



TD0037 and TS0038

ANTI-DUMPING AND ANTI-SUBSIDY TRANSITION REVIEWS  
CONCERNING IMPORTS OF  
ELECTRIC BICYCLES  
ORIGINATING IN  
THE PEOPLE'S REPUBLIC OF CHINA

*Initial Comments*

by

the China Chamber of Commerce for Import and Export of Machinery and Elec-  
tronic Products

27 August 2023

OPEN

CONTENTS

**1 INTRODUCTION.....3**

**2 ILLEGALITY OF THE EXISTING MEASURES AND THE TRANSITION REVIEWS .....4**

**3 TRANSPARENCY ISSUES .....6**

**4 COMMENTS ON INJURY .....8**

    4.1 Incorrect legal standard.....9

    4.2 Absence of injury to the sole UK producer and no likelihood of recurrence of any injury in the absence of the measures .....9

**5 COMMENTS ON ECONOMIC INTEREST .....13**

**6 CONCLUSION.....14**

## 1 INTRODUCTION

1. On 31 December 2020, the UK Department of International Trade (“DIT”) determined that the anti-dumping (“AD”) and anti-subsidy (“AS”) measures imposed by the European Union (“EU”) on imports of electric bicycles originating in the People’s Republic of China by means of Commission Implementing Regulations (EU) 2019/72 and 2019/73 of 17 January 2019 will be “transitioned” into UK law.<sup>1</sup> On 22 May 2023, the UK Trade Remedies Authority (“TRA”) initiated two transition reviews<sup>2</sup> concerning the above-mentioned transitioned measures.<sup>3</sup>
2. The present submission provides the comments of the China Chamber of Commerce for Import and Export of Machinery and Electronic Products (“CCCME”) and its members regarding these two transition reviews.
3. In brief, the CCCME submits that, first, post-Brexit, there was no WTO-consistent legal basis for maintaining the EU measures on imports of electric bicycles from China into the UK. There is also no legal basis for the present transition reviews. Second, the CCCME notes that no information concerning the status of the UK industry and about the UK producers is available in the public file. As a result, interested parties cannot duly comment on the present reviews. The CCCME respectfully requests the TRA to make the necessary information about the UK industry and the UK producers available to interested parties in a timely manner. Without prejudice to the above, the CCCME respectfully submits that, in any event, there do not seem to be any justifiable grounds for the continuation of the current measures. Among others, the existence of the UK

---

<sup>1</sup> Notice of Determination 2022/24: anti-dumping duty on electric bicycles originating in the People’s Republic of China (originally published on 31 December 2020 and updated on 29 November 2022), available at <[www.gov.uk/government/publications/trade-remedies-notices-anti-dumping-duty-on-electric-bicycles-from-china/notice-of-determination-202024-anti-dumping-duty-on-electric-bicycles-originating-in-the-peoples-republic-of-china](http://www.gov.uk/government/publications/trade-remedies-notices-anti-dumping-duty-on-electric-bicycles-from-china/notice-of-determination-202024-anti-dumping-duty-on-electric-bicycles-originating-in-the-peoples-republic-of-china)>; and Notice of Determination 2022/25: countervailing duty on electric bicycles originating in the People’s Republic of China (originally published on 31 December 2020 and updated on 29 November 2022), available at <[www.gov.uk/government/publications/trade-remedies-notices-countervailing-duty-on-electric-bicycles-from-china/notice-of-determination-202025-countervailing-duty-on-electric-bicycles-originating-in-the-peoples-republic-of-china](http://www.gov.uk/government/publications/trade-remedies-notices-countervailing-duty-on-electric-bicycles-from-china/notice-of-determination-202025-countervailing-duty-on-electric-bicycles-originating-in-the-peoples-republic-of-china)>.

<sup>2</sup> TRA, Notice of Initiation Transition Review No. TD0037, available to download at <[www.trade-remedies.service.gov.uk/public/case/TD0037/submission/7d4f09c9-9b69-4f3a-9e33-4cc6a7ea4501/](http://www.trade-remedies.service.gov.uk/public/case/TD0037/submission/7d4f09c9-9b69-4f3a-9e33-4cc6a7ea4501/)>; and TRA, Notice of Initiation Transition Review No. TS0038, available to download at <[www.trade-remedies.service.gov.uk/public/case/TS0038/submission/cf4b5bd7-8361-47df-9216-1a4e875905c6/](http://www.trade-remedies.service.gov.uk/public/case/TS0038/submission/cf4b5bd7-8361-47df-9216-1a4e875905c6/)>.

