



Pre-Sampling Questionnaire (Brazilian Producers)

Anti-Dumping Investigation

Case AD0047: Certain Excavators exported from the People's Republic of China (PRC)

Period of Investigation:	1 July 2022 – 30 June 2023
Injury Period:	1 July 2019 – 30 June 2023
Deadline for response:	1 March 2024
Case Team Contact:	AD0047@traderemedies.gov.uk
Completed on behalf of:	<i>JCB do Brasil Limitada</i>

When you have completed this form, indicate the **confidentiality** status of this document by placing an X in the relevant box below and in the header. We strongly recommend this questionnaire to be completed on the computer, so this step is easy to complete.

Confidential

Non-confidential – will be made publicly available

Please note that you will have to provide **two copies of your response** – a **confidential** and a **non-confidential version**. Both copies must be returned to the TRA using the Trade Remedies Service (www.trade-remedies.service.gov.uk) by **1 March 2024**.



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The scope of this investigation

Goods concerned

This investigation covers 'Certain Excavators' exported from the PRC, described as:

- *Self-propelled track-laying (i.e., tracked) excavators with a 360° revolving superstructure and with an operating weight of 11,000 kg (i.e., 11 tons) or more.*

These excavators are currently classifiable within the following commodity code 8429 5210 00. This commodity code is only given for information, and includes 'mini' excavators under 11 tonnes.

The units of measurement to be used in this investigation include kilogram (KG) and metric tonne (MT). For clarity where we refer to 'ton' in the goods description we do not mean the imperial measurement. For the purpose of this investigation ton refers to 1000kg, or metric tonne.

Like goods

Any reference to '**like goods**' in this questionnaire refers to goods which are like the goods concerned in all respects, or with characteristics closely resembling them.

Please follow the instructions for each question to provide the appropriate information regarding the goods concerned or like goods.

For more information about this case, you may refer to the Notice of Initiation published at: <https://www.trade-remedies.service.gov.uk/public/case/AD0047/>



Instructions

The Trade Remedies Authority (TRA) is responsible for investigating the allegation that Certain Excavators from the PRC are being exported to the UK at prices less than their normal value and that this dumping (export price at less than normal value) is causing injury to the UK industry for these goods.

Who should complete this form

You should complete this form if you are a Brazilian producer of the like goods.

Why you are being asked to complete this pre-sampling questionnaire

The TRA has received an allegation that a Particular Market Situation (PMS) exists in the PRC for Certain Excavators. We have yet to make a determination in this investigation in relation to the allegation but to assist in calculating dumping margins, it may be necessary to use certain cost and sales data for similar goods produced and sold in another country.

We have provisionally chosen Brazil as an appropriate representative third country in this investigation, should it be required.

We are therefore inviting producers in Brazil to participate in the investigation and to provide certain sales and cost data which will help us:

- Understand costs, manufacturing and sales for this product; and,
- Compare the data against figures from the PRC.

This pre-sampling questionnaire allows us to collect basic information and data about your company. If a large number of producers of the like goods from Brazil complete this pre-sampling questionnaire, we will use the information each one provides to help us decide which companies we want to sample for further involvement. If you are sampled, we will send you a more detailed questionnaire to complete.

Deadline for response

A completed pre-sampling questionnaire must be submitted to the TRA by no later than 1 March 2024. If you are unable to provide a completed submission by the given due date and you wish to request an extension, please contact David George,



AD0047@traderemedies.gov.uk, and see the TRA's guidance on extension requests for further information.

Note about confidentiality

You will need to submit one confidential version and one non-confidential version of your pre-sampling questionnaire by the due date.

Please ensure that each page of information you provide is clearly marked either "Confidential" or "Non-confidential" in the header.

It is your responsibility to ensure that the non-confidential version does not contain any confidential information, which includes personal contact information, names and signatures.

Please see the TRA's [public guidance](#) for further information on what can be considered confidential and how to prepare a non-confidential version of this questionnaire.

All information provided to the TRA in confidence will be treated accordingly and only used for this investigation (except in limited circumstance as permitted by regulation 46 of the Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019) and will be stored in protected systems. The non-confidential version of your submission will be placed on the public file, which is available on <https://www.trade-remedies.service.gov.uk/public/case/AD0047/>



Section A – Activities of your company and any associated parties

A1 – Your company’s activities

To determine your company’s role for the purpose of this investigation, please select the activity/activities of your company below. For a definition of like goods please refer to above section ‘[the scope of this investigation](#)’.

