



2026/913

5.5.2026

COMMISSION IMPLEMENTING REGULATION (EU) 2026/913

of 4 May 2026

imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of adipic acid originating in the People's Republic of China

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 ('the basic Regulation') ⁽¹⁾, and in particular Article 9(4) thereof,

Whereas:

1. PROCEDURE

1.1. Initiation

- (1) On 14 March 2025, the European Commission ('the Commission') initiated an anti-dumping investigation with regard to imports of adipic acid originating in the People's Republic of China ('the country concerned' or 'China') 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 28 January 2025 by Lanxess Deutschland GmbH and Radici Chimica S.p.A ('the complainants'). The complaint was made by the Union industry of adipic acid 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) 2025/1041 ⁽³⁾ ('the Registration Regulation').

1.3. Provisional measures

- (4) In accordance with Article 19a of the basic Regulation, on 16 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) Comments were received from two sampled exporting producers, Tangshan Zhonghao Chemical Co., Ltd, Tangshan, China ('Zhonghao') and Chongqing Huaфон Chemical Co., Ltd, Chongqing, China ('Huaфон'), who both noted a clerical error in the calculation of the normal value. After analysis, these comments were accepted. In addition, the Commission noted a calculation error in the calculation of the benchmark for steam. The Commission recalculated the dumping margins accordingly.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21, ELI: <http://data.europa.eu/eli/reg/2016/1036/oj>.

⁽²⁾ Notice of initiation of an anti-dumping proceeding concerning imports of adipic acid originating in the People's Republic of China (OJ C, C/2025/1608, 14.3.2025, ELI: <http://data.europa.eu/eli/C/2025/1608/oj>).

⁽³⁾ Commission Implementing Regulation (EU) 2025/1041 of 27 May 2025 making imports of adipic acid originating in the People's Republic of China subject to registration (OJ L, 2025/1041, 28.5.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/1041/oj).

- (6) One other comment from Zhonghao did not concern the accuracy of the calculations but rather the methodology used for the calculation of the benchmark for water. Therefore, it was considered after the disclosure of provisional measures and is addressed in recital (55) of this Regulation.
- (7) On 13 November 2025, the Commission imposed provisional anti-dumping duties on imports of adipic acid originating in China by Commission Implementing Regulation (EU) 2025/2287 ⁽⁴⁾ ('the provisional Regulation').

1.4. Subsequent procedure

- (8) Following the disclosure of the essential facts and considerations on the basis of which a provisional anti-dumping duty was imposed ('provisional disclosure'), the complainants, Allnex Italy s.r.l ('Allnex') and COIM S.p.A. Chimica Organica ('COIM'), two users of adipic acid, and the Chinese sampled producers Zhonghao and Huaфон filed written submissions making their views known on the provisional findings within the deadline provided by Article 2(1) of the provisional Regulation.
- (9) The parties who so requested were granted an opportunity to be heard. A hearing took place with Allnex.
- (10) 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.
- (11) The Commission informed all interested parties of the essential facts and considerations on the basis of which it intended to impose a definitive anti-dumping duty on imports of adipic acid originating in China ('final disclosure'). All parties were granted a period within which they could make comments on the final disclosure.
- (12) Parties who so requested were also granted an opportunity to be heard. No hearings were requested after the final disclosure.

1.5. Claims on initiation

- (13) In the absence of any comments, recitals (7) to (11) of the provisional Regulation are confirmed.

1.6. Sampling

- (14) In the absence of any comments concerning sampling of Union producers, unrelated importers and exporting producers, recitals (12) to (17) of the provisional Regulation are confirmed.

1.7. Questionnaire replies and verification visits

- (15) In the absence of any comments concerning questionnaire replies and verification visits, recitals (18) to (21) of the provisional Regulation are confirmed.

1.8. Investigation period and period considered

- (16) As stated in Section 1.7 of the provisional Regulation, the investigation of dumping and injury covered the period from 1 January 2024 to 31 December 2024 ('the investigation period'). 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').

⁽⁴⁾ Commission Implementing Regulation (EU) 2025/2287 of 12 November 2025 imposing a provisional anti-dumping duty on imports of adipic acid originating in the People's Republic of China (OJ L, 2025/2287, 13.11.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/2287/oj).

2. PRODUCT CONCERNED AND LIKE PRODUCT

- (17) As set out in Section 2 of the provisional Regulation, the product under investigation is adipic acid, also known as hexanedioic acid, falling under the Chemicals Abstract Services ('CAS') under number 124-04-9, currently falling under CN code 2917 12 00 ('the product under investigation').
- (18) The product concerned is adipic acid originating in the People's Republic of China, currently falling under CN code 2917 12 00 (TARIC code 2917 12 00 10) ('the product concerned').
- (19) In the absence of any comments on the like product and the product scope, recitals (26) to (28) of the provisional Regulation are confirmed.

3. DUMPING

3.1. Procedure for the determination of the normal value under Article 2(6a) of the basic Regulation

- (20) In the absence of comments concerning the determination of the normal value under Article 2(6a) of the basic Regulation, the findings in recitals (29) to (36) of the provisional Regulation are confirmed.

3.2. Normal value

3.2.1. Existence of significant distortions

- (21) In the absence of any comments concerning the existence of significant distortions, the findings in recitals (37) to (81) of the provisional Regulation are confirmed.

