COMMISSION IMPLEMENTING REGULATION (EU) 2026/822

of 14 April 2026

imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed 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 9(4) thereof,

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. 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 on behalf of the Union industry of softwood plywood ('the product concerned') 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 softwood plywood originating in Brazil subject to registration by Commission Implementing Regulation (EU) 2025/922 ([3]) ('the registration Regulation').

1.3. Provisional measures

(4) In accordance with Article 19a of the basic Regulation, on 7 October 2025 the Commission provided parties with a summary of the proposed duties and details about the calculation of the dumping margins and the margins adequate to remove the injury to the Union industry. Interested parties were invited to comment on the accuracy of the calculations within three working days.

(5) On 4 November 2025, the Commission imposed provisional anti-dumping duties on imports of softwood plywood originating in Brazil by Commission Implementing Regulation (EU) 2025/2219 ([4]) ('the provisional Regulation').

([1]) OJ L 176, 30.6.2016, p. 21, ELI: http://data.europa.eu/eli/reg/2016/1036/oj.
([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).
([4]) 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 (OJ L, 2025/2219, 4.11.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2219/oj).

(6) As set out in recitals (225) and (226) of the provisional Regulation, the Commission received comments at pre-disclosure stage from the exporting producer Indústria de Compensados Guararapes Ltda. ('Guararapes') and corrected their dumping margin accordingly.

1.4. **Subsequent procedure**

(7) Following the disclosure of the essential facts and considerations based on which a provisional anti-dumping duty was imposed ('provisional disclosure'), written submissions were filed by the following interested parties, making their views known on the provisional findings within the deadline provided by Article 2(1) of the provisional Regulation:

— ABIMCI (the Brazilian Association for Mechanically Processed Timber),

— PTIA (the Plywood Trade Interest Alliance), an informal grouping of Union importers and users,

— the exporting producers:

  — Itamarati Industria de Compensados Ltda,

  — Indústria De Compensados Sudati Ltda,

  — Conply Indústria De Compensados Ltda,

— the Softwood Plywood Consortium (the complainant).

(8) The parties who so requested were granted an opportunity to be heard. Hearings took place with the complainant and with ABIMCI, together with the sampled exporting producer Guararapes.

(9) The Commission continued to seek and verify all the information it deemed necessary for its final findings. When reaching its definitive findings, the Commission considered the comments submitted by interested parties and revised its provisional conclusions when appropriate.

(10) The Commission informed all interested parties of the essential facts and considerations based on which it intended to impose a definitive anti-dumping duty on imports of the product concerned originating in Brazil ('final disclosure'). All parties were granted a period within which they could make comments on the final disclosure.

(11) Written submissions were filed by the following interested parties, making their views known on the definitive findings:

— ABIMCI (the Brazilian Association for Mechanically Processed Timber),

— PTIA (the Plywood Trade Interest Alliance), an informal grouping of Union importers and users,

— the exporting producers:

  — Indústria De Compensados Sudati Ltda,

  — Nereu Rodrigues & Cia Ltda,

— the Softwood Plywood Consortium (the complainant).

1.5. **Claims on initiation**

(12) Following the provisional Regulation and the final disclosure, PTIA reiterated its claim concerning the confidential treatment of certain injury indicators in the complaint, claiming that the Commission had not addressed in the provisional Regulation whether good cause for such confidential treatment of consolidated data existed.

(13) The Commission found that there was good cause for the confidential treatment as even the aggregated data would allow interested parties, including the companies inside the complainant organisation themselves to deduce company group specific data. The provided ranges and indexes allowed other interested parties to exercise their rights of defence and to sufficiently understand the development of the injury indicators on which the complaint was based. The Commission therefore considered the requirements of Article 19 of the basic Regulation were met.

(14) The Commission therefore confirmed the findings in recitals (6) to (31) of the provisional Regulation.

1.6. **Sampling**

(15) Following the provisional disclosure, the non-sampled exporting producer Itamarati Industria de Compensados Ltda contacted the Commission and requested to correct the name of the company in the Annex to the provisional Regulation.

(16) The company had entered its name into the sampling system but also had translated the name into English, and this translation had been taken as the name of the company in the Annex.

(17) A corrigendum was published in the *Official Journal of the European Union* on 5 December 2025 ([5]) to correct this clerical error.

1.7. **Questionnaire replies and verification visits**

(18) At the definitive stage of the investigation, further verification visits were conducted at the premises of the following companies:

Importers

— Robert Neudeck (Germersheim, Germany).

Users

— Euroline (Leszno, Poland).

