RB LEGAL
RUESSMANN BECK & CO

Non-Confidential Version

Trade Remedies Authority
[redacted – personal sensitive information]
Premier House, 60 Caversham Road
Reading RG1 7E
United Kingdom

Avenue des Arts 46
1000 Brussels, Belgium
info@rblegal.eu

rblegal.eu

[redacted – personal sensitive information]

AD0075 – Comments by JLG Tianjin

Brussels, 25 September 2026

Dear Madam / Sir,

We refer to the Trade Remedies Authority's ("TRA") Provisional Affirmative Determination ("PAD") in investigation AD0075 published on 19 August 2026. With regard to JLG Tianjin ("JLG TJ"), the PAD rejects the company's request for individual examination and recommends the imposition of an anti-dumping ("AD") duty of 28.12% on imports of booms produced by for in China. This AD duty is the weighted average of the AD duty imposed on the sampled producers, Zhejiang Dingli Machinery Co Ltd ("Zhejiang Dingli") and Lingong Heavy Machinery Co Ltd ("LGMG"). JLG TJ would like to make the following observations on the PAD's findings.

1. Granting JLG TJ individual treatment is not unduly burdensome

1. TRA rejected JLG Group's request for individual treatment on the basis that *"an individual examination is unduly burdensome and would prevent the timely completion of the investigation".*[1] TRA further explains that *"the existing scope and complexity of the ongoing investigations in respect of the sampled exporters is already significant and TRA is working under WTO deadline to complete the investigation within 1 year, which represents a significant challenge."*[2]

2. Pursuant to sections 56(7) and 57(5) of the Trade Remedies Dumping and Subsidisation (EU Exit) Regulations 2019 ("D&S Regulation"), the TRA must accept the request of a non-sampled overseas exporter and calculate an individual dumping duty unless the number of exporters is so large that individual examinations are unduly burdensome and would prevent the timely completion of the investigation.

3. Under these provisions, the TRA should, as a general rule, grant a non-sampled exporting producer's request for the calculation of an individual dumping margin. The TRA may refuse such a request only as an exception, and only where both of the following conditions are met: (i) the number of exporters is so large that conducting an individual examination would be unduly

---

[1] See Note to the file, TRA's decision on JLG group individual rate request, 19 August 2026.

[2] See Note to the file, TRA's decision on JLG group individual rate request, 19 August 2026.

burdensome; and (ii) such examination would prevent the timely completion of the investigation. If the TRA refuses to grant individual treatment to a cooperating non-sampled exporting producer, it should substantiate that both conditions under section 56(7) are fulfilled.

4. In the present case, the TRA has failed to do so.

5. First, it would not be unduly burdensome for the TRA to review JLG TJ's request for individual treatment. In the present investigation, there are only two sampled exporting producers, and only two companies requested individual examination. The TRA has in previous cases sampled a larger number of exporting producers and still granted individual examination to other (two or more) exporting producers.[3]

6. Second, the examination of JLG's request would not have prevented the TRA from completing the investigation in a timely manner. JLG submitted full questionnaire response two weeks before the (extended) deadline granted to the sampled exporting producers.[4] The TRA could have used that time to assess JLG's questionnaire responses without causing any delays in the investigation.

7. Finally, the TRA failed to address the grounds on which JLG TJ requested individual treatment, namely that its commercial characteristics are materially different from those of the sampled Chinese exporting producers. As explained in previous correspondence, JLG TJ is not a company owned or controlled by Chinese (state-owned) shareholders that operates in the context of a particular market situation (PMS) and is heavily subsidised by the Chinese state. Rather, JLG TJ is a subsidiary of a US-based group that conducts its operations under strict Western market-based rules and principles. Therefore, imposing on JLG TJ an AD duty that is the average of that of two Chinese producers, operating within a PMS and receiving ample subsidies from the Chinese government, is not equitable, and the TRA has failed to provide proper reasoning for rejecting JLG's request.

8. For the above reasons, the conditions for a refusal of individual treatment are not met, and the TRA should grant JLG TJ individual examination in accordance with sections 56(7) and 57(5) of the D&S Regulation. At a minimum, the TRA should make a downward adjustment to the AD duty applicable to JLG TJ considering that it does not operate within a PMS and also does not receive substantial subsidies from the Chinese government.

2. JLG TJ's boom lift exports to the UK did not cause material injury to the UK industry

9. The PAD (Tables 23 and 24) finds that over the POI, Chinese imports increased in volume and that prices of Chinese imports decreased; their UK market share went up by 13%.[5] On the other hand, the UK industry lost sales volumes and market share of approximately 10%. Also, the UK industry's sales volumes, production capacity, production output, market share, profits before tax, and return on investments show declining trends.[6]

---

3 See investigation No. AD0059 (Certain engine oils and hydraulic fluids from Lithuania and the United Arab Emirates) and investigation No. AS0067 (Hydrotreated Vegetable Oil from the United States of America).

4 See General publication, Notice of extension, 20 March 2026, granting extensions to the sampled exporting producers and their related companies. JLG submitted its questionnaire response on 30 March 2026.

5 See PAD, paragraph 452.

6 See PAD, paragraphs 497-498.

10. However, this alleged decrease in the performance of the UK industry cannot be attributed to imports of boom lifts produced by JLG TJ. As the TRA can verify from the questionnaire response submitted by JLG TJ and its related companies, JLG TJ's overall imports volumes were very low [redacted – commercially sensitive information] and decreased by nearly [redacted – commercially sensitive information] between Year 3 and the IP.[7] This decrease happened in the context of increasing UK consumption, and while imports from "genuine" Chinese producers increased by 20%.[8] This clearly shows that JLG TJ's imports had no negative impact on the performance of the UK industry. The volumes were simply too low.[9]

11. Moreover, according to JLG TJ's market understanding, the UK prices during the POI of booms produced by JLG TJ were much higher than the prices of the sampled Chinese producers and in the range of the prices of the domestic UK industry. The TRA can confirm this on the basis of JLG TJ's questionnaire responses. Indeed, JLG TJ produces high-quality, premium-priced products for customers that value products with a long-term residual value.

12. In sum, JLG TJ itself has been losing sales volumes and market share to the aggressive expansion and pricing strategy of Chinese (State)-owned companies, not only in the UK but also in the US, the EU and in China itself.[10] Therefore, any material injury of the UK industry cannot have been caused by JLG TJ.

3. Conclusion

JLG TJ thanks the TRA for its consideration of this submission and remains at its disposal should it have any questions or require further cooperation.

Sincerely,

JLG Group

*The information marked as "Sensitive" is confidential as provided for in section 45 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019. Its disclosure would be of significant competitive advantage to a competitor or would have a significant adverse effect upon the person supplying the information or upon a person from whom he/she has acquired the information or which is provided on a confidential basis by parties to an investigation.

---

7 See JLG TJ questionnaire response.

8 See Table 3 of the PAD.

9 See JLG TJ questionnaire response.

10 In the PAD, the TRA confirms that foreign-owned producers cannot complete in the Chinese market because that is largely served by state-owned domestic producers. As a result, foreign-owned producers, such as JLG, Terex, and Halotte only account for less than 3% of domestic sales. See paragraph 143 and 144 of the PAD.