



Case AD0047

Certain Excavators imported into the United Kingdom from the People's Republic of China

Note to public file – proposed appropriate representative third country.

On 15 November 2023, the Trade Remedies Authority (TRA) published a [Notice of Initiation](#) (NOI) to advise that they were investigating the alleged dumping of certain excavators into the United Kingdom from the People's Republic of China (the PRC).

The TRA has received an allegation that a Particular Market Situation (PMS) exists in the PRC and that the costs and prices in the PRC are distorted.

The TRA has yet to make a determination in this investigation in relation to the allegation of the PMS detailed above.

However, where it is determined that a PMS exists and the effect of the PMS on the domestic sales price prevents a proper comparison between that and the export price, we would not consider the comparable price appropriate to use for the purpose of determining normal value.

In such circumstances, the TRA may determine the normal value by determining the costs of production plus a reasonable amount for administrative, selling, and general costs and for profits. Adjustments may then be made to these figures using data from an appropriate, representative third country. The TRA may also use data from the appropriate representative third country as part of their examination of whether a PMS exists in certain excavators in the PRC.

As was proposed in the initial allegation, the TRA has provisionally chosen Brazil as an appropriate representative third country in this investigation, should it be required.

To reach this decision, the TRA considered a number of possible countries (in alphabetical order): Brazil, Columbia, India, Indonesia, Japan, Kazakhstan, Malaysia, Mexico, Peru, South Africa, South Korea, Thailand, Türkiye, the United States of America (USA) and Vietnam.

Consideration was given to the known availability and reliability of data from each of these countries.

These countries were each compared to the PRC using a number of economic indicators, including level of income and level of human development, in order to assess the economic similarity of each potential choice to the PRC.

The TRA is proposing to use Brazil as an appropriate representative third country in this investigation on the basis of the following factors:

- The availability of reliable information;
- Brazil was found to be suitably comparable to the PRC on the basis of a similar level of economic development; and
- Brazil has significant exports of excavators.

If you have any comments on the TRA's provisional choice of appropriate representative third country, please contact us via the [Trade Remedies Service](mailto:AD0047@traderemedies.gov.uk) at AD0047@traderemedies.gov.uk by 1 March 2024 at 23:59 hours GMT. We may consider submissions made after this date, but we are not obliged to do so.

We will publish our final decision, the reasons for it and address any comments received in response to this notice in the Statement of Essential Facts (SEF). Where we reject information for any reason, we will publish our reasons for rejection in the SEF.

Brazilian producers

We would like to invite producers in Brazil to participate in the investigation to provide certain sales and cost data, including commercially sensitive information, in order to assist us with our investigation. We will treat this information as confidential and will also ask any co-operating producer to provide a non-confidential version or summary of the information, so that we can publish this on our [public file](#). If multiple producers choose to participate, we may use an appropriate sampling methodology to select who to involve further.

If you are a producer in Brazil and would like to participate in the investigation, please register your interest via the [Trade Remedies Service](#) by completing and uploading a [Third Country Producer Pre-Sampling Questionnaire \(PSQ\)](#) by 1 March 2024.

Further information

Our [Trade Remedies Guidance](#) provides more information about the investigations process, including information about [alternative methods to determine the normal value](#).

Should you have any questions or comments, please do not hesitate to contact us at AD0047@traderemedies.gov.uk.

David George
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20 February 2024