<sup>3</sup> TRA, How we carry out transition reviews into EU measures, available at <[www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/how-we-carry-out-transition-reviews-into-eu-measures](http://www.gov.uk/government/publications/the-uk-trade-remedies-investigations-process/how-we-carry-out-transition-reviews-into-eu-measures)>.

industry is questionable, and injury to the sole UK producer -- whose focus is on non-UK markets -- is unlikely to recur in the absence of the measures.

4. The CCCME reserves its right to comment further on procedural and substantive issues in the course of these proceedings.

## **2 ILLEGALITY OF THE EXISTING MEASURES AND THE TRANSITION RE-VIEWS**

5. Following Brexit, the UK decided to “transition” certain EU trade remedy measures in its domestic legal order,<sup>4</sup> including the AD and AS measures on electric bicycles from China. The CCCME respectfully submits that the UK had no legal or factual basis for adopting the EU measures on electric bicycles in the first place.
6. First, the UK did not initiate and conduct investigations pursuant to the provisions of the WTO Anti-Dumping Agreement (“ADA”) and the WTO Agreement on Subsidies and Countervailing Measures (“SCM Agreement”). Thus, the AD and AS measures on electric bicycles from China were transitioned in violation of Articles 1 ADA and 10 SCM Agreement. Articles 1 ADA and 10 SCM Agreement stipulate that AD and AS measures “*may only be imposed pursuant to investigations initiated and conducted in accordance with the provisions of [the ADA and the SCM Agreement].*”
7. In the cases at hand, the UK did not impose measures on the basis of properly initiated and conducted investigations pursuant to the ADA and the SCM Agreement as transposed into the UK law. Instead, the measures in the UK were applied on the basis

---

<sup>4</sup> According to the UK DIT, the decision whether to maintain the existing EU measures was based on the consideration of three cumulative criteria, namely: (a) whether the DIT had “*received an application to maintain [the] measures from UK businesses which produce, in the UK, products subject to trade remedies measures*”; (b) whether the application was “*supported by UK businesses which produce a sufficient proportion of those products*”; and (c) whether the market share of the UK-based producers was at least 1%. See: “Consultation outcome: Final findings of the call for evidence into UK interest in existing EU trade remedy measures” (updated on 2 May 2019), available at <[www.gov.uk/government/consultations/call-for-evidence-to-identify-uk-interest-in-existing-eu-trade-remedy-measures/outcome/final-findings-of-the-call-for-evidence-into-uk-interest-in-existing-eu-trade-remedy-measures](http://www.gov.uk/government/consultations/call-for-evidence-to-identify-uk-interest-in-existing-eu-trade-remedy-measures/outcome/final-findings-of-the-call-for-evidence-into-uk-interest-in-existing-eu-trade-remedy-measures)>. The CCCME notes that, however, the UK DIT received no application from UK producers to retain the EU measures on imports of electric bicycles from China. Instead, “*UK producers contacted the Secretary of State with new evidence showing changes to UK production and/or market share of products covered by the EU [...] anti-dumping and anti-subsidy measures Electric Bicycles (AD643 and AS646). The Secretary of State reassessed these measures, working with UK producers and sector stakeholders to do so, and determined that these measures should now be maintained as they met the criteria of the Call for Evidence.*” See: UK DIT, “Guidance: Trade remedies transition policy” (first published on 6 February 2020 and updated on 16 December 2020), available at <[www.gov.uk/guidance/trade-remedies-transition-policy#full-publication-update-history](http://www.gov.uk/guidance/trade-remedies-transition-policy#full-publication-update-history)>.

of (old) investigations conducted by the European Commission with reference to the EU.<sup>5</sup>