2. **PRODUCT CONCERNED AND LIKE PRODUCT**

2.1. **Product under investigation**

(19) Recital (48) of the provisional Regulation set out the definition of the product under investigation, namely 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').

2.2. **Claims regarding product scope**

(20) Following the provisional Regulation, PTIA reiterated its claim that pine plywood and spruce plywood are different products which cannot be considered under a single product definition. In this respect, PTIA argued that the Commission did not explain in the provisional Regulation why high resin content was a relevant characteristic when assessing the interchangeability of products, while other factors, such as elasticity modulus, crushing strength or the modulus of rupture were not. PTIA referred to the hardwood plywood case in which the Commission found that various species within the 'hardwood' family in the botanical sense cannot be grouped under the same product definition.

([5]) OJ L, 2025/90996, 5.12.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2219/corrigendum/2025-12-05/oj.

(21) PTIA also reiterated that spruce and pine plywood produced in the EU meet the structural requirement, while Brazilian pine plywood are generally low-quality panels, mostly used in non-structural applications. It requested a market segments analysis as pine and spruce are, in its view, not interchangeable.

(22) The Commission found that the additional characteristics set out by PTIA did not lead to a different use or distribution channel. Also, imported Brazilian pine plywood was certified for structural use and not all European softwood plywood sold is certified for structural use. As wood is a natural product, the characteristics vary even within the same wood species.

(23) The Commission found that for structural use, the users would require a certification, whereas for non-structural uses the sellers or importers would not invest into a certification. However, the certification itself did not change the characteristics. Even without having the certification as a distinctive criterion, the product control numbers used by the Commission during the investigation ensured a sufficient distinction between different qualities.

(24) Therefore, the situation is not comparable with the quoted distinction in the hardwood plywood case.

(25) Following final disclosure, PTIA again claimed that pine plywood and spruce plywood are distinct products, and that whether the plywood was certified for structural use or not affected the quality and application of the panels. PTIA again requested a market segments analysis, separating pine and spruce.

(26) PTIA did not submit any new facts or arguments that would alter the Commission's previous conclusions.

(27) The Commission rejected this argument and confirmed its conclusion of recital (62) of the provisional Regulation.

3. **DUMPING**

3.1. **Normal value**

(28) No comments were received regarding the calculation of the normal value. The Commission therefore confirmed its provisional findings set out in recitals (63) to (78) of the provisional Regulation.

3.2. **Export price**

(29) In its comments to the provisional disclosure, the complainant requested that the Commission construct the export price based on Article 2(9) of the basic Regulation for the Brazilian exporting producer Nereu Rodrigues & Cia Ltda ('Nereu') where sales were made through their related trading company in Brazil to the first independent customer in the Union, in addition to the adjustment already made under Article 2(10)(i) of the basic Regulation.

(30) The complainant argued that the sales from the related trading company to the Union were unreliable due to the association between the exporter and the trading company.

(31) The Commission rejected this claim since, as explained in recitals (84) to (87) of the provisional Regulation, it found that the trader in question performed functions like those of an agent working on a commission basis.

(32) As a result, the Commission adjusted the export price of the sales made via the related trader under Article 2(10)(i) of the basic Regulation and it cannot further adjust the export price under Article 2(9) of the basic Regulation for the same costs and functions of the trading company.

(33) The subsequent sales made by the related Brazilian trader to the first independent customer and unrelated importer in the Union, were considered reliable. There is no evidence on file of a compensatory arrangement or association between the related trading company and the unrelated importer. The export price is therefore the price actually paid for the product when sold for export to the Union in accordance with Article 2(8) of the basic Regulation, adjusted under Article 2(10)(i) of the basic Regulation as explained above.

(34) Article 2(9) of the basic Regulation does not apply to a situation where there is a reliable export price based on a sale to the first independent customer in the Union.

(35) As a result, the request of the complainant to apply Article 2(9) of the basic Regulation for the exports of Nereu made through their related Brazilian trading company was rejected.

(36) Following final disclosure, the complainant again requested that the Commission adjust the export price between the related Brazilian trader and the first independent customer in the Union, based on the relationship between the exporting producer Nereu and its related trader.

(37) The Commission rejected the assertion of the complainant that the export price agreed between the related trader and the first independent customer must be automatically unreliable due to the relationship between the exporting producer and its related trader. The Commission saw no reason to reject this export price under Article 2(9) of the basic Regulation and construct an export price between the trader and the first independent customer at the Union frontier level.

