



Statement of essential facts

Review No. TD0053

Transition review of anti-dumping duties applying to chamois leather
originating in the People's Republic of China (PRC)

27 September 2024



Contents

Section A: Introduction.....	3
A1. Legal framework.....	4
A2. About this review	4
Section B: Summary and findings	5
B1. Dumping.....	5
B2. Injury	5
B3. Intended final determination and recommended measure	5
B4. Economic interest test (EIT)	6
Section C: Background	7
C1. Initiation of the transition review	7
C2. Participation in the investigation	7
C3. Verification of data.....	8
Section D: The Goods Subject to Review and the Like Goods.....	9
D1. Goods Subject to Review	9
D2. Like goods.....	9
Section E: The UK industry and market	10
E1. UK industry.....	10
Section F: Dumping	10
Section G: Injury	15
Section H: Economic Interest Test.....	15
Section I: Findings and Proposed Recommendations.....	16
I2. Intended Final Recommendation	16
Annex 1: Interested parties and contributors.....	17



Section A: Introduction

1. This section briefly summarises the legal framework for this statement of essential facts (SEF) and the Trade Remedies Authority (TRA)'s main findings. The background to and details of the review (see also [Section C: Background](#)) are set out in the subsequent sections.
2. This SEF sets out a summary of the essential facts considered by the TRA during the review. It should be read in conjunction with other public documents available for this case, which are available on the [public file](#). The purpose is to set out our intended recommendation, provide interested parties and contributors with a summary of the facts considered during this review, and those facts which formed the basis of our intended recommendation. Additionally, we inform interested parties and contributors who have supplied information how we have used that information during the review, provide details of the analysis forming the basis of the intended recommendation and allow interested parties to make submissions in response.
3. Interested parties, contributors and any other person who has supplied information to the TRA are invited to make submissions within 14 calendar days of the publication date of this SEF, i.e., before 23:59 hours (BST) on 11 October 2024, as per Regulation 62(2) of The Trade Remedies (Dumping and Subsidisation) (EU Exit) Regulations 2019 (S.I. 2019/450) (as amended) (the Regulations).
4. Any submissions received after this date may not be accepted by the TRA if to do so would significantly impede the progress of this investigation. Where the TRA rejects information for any reason, it will publish the reasons for rejection in the final determination.
5. Registered interested parties and contributors to the case can make submissions on the Trade Remedies Service online platform (TRS). These submissions must be accompanied by a non-confidential version of the submission for the public file. Those not registered on the TRS may send submissions by email to TD0053@traderemedies.gov.uk. These submissions must also be accompanied by a non-confidential version for the public file.
6. In exceptional circumstances it may not be possible to summarise confidential information. If this is the case, interested parties and contributors must provide a 'statement of reasons' setting out the reasons why the TRA should treat the information as confidential and why summarisation of the information is not possible, as defined under regulation 45(6)(b) of the Regulations.
7. For further information about our investigations, please see our [public guidance](#).



A1. Legal framework

8. This SEF is made pursuant to regulation 62 of the Regulations. It includes:
- the recommendation that the TRA intends to make;
 - a summary of the facts considered during the investigation;
 - those facts referred to in the summary that formed the basis of the intended recommendation;
 - details of how the TRA has used the information supplied by interested parties and contributors in making the intended recommendation; and
 - details of the analysis forming the basis of the intended recommendation.

A2. About this review

9. This is a transition review of a United Kingdom (UK) trade remedies measure under regulation 97 of the Regulations, specified in the [Notice of Determination 2020/27](#). This UK measure gives effect to European Union (EU) [Commission Implementing Regulation \(EU\) 2019/297](#) of 20 February 2019¹. The EU measure transitioned into UK law, and as set out in the [Taxation Notice 2020/27](#), took effect as a UK measure on replacement of EU trade duties.
10. This review concerns an anti-dumping measure applying to chamois leather originating in the PRC. This review was initiated on 20 February 2024 and the [Notice of Initiation \(NOI\)](#) was published on this date.
11. The period of investigation (POI) is 1 January 2023 to 31 December 2023. To assess injury, the TRA has chosen the period from 1 January 2020 to 31 December 2023 as the injury period (IP).