3.2.2. Representative country

- (22) In the absence of any comments concerning the choice of representative country, the findings in recitals (82) to (94) of the provisional Regulation are confirmed.

3.2.3. Sources used to establish undistorted costs

- (23) Following the imposition of provisional measures, claims were made by interested parties concerning the appropriate benchmarks for crude cyclohexane, steam, water and labour. In addition, the Commission detected and subsequently corrected a clerical error in the calculation of the gas benchmark.

3.2.3.1. Benchmark for by-product crude cyclohexane

- (24) At provisional stage, the Commission had determined that there were two types of the by-product cyclohexane: pure and crude. Pure cyclohexane is usually 99 % pure (up to 99,9 %), the grade required for the production of adipic acid. Cyclohexane with a purity less than 99 % (and not suitable for direct use in adipic acid production) was labelled 'crude' by the Commission to distinguish it from the pure, refined cyclohexane.
- (25) The complainants claimed that the benchmark the Commission had used for crude cyclohexane was incorrect, since (1) crude cyclohexane did not have an established external market price and was generally not traded as a commodity; and (2) the methodology applied by the Commission incorrectly relied on the same Chinese prices/costs that were deemed too distorted to serve as a basis for the reconstruction of the normal value at the outset, and which led to the application of Article 2(6a) in this investigation.
- (26) The Commission disagreed with these statements. During the investigation the Commission received and verified evidence provided by the sampled companies that they sold significant volumes of crude cyclohexane to unrelated companies during the investigation period. It was therefore confirmed that cyclohexane with a purity of less than 99 % was sold as such during the investigation period.

- (27) The investigation also confirmed that cyclohexane at a purity of less than 99 % can still be used in different ways. It can be used as such in chemical processes where the highest purity level is not essential, e.g. as a solvent, paint remover, blending components for hydrocarbon streams (where use can be made of as low as 90 % purity) ⁽⁵⁾, or it can be further distilled to reach a higher purity level. The lower purity level and the possible need for further distillation is reflected in the lower market value of crude cyclohexane, as compared to pure cyclohexane.
- (28) As stated by the complainants, there is no established (international) benchmark for this by-product, especially since the composition and level of purity may vary. At provisional stage, the Commission had therefore used the ratio between the companies' own price for crude and pure cyclohexane and applied it to the benchmark for pure cyclohexane, to establish a benchmark for crude cyclohexane (recital (107) of the provisional Regulation).
- (29) The wording in the provisional Regulation caused the complainants to question whether the Commission had used the cost or the price of cyclohexane to establish this benchmark. The Commission hereby confirms that the benchmark was indeed based on the price difference, i.e. the ratio between the sales price of pure cyclohexane and that of crude cyclohexane for each sampled company.
- (30) The complainants claimed in their submission that the Commission should not have used the prices of the Chinese companies to establish this benchmark, since the investigation was based on Article 2(6a) of the basic Regulation, as it was established that domestic Chinese costs and prices are distorted. The ratio of two distorted prices of a Chinese adipic acid producing company, therefore, cannot, according to the complainants, be regarded as a legitimate adjustment methodology.
- (31) However, the Commission considered that the *ratio* of the crude and pure cyclohexane prices is not affected by the overall distortion in the Chinese economy. The same methodology is used in investigations under Article 2(6a) of the basic Regulation for, e.g. consumables and overheads, where it is the Commission's established practice to express such items as a percentage of the raw materials cost based on the Chinese companies' own costs, and subsequently applied to the undistorted costs.
- (32) The complainants also claimed that since, in their view, the methodology to establish the benchmark for crude cyclohexane is flawed, the Commission should either find a different method to establish such benchmark or disregard this by-product altogether. However, the complainants did not provide any alternative for such benchmark since, according to them, the product has no external commercial value. Moreover, since as stated in recital (26), the investigation has confirmed that crude cyclohexane did have a commercial value and was actually sold to unrelated parties, this by-product cannot be disregarded.
- (33) In light of the fact that: (i) crude cyclohexane is a marketable product sold to unrelated customers by both sampled Chinese companies and therefore has a proven value; (ii) the complainants nor any other party has offered an alternative methodology to establishing a benchmark for crude cyclohexane, the Commission rejected the complainants' claims.
- (34) Following final disclosure, the complainants reiterated their claims concerning the alleged incorrect benchmark used for crude cyclohexane. In particular, they repeated that crude cyclohexane does not have an established external market price and that the methodology applied by the Commission relied on distorted Chinese prices and costs.
- (35) The Commission noted that these claims merely repeated the arguments already submitted at the provisional stage and addressed in recitals (25) to (33) of the provisional Regulation. The complainants did not provide any new evidence, nor did they further substantiate their allegations or address the Commission's findings set out at provisional stage and at final disclosure.

⁽⁵⁾ See for example <https://www.univarsolutions.com/cyclohexane-2008000>; <https://www.dccew.gov.au/environment/protection/npi/substances/fact-sheets/cyclohexane>. The type of companies buying the crude cyclohexane from the sampled Chinese companies show that these are indeed the industry segments interested in less than pure cyclohexane.