(38) The complainant again argued that a reasonable amount of profit should be removed from the export price under Article 2(9) of the basic Regulation, as part of the construction of an export price at the Union frontier level, and then again under Article 2(10)(i) of the basic Regulation to ensure a fair comparison between the export price and the normal value.

(39) The Commission again rejected this argument as the export price between the related trader in Brazil and the unrelated importer was considered reliable and therefore no adjustment under Article 2(9) of the basic Regulation was warranted.

(40) The Commission therefore confirmed its provisional findings set out in recitals (79) and (80) of the provisional Regulation.

3.3. **Comparison**

(41) In its comments on the provisional disclosure, the complainant requested that the Commission consider a higher profit margin for calculating the adjustment under Article 2(10)(i) of the basic Regulation for the sales of Nereu via their related trading company.

(42) The Commission rejected this request. The profit margin used for the adjustment was based on the profit on the import and resale of softwood plywood of the two verified unrelated importers. No other verified profit margin for an importer of softwood plywood was available or made available by the complainant.

(43) In their comments to the final disclosure, the complainant again requested that the Commission use a higher profit margin for the adjustment under Article 2(10)(i) of the basic Regulation and reject the verified average profit of the two unrelated importers on their sales of imported softwood plywood.

(44) The complainant asked the Commission to consider this verified profit as unreasonable and to replace it with a notional profit 'above the standard profit of 6 %'. The complainant relied on various precedents for this request, including Case T-190/08, *CHEMK and KF* v *Council* ([6]).

([6]) Judgment of 25 October 2011, *CHEMK and KF* v *Council*, Case T-190/08, ECLI:EU:T:2011:618, paragraph 30.

(45) The complainant stated that, at paragraph 30 of the said judgement, the Court gave the Commission a choice 'between relying on an actual profit margin of cooperating unrelated importers or using a notional profit margin, the sole obligation being that the margin must be reasonable'.

(46) The Commission noted that the judgment in fact stated, at paragraph 30, that 'Article 2(9) of the basic Regulation must be interpreted as giving institutions the choice between using the actual profit margin of the related importer and using a notional profit margin of unrelated importers, the sole obligation being that the margin must be reasonable'.

(47) The Commission has verified two unrelated importers and found that the profit achieved on the import and resale of softwood plywood was at a reasonable level, in accordance with the judgement referenced above.

(48) The complainant also made reference to the overall profit of the two importers that had been verified and stated that the difference between the overall profit of these companies, and the profit found in their import and resale of softwood plywood, cast significant doubt on the reliability of the data used by the Commission in the adjustment under Article 2(10)(i) of the basic Regulation.

(49) During the verification of the two importers, the Commission checked and verified the profit of the companies as a whole and their profit on import and resale of softwood plywood and was satisfied with both the data verified and the reasons for the difference.

(50) The two importers that had been verified stated in their response to the final disclosure that their overall profit margins included other products that yield different profits, unrelated to the product concerned. Softwood plywood from Brazil is for them a commodity grade product, which does not generate a high margin. Profit is for them derived from quantity rather than price.

(51) On this basis the claim of the complainant was again rejected, and no change was made to the profit previously used to calculate the adjustment under Article 2(10)(i) of the basic Regulation.

(52) The Commission therefore confirmed its provisional findings set out in recitals (81) to (87) of the provisional Regulation.

3.4. **Dumping margins**

(53) In the absence of any accepted claim concerning the dumping margin calculation, the findings in recital (94) of the provisional Regulation are hereby confirmed.

(54) In its comments to the provisional disclosure, the complainant requested that the Commission disclose the methodology used to establish the Union frontier price ('CIF price') where the export price was not at the Union frontier level.

(55) The Commission confirmed that where export prices are at ex-works ('EXW') or Free on Board ('FOB'), exporting producers are obliged to calculate the export price at the Union frontier level. The exporting producers do so using either data from their own CIF level export prices, or from confirmed quotes from freight forwarders for the costs to the Union frontier.

(56) This method was used in this investigation where the export price was not at the Union frontier level. In accordance with the requests of the sampled exporting producers, no company-specific information was disclosed.

(57) In its comments to the final disclosure, the complainant requested further disclosure of the type of costs added to the export price to calculate the CIF value.

(58) The Commission confirmed that the costs added to an EXW export price are freight to the port of export; handling and loading costs; ocean freight and insurance to the port of entry to the Union. Where the export price is FOB, the usual costs added are ocean freight and insurance to the port of entry to the Union.

(59) The complainant again requested this information for each sampled exporting producer. The Commission confirmed that it could not disclose the adjustment made to calculate the CIF value of each sampled exporting producer, even in ranges, as this disclosure would reveal the costs that each sampled exporting producer had incurred itself, as well as each exporting producer's delivery terms and commercial arrangements.