¹ [COMMISSION IMPLEMENTING REGULATION \(EU\) 2019/ 297 - of 20 February 2019 - imposing a definitive anti-dumping duty on imports of chamois leather originating in the People's Republic of China following an expiry review pursuant to Article 11 \(2\) of Regulation \(EU\) 2016/ 1036 of the European Parliament and of the Council \(europa.eu\)](#)



Section B: Summary and findings

B1. Dumping

12. In accordance with regulation 99A(1)(a) of the Regulations we assessed whether dumping of the goods subject to review would be likely to continue or recur if an anti-dumping amount was no longer applied (the likelihood of dumping assessment).
13. We determined that it is likely, on the balance of probabilities, that dumping of the goods subject to review from the PRC would recur if the measure were no longer applied.

B2. Injury

14. In accordance with regulation 99A(1)(b) we considered whether injury to the UK industry in the relevant goods would be likely to continue or recur if the measure were no longer applied (the likelihood of injury assessment).
15. In assessing the UK industry, the TRA must determine if there is a UK industry that can suffer a continuation of, or recurrence of injury. Paragraph 6(1) of Schedule 4 to the Taxation (Cross-border) Trade Act 2018 (the Act), defines a UK industry in particular goods. During this review, we have been unable to identify;
 - any current UK production of chamois leather,
 - any planned future UK production, nor
 - received any submissions or information relating to the production, or intended production of chamois leather in the UK.
16. The TRA has concluded that there is no UK industry of the like goods. As there is no UK industry in the like goods, there is no likelihood of injury continuing or recurring to that industry.

B3. Intended final determination and recommended measure

17. In accordance with regulation 100(1) of the Regulations, the TRA must make a recommendation following a transition review to vary or revoke the application of the anti-dumping amount to the relevant goods.
18. Our review has determined that while it is likely dumping would continue or recur from the PRC, injury to the UK industry would not continue or recur if the measure were no longer applied. The summary of these findings related to dumping and injury are in the subheadings below.



19. Our intended recommendation is to revoke the application of the anti-dumping amount applicable to the Goods Subject to Review, to be made in accordance with Regulations 100(1), 100(2)(a)(ii) and 100B of the Regulations.

B4. Economic interest test (EIT)

20. As the TRA intends to recommend to revoke the application of the anti-dumping amount, no assessment is needed to determine whether the application of the measure meets the requirements of the Economic Interest Test.



Section C: Background

C1. Initiation of the transition review

21. The UK chose to maintain certain trade remedy measures once it was outside the EU's common external tariff. The Department for International Trade (DIT) (now the Department for Business and Trade (DBT)) identified which measures were of interest to the UK following a call for evidence.
22. For each of these measures, the Secretary of State for International Trade (now the Secretary of State for Business and Trade) (the Secretary of State) published a Notice of Determination, under regulation 96(1) of the Regulations, setting out the decision to transition the corresponding EU trade remedies measure, and a Taxation Notice, on replacement of EU trade duty. We conduct transition reviews to determine if these measures should be varied or revoked in the UK.
23. On 31 December 2020 the Secretary of State published a [Notice of Determination](#) regarding the anti-dumping duty on chamois leather originating in the PRC, noting the decision to transition the EU anti-dumping measure so it continued to apply in the UK once the UK ceased to apply the EU's Common External Tariff. [Taxation Notice 2020/27](#) gave effect to the transition of the EU anti-dumping duty on chamois leather originating in the PRC.
24. Under regulation 97C of the Regulations, this measure will continue until the Secretary of State publishes a notice accepting or rejecting a TRA recommendation to vary or revoke the application of the anti-dumping amount following the conclusion of a transition review.
25. The current rate of anti-dumping duty which applies to the relevant goods exported by the PRC is shown in table 1 below:

Table 1 -Duty amount and additional TAP codes

Overseas Exporter	Duty Amount	Additional TAP code
All overseas exporters	58.9%	-

26. The transition review was initiated by the TRA on [20 February 2024](#), and [the Notice of Initiation](#) was published on that date.

