



## NOTICE OF A FINAL NEGATIVE DETERMINATION

### Subsidy investigation into certain excavators imported into the United Kingdom from the People's Republic of China

#### INVESTIGATION AS0046

The Trade Remedies Authority (TRA) makes the following Notice of a Final Negative Determination in a subsidy investigation under paragraph 11(8)(a) of Schedule 4 to the Taxation (Cross-border Trade) Act 2018 (the Act).

This Notice is published on 14 May 2025 and takes effect on the following day.

#### ***Reasons for the final negative determination***

The TRA is unable to make a final affirmative determination in relation to the goods concerned originating in the People's Republic of China (PRC) with an operating weight of 80 tonnes and above. These goods are covered within the XXXL category of the product control numbers (PCNs) for this case:

Category	Description	Basic Operating Weight
S	Small Excavators	$\geq 11$ tonnes < 15 tonnes
M	Medium Excavators	$\geq 15$ tonnes < 20 tonnes
L	Large Excavators	$\geq 20$ tonnes < 30 tonnes
XL	Extra-Large Excavators	$\geq 30$ tonnes < 55 tonnes
XXL	Extra-Extra-Large Excavators	$\geq 55$ tonnes < 80 tonnes
XXXL	Extra-Extra-Extra-Large Excavators	$\geq 80$ tonnes

During the course of the TRA's investigation, it was identified that UK industry did not manufacture any excavators within the XXXL category.

It was determined that the goods produced by the UK industry were not alike in all respects to XXXL excavators from the PRC nor they do share characteristics closely resembling one another. Therefore, it was concluded that the XXXL excavators from the PRC do not constitute "like goods" for the purposes of paragraph 7 of Schedule 4 to the Act.

The TRA also determined that XXXL excavators from the PRC have not or are not causing injury to the UK industry.



Consequently, the TRA makes a final negative determination in accordance with paragraph 11(6)(b) of Schedule 4 to the Act.

The final negative determination applies to the following commodity codes:

8429 5210 00

### ***Summary of the investigation***

#### ***Procedure***

On 21 September 2023 the TRA received an [application](#) for a trade remedies investigation alleging that certain excavators imported into the UK from the PRC were being subsidised and were causing injury to the UK industry.

The TRA published a [Notice of Initiation](#) on 15 November 2023. The TRA also invited interested parties to register to participate in the investigation.

Multiple interested parties registered an interest in the investigation before the expiry of the deadline of 30 November 2023. Due to the number of responses received during the questionnaire period, the TRA limited its examination of overseas exporters and UK importers. The TRA published a notice of its [sampling approach](#) on 11 June 2024.

Questionnaire responses were received from two registered sampled overseas exporters (as well as their associated companies) and a UK producer. The case team conducted verification activities to assess the information gathered.

Verification of the UK producer's and two sampled overseas exporters' data took place either on site or remotely during June and July 2024. Verification reports were produced for each of the parties that were verified, and non-confidential versions of these reports are available on the [public file](#).

The TRA published the Statement of Essential Facts (SEF) on 12 December 2024.

Following the publication of the SEF, the TRA invited interested parties, contributors and any other person who supplied information to the TRA to make submissions in response.

All interested parties were provided with an opportunity to contribute to the investigation and to request a hearing.

Following the receipt of submissions on the SEF, the TRA decided to allow the late registration of Caterpillar Group and Finning (UK) Ltd. Caterpillar Group submitted a questionnaire response and the TRA conducted analysis on its data. Any changes to the SEF as a result of the inclusion of Caterpillar Group's data was outlined in an Addendum to the SEF, published on 10 April 2025. Parties were then given five business days to provide comments.



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For more information on the investigation, please access the case [public file](#).

***Further information***

For further information about the TRA's investigations process, including how and why an investigation may be terminated, please see the available [public guidance](#).

Sarah Milum  
Chief Investigations Decision Officer

Trade Remedies Authority

14 May 2025