8. Moreover, among others, the dumping margins for instance were established on the basis of the EU's then applicable methodology to establish normal value for Chinese companies – which the UK does not apply – and pertained to exports to all the EU Member States. The majority of the Chinese exports of e-bikes to the EU, as they existed then, were to the 27 Member States excluding the UK.
9. Additionally, the EU's finding of injurious dumping and injurious subsidisation (i) pertained to the “Union industry”, which did not, as far as the CCCME knows, include any UK producer/s; and (ii) covered all the EU Member States and not particularly the UK market.
10. To elaborate, the CCCME notes that the Union industry defined by the European Commission included 31 known EU producers,<sup>6</sup> none of which was a UK producer according to the documents issued by the European Commission in the EU electric bicycles cases (and in which the CCCME was an interested party). Publicly available information, in fact, shows that UK producers started manufacturing electric bicycles only recently. For example, Brompton Bicycles Ltd.,<sup>7</sup> which is the sole UK producer that has registered an interest in the present transition reviews, launched its first electric bicycle in 2018,<sup>8</sup> *i.e.*, after the end of the investigation period of the EU electric bicycles AD and AS cases.<sup>9</sup> Thus, no injury to the UK industry was ever established, and there was no legal basis for the extension of EU measures to the UK territory.

---

<sup>5</sup> Regulation (EU) 2016/1036 of the European Parliament and of the Council of 8 June 2016 on protection against dumped imports from countries not members of the European Union (OJ L 176, 30.06.2016, p. 21, as amended); and Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union (OJ L 176, 30.06.2016, p. 55, as amended).

<sup>6</sup> Commission Implementing Regulation (EU) 2019/72 of 17 January 2019 imposing a definitive countervailing duty on imports of electric bicycles originating in the People's Republic of China (OJ L 16, 18.1.2019, p. 5), recital (583); and Commission Implementing Regulation (EU) 2019/73 of 17 January 2019 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of electric bicycles originating in the People's Republic of China (OJ L 16 18.1.2019 p. 108), recital (82).

<sup>7</sup> Mordor Intelligence, “UK e-bike market size & share analysis – Growth trends & forecasts up to 2029”, available at <[www.mordorintelligence.com/industry-reports/united-kingdom-e-bike-market](http://www.mordorintelligence.com/industry-reports/united-kingdom-e-bike-market)>.

<sup>8</sup> Stan Portus, “New Brompton P Line Electric could make cycling accessible to more people” (12 July 2022), available at <[www.bikeradar.com/news/2022-brompton-p-line-electric/](http://www.bikeradar.com/news/2022-brompton-p-line-electric/)>

<sup>9</sup> For the assessment of dumping and subsidization, the investigation period considered by the European Commission was 1 October 2016 to 30 September 2017, and the injury investigation period was 1 January 2014 to 30

11. According to Articles 18.1 ADA and 31.1 SCM Agreement, “[n]o specific action against [dumping of exports from another Member and/or a subsidy of another Member] can be taken except in accordance with the provisions of GATT 1994, as interpreted by th[ese] Agreement[s].” The existing measures in the UK (i) clearly constitute specific actions against the alleged injurious dumping and subsidisation of electric bicycles originating in China; and (ii) were clearly not imposed in accordance with the ADA and the SCM Agreement. Therefore, by transitioning the EU measures into UK law, the UK also violated Articles 18.1 ADA and 31.1 SCM Agreement.
12. Moreover, following Brexit, the UK itself had to enter into a new agreement in relation to its trade policy *vis-à-vis* the EU (*i.e.*, the EU-UK Trade and Cooperation Agreement of 20 April 2021). It is thus incomprehensible how its trade policy *vis-à-vis* third countries could continue on the basis of EU measures. In the CCCME’s view, after it withdrew from the EU legal order, the UK was simply not entitled to continue applying the EU measures in its domestic legal order and that too in the absence of any domestic industry for this product.
13. Following from the above, the illegality of the electric bicycle AD and AS measures at issue extends to the present transition reviews as well. Furthermore, the present transition reviews cannot be expressly supported by any provision of the ADA and the SCM Agreement. Therefore, the CCCME maintains that such reviews are illegal under the WTO framework and should be terminated forthwith. Notwithstanding the above, to the extent the TRA considers that the transition reviews can be legally conducted under the framework of the ADA and the SCM Agreement, the assessment of injurious dumping and injurious subsidisation by the TRA should be consistent with the requirements of the ADA and the SCM Agreement.