(60) The change in the CIF price for the exporting producer Indústria de Compensados Guararapes Ltda between pre-disclosure and provisional duties was explained in recitals (225) and (226) of the provisional Regulation. No further disclosure was deemed necessary for the complainant to exercise their rights of defence.

(61) The definitive dumping margins expressed as a percentage of the cost, insurance and freight (CIF) Union frontier price, duty unpaid, are as follows. As set out in recital (89) of the provisional Regulation, the exporting producer Nereu Rodrigues & Cia Ltda was found not to be dumping.

Company	Definitive dumping margin (%)
Indústria de Compensados Sudati Ltda Conply Indústria de Compensados Ltda Indústria de Compensados Guararapes Ltda	5,4
Other cooperating companies listed in Annex	5,4
All other imports originating in Brazil	5,4

4. **INJURY**

4.1. **Definition of the Union industry and Union production**

(62) In the absence of any comments, the findings in recitals (95) and (96) of the provisional Regulation are hereby confirmed.

4.2. **Union consumption**

(63) In the absence of any comments, the findings in recitals (97) to (99) of the provisional Regulation are hereby confirmed.

4.3. **Imports from the country concerned**

(64) In the absence of any comments, the findings in recitals (100) to (110) of the provisional Regulation are hereby confirmed.

4.4. **Economic situation of the Union industry**

4.4.1. *General remarks*

(65) Following the provisional Regulation, ABIMCI and PTIA reiterated their claims contesting the use of the year 2021 as a reference point (base year) for the injury analysis, arguing that during this year and 2022, industries were recovering from COVID-19 and, therefore, this year was not representative for the injury analysis. They had already made this argument regarding the complaint and initiation as stated in recital (30) of the provisional Regulation. PTIA reiterated the claim after the final disclosure.

(66) They argued that 2021 marked a rebound year after the demand collapse in 2020 due to COVID-19 and that using 2021 as the baseline risked overstating certain trends that were more plausibly explained by other factors.

(67) They also claimed that the Commission's finding in recital (31) of the provisional Regulation, that the chosen period considered for evaluating injury was in line with the Commission's established practice, did not override the legal requirement that an injury determination be based on an objective examination. The parties argued that by relying on 2017 profitability data to establish the injury margin, the Commission acknowledged that indicators prior to 2021 may provide a more accurate and representative picture of the industry's normal conditions.

(68) The Commission clarified that in recital (31) of the provisional Regulation it had not referred to its practice of analysing material injury over a span of three calendar years plus the investigation period, as overriding the legal requirement for an objective examination.

(69) To the contrary, the collection of data over that period ensured that no single year's events determined alone the injury analysis. Therefore, the Commission did not only perform a beginning to end-point analysis over the period considered, but looked at the development in each year, leading to the changes that occurred from 2023 to the investigation period, to determine the injury during the investigation period.

(70) No party argued that the market situation in 2023 or the investigation period were influenced by COVID-19 pandemic. It was important to analyse the trends over the period considered and from 2023 to the investigation period.

(71) The Commission therefore rejected the argument that the data collected for the period considered, which was in line with the Commissions practice, did not allow for an objective analysis of the injury.

4.4.2. *Macroeconomic indicators*

4.4.2.1. Production, production capacity and capacity utilisation

(72) Following the provisional Regulation, ABIMCI argued that the decline in capacity utilisation may partially explained by the Union industry's decision to increase its production capacity in 2022.

(73) As demonstrated in Table 4 of the provisional Regulation, the production capacity of the Union industry only increased from 1 106 000 m^3 in 2021 to 1 110 000 m^3 in 2022, to 1 113 000 m^3 in 2023 and remained stable in the investigation period. This resulted in an increase of only 0,63 % over the period considered.

(74) In comparison, the capacity utilisation over the same period decreased by 24 %.

(75) The Commission therefore rejected the argument that the capacity increase in 2022 or any year of the period considered had a substantial influence on the decreased capacity utilisation.

(76) The Commission therefore confirmed its conclusion of recital (119) of the provisional Regulation.

4.4.2.2. Sales volume and market share

(77) In the absence of any comments, the findings in recitals (120) to (122) of the provisional Regulation are hereby confirmed.

4.4.2.3. Growth

(78) In the absence of any comments, the findings in recital (123) of the provisional Regulation are hereby confirmed.

4.4.2.4. Employment and productivity

(79) In the absence of any comments, the findings in recitals (124) to (126) of the provisional Regulation are hereby confirmed.