- (36) In particular, the complainants did not contest the Commission's finding that crude cyclohexane was sold by both sampled Chinese companies in significant volumes to unrelated customers during the investigation period, which demonstrated that the product has a commercial value. Nor did they provide any alternative methodology for establishing a benchmark for by-product crude cyclohexane.
- (37) Furthermore, the complainants did not rebut the Commission's explanation that the use of a price ratio between crude and pure cyclohexane constituted an appropriate adjustment methodology. In particular, they failed to demonstrate that such a ratio would be materially affected by the distortions identified in the context of Article 2(6a) of the basic Regulation.
- (38) In the absence of any new arguments or evidence, and given that the complainants have not addressed the Commission's reasoning set out in recitals (25) to (33) of the provisional Regulation, the Commission confirmed its findings.
- (39) Therefore, the complainants' claims were rejected.

3.2.3.2. Steam

- (40) Zhonghao argued that the benchmark used for steam was incorrect for its company, since the benchmark was based on the use of natural gas for the production of steam, while Zhonghao used coal. Following provisional disclosure, the company provided verifiable evidence supporting their claim. In particular, the company provided information on the type of coal used, its calorific value, usage rate, the type of production process used for the generation of steam and evidence of its technical specifications, including heat temperatures and pressure, as well a number of other verifiable facts. The Commission accepted this claim and used the information provided to recalculate the benchmark for steam. The resulting benchmark for Zhonghao was [250-300] RMB per MT steam. The dumping margins were recalculated taking this new benchmark into account.
- (41) Following final disclosure, Zhonghao submitted further comments concerning the benchmark used for coal in the calculation of the steam cost. While welcoming the Commission's acceptance of coal as the appropriate heat input, the company claimed that the benchmark relied upon remained inappropriate, as it was allegedly based on import data that did not distinguish between different types of coal.
- (42) In particular, Zhonghao argued that the benchmark, derived from import statistics under HS code 2701 12, includes both coking coal and thermal coal and therefore overstates the price of the coal actually used by the company, which it claims to be exclusively thermal coal.
- (43) The Commission first notes that the claim concerning the specificity of the benchmark for coal used by the company was submitted at a very late stage of the investigation. The company did not raise this issue following the first or second FOP note, nor after the provisional disclosure, despite the fact that the methodological element in question had already been disclosed to the company at these various stages of the investigation. While the Commission nevertheless examined the arguments, it found that they do not warrant a revision of the methodology.
- (44) The Commission recalled that, in the absence of reliable domestic prices due to the existence of significant distortions within the meaning of Article 2(6a) of the basic Regulation, the normal value must be constructed exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks. In this respect, import statistics from an appropriate representative country constitute a suitable source, as they reflect corresponding costs of production and sale in an appropriate representative country.
- (45) The Commission further noted that the use of data under HS code 2701 12 was considered appropriate as it was selected as the most detailed level readily available in reliable datasets. The fact that such data may include different subcategories of products does not, in and of itself, render the benchmark inappropriate, in particular where more granular and consistently available data are not accessible.

- (46) Moreover, Zhonghao did not demonstrate that the inclusion of different types of coal within the selected HS category would lead to a material distortion of the benchmark in the specific circumstances of the case. The company's arguments are based on general differences between coking and thermal coal prices at a global level but do not establish that the specific import data used by the Commission are not representative of the type of coal used in steam generation.
- (47) With regard to the proposed alternative, which is World Bank Pink Sheet ⁽⁶⁾, the Commission considered that it did not constitute a more appropriate benchmark. While such data provide indicative international price trends, they are not based on import transactions into a representative country and may not reflect the specific product characteristics, calorific values, or market conditions relevant for the input used by the company.
- (48) In addition, the use of an average of selected international price series, as proposed by Zhonghao, would introduce an additional layer of assumptions and adjustments, thereby reducing the reliability and transparency of the benchmark compared to the use of actual import statistics.
- (49) Following the request for additional information concerning coal purchases the company provided a submission, which indicated that it had purchased nine different types of coal during the IP. However, given the diversity of coal types reported and the absence of sufficiently detailed and verifiable information allowing for a distinction between them, the Commission could not establish type-specific benchmarks. In the absence of such information, and as no evidence was provided demonstrating that the use of an average benchmark would lead to a material distortion, the Commission considered it appropriate to rely on the initially established benchmark.
- (50) In the absence of sufficiently substantiated evidence demonstrating that the benchmark used by the Commission is inappropriate or that the proposed alternative would be more reliable and representative, the Commission rejected the claim.

3.2.3.3. Water

- (51) Huaфон reiterated its claims made in recital (101) of the provisional Regulation that the benchmark used for water was unreasonably high, since it was affected both by extreme droughts in Brazil during the investigation period, as well as by the privatisation of the water company used by the Commission, Companhia de Saneamento Básico do Estado de São Paulo ('SABESP'). The Commission does not dispute that some regions in Brazil experienced droughts during the past years, nor does it dispute the fact that SABESP was privatised in July 2024. However, Huaфон again failed to provide evidence that these factors have led to an increase of the water tariffs to such an extent that these prices should be considered unreasonable for the purpose of the use as a benchmark under Article 2(6a) of the basic Regulation.
- (52) The articles quoted by Huaфон in its submission did not show that the drought or the privatisation have led to price increases. The article regarding the existence of droughts and wildfires ⁽⁷⁾ explained the impact on the people living in the Amazonas, especially women, as well as their crops and livestock. No mention of increased prices was made in that article, nor did Huaфон provide other quantitative evidence of price increases which would have rendered the benchmark unreasonable.
- (53) The article quoted with regard to a price increase following the privatisation of SABESP ⁽⁸⁾ was published in April 2023, therefore predating the privatisation and disconnected from that event. In fact, SABESP generally increases the price of water every year due to 'inflation, efficiency factor, quality index, tariff review and compensatory adjustment', as stated in that same article. As for the effects on prices of the privatisation, the Sao Paulo Secretary of Environment, Infrastructure and Logistics declared that not only would privatisation likely reduce the water tariffs,

⁽⁶⁾ <https://openknowledge.worldbank.org/server/api/core/bitstreams/c579e19c-83a7-4d94-abda-77e4810b4ea4/content>.

