90 19).'

Article 2

Article 2(1) of Implementing Regulation (EU) 2021/1267 is replaced by the following:

'1. The definitive countervailing duty applicable to "all other companies" as set out in Article 1(2), is extended to imports of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, commonly known as "biodiesel", in pure form or in a blend containing by weight more than 20 % of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, consigned from Canada, whether declared as originating in Canada or not, currently falling under CN codes ex 1516 20 98 (TARIC code 1516 20 98 21), ex 1518 00 91 (TARIC code 1518 00 91 21), ex 1518 00 99 (TARIC code 1518 00 99 21), ex 2710 19 42 (TARIC code 2710 19 42 21), ex 2710 19 44 (TARIC code 2710 19 44 21), ex 2710 19 46 (TARIC code 2710 19 46 21), ex 2710 19 47 (TARIC code 2710 19 47 21), ex 2710 20 11 (TARIC code 2710 20 11 21), ex 2710 20 16 (TARIC code 2710 20 16 21), ex 3824 99 92 (TARIC code 3824 99 92 10), ex 3826 00 10 (TARIC codes 3826 00 10 20, 3826 00 10 50, 3826 00 10 89) and ex 3826 00 90 (TARIC code 3826 00 90 11), with the exception of those produced by the companies listed below:

Country	Company	TARIC additional code
Canada	BIOX Corporation, Oakville, Ontario, Canada	B107
Canada	DSM Nutritional Products Canada Inc., Dartmouth, Nova Scotia, Canada	C114
Canada	Rothsay Biodiesel, Guelph, Ontario, Canada	B108
Canada	Verbio Diesel Canada Corporation, Welland, Ontario, Canada	C600

The duty to be extended shall be the one established for "all other companies" in Article 1(2), which is a definitive countervailing duty of EUR 237 per tonne net.

The countervailing duty on blends shall be applicable in proportion in the blend, by weight, of the total content of fatty-acid mono-alkyl esters and of paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-fossil origin (biodiesel content).'

Article 3

Article 3(1) of Implementing Regulation (EU) 2021/1267 is replaced by the following:

'1. The definitive countervailing duty as set out in Article 1(2), is hereby extended to imports of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, commonly known as "biodiesel", in a blend containing by weight 20 % or less of fatty-acid mono-alkyl esters and/or paraffinic gasoil obtained from synthesis and/or hydro-treatment, of non-fossil origin, originating in the United States of America, and currently falling under CN codes ex 1516 20 98 (TARIC code 1516 20 98 33), ex 1518 00 91 (TARIC code 1518 00 91 33), ex 1518 00 99 (TARIC code 1518 00 99 33), ex 2710 19 44 (TARIC code 2710 19 44 33), ex 2710 19 46 (TARIC code 2710 19 46 33), ex 2710 19 47 (TARIC code 2710 19 47 33), ex 2710 20 11 (TARIC code 2710 20 11 33), ex 2710 20 16 (TARIC code 2710 20 16 33), ex 3824 99 92 (TARIC code 3824 99 92 17) and ex 3826 00 90 (TARIC code 3826 00 90 33).

The countervailing duty on blends shall be applicable in proportion in the blend, by weight, of the total content of fatty-acid mono-alkyl esters and of paraffinic gasoils obtained from synthesis and/or hydro-treatment, of non-fossil origin (biodiesel content).'

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, 12 September 2025.

For the Commission
The President
Ursula VON DER LEYEN