

Ministry of Commerce Notice No.34 (2025)
Notice on Final Determination related to the Anti-dumping Investigation of Imports of
Brandy Originating in the EU

In accordance with the provisions of the *Anti-Dumping Regulations of the People's Republic of China* (hereinafter referred to as the Anti-Dumping Regulations), on January 5, 2024, the Ministry of Commerce (hereinafter referred to as the Investigating Authority) issued Announcement No. 1 of 2024, deciding to initiate an anti-dumping investigation on imported Spirits obtained by distilling grape wine in containers holding less than 200 liters, originating from the European Union (hereinafter referred to as the Investigated Product or Relevant Brandy).

The Investigating Authority investigated whether the Investigated Product was being dumped, the margin of dumping, whether the Investigated Product caused injury to the domestic industry, the extent of such injury, and the causal relationship between dumping and injury. Based on the investigation results and Article 24 of the Anti-Dumping Regulations, on August 29, 2024, the Investigating Authority issued a preliminary determination announcement, preliminarily concluding that the imported Relevant Brandy originating from the EU was being dumped, that the Chinese Relevant Brandy industry faced a threat of substantial injury, and that there was a causal relationship between the dumping and the threat of substantial injury.

Following the preliminary determination, the Investigating Authority continued to investigate the dumping, the margin of dumping, the injury, the extent of injury, and the causal relationship between dumping and injury. The investigation has now concluded, and pursuant to Article 25 of the Anti-Dumping Regulations, the Investigating Authority has made a final determination (see Attachment 1). The relevant matters are announced as follows:

1. Final Determination

The Investigating Authority has finally determined that the imported Relevant Brandy originating from the EU is being dumped, that the domestic Relevant Brandy industry faces a threat of substantial injury, and that there is a causal relationship between the dumping and the threat of substantial injury.

2. Imposition of Anti-Dumping Duties and Price Undertakings

In accordance with Article 38 of the Anti-Dumping Regulations, the Ministry of Commerce proposed the imposition of anti-dumping duties to the Tariff Commission of the State Council. The Tariff Commission, based on the proposal of the Ministry of Commerce, decided to impose anti-dumping duties on imported Relevant Brandy originating from the EU, effective from July 5, 2025.

The specific description of the Investigated Product is as follows:

Scope of Investigation: Imported spirits obtained by distilling grape wine, in containers holding less than 200 liters, originating from the EU.

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Name of the Investigated Product: 装入 200 升以下容器的蒸馏葡萄酒制得的烈性酒（通常称白兰地）。

English Name: Spirits obtained by distilling grape wine in containers holding less than 200 liters (usually called Brandy).

Product Description: Spirits made from grapes, grape juice (must), grape pomace, or wine.

Use: Primarily consumed as a beverage alcohol.

This product falls under the Import and Export Tariff of the People's Republic of China tariff code: 22082000. Spirits obtained by distilling grape wine in containers holding 200 liters or more under this tariff code are not included in the scope of this investigation.

The anti-dumping duty rates imposed on each company are listed in Attachment 2 of this announcement.

After the preliminary determination, relevant EU industry associations and companies submitted price undertaking applications to the Investigating Authority. The Investigating Authority reviewed these price undertakings. In accordance with the Anti-Dumping Regulations, the Investigating Authority decided to accept the aforementioned price undertakings (see Attachment 3), which take effect concurrently with this final determination. During the implementation period of the price undertakings, the Investigated Product produced by the aforementioned companies and exported to China at or above the undertaking price will not be subject to anti-dumping duties. In cases of violation of the price undertakings or other circumstances leading to the termination of the price undertakings, anti-dumping duties will be imposed based on the rates determined in this final determination.

3. Method of Imposing Anti-Dumping Duties

From July 5, 2025, importers of Relevant Brandy originating from the EU shall pay the corresponding anti-dumping duties to the Customs of the People's Republic of China. The anti-dumping duties shall be calculated on an ad valorem basis based on the customs value of the imported goods, using the formula: Anti-Dumping Duty Amount = Customs Value of Imported Goods × Anti-Dumping Duty Rate. The consumption tax at the import stage shall be calculated on an ad valorem basis using the customs value of the imported goods plus the customs duty, anti-dumping duty, and the fixed consumption tax rate multiplied by the import quantity, divided by (1 - import-stage consumption tax rate). The value-added tax at the import stage shall be calculated on an ad valorem basis based on the customs value of the imported goods plus the customs duty, anti-dumping duty, and consumption tax at the import stage.

4. Non-Retroactive Imposition of Anti-Dumping Duties

Anti-dumping duties will not be retroactively imposed on Relevant Brandy originating from the EU imported from October 11, 2024, to July 4, 2025 (inclusive). The deposits or letters of guarantee provided by relevant importers to the Customs of the People's Republic of China in accordance with Announcement No. 42 of 2024 and Announcement No. 50 of 2024 issued by

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the Ministry of Commerce shall be refunded or released by the Customs in accordance with regulations.

Anti-dumping duties will not be retroactively imposed on Relevant Brandy originating from the EU imported before the implementation of provisional anti-dumping measures.

5. Duration of Anti-Dumping Duties and Price Undertakings

The imposition of anti-dumping duties and the implementation of price undertakings on imported Relevant Brandy originating from the EU shall be effective for 5 years starting from July 5, 2025.

6. New Exporter Review

For new exporters from the EU who did not export the Investigated Product to the People's Republic of China during the investigation period and meet the relevant conditions, they may, pursuant to Article 47 of the Anti-Dumping Regulations, submit a written application to the Investigating Authority for a new exporter review.

7. Interim Review

During the period of imposition of anti-dumping duties, interested parties may, pursuant to Article 49 of the Anti-Dumping Regulations, submit a written application to the Investigating Authority for an interim review.

8. Administrative Reconsideration and Litigation

Any party dissatisfied with the final determination of this case or the decision to impose anti-dumping duties may, pursuant to Article 53 of the Anti-Dumping Regulations, apply for administrative reconsideration or file a lawsuit with a people's court in accordance with the law.

This announcement shall take effect from July 5, 2025.

Annex 1 Final Determination of the Anti-dumping Investigation of Imported Brandy from the EU

Annex 2 Dumping Margins of each companies

Annex 3 List of Companies Subject to Price Undertakings and Public Text of Price Undertakings

Ministry of Commerce
4 July 2025

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