C2. Participation in the investigation

27. The TRA invited interested parties and contributors to register in order to participate in the review. [Annex 1: Interested Parties and Contributors](#) in the review contains a summary of information received from all interested parties and contributors. Non-confidential versions of information received can be accessed on our [public file](#).



C2.1. Interested parties & contributors

28. Four interested parties and contributors registered an interest in the case:

- Hutchings & Harding Ltd (producing in the UK at the time of the previous European measure)
- J&T Beaven Ltd (Contributor)
- Leather UK (UK Trade Body)
- The Government of the PRC (GoC) registered an interest in the case through its Ministry of Commerce (MOFCOM).

C2.2. Submissions

29. All four of the above parties submitted a pre-sampling questionnaire, however we did not receive a full questionnaire from any interested party or contributor.

C3. Verification of data

30. No questionnaires were submitted from interested parties and contributors during this transition review, which resulted in there being no data submitted to verify.

31. We have therefore used secondary source information that was treated with special circumspection and, where practicable, verified using independent sources. This included, but was not limited to, official import statistics and data pertaining to relevant markets.



Section D: The Goods Subject to Review and the Like Goods

D1. Goods Subject to Review

32. The goods subject to review are identified as chamois leather originating in the PRC and exported to the UK, described in the [NOI](#) as:

- Chamois leather and combination chamois leather, whether or not cut to shape, including crust chamois leather and combination crust chamois leather.

33. The commodity codes under which these goods are categorised are:

- 4114101000
- 4114109000

D2. Like goods

34. In accordance with paragraph 7 of Schedule 4 to the Act, the TRA refers to 'like goods' as those which are like the goods subject to review in all respects or, if there are no such goods, goods that have characteristics which closely resemble them.

35. Submissions from both J&T Beaven Ltd (contributor) and Leather UK (trade body) stated there was no longer any chamois manufacturing industry in the UK.

36. A submission from Hutchings & Harding (H&H) identified itself as a UK producer of chamois. H&H were asked to provide information on its UK production, or plans for production in the questionnaire, but did not provide a response.

37. In light of a lack of evidence of UK production presented by the party, and conflicting submissions from other interested parties and contributors, the TRA took further steps to establish whether any UK production of the like goods was taking place.

38. Information was initially requested as part of the questionnaires issued to registered parties, however none of the registered parties provided a response.

39. The TRA subsequently posted a [note to the public file](#) inviting further comments to assess whether there is production, or intended production in the UK. No responses were received.

40. When determining the like goods produced in the UK, we have found that there is no current or planned production of the goods which are like the goods subject to review. In the absence of this information, we have determined there are no UK like goods relevant to this transition review.



Section E: The UK industry and market

E1. UK industry

41. Paragraph 6(1) of Schedule 4 to the Act, defines a UK industry in particular goods as either:
 - a) all the producers in the UK of like goods, or
 - b) those of them whose collective output of like goods constitutes a major proportion of the total production of those goods in the UK.
42. As per section D2 'Like Goods' above, we have determined there is no current, or planned production of the like goods in the UK. This means that there are no producers in the UK of the like goods, as set out in the definition of a UK industry above.
43. In the absence of any further information that would indicate otherwise, we have therefore concluded that presently there is no UK industry in the like goods.