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

(80) In the absence of any comments, the findings in recitals (127) to (128) of the provisional Regulation are hereby confirmed.

4.4.3. *Microeconomic indicators*

4.4.3.1. Prices and factors affecting prices

(81) In the absence of any comments, the findings in recitals (129) to (131) of the provisional Regulation are hereby confirmed.

4.4.3.2. Labour costs

(82) In the absence of any comments, the findings in recitals (132) to (133) of the provisional Regulation are hereby confirmed.

4.4.3.3. Inventories

(83) In the absence of any comments, the findings in recitals (134) to (135) of the provisional Regulation are hereby confirmed.

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

(84) In the absence of any comments, the findings in recitals (136) to (141) of the provisional Regulation are hereby confirmed.

4.5. **Conclusion on injury**

(85) Following the provisional Regulation, ABIMCI disagreed with the Commission's conclusion that the Union industry showed injury, arguing that the Union industry was in the position to sell its total production.

(86) The Commission found that the ability of the Union industry to sell its total production volume was not an indicator which would exclude injury, as the production volume itself had been decreased over the period considered as a response to the market pressure by low-priced imports. The decrease in capacity utilisation and in profit evidenced that the Union industry was injured. Even if the high profit in 2022 had been achieved as a result of the unusual high demand in that year, the significant decrease in profit from 2023 to the investigation period showed that the Union industry no longer could sell their production at a reasonable profit in the investigation period.

(87) The Commission therefore confirmed its conclusion in recital (145) of the provisional Regulation that the Union industry suffered material injury within the meaning of Article 3(5) of the basic Regulation.

5. **CAUSATION**

5.1. **Effects of the dumped imports**

(88) Following the provisional Regulation, ABIMCI disagreed with the Commission's conclusion that there was a causal link between the injury suffered by the Union industry and the Brazilian imports of softwood plywood. ABIMCI argued that the imports from Brazil in the investigation period were lower than in 2022 and that the impressive rise in import volumes in 2022 was due to the high demand.

(89) ABIMCI further argued that, taking 2019 as a starting point, the import prices from Brazil on average showed an increase and they were significantly higher in the investigation period than in 2020.

(90) ABIMCI further argued that Brazilian imports just followed the consumption trend.

(91) Following the provisional Regulation, PTIA argued that there was no causal link between the injury of the Union industry and the Brazilian imports of softwood, as the import volumes in 2021 were historically low and afterwards the import volumes just recovered.

(92) The Commission found that the slight decline in volumes of dumped imports from Brazil from 2022 to the investigation period was not an indication of a lack of the causal link. As ABIMCI itself had pointed out, in the years 2021 and 2022 there was a high demand on the Union market. The Commission found it therefore more indicative for a causal link that the dumped Brazilian imports substantially increased its market share in time of decreasing demand in 2023 and maintained this high market share in the investigation period which only slightly decreased in the investigation period. Due to this high market share, combined with low, decreasing import prices, the dumped Brazilian imports exercised a strong pricing pressure on the Union industry, which was unable to raise its prices in line with increasing costs.

(93) The Commission concluded that the isolated price comparison of all Brazilian imports from 2019 or 2020 to the investigation period was not an indicator against a causal link, since it does not consider other factors like the cost of production in these years in comparison to the investigation period. Further, the Commissions analysis referred to the development of the dumped Brazilian imports and not to the total of Brazilian imports, to which ABIMCI refers.

(94) The Commission found that the volume of dumped imports from Brazil increased more significantly than the increase in consumption in Union in 2022. Also, the volume of these imports decreased to a lesser extent than the decrease in consumption in 2023 which led to a significant increase in the market share of dumped imports from Brazil in 2023, a market share also maintained in the investigation period.

(95) The Commission found that PTIA's argument that Brazilian imports just recovered from a historically low level in 2021 does not consider the significant increase in market share of the dumped Brazilian imports in 2023 and maintaining this high level, with only a slight decrease in the investigation period.

(96) The Commission found that the high market share in the investigation period of the dumped Brazilian imports in combination with the decreasing dumped prices enabled these imports to exercise a substantive pricing pressure on the Union industry, which caused the decline of its profitability in the investigation period.

(97) Following the final disclosure, PTIA reiterated comments that were already addressed in recitals (88) to (92) and did not bring any new elements. The Commission therefore rejected the arguments of ABIMCI and PTIA and confirmed its conclusion of recital (154) of the provisional Regulation 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**

5.2.1. *Non-dumped imports from Brazil*

(98) In the absence of any comments, the findings in recitals (156) to (158) of the provisional Regulation are hereby confirmed.

