

FAQ – Trade Remedies in Brazil

Brazil has adopted the instruments established by the World Trade Organization in the 1994 General Agreement on Tariffs and Trade (GATT) to structure its trade defense (i.e., antidumping duties, safeguards and countervailing measures). Please find below some specificities about trade defense in Brazil.

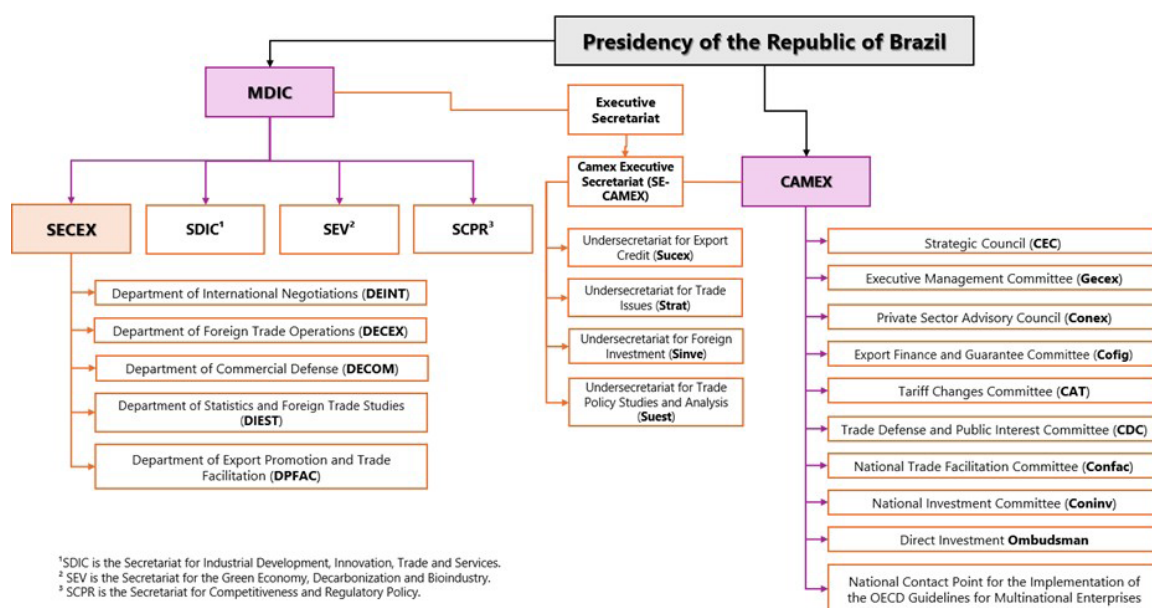
Who are the governmental authorities in charge of carrying out antidumping investigations in Brazil?

The Brazilian Ministry of Development, Industry and Foreign Trade (MDIC) is in charge for regulating and implementing public policies to promote foreign trade competitiveness, investment, innovation and consumer welfare in Brazil. Its Foreign Trade Secretariat (SECEX) is the governmental body responsible for conducting antidumping, safeguards or subsidy investigations in Brazil.

SECEX's Trade Defense Department (DECOM/SECEX) submits its conclusions and recommendations on trade defense investigations for referral and approval by the Executive Committee (GECEX) of the Brazilian Chamber of Foreign Trade (CAMEX). CAMEX is a collegiate body of Ministers, composed of representatives from the following Ministries:

- Ministry of the Civil House of the Presidency of the Republic;
- MDIC;
- Ministry of Foreign Affairs;
- Ministry of Finance;
- Ministry of Agriculture and Livestock;
- Ministry of Planning and Budget;
- Ministry of Management and Innovation in Public Services;
- Ministry of Defense;
- Ministry of Mines and Energy; and
- Ministry of Agrarian Development and Family Farming (since Decree No. 11,524 of May 10, 2023).

For easy reference, please find below an organizational chart of trade defense authorities:



What measures does Brazil apply against US exports today?

As of March 2025, the following antidumping or countervailing duties are currently in force against U.S. imports¹:

Product	Measure	Term	Amount applied
Adipic acid	Definitive antidumping duty	March 31, 2026	All companies = US\$ 150,45/t
Butyl acrylate	Definitive antidumping duty	April 08, 2026	Arkema Inc = US\$ 0,19/kg The Dow Chemical Company e Union Carbide Corporation = US\$ 0,19/kg Rohm and Haas Company e Rohm and Haas Texas Inc. = US\$ 0,19/kg Other companies = US\$ 0,42/kg
Empty hard gelatine capsules	Definitive antidumping duty	May 10, 2028	Capsugel Holding US, Inc., Lonza Greenwood LLC. = 0,12 (em US\$/milheiro) Other companies = 2,13 (em US\$/milheiro)
Offset plates	Definitive antidumping duty	May 05, 2026	All companies = US\$ 1,58/kg
Acetic esters	Definitive antidumping duty	August 18, 2028	All companies = US\$ 1,58/kg
Ethanolamines	Definitive antidumping duty	November 01, 2024*	Oxea Corporation = US\$ 110,88/t Ungerer & Company = US\$ 110,88/t Advanced Biotech = US\$ 110,88/t Sigma Aldrich Co = US\$ 110,88/t Bio-Grade Chem = US\$ 110,88/t Tedia Company = US\$ 110,88/t Givaudan Flavors Corporation = US\$ 110,88/t Fisher Scientific = US\$ 110,88/t Robertet Fragrances Inc = US\$ 110,88/t Pharmco-Aaper = US\$ 110,88/t Penta Manufacturing Company = US\$ 110,88/t Frutarom Usa Incorporated = US\$ 110,88/t Firmenich Incorporated = US\$ 110,88/t akasago International Corporation = US\$ 110,88/t The Dow Chemical Company = US\$ 148,17/t Other companies = US\$ 148,17/t
n-Butanol	Definitive antidumping duty	August 18, 2028	The Dow Chemical Company e Union Carbide Corporation = 28,4% BASF Corporation = 24,7% Oxea Corporation = 9,8% Eastman Chemical Company = 14,1% Other companies = 28,4%
Sodium acid pyrophosphate (SAPP)	Definitive antidumping duty	June 15, 2025	Innophos Inc. = US\$ 418,13/t Prayon Inc. = US\$ 2.147,30/t Other companies = US\$ 2.147,30/t
PVC-S	Definitive antidumping duty	September 19, 2027	All companies = 8,2%
Polypropylene resin	Definitive antidumping duty	October 24, 2027	All companies = 10,6%
Blood collection tubes	Definitive antidumping duty	April 29, 2026	Becton Dickinson and Company = 45,3% Other companies = 86,5%

* Measure in force by virtue of a review at the end of the current period, under the terms of article 105, paragraph 2 of Decree No. 8,058, of 2013.

¹ The information provided in this newsletter is public and was extracted from the official MDIC website on April 2024, which can be accessed via the following link: <<https://www.gov.br/mdic/pt-br/assuntos/comercio-exterior/defesa-comercial-e-interesse-publico/medidas-em-vigor/medidas-em-vigor>>.

In addition, there are ongoing antidumping investigations for chemical products, as described below:

Product	Practice investigated	Margin under analysis
Ethanolamines (MEA and TEA)	Dumping (review)	Ineos Oxide = 7,4% Norman Fox & Co = 22,3% Sigma-Aldrich.Co.= 22,3% The Dow Chemical Company = 59,3% The United States Pharmacopeial Convention Inc (USP) = 22,3% Union Carbide Corporation = 59,3% Other companies = 59,3%
Polyether polyol	Dumping	US\$ 662,69/t or 31,4%
Polyethylene resin	Dumping	US\$ 220,95/t or 21,4%
Polyvinyl chloride resin (PVC-S)	Dumping (review)	All companies: US\$ 370,89/t or 49,2%

How are public interest assessments processed in Brazil?

Public interest assessments are optional and carried out only **after** the imposition of the trade defense measure, and upon formal request of the interested parties or in the interest of the Brazilian government.

The procedure was modified by the SECEX Ordinance No. 282/2023, in force since last year. According to the recent regulation, only Brazilian companies interested can request the initiation of such an assessment, including users of the imported product or its suppliers. In addition, the recent regulations have sped up the proceedings, establishing an average processing time of 12 months, which can be completed in 55 to 140 days.

Current regulations also establish three categories of requests following the suspension or amendment of anti-dumping or countervailing measures in the public interest: (i) request for reapplication, for situations without automatic reapplication at the end of the suspension; (ii) request for extension of the suspension, for cases with automatic reapplication at the end of the period; or (iii) request for reassessment, for measures applied in an amount different from that recommended by DECOM. In all cases, the request must be submitted 4 months before the antidumping duties are expired or 8 months before the end of term of countervailing measures.

Finally, the new roadmap for submitting a request for a public interest assessment does not include anymore information on market concentration and competitive assessment, which is an attribution of the Brazilian competition authorities.

What is the expectation for anti-dumping investigations in Brazil for this year?

From 2023 to 2024, there was an increase in petitions requesting the imposition of trade defense measures, especially anti-dumping duties. It is expected that this trend will be repeated in 2025, as a possible result of an increase in Brazilian imports. It is also expected a rise in the number of public interest assessments. This trend reflects the enforcement of protective policies for some industries – especially chemical and steel -, as well as changes in global trade related to protective measures in foreign countries.

This article is for informational purposes only and should not be relied upon to obtain legal advice on any of the topics dealt with here. For additional information, please contact the leaders of the Competition team.