⁽⁷⁾ <https://reliefweb.int/report/brazil/acaps-thematic-report-brazil-impact-drought-brazilian-amazon-and-2025-outlook-28-january-2025>.

⁽⁸⁾ <https://www.metropoles.com/sao-paulo/conta-de-agua-da-sabesp-vai-subir-956-a-partir-de-maio-em-sp?utm>.

but also that the state government would use a ceiling so that the cost to the population would not increase ⁽⁹⁾. The article quoted by Huaфон stating a future possible increase of 200 % in water tariffs dates from December 2024, and has no relevance for the investigation period on which the benchmark is based. In fact, it seems that the first price increase (the regular yearly inflation-based increase) since SABESP was privatised took place as of 1 January 2026 only, which is after the investigation period ⁽¹⁰⁾.

- (54) For the reasons set out above, the claims made by Huaфон with regard to the water benchmark were rejected.
- (55) Zhonghao claimed that the water benchmark used by the Commission included a tax of 6,9030 %. The company claimed that this tax should be deducted from the benchmark, as the cost of water for Zhonghao itself was also reported without tax. However, the PIS/Cofins tax to which Zhonghao referred, were taxes actually paid by the water companies and not subject to refunds or reimbursements. The price payable for water in Brazil was therefore the price including this tax.
- (56) On this basis, the Commission rejected Zhonghao's claim.

3.2.3.4. Labour

- (57) Huaфон reiterated its claim made in recital (99) of the provisional Regulation that the benchmark for labour used by the Commission was incoherent, unreasonable and unreliable since it was based on multiple databases as well as national statistical data from 2023. According to the company, the Commission should have used the database from the International Labour Organization ('ILO') for 2024, instead of using the statistics from the IBGE (the Instituto Brasileiro de Geografia e Estatística) for 2023 updated with the producer price index, while deriving the number of average working hours from the ILO. Huaфон argued that using only one database as the source of wages and hours worked would be a more coherent approach, quoting in this respect a previous investigation by the Commission where such statement was made.
- (58) However, the investigation quoted by Huaфон (on certain alkyl phosphate esters) used the exact same methodology as the one followed in the current and other investigations ⁽¹¹⁾: IBGE data on wages, updated with a price index and using working hours as provided by the ILO. In the alkyl phosphate esters case, it was explained that using IBGE data, although outdated and thus updated by a price index, combined with ILO data was found more reliable than using only ILO data ⁽¹²⁾. The ILO did not provide the same level of detail of IBGE as it aggregated data for the whole manufacturing sector, regardless of the size and the sub-group of activity of the companies, and therefore it considered IBGE a more reliable source of data to establish an undistorted labour cost. In the investigation at hand, a similar rationale was used for using IBGE data: the ILO database aggregated data for the entire chemical sector, whereas the IBGE data was specific for organic chemicals, which include adipic acid. In addition, the ILO dataset did not include elements such as the fact that Brazilian workers received thirteen months of salary per working year or full social adjustments.
- (59) On this basis, the Commission rejected this claim.

⁽⁹⁾ <https://exame.com/brasil/tarifa-de-agua-sera-mais-barata-com-privatizacao-da-sabesp-e-tera-um-teto-diz-secretaria/>.

⁽¹⁰⁾ <https://en.clickpetroleoegas.com.br/sabesp-privatizada-tera-aumento-na-conta-de-agua-em-2026-mhbb01/>.

⁽¹¹⁾ See for example Commission Implementing Regulation (EU) 2023/1404 of 3 July 2023 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of stainless steel refillable kegs originating in the People's Republic of China (OJ L 169, 4.7.2023, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2023/1404/oj).

⁽¹²⁾ See recitals 309–312 of Commission Implementing Regulation (EU) 2024/1064 of 9 April 2024 imposing a provisional anti-dumping duty on imports of certain alkyl phosphate esters originating in the People's Republic of China (OJ L, 2024/1064, 10.4.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/1064/oj), and Section 3.4.2 of Commission Implementing Regulation (EU) 2024/2415 of 12 September 2024 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of certain alkyl phosphate esters originating in the People's Republic of China (OJ L, 2024/2415, 13.9.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/2415/oj).

3.2.3.5. Gas

- (60) After provisional disclosure, the Commission noted two clerical errors in the calculation of the benchmark for gas. After correction of these errors, the resulting benchmark was 4,25 CNY per m³ gas. The dumping margins were recalculated taking this new benchmark into account.

3.3. Export price

- (61) In the absence of any comments on the export price, the findings in recitals (130) to (132) of the provisional Regulation are confirmed.