### **3 TRANSPARENCY ISSUES**

14. Without prejudice to the above, the CCCME has serious concerns about the lack of information in the present transition reviews.

---

September 2017. See: Commission Implementing Regulation (EU) 2019/72 of 17 January 2019 imposing a definitive countervailing duty on imports of electric bicycles originating in the People’s Republic of China (OJ L 16, 18.1.2019, p. 5), recital (23); and Commission Implementing Regulation (EU) 2019/73 of 17 January 2019 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of electric bicycles originating in the People’s Republic of China (OJ L 16 18.1.2019 p. 108), recital (7).

15. The CCCME recalls that Article 6 ADA and Article 12 SCM Agreement set out the evidentiary rules that apply throughout the course of an original investigation and in every review investigation. These provisions establish a framework for transparency, procedural and due process obligations that investigating authorities must follow.<sup>10</sup>
16. In particular, Articles 6.4 ADA and 12.3 SCM Agreement clearly stipulate that:
- “The authorities shall whenever practicable provide timely opportunities for all interested parties to see all information that is relevant to the presentation of their cases, that is not confidential [...], and that is used by the authorities in an [anti-dumping or countervailing duty] investigation, and to prepare presentations on the basis of this information.”* (Underlining added).
17. Furthermore, pursuant to Article 6.2 ADA:
- “Throughout the anti-dumping investigation all interested parties shall have a full opportunity for the defence of their interests. [...].”* (Underlining added).
18. In the cases at hand, it is unclear how interested parties could exercise their due process rights in the absence of any factual information concerning the UK consumption, UK producers and the UK industry, including the production capacity, production, and capacity utilisation, sales, sales prices, production costs, employment as also the other injury indicators listed in Article 3.4 ADA and Article 15.4 SCM Agreement. The information and data regarding these legal and factual issues are only in the possession of the TRA and the UK producers. The CCCME requests the TRA to provide, in a timely manner, all the relevant information about the above-mentioned factors, which Chinese exporting producers do not and cannot have. Without access to this information, at least as far as the supposed continuation/recurrence of injury is concerned, no meaningful comments can be filed.
19. That the TRA has or should have the UK producer/s’ and industry’s information is clear from the fact that, at some point before 31 December 2020, the UK DIT received an application to maintain the EU electric bicycle measures and that such an application was supported by UK producers of electric bicycles whose production constitutes “*a sufficient proportion of those products*”. Indeed, after initially proposing not to extend

---

<sup>10</sup> For the application of Articles 6 ADA and 12 SCM Agreement to reviews, see Article 11.4 ADA and 21.4 SCM Agreement. See also, for example: Panel Report, *US – Facts Available*, para 7.23; Appellate Body Report, *Thailand – H-Beams*, para. 109; Panel Report, *US – Zeroing (Japan)*, para. 7.111; Appellate Body Reports, *China – HP-SSST (Japan) / China – HP-SSST (EU)*, para. 5.73.

the EU measures on electric bicycles, the UK ultimately transitioned the measures on the grounds that:

*“UK producers contacted the Secretary of State with new evidence showing changes to UK production and/or market share of products covered by the EU [...] anti-dumping and anti-subsidy measures Electric Bicycles (AD643 and AS646). The Secretary of State reassessed these measures, working with UK producers and sector stakeholders to do so, and determined that these measures should now be maintained as they met the criteria of the Call for Evidence.”<sup>11</sup>*  
(Underlining added)

20. Added to the above, in order for interested parties to duly exercise their rights of defence, the TRA should proactively provide recent UK industry information. In this regard, as can be ascertained from the non-confidential case file, the TRA did conduct a facilitation visit at the premises of a UK producer.
21. Recent information about the UK electric bicycle consumption, producers and the UK industry is important because, as noted above, the publicly available information regarding the UK industry is very limited. Moreover, the response to the sampling form by Brompton Bicycles Ltd. is imprecise and is not supported by any evidence whatsoever.
22. Furthermore, it is also essential for the CCCME and other interested parties to know the nature and extent of (i) the imports of electric bicycles from third countries by the supposed UK producers and (ii) the manufacturing activities undertaken in the UK based on Chinese and third country bicycle parts.
23. The CCCME looks forward to receiving the information requested above. This is extremely essential in the context of the present reviews as Halfords Limited, one of the largest UK importers, has clearly noted in its pre-sampling questionnaire response that *“there is little to no UK manufacturing of e-bikes.”*

