



**Presidência da República**  
**Casa Civil**  
**Subchefia para Assuntos Jurídicos**

DECREE No. 9.107, DATED JULY 26, 2017.

Provides for the time limits and the requirements applicable to fragmented industries in the context of trade remedies investigations.

**THE PRESIDENT OF THE REPUBLIC**, in the exercise of the duties conferred by article 84, **chapeau**, sub-paragraphs IV and VI, of the Brazilian Federal Constitution and taking into account the provisions of article 170, **chapeau**, subparagraph IX, and of article 179 of the Brazilian Federal Constitution, and

Considering the provisions of the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade – GATT/1994, of the Agreement on Subsidies and Countervailing Measures and of the Agreement on Safeguards, enacted through Decree No. 1.355, dated 30 December 1994, and regulated by Decree No. 1.751, dated 19 December 1995, and by Decree No. 8.058, dated 26 July 2013,

**HEREBY DECREES:**

Article 1. In trade remedies investigations involving fragmented industries, time limits for filing applications and supplementary information to the application and for the examination of information submitted by such industries will be determined by the competent investigating authority, in the context of each process, taking into account the specificities of each fragmented sector of the national industry and the principles of proportionality and reasonableness.

Paragraph 1. It is considered a fragmented industry one which involves a large number of domestic producers.

Paragraph 2. The investigating authority will determine whether the national production of the product concerned is a fragmented industry.

Paragraph 3. The determination foreseen in paragraph 2 shall be motivated and will consider, among other factors, the degree of pulverization of the national production of the product concerned and the distribution by size of national producers.

Paragraph 4. The act which initiates the trade remedy investigation shall contain the investigating authority's determination, provided for in paragraphs 2 and 3.

Art. 2º The Secretary of Foreign Trade of the Ministry of Industry, Foreign Trade and Services shall publish a legal act setting forth the information that is to be included in the application to be filed by the fragmented industry investigated, or on its behalf, in each trade remedy investigation, and the format for its presentation, subject to the requirements of the relevant Brazilian regulations.

Art. 3º This Decree shall enter in force on the date of its publication.

Brasília, 26 July 2017, 196º of Independence and 129º of Republic.