3.4. Comparison

- (62) Huaфон reiterated its claim made at provisional stage and addressed in Section 3.5.1 of the provisional Regulation that, in order to ensure a fair comparison, distribution costs should be deducted from the representative producer's SG&A costs. Huaфон stated that the chapeau of Article 2(10) of the basic Regulation unequivocally puts the obligation to ensure a fair comparison on the investigating authority, i.e. the Commission. According to Huaфон, the burden of proof was therefore on the Commission to show that the SG&A expenses did not include distribution expenses.
- (63) The Commission noted that while the chapeau of Article 2(10) of the basic Regulation indeed requires the Commission to make a fair comparison, the burden of proof for the allowances to be made to achieve such fair comparison is on the parties claiming such allowances. Huaфон acknowledged this in its submission. Therefore, it logically remains the obligation of the party claiming an adjustment of the SG&A for distribution costs to prove that the Commission had included such costs in the SG&A costs used to construct the normal value.
- (64) According to Huaфон, the heading '*receitas (despesas) operacionais*' mentioned in Rhodia Brasil's financial statements 'typically' include distribution costs. However, Huaфон did not provide evidence that the SG&A costs used by the Commission actually included distribution costs, and that distribution costs do not belong to the ex-works level. Huaфон also did not show that the costs used by the Commission would lead to an amount for SG&A costs that would not be 'reasonable' at that level of trade, within the meaning of Article 2(6a)(a) of the basic Regulation. Therefore, no adjustments were necessary to net the normal value back to the ex-works level. This claim was thus rejected.

3.5. Dumping margins

- (65) As described in recitals (40) and (60), following claims from interested parties, the Commission revised the dumping margins.
- (66) The definitive dumping margins expressed as a percentage of the cost, insurance and freight (CIF) Union frontier price, duty unpaid, are as follows:

Company	Definitive anti-dumping duty
Chongqing Huaфон Chemical Co., Ltd	29,1 %
Tangshan Zhonghao Chemical Co., Ltd	42,3 %
Other cooperating companies	31,5 %
All other imports originating in the People's Republic of China	42,3 %

4. INJURY

4.1. Definition of the Union industry and Union production

- (67) In the absence of any comments regarding Union industry and Union production and the determination of the relevant Union market, recitals (147) to (154) of the provisional Regulation are confirmed.

4.2. Union consumption

- (68) In the absence of any comments on Union consumption, recitals (155) to (159) of the provisional Regulation are confirmed.

4.3. Imports from the country concerned

4.3.1. Volume and market share of the imports from China

- (69) In the absence of any comments on imports from the country concerned, recitals (160) to (162) of the provisional Regulation are confirmed.

4.3.2. Prices of the imports from China and price undercutting

- (70) In the absence of any comments on the price undercutting and price suppression by imports from China, recitals (163) to (169) of the provisional Regulation are confirmed.

4.4. Economic situation of the Union industry

4.4.1. General remarks

- (71) In the absence of any comments on the general remarks concerning the injury examination, recitals (170) to (174) of the provisional Regulation are confirmed.

4.4.2. Macroeconomic indicators

4.4.2.1. Production, production capacity and capacity utilisation

- (72) COIM reiterated its claim submitted at initiation and already addressed in recital (177) of the provisional Regulation, that the Union industry did not possess sufficient production capacity to meet total Union demand for adipic acid. COIM raised that in recital (177) of the provisional Regulation the Commission indicated that the overall production capacity decreased in 2022 by approximately 100 000 tonnes without specifying to which Union producer this decline is attributable. Since one of the Union producers, BASF publicly announced a downsizing of its adipic acid production in the same magnitude in February 2023, COIM expressed doubts on the correctness of the capacity estimation showing a decline already in 2022. Moreover, COIM claimed that in its assessment on lack of likelihood of supply shortages, the Commission did not take into account a key development, namely BASF's announced plant closure in Ludwigshafen as from end of 2025, representing a substantial and permanent loss to the Union production capacity.
- (73) The Commission recalled that Union industry's capacity was established based on the aggregate data from questionnaire responses of sampled Union producers as well as other Union producers, including BASF. The publicly available information invoked by COIM does not contradict the figures reported in the provisional Regulation, in particular the overall trend and magnitude of decline in production capacity during the period considered.
- (74) As regards the announced closure of the BASF production plant in Ludwigshafen by the end of 2025, to be noted, that since this period falls outside of the investigation period, the Commission does not have verified information regarding the development of macro indicators, including Union consumption. Nevertheless, according to public information available ⁽¹³⁾, the closure reported in 2025 impacts not only adipic acid production but also that of its

⁽¹³⁾ BASF news articles place on the file under t25.012092.

downstream products, namely Cyclododecanone (CDon) and Cyclopentanone (CPon). Given the fact that most of BASF's production [in the range of 60 % to 70 %] throughout the period considered was destined for captive use/sales, it is safe to presume that following the plant closure, Union demand would decline in similar proportion. Presuming a reduction in Union consumption equalling the captive use / captive sales reported by BASF in 2024, it is estimated that the remaining Union producers should still be able to cover the entire estimated Union consumption. Even under the presumption that the Union consumption remains unchanged – the remaining Union industry would still be able to cover vast majority of estimated Union consumption. In this respect, the Commission noted, that COIM did not bring forward any evidence demonstrating that the closure of the BASF plant would lead to supply shortages. Moreover, as demonstrated in Section 5.2.1 of the provisional Regulation, there are also alternative sources of adipic acid from other third countries, such as Brazil, South Korea and the USA are available. Finally, in light of the moderate level of duties as well as the available spare capacities in China, it is expected that imports from China into the Union would continue after the imposition of duties. On the basis of above, the Commission therefore maintained its findings on the Union industry's production capacity concerning the period considered, as expressed in recitals (175) to (178) of the provisional Regulation. As regards the period from 2025, the Commission considered that evidence on the file does not support the claim on supply shortages, even under the most expanded estimation on the Union consumption.