#### **4 COMMENTS ON INJURY**

24. Without prejudice to the above, the CCCME wishes to submit certain observations based on the (very limited) information currently available to it.

---

<sup>11</sup> UK DIT, “Guidance: Trade remedies transition policy” (first published on 6 February 2020 and updated on 16 December 2020), available at <[www.gov.uk/guidance/trade-remedies-transition-policy#full-publication-update-history](https://www.gov.uk/guidance/trade-remedies-transition-policy#full-publication-update-history)>.

#### 4.1 **Incorrect legal standard**

25. As clearly stated in the Notices of Initiation, the purpose of the transition reviews is to establish whether “*injury to the UK industry in the relevant goods would be likely to continue or recur*” if the AD and/or AS measures are no longer applied to those goods.<sup>12</sup> Nevertheless, as noted above, the “original” injury analysis conducted by the European Commission pertained to 31 known EU producers, none of which was a UK producer. Injury to the UK industry was not – and in fact could not have been – established by the European Commission in the original AD and AS investigations. Thus, there can be no *continuation or recurrence of injury* to the UK producers.

#### 4.2 **Absence of injury to the sole UK producer and no likelihood of recurrence of any injury in the absence of the measures**

26. First, the CCCME reiterates that, as noted by Halfords Limited, “*there is little to no UK manufacturing of e-bikes.*” Thus, it is not surprising that only one supposed UK producer, Brompton Bicycles Ltd., has registered in the present reviews. Even as regards this producer, it is not clear whether it can be considered a ‘producer’ of electric bicycles. There is no evidence whatsoever of the nature and extent of its manufacturing operations and imports from third countries. Thus, the existence of a domestic industry in the UK is also highly questionable to begin with. The CCCME requests the TRA to outline and disclose to interested parties how it defines UK production/manufacturing and pursuant to which rules and thresholds. Additionally, as a threshold issue, it is also important for interested parties to know the factual basis on which Brompton Bicycles Ltd. is being considered a UK producer by the TRA.
27. Second, and without prejudice to the above, if at all there are more UK producers, clearly, they did not come forward and register in the present reviews. This shows that, if there are other UK producers, they simply do not consider the extension of the AD and AS measures necessary. Indeed, the non-participation of the other possibly existing UK domestic producers in the present reviews clearly indicates that they are not in favour of the continuation of the AD and AS measures on electric bicycles from China

---

<sup>12</sup> TRA, Notice of Initiation Transition Review No. TD0037, available to download at <[www.trade-remedies.service.gov.uk/public/case/TD0037/submission/7d4f09c9-9b69-4f3a-9e33-4cc6a7ea4501/](http://www.trade-remedies.service.gov.uk/public/case/TD0037/submission/7d4f09c9-9b69-4f3a-9e33-4cc6a7ea4501/)>, p.2; and TRA, Notice of Initiation Transition Review No. TS0038, available to download at <[www.trade-remedies.service.gov.uk/public/case/TS0038/submission/cf4b5bd7-8361-47df-9216-1a4e875905c6/](http://www.trade-remedies.service.gov.uk/public/case/TS0038/submission/cf4b5bd7-8361-47df-9216-1a4e875905c6/)>, p.2. (Underlining added).

and that there is no risk of injurious dumping and subsidisation in the absence of the measures.

