

UNOFFICIAL TRANSLATION

**MINISTRY OF THE ECONOMY (ME)
SECRETARIAT OF FOREIGN TRADE AND INTERNATIONAL AFFAIRS (SECINT)
SECRETARIAT OF FOREIGN TRADE (SECEX)
SUBSECRETARIAT OF TRADE REMEDIES AND PUBLIC INTEREST (SDCOM)**

Esplanadas dos Ministérios, Bloco J, Sala 408, Brasília – DF, CEP 70.053-900

Contact: (+55 61) 2027-7770 – sdcom@economia.gov.br

Brasília, July 23, 2021.

Subject: dumping investigation. EGMBE.

Mr. Chief-Ambassador,

1. I refer to the application submitted by Oxiteno S/A Indústria e Comércio, protocolled on January 28, 2021, related to the investigation of dumping in ethylene glycol monobutyl ether (EGMBE) exports to Brazil, usually classified under subitem 2909.43.10 of the MERCOSUR Common Nomenclature (NCM – Nomenclatura Comum do MERCOSUL), originating in France, and to the investigation of injury to the domestic industry due to such practice, object of the process SECEX No. 52272.005963/2021-36.
2. Pursuant to Article 45 of Decree No. 8.058, of July 26, 2013, I wish to inform that SECEX has initiated the aforementioned investigation through Circular SECEX No 47 of July 14, 2021, published in the Official Gazette (D.O.U.) of July 15, 2021. A copy of this Circular can be obtained at: <https://in.gov.br/web/dou/-/circular-n-47-de-14-de-julho-de-2021-332180420>.
3. In accordance with paragraph 2 of Article 45 of the aforementioned Decree, the EU Delegation in Brazil is an interested party in the investigation, regardless of formal manifestation. All official communication between SDCOM and EU will be carried out through this Delegation.
4. The participation and representation of foreign governments in the course of this investigation shall be done by the Head of Official Representation in Brazil or by a representative designated by him/her. The nomination of representatives must be submitted on official communication from the Delegation to SDCOM.
5. I inform you that, in accordance with SECEX Ordinance No. 30, dated June 8th, 2018, your company may participate in the course of this investigation necessarily through DECOM Digital System (DDS), process No. 52272.005963/2021-36. The address of DDS is <http://decomdigital.mdic.gov.br>.

6. SDCOM warns that, pursuant to Article 7 of the aforementioned Ordinance, interested parties shall classify their documents as “Restricted” or “Confidential”, at the moment of their protocol in the SDD, in a way that such parties are responsible for the correct classification of those documents in the system, which shall prevail in case of inconsistency between such classification and the content of the submitted document.

7. In compliance with the provisions set forth in paragraph 4 of Article 45 of Decree No. 8.058, of 2013, I inform you that the full text of the application that originated the investigation is available for download at: <https://www.gov.br/produktividade-e-comercio-exterior/pt-br/assuntos/comercio-exterior/defesa-comercial-e-interesse-publico/arquivos/peticoes/peticao-ebmeg-franca.zip>. The password required to access the application is 7E+f(8fY.

8. The electronic version of the questionnaire of the producer/exporter to be filled by the producers of France may be obtained at the following address: <https://www.gov.br/produktividade-e-comercio-exterior/pt-br/assuntos/comercio-exterior/defesa-comercial-e-interesse-publico/investigacoes/investigacoes-de-defesa-comercial>. The English version of the questionnaire is available for consultation on the same electronic page.

9. The response to the questionnaire of the producer/exporter must be lodged, through DDS, within 30 (thirty) days of the date of acknowledgment of this document, pursuant to the **caput** of Article 50 of Decree No. 8.058, of 2013 and footnote 15 of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 contained in the Final Act which incorporated the results of the Uruguay Round Agreement, promulgated by Decree No. 1.355 of December 30, 1994.

10. Requests for an up to 30 (thirty) days extension of the deadline may be granted, whenever possible, provided that the request is done before the original expiration date.

11. I register that, pursuant to paragraph 3 of Article 50 of Decree No. 8.058, of 2013, SDCOM may use the best information available in case the producer investigated does not provide the solicited information or provides them partially or creates obstacles to the investigation. In these situations, the outcome may be less favorable to the producer than it would have been in case they had cooperated.