4.4.2.2. Sales volume and market share

- (75) In the absence of any comments regarding sales volume and market share, recitals (179) to (183) of the provisional Regulation are confirmed.

4.4.2.3. Growth

- (76) In the absence of any comments regarding growth, recital (184) of the provisional Regulation is confirmed.

4.4.2.4. Employment and productivity

- (77) In the absence of any comments on employment and productivity, recitals (185) to (187) of the provisional Regulation are confirmed.

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

- (78) In the absence of any comments, recitals (188) to (189) of the provisional Regulation are confirmed.

4.4.3. *Microeconomic indicators*

4.4.3.1. Prices and factors affecting prices

- (79) In the absence of any comments on prices and unit cost of the Union industry, recitals (190) to (193) of the provisional Regulation are confirmed.

4.4.3.2. Labour costs

- (80) In the absence of any comments on labour costs, recitals (194) to (195) of the provisional Regulation are confirmed.

4.4.3.3. Inventories

- (81) In the absence of any comments on inventories, recitals (196) to (197) of the provisional Regulation are confirmed.

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

- (82) In the absence of any comments on the financial indicators, recitals (198) to (203) of the provisional Regulation are confirmed.

4.5. **Conclusion on injury**

- (83) In the absence of any further comments on the conclusion on injury, recitals (204) to (207) of the provisional Regulation are confirmed.

5. CAUSATION

5.1. **Effects of the dumped imports**

- (84) In the absence of any comments on the effects of dumped imports, recitals (208) to (212) of the provisional Regulation are confirmed.

5.2. **Imports from third countries**

- (85) In the absence of any comments on imports from third countries, recitals (213) to (216) of the provisional Regulation are confirmed.

5.3. **Export performance of the Union industry**

- (86) In the absence of any comments on the export performance of the Union industry, recitals (217) to (219) of the provisional Regulation are confirmed.

5.4. **Cost increases in raw materials and energy prices**

- (87) In the absence of any comments on costs increases, recitals (220) to (222) of the provisional Regulation are confirmed.

5.5. **Consumption**

- (88) In the absence of any comments on causation, recitals (223) to (230) of the provisional Regulation are confirmed.

5.6. **Conclusion on causation**

- (89) In the absence of any comments, recitals (231) to (233) of the provisional Regulation are confirmed.

6. LEVEL OF MEASURES

- (90) In the absence of any comments, recitals (234) to (236) of the provisional Regulation are confirmed.

6.1. **Underselling margin**

- (91) In the absence of any comments on the underselling margin, recitals (237) to (245) of the provisional Regulation are confirmed.

6.2. **Examination of the margin adequate to remove the injury to the Union industry**

- (92) In the absence of any comments on the examination of the margin adequate to remove injury, recitals (246) to (247) of the provisional Regulation are confirmed.

6.3. Conclusion on the level of measures

- (93) 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
Chongqing Huaфон Chemical Co., Ltd	29,1 %
Tangshan Zhonghao Chemical Co., Ltd	42,3 %
Other cooperating companies	31,5 %
All other imports originating in the People's Republic of China	42,3 %

7. UNION INTEREST

- (94) In the absence of any comments on recital (249) of the provisional Regulation is confirmed

7.1. Interest of the Union industry

- (95) In the absence of any comments on the interest of the Union industry, recitals (250) to (254) of the provisional Regulation are confirmed.

7.2. Interest of unrelated importers and traders

- (96) In the absence of any comments on the interest of unrelated importers, recitals (255) to (261) of the provisional Regulation are confirmed.

7.3. Interest of users, consumers or suppliers

- (97) COIM claimed that in its assessment of Union interest, the Commission failed to address the increasing concentration of the Union industry. COIM submitted that recent developments reduced the number of Union producers and thus sources of supply on an already highly concentrated market. In this respect, COIM mentioned the 2025 closure of the BASF production plant in Ludwigshafen, the finalisation of acquisition by BASF of the remaining shares held by DOMO Chemicals in their joint venture, Alsachimie JV and the acquisition of Radici by Lone Star, a private equity firm. As a result, by 2025, the number of Union producers reduced from four in the investigation period to three afterwards.
- (98) COIM also stated that the Commission's conclusion in recital (267) of the provisional Regulation, namely that users on average are profitable and would remain so even at the highest level of duties and therefore should be able to absorb the price increases, was insufficiently explained and unsubstantiated. In particular, COIM argued that the Commission failed to consider the competitive disadvantages that Union users would face compared with third country producers. In this respect, COIM reiterated its claims on the negative impact that duties would have on the competitiveness of users on the market of downstream products, as described in recital (264) of the provisional Regulation.
- (99) As regards the concentration on the Union market, the Commission considered that this claim was not substantiated, as it did not provide any evidence underpinning the claim that the reduction from four to three Union producers would negatively impact the interests of users, apart from the reduction in available capacity that was already addressed in Section 4.4.2.1 above. In this respect, the Commission considered that the decline in the number of Union producers from four to three, in itself, was not an indication based on which it could be determined that imposition of duties was against the Union interest.