28. For the sake of completeness, the company Frog Bikes – that has filed a contributor response – does not even make electric bicycles but only “*Light Weight kids Bikes.*” Therefore, this company does not produce the product concerned by the present transition reviews and also does not explain as why and how it is interested in this case and should be given an interested party status in this case. Moreover, it gives no meaningful arguments or evidence other than its wants the measures on a product that it does not even make.
29. Third, as far as Brompton Bicycles Ltd. is concerned, its pre-sampling questionnaire response shows that it has extremely limited production of electric bicycles in the UK, and it cannot be considered the UK industry. Indeed, it produced only 7,000-8,600 electric bicycles during the POI. This is a very limited amount considering that, in 2022, according to Bike Europe, 155,000 electric bicycles seem to have been sold in the UK.<sup>13</sup> While the CCCME considers that the actual sales of electric bicycles in the UK were much higher, based on the conservative estimate of 155,000 units, the production of Brompton Bicycles Ltd. represented around 5% of the UK demand for electric bicycles. This level of production is insufficient to meet the industry standing test in the ADA and the SCM Agreements and, consequently, cannot be the basis for an assessment of continuation/recurrence of injury and for the extension of any measures in the transition reviews.
30. Additionally, as the pre-sampling questionnaire response of Brompton Bicycles Ltd. shows, it is export-oriented and, notwithstanding the existing AD and AS measures, it has never focused on the UK market. As stated by Brompton Bicycles Ltd. itself, only 25% of its sales are to the UK market. Thus, clearly, the UK is not the focus of Brompton Bicycles Ltd., yet it unjustifiably demands protection on this market without actually being committed to it.

---

<sup>13</sup> See Rosie Burgin, “UK bike sales drop to ‘lowest level in 20 years’” (23 February 2023).

31. Indeed, in the POI, a limited volume of the total electric bicycles produced by Brompton Bicycles Ltd. was sold in the UK. Moreover, the UK sales numbers for the POI noted in the pre-sampling questionnaire response (and provided below) are also not supported by evidence and are inconsistent with the company’s own statement that only 25% of the electric bicycles are sold in the UK.

<b>Brompton Bicycles Ltd.<sup>14</sup></b>		
Brompton - Overall production of the like goods during the POI	UK sales of the like goods produced in the UK during the POI	Unit price
7,000 - 8,600 units	2,900 - 3,200 units	£ 2,586 - 2,812

32. Fourth, the fact that Brompton Bicycles Ltd. can sell its electric bicycles in the UK at a very high price and is investing huge sums of money in supposed capacity expansion is a strong indication of its positive and non-injurious position. Indeed, in its pre-sampling questionnaire response, Brompton Bicycles Ltd. admits that it is not affected by the Chinese electric bicycle imports as it states that the Chinese electric bicycle imports “could” harm it.

*Brompton Bicycles is the largest manufacturer of bikes in the UK and specifically manufactures a folding electric bike. Around 25% of our sales are in the UK and cheap electric bikes dumped into the UK market could cause material harm to our sales and jeopardise jobs at the London Factory and at small bike shops who would not be able to compete with cheap Chinese imports which will most likely be sold online.*

33. Moreover, this latter statement of Brompton Bicycles Ltd. is contradictory to its statements in its most recent Annual Report. In its most recent Annual Report, Brompton Bicycles Ltd. explicitly lists (i) supply chain issues; (ii) liquidity and cash flow issues caused by the need to meet increased demand; (iii) inflation; (iv) the retention of key management and staff; and (v) COVID-19 as the main risks.<sup>15</sup> Imports of electric bicycles from China are not mentioned in Brompton Bicycles Ltd.’s Annual Report and, “according to the directors, there are no further principal risks.”<sup>16</sup>
34. In sum, there are no legal and factual bases for the present reviews and for any possible extension of the AD and AS measures on electric bicycles from China.

<sup>14</sup> TRA, public file TD0037, Brompton Bicycles Ltd.’s Pre-Sampling Questionnaire, available to download at <[www.trade-remedies.service.gov.uk/public/case/TD0037/submission/49baf109-dc55-498b-aa42-5e17915e1778/](http://www.trade-remedies.service.gov.uk/public/case/TD0037/submission/49baf109-dc55-498b-aa42-5e17915e1778/)>

<sup>15</sup> Brompton, “Group of Company’s accounts made up to 31 March 2022”, available to download at <<https://find-and-update.company-information.service.gov.uk/company/01261512/filing-history>>, p. 7.

<sup>16</sup> *Ibid*, p. 8.