- overseas producer of the like goods
- other (please give details below)

If you have selected ‘other’, please describe the role of your company with regards to the like goods:

N/A.

Please describe your interest in this investigation:

JCB do Brasil Limitada ("JCB Brazil") produces in-scope excavators ("Excavators") in Brazil. The TRA has proposed using Brazil as the representative third country for the purpose of determining normal value of Excavators originating in China.

A2 – Associated parties and operational links

Please give details of all associated parties involved with the company in the production and sales (export and/or domestic) of the like goods during the POI. Both natural persons (individuals) and legal persons (e.g. companies) are considered to be associated where they meet the definition of ‘Related Persons’ in [regulation 128 of the Customs \(Import Duty\) \(EU Exit\) Regulations 2018](#).

Examples of activities could include manufacturing, exporting, purchasing, warehousing, sales (domestic), sales (export), further processing of the like goods.

	Company name	Company location (city, country)	Activities	Relationship
Associated party 1	<i>[Sensitive information removed – JCB Brazil's business operations]</i>			

+ Add additional rows as required



Section B – Production and sales volumes

B1 – Production

Please fill in your company's total production volume and capacity for the goods and like goods in the table below.

POI: 1 July 2022 – 30 June 2023	Volume (KG)	Volume (Number of units)
Overall production of the goods concerned and like goods during the POI	[2,000,000-10,000,000]	[100-500]
Total production capacity of the goods concerned and like goods during the POI	[20,000,000-60,000,000]	[1,500-2,500]

B2 – Sales volume and value

Please provide the total sales volumes and sales price values in the table below.

POI: 1 July 2022 – 30 June 2023	Volume (KG)	Volume (Number of units)	Value (£)
Total export sales of the like goods during the POI manufactured by your company	[2,000,000-10,000,000]	[100-500]	[10,000,000-20,000,000]
Total export sales of the like good during the POI not manufactured by your company	[Sensitive information removed – Commercially sensitive information]	[Sensitive information removed – Commercially sensitive information]	[Sensitive information removed – Commercially sensitive information]
Total domestic sales of like goods during the POI manufactured by your company	[2,000,000-10,000,000]	[100-500]	[10,000,000-20,000,000]
Total domestic sales of like goods during the POI not	[Sensitive information removed –	[Sensitive information removed –	[Sensitive information removed – Commercially



manufactured by your company	<i>Commercially sensitive information]</i>	<i>Commercially sensitive information]</i>	<i>sensitive information]</i>
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B3 – Commodity codes

Please provide details of the commodity code(s) you export the like goods to the UK under in the box below:

[Sensitive information removed – JCB Brazil's business operations]



Section D – Additional information

D1 – Other interested parties

If you believe there are other interested parties that should receive a questionnaire, please provide their organisation name and website details below.

Organisation name	Website
N/A	N/A

D2 – Scope

Do you agree with the scope of the investigation as outlined on 5?

- Yes
 No

If you have answered no to the above question, please can you explain why?

N/A.

D3 – Product Control Numbers

The TRA uses Product Control Numbers (PCNs) to define and distinguish the different types of products that fall under the goods description above.

PCNs, which come in the form of an alphanumeric code, help to create a categorisation system so that comparisons can be made between goods produced in the domestic UK market and those produced in foreign markets.

Given the relatively low number of sales in the UK Excavator market and the large number of configurations available for purchase (e.g., air conditioning for the cab, dozer blades or not, and different sizes of track shoes), we consider it is not useful to add further PCNs. Instead, any differences in physical characteristics relevant to the calculations (e.g., any costly attachments or options) should be addressed through adjustments.

We have created a draft PCN table and enclose this here for you now.



Category	Description	Basic Operating weight
S	Small Excavators	>=11 tonnes <15 tonnes
M	Medium Excavators	>=15 tonnes <20 tonnes
L	Large Excavators	>=20 tonnes <30 tonnes
XL	Extra-Large Excavators	>=30 tonnes

Please review the draft PCN structure for this investigation shown in the table above.

Please include any comments on the PCN structure in the box provided.

N/A.

D5 – Anything else

Please use the box below to provide information about anything else you consider relevant to this investigation.

N/A.

Now you have reached the end of this questionnaire please ensure that you have prepared a confidential and non-confidential version and indicated the status of each within the header. The non-confidential version should redact personal contact information, names, signatures, and exact sales quotes. Redacted figures should be replaced with a range where possible. Please return both versions to the TRA using the Trade Remedies Service (trade-remedies.service.gov.uk).