- (100) On the contrary, the Commission considered that these changes are a consequence of the economic difficulties the Union industry was undergoing due to the unfair competition imposed by dumped imports from China. The reorganisations and acquisitions taking place reflect the effort of the Union industry to adapt and remain competitive and thus are an indication of its resilience.
- (101) As regards the analysis of the situation of users and that of the downstream market, as explained in recitals (262) and (263) of the provisional Regulation, the Commission took into account all information put forward by users that enabled a detailed assessment of the impact of the measures. The analysis of seven questionnaire responses (representing approximately 91 % of the import volume of the product concerned of cooperating users) and including that of COIM, showed that even if the price of adipic acid were to be increased by the residual duties (and presuming that users will continue buying from the PRC in the same proportion as reported in the investigation period) on average, users will still remain profitable on the products incorporating adipic acid. There is a wide variety of products incorporating adipic acid and the impact of measures may vary from one product to another, however, a determination as to whether the Union's interest calls for intervention is based on an appreciation of all the various interests taken as a whole, including the interests of the Union industry and users or importers. As explained in recital (269) of the provisional Regulation, even though users may face an increase in their costs, in particular when continuing to source adipic acid from China, the measures are not likely to cause them to become loss-making, while on the other hand, the non-imposition of measures would, in all likelihood, drive the Union industry out of the market entirely, resulting in dependence on imports from China that is clearly against the Union interest. The claims of COIM were therefore rejected.
- (102) In light of the above, and in the absence of any further claims, recitals (262) to (269) are confirmed.

7.4. Conclusion on Union interest

- (103) On the basis of the above, the Commission confirms its conclusion set out in recital (270) of the provisional Regulation, that there were no compelling reasons demonstrating that it was not in the Union interest to impose measures on imports of adipic acid originating in China.

7.5. End-use exemption request

- (104) Allnex requested an end-use exemption under Article 254 of the Union Customs Code ⁽¹⁴⁾ for the use of adipic acid for the production of Polyester Powder Coating Resins ('PPCR').
- (105) Allnex claimed that there is no viable substitution for adipic acid in the production of PPCR and duties would cause disproportionate harm to downstream producers, who are mainly small and medium enterprises. Allnex argued that based on market intelligence data, there were numerous new anti-dumping investigations on other raw material chemicals in preparation, the combined effect of which would erode Allnex's profitability. Allnex also explained, that protecting producers of PPCR would align with the EU sustainability policies, as this product is a cornerstone of environmentally friendly surface finishing, by being a low-VOC, energy-efficient and overspray reclaimable product. Finally, Allnex also submitted that an end-use exemption for PPCR would not undermine the efficacy of the duties as PPCR represents a very small portion of the total adipic acid demand in the Union.
- (106) The Commission analysed the information and evidence presented by Allnex and found that Allnex does not require a special grade/type of adipic acid for the production of PPCR and thus it could source it from any producer in the Union or in any other third country. In other words, there was no evidence indicating that Allnex could source adipic acid only from China or from a specific supplier. Moreover, based on the analysis of the questionnaire reply as well as the hearing submission, the Commission determined that the duties imposed on adipic acid would have a limited impact on the profitability of Allnex. In this respect, it is important to clarify, that the conclusions of the

⁽¹⁴⁾ Regulation (EU) No 952/2013 of the European Parliament and of the Council of 9 October 2013 laying down the Union Customs Code (OJ L 269, 10.10.2013, p. 1, ELI: <http://data.europa.eu/eli/reg/2013/952/oj>).

current (and any) anti-dumping investigation have to be based on evidence available (and verifiable) on file. Therefore, the Commission considered that the alleged impact of potential future investigations, as well as wider Union policy objectives, was purely hypothetical and not substantiated by verifiable evidence. As such, these considerations could not be factored in the analysis of the impact of the duties. The Commission therefore rejected the end-use exemption request.

- (107) Following the final disclosure Allnex reiterated its request for end-use exemption based on the same arguments as previously presented and described in recital (105). In addition, Allnex raised that its alternative proposal of a quota system was not addressed by the Commission.
- (108) As regards the end-use exemption request, the Commission considers that no new arguments were brought forward that would negate the main findings of its assessment as explained in recital (106) above, on the basis of which this claim was rejected. Consequently, the Commission maintained this position. As regards the proposal for a quota system, as set out in recital (103) above, the Commission concluded that there were no compelling reasons demonstrating that it was not in the Union interest to impose anti-dumping duties on imports of adipic acid originating in China. In this context, the Commission also examined the situation of users and importers, as set out in detail in Section 7.3 of the provisional Regulation, which therefore does not warrant the modulation of the duties in the form of a quota. The claim was thus rejected.

