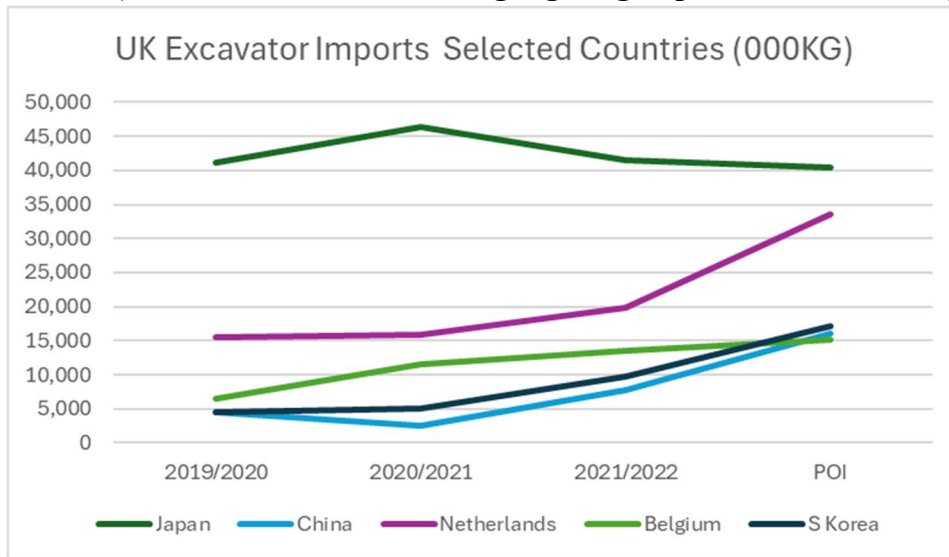




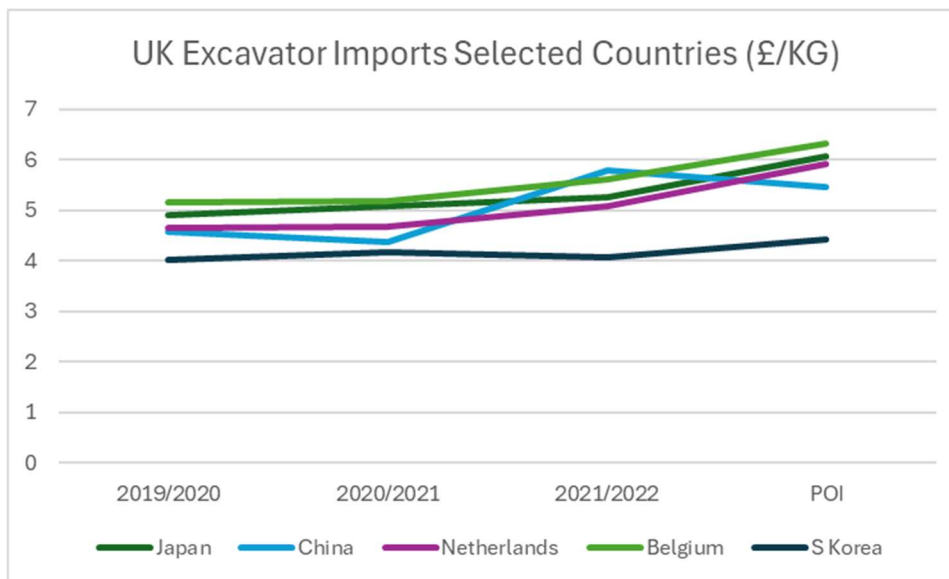
*Version: Non-Confidential*

[39] The TRA’s omission to assess the impact of imports from S. Korea is highly surprising given that the UK, firstly, imported a higher volume of excavators than from China over each of the 4 years of the injury period including in the POI. Secondly, the import price of the excavators imported into the UK from S Korea were substantially lower than the import price of the Chinese excavators and in each of the 12-month time periods of the injury period. The volume and £/Kg figures are set out respectively in Tables 3 and 4 below.

**Table 3 (same as Table 1 but here highlighting import data concerning S Korea)**



**Table 4**



Source: HMRC OTS



[40] The comparative HMRC OTS data for China and S. Korean excavators imported into the UK over the injury period are highlighted in the two boxes below:

UK Excavator Imports Selected Countries ('000KG)

|             | 2019/2020 | 2020/2021 | 2021/2022 | POI     |
|-------------|-----------|-----------|-----------|---------|
| All Imports | 100,963   | 111,775   | 134,709   | 163,792 |
| EU          | 46,091    | 51,455    | 65,990    | 83,057  |
| Japan       | 41,112    | 46,430    | 41,465    | 40,365  |
| China       | 4,537     | 2,587     | 7,716     | 15,958  |
| Netherlands | 15,554    | 15,855    | 19,923    | 33,521  |
| Belgium     | 6,498     | 11,558    | 13,579    | 15,082  |
| S Korea     | 4,554     | 5,010     | 9,668     | 17,101  |
| Ireland     | 3,370     | 3,598     | 4,055     | 4,516   |

UK Excavator Imports Selected Countries (£/KG)

|             | 2019/2020 | 2020/2021 | 2021/2022 | POI  |
|-------------|-----------|-----------|-----------|------|
| All Imports | 4.5       | 4.73      | 5.28      | 5.8  |
| EU          | 4.27      | 4.59      | 5.44      | 6.09 |
| Japan       | 4.91      | 5.09      | 5.26      | 6.06 |
| China       | 4.57      | 4.38      | 5.78      | 5.45 |
| Netherlands | 4.66      | 4.67      | 5.07      | 5.92 |
| Belgium     | 5.15      | 5.17      | 5.6       | 6.31 |
| S Korea     | 4.02      | 4.16      | 4.06      | 4.42 |
| Ireland     | 1.89      | 2.14      | 2.6       | 2.6  |

[41] The CCCME therefore highlights the fact that the SEF’s import volume and price analyses (paras. 476 – 479 and Figures 9 and 10, respectively) compare the volume of imports from China and Chinese prices only with the volumes and prices of imports from Japan, The Netherlands and Belgium, while the SEF Table 25 indications concerning imports from “all third countries” fails to capture the significance of the imports from S. Korea individually. With all due respect, the SEF analysis in these regards is therefore too restrictive if not misleading, and notwithstanding the fact that the CCCME already in its August 2 submission expressly referenced the lower prices of imports from S. Korea<sup>20</sup> and included in its UK import trade data (source ITC) both volume and price figures concerning S. Korea<sup>21</sup>. The above HMRC OTS data, extracted on 3 December 2024 following publication of the SEF, confirms the fact that UK imports of excavators from S. Korea were both larger in volume than those from China and sold at significantly lower

<sup>20</sup> Concerning prices of UK imports from S Korea see para. 30 and Table 3 of CCCME Comments submitted 2 August 2024.

<sup>21</sup> Given the CCCME’s express reference in its August 2 submission to the fact of and significance especially of the very low prices of the UK imports from S. Korea, these imports were thus a “known [evidentiary] factor” by the TRA and should have caused the TRA to objectively assess in the context of the SEF the importance of these imports from S. Korea and as regards both causation of injury and non-attribution.