- 35. The mere fact that Brompton Bicycles Ltd. is investing in production capacity expansion in the UK and wants to protect its investments is not a legally justifiable reason for any possible extension of the AD and AS measures on electric bicycles from China.
- 36. Moreover, as indicated above, Brompton Bicycles Ltd.’s production of electric bicycles has been export-oriented, and this is likely to remain the case. Indeed, there is no evidence to the contrary, and none has been provided by this company. In fact, the company admits in its pre-sampling questionnaire response that only 25% of its sales are to the UK.
- 37. Additionally, based on the limited information available, Brompton Bicycles Ltd. Does not seem to be competitive in any event. The unit sales prices of Brompton Bicycles Ltd. Are – according to the UK import statistics – two to four times higher than the import prices of electric bicycles from the other main sources of electric bicycles into the UK, *i.e.*, from the EU and Chinese Taipei.
- 38. Furthermore, according to the UK import statistics, the number of electric bicycles imported into the UK from the EU was and is much higher than the number of electric bicycles imported from China. Additionally, the import prices of electric bicycles from the EU have been significantly lower than the sales prices of Brompton Bicycles Ltd. As stated above. Provided below is the UK import data for electric bicycles imported from the EU under the commodity code 87116010.

Imports of e-bikes into the UK - 8711 60 10	Apr 2019 - March 2020			Apr 2020 - March 2021			Apr 2021 - March 2022			Apr 2022 - March 2023		
	Units	Value (£)	Price (£/unit)	Units	Value (£)	Price (£/unit)	Units	Value (£)	Price (£/unit)	Units	Value (£)	Price (£/unit)
The EU	49,995	53,498,462	1,070	59,057	70,198,791	1,189	81,071	92,778,870	1,144	160,010	177,327,420	1,108

- 39. Thus, injury to Brompton Bicycles Ltd., if any, is likely to be caused by other third country imports and not the Chinese electric bicycle imports.
- 40. Last, Brompton Bicycles Ltd. incorrectly accuses the Chinese imports of being “cheap” without adducing any evidence – let alone sufficient or positive evidence – in support of this allegation.<sup>17</sup>

<sup>17</sup> TRA, public file TD0037, Brompton Bicycles Ltd’s Pre-Sampling Questionnaire, p. 15, available to download at [www.trade-remedies.service.gov.uk/public/case/TD0037/submission/49baf109-dc55-498b-aa42-5e17915e1778/](http://www.trade-remedies.service.gov.uk/public/case/TD0037/submission/49baf109-dc55-498b-aa42-5e17915e1778/).

41. The unsubstantiated claims by an EU manufacturer of electric bicycles, the Accell Group, which is selling its electric bicycles in the UK (via its related company), can also not be considered by the TRA.