8. DEFINITIVE ANTI-DUMPING MEASURES

8.1. Definitive measures

- (109) 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.
- (110) On the basis of 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	Underselling margin	Definitive anti-dumping duty
Chongqing Huafon Chemical Co., Ltd	29,1 %	47,1 %	29,1 %
Tangshan Zhonghao Chemical Co., Ltd	42,3 %	48,7 %	42,3 %
Other cooperating companies listed in Annex	31,5 %	47,4 %	31,5 %
All other imports originating in the People's Republic of China	42,3 %	48,7 %	42,3 %

- (111) The individual company anti-dumping duty rates specified in this Regulation were established on the basis of the findings of this investigation. Therefore, they reflect the situation found during this investigation in respect to these companies. These duty rates are thus exclusively applicable to imports of the product under investigation originating in the country concerned and produced by the named legal entities. Imports of the product concerned manufactured by any other company not specifically mentioned in the operative part of this Regulation, including entities related to those specifically mentioned, cannot benefit from these rates and should be subject to the duty rate applicable to 'all other imports originating in the People's Republic of China'.

- (112) 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 ⁽¹⁵⁾. 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*.
- (113) To minimise the risks of circumvention due to the difference in duty rates, special measures are needed to ensure the proper 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(3) of this Regulation. Until such invoice is presented, imports should be subject to the anti-dumping duty applicable to 'all other imports originating in the People's Republic of China'.
- (114) 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(3) of this Regulation, the customs authorities of Member States should 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 rate of duty is justified, in compliance with customs law.
- (115) Should the exports by one of the companies benefiting from lower individual duty rates increase significantly in volume, in particular 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, an anti-circumvention investigation may be initiated, provided that the conditions for doing so are met. 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.
- (116) To ensure a proper enforcement of the anti-dumping duties, the anti-dumping duty for 'all other imports originating in the People's Republic of China' should apply not only to the non-cooperating exporting producers in this investigation, but also to the producers which did not have exports to the Union during the investigation period.
- (117) Exporting producers that did not export the product concerned to the Union during the investigation period should be able to request the Commission to be made subject to the anti-dumping duty rate for cooperating companies not included in the sample. The Commission should grant such request provided that three conditions are met. The new exporting producer would have to demonstrate that: (i) it did not export the product concerned to the Union during the IP; (ii) it is not related to an exporting producer that did so; and (iii) has exported the product concerned thereafter or has entered into an irrevocable contractual obligation to do so in substantial quantities.

8.2. Definitive collection of the provisional duties

- (118) 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

- (119) As mentioned in Section 1.2, the Commission made imports of the product under investigation subject to registration.

⁽¹⁵⁾ Email: TRADE-TDI-NAME-CHANGE-REQUESTS@ec.europa.eu; European Commission, Directorate-General for Trade, Directorate G, Wetstraat/Rue de la Loi 170, 1049 Bruxelles/Brussel, BELGIQUE/BELGIË.

- (120) 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.
- (121) According to Article 10(4)(d) of the basic Regulation, one of the conditions for duties to be collected retroactively is to establish that there is a further substantial rise in imports in addition to the level of imports which caused injury during the investigation period. The Commission's analysis however showed no further substantial rise in imports in addition to the level of imports which caused injury during the investigation period. For this analysis, the Commission compared the monthly average import volumes of the product concerned in the period from the month following the initiation of this investigation until the last full month preceding the imposition of provisional measures (i.e. April to October 2025) with the average import volumes in the same period of the IP (i.e. April to October 2024). The comparison showed that the import volumes declined from an average of 9 621 ton/month to 7 774 ton/month. Similar trends were found when comparing the monthly average import volumes in the period from April to October 2025, with the overall average monthly imports during the entire IP, where average import volumes decreased from 8 590 ton/month in the IP to 7 774 ton/month.
- (122) The Commission therefore concluded that one of the legal conditions necessary for levying the definitive duty retroactively for the period of registration was not met.

9. FINAL PROVISION

- (123) In view of Article 109 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council ⁽¹⁶⁾, 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.
- (124) 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is imposed on imports of adipic acid, currently falling under CN code 2917 12 00 (TARIC code 2917 12 00 10) and originating in the People's Republic of China.
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
Chongqing Huaфон Chemical Co., Ltd	29,1 %	89ZW
Tangshan Zhonghao Chemical Co., Ltd	42,3 %	89ZX
Other cooperating companies listed in Annex	31,5 %	See Annex
All other imports originating in the People's Republic of China	42,3 %	8999

⁽¹⁶⁾ 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>).

3. 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 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 the People's Republic of China shall apply.

4. 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) 2025/2287 shall be definitively collected. The amounts secured in excess of the definitive rates of the anti-dumping duty shall be released.

Article 3

Article 1(2) may be amended to add new exporting producers from the PRC and make them subject to the appropriate weighted average anti-dumping duty rate for cooperating companies not included in the sample. A new exporting producer shall provide evidence that:

- (a) it did not export the goods described in Article 1(1) during the period of investigation (1.1.2024 to 31.12.2024);
- (b) it is not related to an exporter or producer subject to the measures imposed by this Regulation, and which could have cooperated in the original investigation; and
- (c) it has either actually exported the product concerned or has entered into an irrevocable contractual obligation to export a significant quantity to the Union after the end of the period of investigation.

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, 4 May 2026.

For the Commission
The President
Ursula VON DER LEYEN

ANNEX

Cooperating exporting producers not sampled

Name	TARIC additional code
China Pingmei Shenma Energy Chemical Group International Trading Co., Ltd.	89ZY
Hengli Petrochemical (Dalian) Chemical Co., Ltd.	8Z00
Shandong Hualu-Hengsheng Chemical Co., Ltd.	8Z01