5.2.2. *Imports from third countries*

(99) In the absence of any comments, the findings in recitals (159) to (165) of the provisional Regulation are hereby confirmed.

5.2.3. *Export performance of the Union industry*

(100) In the absence of any comments, the recitals (166) to (168) of the provisional Regulation are hereby confirmed.

5.2.4. *Consumption*

(101) In the absence of any comments, the findings in recitals (169) to (170) of the provisional Regulation are hereby confirmed.

5.2.5. *Increased cost of production*

(102) In the absence of any comments, the findings recitals (171) to (180) of the provisional Regulation are hereby confirmed.

(103) Following the final disclosure, PTIA contended that the higher cost of production significantly reduced the profitability of the Union industry, primarily because the industry was unable to transfer the increased cost to their customers. PTIA noted that this was demonstrated by the fact that import prices were lower than Union sales prices and costs over the period considered.

(104) The Commission found that the inability of the Union industry to pass the increase of the production cost to its customers coincided with the significant increase of the dumped Brazilian imports' market share in 2023 and the simultaneous sharp decrease in import prices. As stated in recital (173) of the provisional Regulation, under normal market conditions, the Union industry would have been able to raise its sales prices to account at least for part of the increase in the cost of raw materials and pass these costs on to its customers.

(105) This claim is therefore rejected.

5.2.6. *Increased sales cost*

(106) In the absence of any comments, the findings in recitals (181) to (182) of the provisional Regulation are hereby confirmed.

5.2.7. *Better sales conditions*

(107) In the absence of any comments, the findings in recitals (183) to (184) of the provisional Regulation are hereby confirmed.

5.2.8. *Loss of clients due to price increases in 2022*

(108) Following the provisional Regulation, ABIMCI argued that in 2022, the sampled Union producers raised their EU sales prices by 39 %, while their unit costs of production rose by 22 %. ABIMCI claimed that this substantial price increase, which exceeded what was necessary to preserve margins, was likely to have influenced customer purchasing patterns.

(109) This argument was not supported with any evidence that customers decided to no longer purchase from the Union producers in the years following 2022, due to the price increase in 2022. Moreover, as demonstrated in recital (107) of the provisional Regulation, the import prices of the dumped imports from Brazil also showed a substantial increase of 31 %, which indicates that the high demand in 2022 allowed all sellers to substantially increase prices.

(110) The Commission therefore rejected this argument of ABIMCI.

5.2.9. *Investments*

(111) Following the provisional Regulation, ABIMCI argued that the Union industry's investments in 2023 may have contributed to lower profitability observed in the investigation period and may also explain the lower level of investments and decrease in cash flow during the investigation period.

(112) The average investments of the Union industry over the years 2021, 2022 and the investigation period was EUR 4 507 149. While the investments in 2023 with EUR 9 092 561 show double the amount and may lead to slightly higher depreciations in 2023 and the investigation period, the additional amount to be depreciated is not a magnitude that could explain the substantive loss in cashflow and profitability.

(113) The Commission therefore rejected this argument.

5.2.10. *Other factors*

(114) Following the final disclosure, PTIA claimed that the Commission had not addressed the additional factors raised by PTIA in its previous submissions which might break or attenuate the causal link.

(115) First, PTIA claimed that the existence of a duty-free quota of 448 500 m^3 which encourages the import of coniferous plywood into the Union meant that the current injury of the Union industry was self-inflicted given that the quota was established following prior consultation with the Union industry.

(116) First, the Commission noted that the product concerned could be imported into the Union under a duty-free quota ([7]) of 448 500 m^3 and was subject to an ordinary customs duty of 7 % once the quota was exhausted. Import quantities from Brazil to the Union exhausted the duty-free quota in each year of the period considered. The existence of such a quota does not in any way prevent the Commission from carrying out an injury analysis in the present investigation in accordance with the basic Regulation.

(117) Further, the fact that the Union industry is consulted before establishing a quota does not make the determination of the quota an action of the Union industry itself. As the establishment of a quota is not a decision of the Union industry, the Commission rejected the argument that the establishment of a quota could be a self-infliction of injury by the Union industry.

(118) Therefore, this claim was dismissed.

(119) Second, PTIA argued that the Union industry faced competitive pressure from alternative wood products, such as cross-laminated timber (CLT) and laminated veneer lumber (LVL), which could have contributed to the material injury suffered by the Union industry. CLT and LVL are products with different characteristics from softwood plywood and are not subject to the present investigation.