## **5 COMMENTS ON ECONOMIC INTEREST**

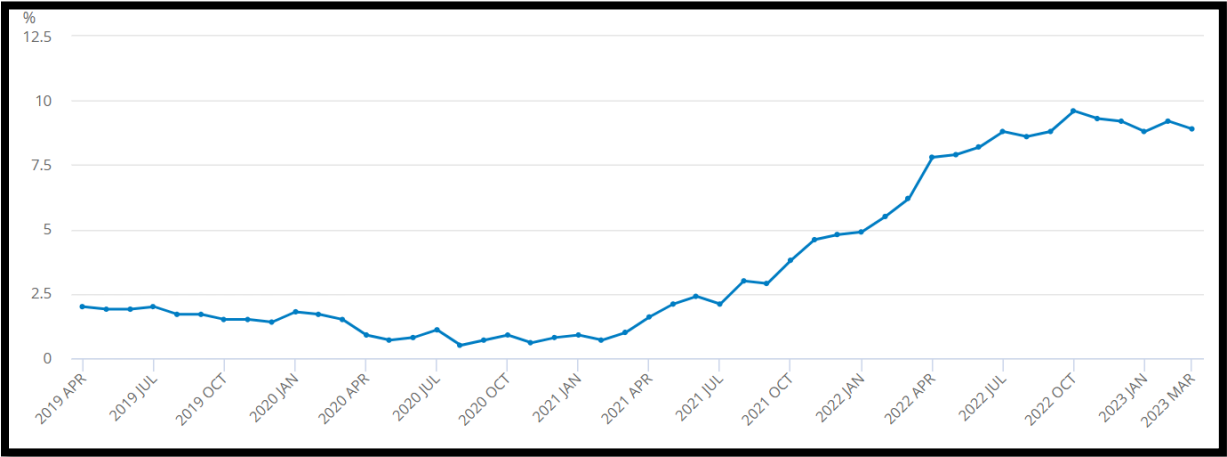
42. The CCCME also considers that the continued application of the existing measures would be contrary to the UK's economic interests for several reasons.
43. First, the UK producers will not be able to meet the growing domestic demand. On the one hand, the global market for electric bicycles "*is anticipated to increase from USD 28.21 billion in 2022 to USD 55.58 billion by 2030*", and "*the UK electric bicycle market had the quickest rate of growth in the European area*" since 2018.<sup>18</sup> According to the TRA's own assessment, the "*UK e-bike market was worth £280 million in sales in 2020 and this is expected to triple by 2024.*"<sup>19</sup> On the other hand, as noted by Halfords Limited, there is hardly any UK production of electric bicycles.
44. Moreover, as also discussed above, the sole supposed UK producer that has registered an interest in the present transition reviews has extremely limited production – even with the extended capacity – and is clearly export-oriented.
45. Thus, Chinese electric bicycle imports are important and, in fact, indispensable for meeting the UK's environmental goals and for transitioning towards a green economy.
46. Additionally, the maintenance of the restrictions on electric bicycles imported from China will lead to further negative price effects on consumers in a highly difficult economic environment and the escalating cost-of-living in the UK. In this regard, it is

---

<sup>18</sup> GlobalNewswire, "Electric Bicycles Market Projected to Reach 55.58 billion, at a 10.17% CAGR by 2030 – Report by Market Research Future (MRFR)" (27 February 2023), available at <[www.globenewswire.com/news-release/2023/02/27/2615999/0/en/Electric-Bicycles-Market-Projected-to-Reach-55-58-billion-at-a-10-17-CAGR-by-2030-Report-by-Market-Research-Future-MRFR.html](https://www.globenewswire.com/news-release/2023/02/27/2615999/0/en/Electric-Bicycles-Market-Projected-to-Reach-55-58-billion-at-a-10-17-CAGR-by-2030-Report-by-Market-Research-Future-MRFR.html)>. See also: SBWire, "Epic Growth Story of Folding E-Bike Market: VOLT, Solex, Birdie Electric, Woosh" (25 November 2022), available at <[www.sbwire.com/press-releases/epic-growth-story-of-folding-e-bike-market-volt-solex-birdie-electric-woosh-1367013.htm](https://www.sbwire.com/press-releases/epic-growth-story-of-folding-e-bike-market-volt-solex-birdie-electric-woosh-1367013.htm)>, according to which "*The folding e-Bike Market has witnessed continuous growth in the past few years and is projected to grow at a good pace during the forecast period of 2022-2029.*"

<sup>19</sup> TRA, "TRA proposes new tariff rates for Chinese e-bike exporters" (19 August 2022), available at <[www.gov.uk/government/news/tra-proposes-new-tariff-rates-for-chinese-e-bike-exporters](https://www.gov.uk/government/news/tra-proposes-new-tariff-rates-for-chinese-e-bike-exporters)>.

noteworthy that the consumer price inflation for the UK rose by 6.9% between the beginning and the end of the IIP.<sup>20</sup>



47. Thus, the Economic Interest Test calls for the termination of the existing measures.

**6 CONCLUSION**

48. For the foregoing reasons, the CCCME considers that the TRA should terminate the existing AD and AS measures on electric bicycles from China as well as the two transition reviews. The CCCME reserves its right to provide further evidence and comments in the course of the two reviews.

\*\*\*\*\*

<sup>20</sup> UK Office for National Statistics, available at <[www.ons.gov.uk/economy/inflationandpriceindices/timeseries/155o/mm23](http://www.ons.gov.uk/economy/inflationandpriceindices/timeseries/155o/mm23)>.