

Zoe Madson, Lead Investigator
UK Government Department for International Trade
Trade Remedies Authority
United Kingdom

30 June 2023

Dear Ms Madson,

Subject: TD0037 and TS0038 – Comments on the proposed sample of overseas exporters

Our client: Giant Electric Vehicle (Kunshan) Co., Ltd.

We refer to the Notification of the proposed sample of overseas exporters issued on 23 June 2023 in the transition reviews of anti-dumping and countervailing duties imposed on imports of electric bicycles (e-bikes) from the PRC. On behalf of our client, Giant Electric Vehicle (KunShan) Co., Ltd. (GEV), we would like to make the following comments regarding the inclusion of our client in the sample.

We understand that the selection of sample is typically based upon export volume to the UK. Given the very small volume of UK exports of GEV (i.e., [Confidential business information: 90 – 110] electric bicycles during the POI), we are surprised that GEV has been included in the sample. The Notification explains that the proposed sample is based on a statistically valid method of the two companies with the largest volume of exports, and the two companies with the largest volume of exports and domestic sales. We therefore understand that the inclusion of GEV is due to the volume of its domestic sales.

We consider that given the small volume of UK exports of GEV, it would be disproportionate to require the company to complete the full questionnaire and provide detailed information on its domestic sales. This is particularly so given that it is very likely that the data relating to domestic sales in China will be rejected by the TRA based on the existence of a particular market situation (PMS) and replaced by other benchmarks.

Moreover, with imports of only [Confidential business information: 90 – 110] e-bikes into the UK, GEV is not representative for the Chinese imports. GEV's imports to the UK represent less than [Confidential business information %] of the total imports of e-bikes from China (around 200,000 units based on UK custom statistics). GEV's data will therefore have a negligible impact on the overall findings by the TRA in relation to the impact of the prices and volumes of the imports of Chinese e-bikes. The preparation of questionnaire response is a very demanding and time-consuming task and, in light of the above, it does not appear to be necessary in the case of GEV.

In addition, with respect to the sample selected for the purpose of the subsidy transition review (TS0038), we note that it is identical to the sample proposed in the anti-dumping transition review and includes the two companies with the largest volume of exports, and the two companies with the largest volume of exports and domestic sales. GEV submits that since domestic sales are not relevant in the context of anti-subsidy investigation, the TRA should select a separate sample based exclusively on the volume of export sales to the

UK. Since GEV exported only [Confidential business information: 90 – 110] electric bicycles during the POI, the company should not be part of that sample.

In light of the foregoing considerations, GEV submits that the TRA should take into account GEV's request in Section D.5 of its response to the Pre-Sampling Questionnaire. In other words, the TRA could simply correct the level of duty applicable to GEV in light of the findings of the EU following the reopening of the EU investigations in order to take into account the General Court's judgments. This would not require an extensive re-examination of the situation of GEV while correcting the main errors contained in the currently applicable duty.

Please do not hesitate to contact us should you have any questions or comments in relation to the above.

Yours sincerely,

[Signature]