12. I inform you that all producers from France identified by SDCOM and listed in Annex 1 will be notified of the beginning of the investigation and will have access not only to the full text of the application that originated the investigation but also to the producer/exporter questionnaire, except for those producers or exporters listed in Annex 2, whose electronic addresses (e-mails) were not identified.

13. The EU may express itself with a view to clarify if the companies listed in Annex 1 are exporters, trading companies or producers of the product under investigation, within 10 (ten) days of the date of acknowledgment of this document, pursuant to Article 19 of Law No. 12.995, of June 18, 2014.

14. I inform you that this Subsecretariat searched for the electronic addresses (e-mails) of all producers or exporters from France identified at the beginning of this investigation and listed in Annex 1. However, it was not able to find the electronic addresses (e-mails) of the

producers or exporters listed in Annex 2. In case this Delegation knows the electronic addresses (e-mails) of the producers or exporters listed in Annex 2 and reports them to SDCOM within 15 (fifteen) days of the date of sending of this document, such producers will be duly notified of the beginning of the investigation.

15. Furthermore, in case this Delegation knows other producers or exporters that exported the product under investigation during the period of dumping investigation but are not listed in Annex 1, I kindly ask you to report such producers or exporters to this Subsecretariat within 15 (fifteen) days of the date of sending of this document. These producers or exporters may submit a request to be considered as interested parties in the course of this investigation, within 20 (twenty) days from the date of publication of Circular SECEX No 47 of July 14, 2021, in accordance with paragraph 3 of Article 45 of Decree No 8.058, of 2013.

16. Any document submitted as part of the investigation will only be attached to the file if it is written in Portuguese or in one of the official languages of the World Trade Organization – WTO, pursuant to Article 18 of Law No. 12.995, of June 18, 2014

17. The translations to Portuguese of documents originally written in languages other than the aforementioned languages must be done by a sworn translator in Brazil, in compliance with the provisions in Article 18 of Decree No. 13.609, of October 21, 1943.

18. Pursuant to Article 18 of Law No. 12.995, of June 18, 2014, in the case of documents written in a foreign language for which there is no sworn translator in Brazil, translations to Portuguese carried out by the Official Representation of the exporting country located in Brazil will be accepted, provided that the translations are accompanied by official communication attesting the authorship of the translation.

19. I inform you that, according to paragraph 11 of Article 51 of Decree No 8.058, of 2013, the pages of any document submitted to SDCOM must be numbered and indicate the total amount of pages that compose such document.

20. Further information may be obtained by calling (+55 61) 2027-7770 or email ebmeg@economia.gov.br.

ANNEX 1

LIST OF ALL IDENTIFIED PRODUCERS

ANASTACIO OVERSEAS INC
BAX CHEMICALS B.V.
BDV BEHRENS GMBH
BIESTERFELD INTERNATIONAL GMBH
CELLMARK AB
CENTURY BOND LIMITED
DUTCH2 BV
EXPAN CHEMICALS NV
GLOBE CHEMICALS GMBH
INEOS CHEMICAL LAVERA
INEOS DERIVATIVES LAVERA, SAS, FRANCE
INEOS ENTERPRISES
INEOS EUROPE AG - DIVISION OXIDE
INEOS OLEFINS AND POLYMERS EUROPE
INEOS OXIDE
KH CHEMICALS B.V.
MALTBY S.A
MANUCHAR N.V
NORTHERN TRADING SOLUTIONS GMBH
OXYDE CHEMICALS, INC
PETROCHEM MIDDLE EAST
QUIMIDROGA S.A.
TRICON DRY CHEMICALS, LLC

ANNEX 2

LIST OF PRODUCERS WITHOUT KNOWN E-MAIL

FELPOL - F&L IMPORT EXPORT
INEOS CHAMPLOR (ENTERPRISES)
INEOS FRANCE
INEOS MANUFACTURING
INTERCROMA HK LIMITED
KOWLOON BAY LTD CORPORATE & CHANCERY CHAMBERS
RML SOLUTION HK LIMITED