Section F: Dumping

44. In accordance with regulation 99A(1)(a) of the Regulations, we have considered whether the dumping of the goods subject to review would be likely to continue or recur if the anti-dumping amount were no longer applied to those goods.
45. We did not receive any submissions from interested parties or contributors that could be used as part of our dumping likelihood assessments. We have therefore used secondary source information that was treated with special circumspection.
46. Our dumping likelihood assessment considered the factors below:

Part 1: Continued dumping

Part 2: Do conditions for dumping exist;

Part 3: Do incentives for dumping exist



Part 1: Continued Dumping

47. Graph 1 shows the volume (kg) of imports of chamois leather into the UK (stacked columns) from:

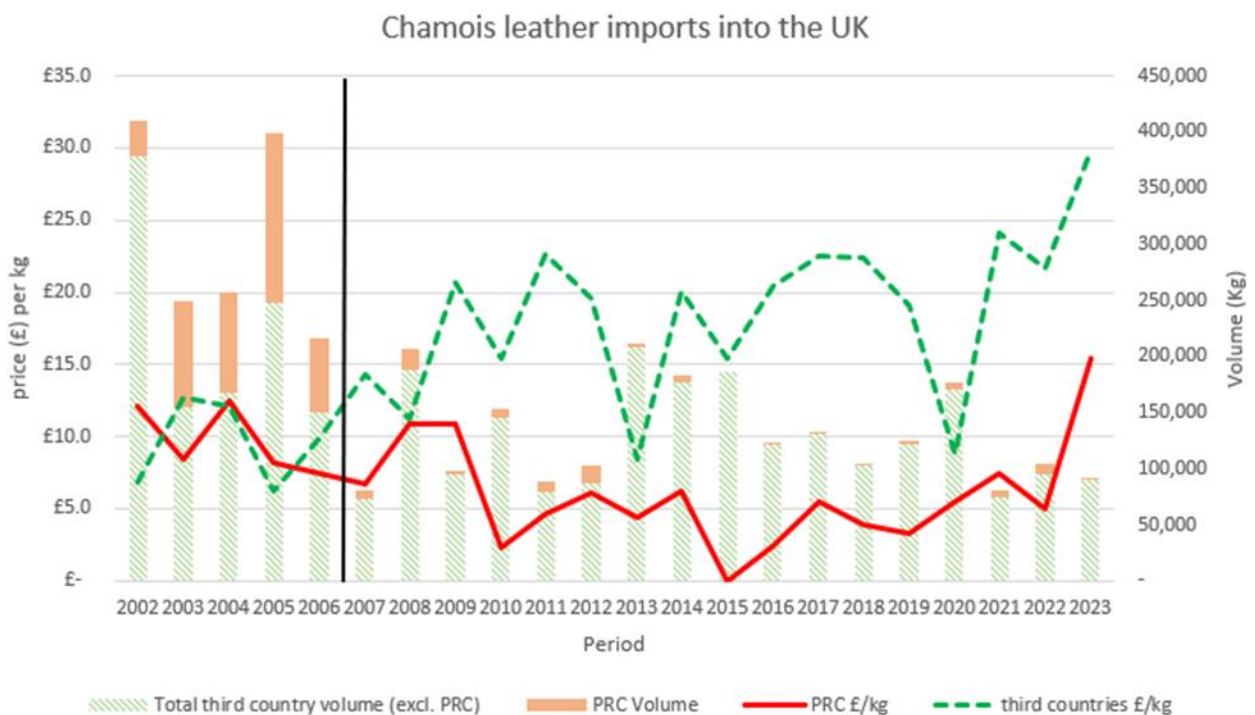
- Third countries excluding the PRC (green pattern fill diagonal stripes)
- PRC imports only (orange solid fill)

Graph 1 also shows the price (£) per kg of imports of chamois leather into the UK (line graph) from:

- Third countries excluding the PRC (green square dots line graph)
- PRC imports only (red solid line graph)

The black vertical line indicates the approximate date of the EC definitive measures.

Graph 1 – Chamois leather imports into the UK



Source: HMRC UK Trade Info
Note: 2015 had no price data available re: PRC imports.

48. Graph 1 shows that the proportion of PRC imports of chamois leather compared with third country imports of chamois leather into the UK decreased since the European Commission’s (EC) anti-dumping measure.

49. Graph 1 also shows that the price per kg (£/kg) of chamois leather from the PRC compared to the £/kg from third countries has maintained a consistent trend in terms of £/kg increases and decreases; however since the EC’s measure, the PRC’s £/kg has been below the £/kg of third countries.