(120) PTIA did not substantiate how the import of these products would attenuate the genuine and substantial causal link between the dumping and the injury found in the present investigation. This claim was therefore dismissed.

(121) Third, PTIA argued that the performance of the Union industry was affected by the price and availability of wood logs, the main raw material. The Commission already addressed the increase in the price of the raw material in the recitals (172) and (173) of the provisional Regulation.

(122) As for the availability of logs, PTIA referenced some temporary difficulties in sourcing the raw material by one complainant, which is not indicative of a systemic issue of the industry. This claim was therefore rejected.

(123) Finally, PTIA cited some company-specific events of the Union producers, alleging that they resulted in self-inflicted injury to the Union industry. PTIA did not provide any tangible evidence to support the link between these events and the deterioration of the Union industry's performance in the softwood plywood segment. This claim was therefore rejected.

5.3. **Conclusion on causation**

(124) The Commission confirmed its conclusions from recitals (185) to (190) of the provisional Regulation.

([7]) Council Regulation (EC) No 32/2000 of 17 December 1999 opening and providing for the administration of Community tariff quotas bound in GATT and certain other Community tariff quotas and establishing detailed rules for adjusting the quotas, and repealing Council Regulation (EC) No 1808/95 (OJ L 5, 8.1.2000, p. 1, ELI: http://data.europa.eu/eli/reg/2000/32/oj).

6. LEVEL OF MEASURES

6.1. Injury margin

(125) After the provisional disclosure, ABIMCI expressed concerns regarding the Commission's reliance on Article 7(2d) of the basic Regulation to establish the Union producers' target price. ABIMCI argued that the WTO Anti-Dumping Agreement ('ADA') did not contain any provisions for the inclusion of future environmental-compliance costs to adjust the non-injurious price.

(126) The Commission's legal framework for establishing the target price of the Union industry is Article 7(2d) of the basic Regulation.

(127) Additionally, ABIMCI sought clarification on the specific future costs considered under Article 7(2d) of the basic Regulation and questioned whether the EU Emissions Trading System ('ETS')-related costs were included, given that producers in sectors exposed to international competition were entitled to receive substantial free allowances and were unlikely to encounter additional ETS costs until 2030.

(128) The Commission clarified that ETS-related costs were not included in determining the non-injurious price. Instead, other future costs unrelated to the ETS, which Union producers were expected to incur, were considered under Article 7(2d).

(129) In the absence of other comments, recital (200) of the provisional Regulation is confirmed.

6.2. Conclusion on the level of measures

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

Company	Definitive anti-dumping duty (%)
Indústria de Compensados Sudati Ltda Conply Indústria de Compensados Ltda Indústria de Compensados Guararapes Ltda	5,4
Other cooperating companies listed in Annex	5,4
All other imports originating in Brazil	5,4

7. UNION INTEREST

7.1. Interest of the Union industry

(131) In the absence of comments, the findings in recitals (203) to (205) of the provisional Regulation are hereby confirmed.

7.2. Interest of unrelated importers

(132) In the absence of comments, the findings in recitals (206) to (208) of the provisional Regulation are hereby confirmed.

7.3. Interest of users, consumer or suppliers

(133) In the absence of comments, the findings in recitals (209) to (212) of the provisional Regulation are hereby confirmed.

7.4. Conclusion on Union interest

(134) In the absence of comments, the Commission confirmed its conclusion in recital (213) of the provisional Regulation.

8. DEFINITIVE ANTI-DUMPING MEASURES

8.1. Definitive measures

(135) In view of the conclusions reached with regard to dumping, injury, causation, level of measures and Union interest, and in accordance with Article 9(4) of the basic Regulation, definitive anti-dumping measures should be imposed in order to prevent further injury being caused to the Union industry by the dumped imports of the product concerned.

(136) Based on the above, the definitive anti-dumping duty rates, expressed on the CIF Union border price, customs duty unpaid, should be as follows:

Company	Dumping margin (%)	Injury margin (%)	Definitive anti-dumping duty (%)
Indústria de Compensados Sudati Ltda Conply Indústria de Compensados Ltda Indústria de Compensados Guararapes Ltda	5,4	94,0	5,4
Other cooperating companies listed in Annex	5,4	94,0	5,4
All other imports originating in Brazil	5,4	94,0	5,4

(137) A company may request the application of these individual anti-dumping duty rates if it changes subsequently the name of its entity. The request must be addressed to the Commission ([8]). The request must contain all the relevant information enabling to demonstrate that the change does not affect the right of the company to benefit from the duty rate which applies to it. If the change of name of the company does not affect its right to benefit from the duty rate which applies to it, a regulation about the change of name will be published in the *Official Journal of the European Union*.

