



20 October 2020

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Page: 1/2

**Committee on Anti-Dumping Practices**  
**Committee on Subsidies and Countervailing Measures**  
**Committee on Safeguards**

Original: English

**NOTIFICATION OF LAWS AND REGULATIONS UNDER  
ARTICLES 18.5, 32.6 AND 12.6 OF THE AGREEMENTS**

BRAZIL

*Supplement*

The following notification, dated 19 October 2020, is being circulated at the request of the delegation of Brazil.

**ORDINANCE NO. 21, DATED MARCH 30TH, 2020**

Provides for notifications and communication directed to interested parties regarding trade defense administrative procedures established by Decrees No. 1488, dated May 11, 1995, No. 1751, dated December 19, 1995, and No. 8058, dated July 26, 2013, and on trade agreements in force in Brazil.

**THE SECRETARY OF FOREIGN TRADE TO THE SPECIAL SECRETARIAT OF FOREIGN TRADE AND INTERNATIONAL AFFAIRS OF THE MINISTRY OF THE ECONOMY**, in the use of the attributions conferred to him by Article 91, item VIII of Decree No. 9,745, dated April 8, 2019, decides the following, pending the public health emergency situation of international importance that arose from coronavirus (COVID-19), as well as the protection measures adopted in Brazil and overseas to confront such situation, including actions implemented by the Ministry of the Economy and by the Brazilian Post and Telegraph Company (CORREIOS):

**CHAPTER I**  
**NOTIFICATION OF PROPERLY DOCUMENTED APPLICATION**

Article 1. In trade defense case files established by Decrees No. 1488, dated May 11, 1995, No. 1751, dated December 19, 1995, and No. 8058, dated July 26, 2013, and in trade agreements in force in Brazil which it is necessary to send a notification regarding the existence of a properly documented application to the government of an exporting country, the Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy will send the notification through electronic mail to the official representation of such country in Brazil prior to the publication of the Secretariat of Foreign Trade notice which publicly announces the initiation of the procedure.

Sole Paragraph. If no official representation is verified in Brazil, official communication with foreign interested parties will be sent with the aid of the Brazilian Ministry of Foreign Relations.

## **CHAPTER II NOTICE OF INITIATION**

Article 2. Interested parties will be notified through electronic mail of the initiation of trade defense procedures established on Decrees No. 1488, of 1995, No. 1751, of 1995, and No. 8058, of 2013 and on trade agreements in force in Brazil.

Paragraph 1. For the purpose of handing the notifications set forth in the chapeau, the Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy will identify the electronic addresses of interested parties preferably according to the registration data kept by the Brazilian Special Secretariat of Federal Revenue of the Ministry of the Economy.

Paragraph 2. Complying with the dispositions of the sole paragraph of Article 1, the notifications set forth in the chapeau intended to the governments of the countries that export the product subject to the investigation will be sent through electronic mail to the official representation of such countries in Brazil and such notifications will contain a list of foreign producers or exporters identified as interested parties by the Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy.

Paragraph 3. The Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy will register in the corresponding trade defense case files the name and, when applicable, the Legal Entity National Registration number of interested parties that could not be identified according to the chapeau due to lack of information or inaccuracy regarding their available electronic addresses identified by this Undersecretariat.

Article 3. The data and information necessary for the fact-finding phase of trade defense proceedings, as well as the format and deadlines for its presentation will be included in the notice of the Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy that initiates the corresponding trade defense case.

## **CHAPTER III FURTHER NOTICES AND CORRESPONDENCE OF THE UNDERSECRETARIAT OF TRADE DEFENSE AND PUBLIC INTEREST**

Article 4. Once the trade defense case has been initiated, the Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy will send electronically to the interested parties notifications and correspondence regarding other actions adopted within the scope of such case through the following means:

- I – DECOM Digital System (SDD), regulated by SECEX Ordinance No. 30, dated June 7 , 2018;
- II – Electronic mail, according to the dispositions of the sole paragraph of Article 1 and paragraph 1 of Article 2.

Sole Paragraph. The dispositions of the chapeau do not apply to the interested parties mentioned on paragraph 3 of Article 2, except in cases which such parties qualify legal representatives within the scope of the trade defense case in question or indicate an electronic address through which they wish to receive notices in the terms of the chapeau.

## **CHAPTER IV FINAL DISPOSITIONS**

Article 5. The Undersecretariat of Trade Defense and Public Interest of the Ministry of the Economy will assume that the interested parties are aware of the documents sent electronically in the terms of this Ordinance 3 (three) days after the date they were forwarded, th according to the dispositions of Article 19 of Law No. 12,995, dated June 18 , 2014.

Article 6. This Ordinance shall come into force on the date it was published.

LUCAS FERRAZ

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