(138) Statistics of softwood plywood are frequently expressed in cubic metres. There is no such supplementary unit for CN code 4412 39 00 for softwood plywood specified in the Combined Nomenclature laid down in Commission Implementing Regulation (EU) 2025/1926 ([9]) amending Annex I to Council Regulation (EEC) No 2658/87 ([10]) on the tariff and statistical nomenclature and on the Common Customs Tariff.

(139) It is therefore necessary to provide that not only the weight in kilograms or tonnes but also the quantity in cubic metres for the imports of the product concerned must be entered in the declaration for release for free circulation.

8.2. Definitive collection of the provisional duties

(140) In view of the dumping margins found and given the level of the injury caused to the Union industry, the amounts secured by way of provisional anti-dumping duties imposed by the provisional Regulation should be definitively collected up to the levels established under the present Regulation.

8.3. Retroactive collection

(141) The Commission made imports of the product under investigation subject to registration.

([8]) Email: TRADE-TDI-NAME-CHANGE-REQUESTS@ec.europa.eu; European Commission, Directorate-General for Trade and Economic Security, Directorate G, Rue de la Loi/Wetstraat 170, 1040 Bruxelles/Brussels, BELGIQUE/ BELGIË.

([9]) Commission Implementing Regulation (EU) 2025/1926 of 22 September 2025 amending Annex I to Council Regulation (EEC) No 2658/87 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L, 2025/1926, 31.10.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/1926/oj).

([10]) Council Regulation (EEC) No 2658/87 of 23 July 1987 on the tariff and statistical nomenclature and on the Common Customs Tariff (OJ L 256, 7.9.1987, p. 1, ELI: http://data.europa.eu/eli/reg/1987/2658/oj).

(142) During the definitive stage of the investigation, the data collected in the context of the registration was assessed. The Commission analysed whether the criteria under Article 10(4) of the basic Regulation were met for the retroactive collection of definitive duties.

(143) The Commission's analysis showed no further substantial rise in imports of softwood plywood from Brazil in addition to the level of imports which caused injury during the investigation period, as prescribed by Article 10(4)(d) of the basic Regulation.

(144) For this analysis, the Commission compared the monthly average import volumes of the product concerned during the investigation period with the monthly average import volumes during the period from the month following the initiation of this investigation up to and including the month in which provisional measures were imposed (April 2025 to November 2025).

(145) Also, when comparing the monthly average import volumes of the product concerned during the period from the month following the initiation of this investigation up to and including the month in which provisional measures were imposed (April 2025 to November 2025) with the monthly average import volumes in the corresponding period of the investigation period (April 2024 to November 2024), a decrease of import volumes by 6 % was observed:

Table

Imports of softwood plywood from Brazil

Period	Average imports per month in tonnes
Investigation period (January 2024 to December 2024)	399 509
Investigation period (April 2024 to November 2024)	255 733
Post-investigation period (April 2025 to November 2025)	239 779

Source: Surveillance 3 database.

(146) Consequently, the Commission concluded that the conditions for retroactive collection were not met.

9. **FINAL PROVISION**

(147) In view of Article 109 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council ([11]), when an amount is to be reimbursed following a judgment of the Court of Justice of the European Union, the interest to be paid should be the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union* on the first calendar day of each month.

(148) 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,

([11]) Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (OJ L, 2024/2509, 26.9.2024, ELI: http://data.europa.eu/eli/reg/2024/2509/oj).

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive 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 code 4412 39 00 and originating in Brazil.

2. The rate of the definitive anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the products described in paragraph 1 and produced by the companies listed below, shall be as follows:

Company	Definitive anti-dumping duty (%)	TARIC additional code
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 Brazil	5,4	8999

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

4. 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 quantity in cubic metres of the products imported shall be entered in the relevant field of that declaration.

5. Member States shall, monthly, inform the Commission of the cubic metres imported under CN code 4412 39 00.

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

Article 2

The amounts secured by way of the provisional anti-dumping duty under Implementing Regulation (EU) 2025/2219 imposing a provisional anti-dumping duty on imports of softwood plywood originating in the Federative Republic of Brazil shall be definitively collected. The amounts secured in excess of the definitive rates of the anti-dumping duty shall be released.

Article 3

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, 14 April 2026.

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 Ldta	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 Industria de Compensados 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
Madeireira Belo Horizonte Ltda	89ZA
Madeireira Ek Ltda	89ZB
Madeireira Rio Claro Ltda	89ZC

Name	TARIC additional code
Madeireira 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 Madereira 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