50. The low prices from the PRC may suggest that products are being dumped, however, due to a lack of cooperation from PRC exporters and lack of relevant data from other sources, we are unable to consider further whether the continued imports from the PRC have been made at a dumped price.

Part 2: Do conditions for dumping exist

51. We did not receive any information from interested parties or contributors that allowed us to directly assess production levels, inventories, production capacity or the ability to shift production.

52. We subsequently analysed trade data to provide an indication of both potential production and production capacity. Table 2 below shows the total global imports of chamois leather from the PRC.

Table 2: Global imports of chamois leather from the PRC

	2020	2021	2022	2023
Imports from the PRC (kg)	1,080,859	702,255	771,703	815,952
Proportion (volume) of total global imports (%)	21%	13%	13%	16%

Source: Zen Global Trade Tracker

53. Table 2 shows the PRC constitute a considerable proportion of total chamois leather global trade. During the entire injury period (IP), imports of chamois leather from the PRC totalled 3,370,769 kg. This was approximately 8 times greater than the total imports of chamois leather into the UK over the same period (453,116 kg²).

54. The changes in global import volumes of chamois leather from the start of the IP to the POI indicate a potential spare capacity of 264,907 kg. This volume exceeds annual imports of chamois leather into the UK, which ranged between 80,891 kg to 176,388 kg³ during the IP.

55. In the absence of any information indicating these volumes will be consumed within the PRC’s domestic market, and on the assumption that these volumes have been produced by the PRC (with no indication that the PRC were not responsible for the production), we assess the PRC produce, and have the capacity to produce, volumes of the relevant goods that support conditions for dumping to exist.

Part 3: Do incentives for dumping exist

56. We did not receive any information from interested parties or contributors, or secondary source information that would allow for a reasonable analysis of the following factors:

^{2 & 3} HMRC UK Trade Info – this figure is the sum of total imports into the UK as identified in Graph 1



- Market prices in the UK and the overseas exporters' market
- Conditions in the overseas exporters' domestic market
- Whether exporters have previously or habitually circumvented or absorbed the effects of trade remedy measures
- Any other relevant factor

Exports to third countries

57. We analysed global trade data to compare the prices of chamois leather imported from countries that do not have any measures in place against the PRC, to those that did have measures in place (UK and EU), during the IP.
58. Table 3 below shows the weighted-average price per kg of chamois leather imported by:
- Global imports from the PRC only, excluding imports from the PRC to countries with measures against the PRC during the IP (UK and EU)
 - UK imports from the PRC
 - EU imports from the PRC (excluding UK data).

Table 3: Price £ per kg of imports

	2020	2021	2022	2023 (POI)
Global Imports from PRC only, excl. UK and EU	2	3	3	3
UK imports from PRC	6	7	5	15
EU imports from PRC (excluding UK)	16	10	17	9

Source: Zen GTT and HMRC

Note: UK and EU have had anti-dumping measure in place throughout the IP.

59. Table 3 above shows the import price per kg (£/kg) of chamois leather to countries that do not have anti-dumping measures in place are lower than the import prices for countries that do have anti-dumping measures in place.
60. Further analysis was conducted in respect of individual countries and the volumes imported (countries that imported higher volumes than those with measures in place did so at a lower £/kg, however this could be due to larger quantities receiving a bulk discount). Yet countries that imported similar, or lower volumes than the UK and EU, were still able to import at a lower £/kg. This suggests import prices observed in countries that do not have anti-dumping measures in place are, in general, lower than import prices for countries that do have anti-dumping measures in place.
61. This may indicate that the measure has been effective, and, should it be revoked, dumping may recur.



Attractiveness of the UK market to exporters

62. In the absence of UK production data, we have based the UK market consumption on imports alone. The entirety of UK imports could be met by PRC excess capacity, therefore the ability for PRC exporters to supply chamois leather to the UK market may be attractive to PRC exporters.
63. In respect of the intensity of competition, in the absence of a UK industry, the competition would be among other exporters. Table 4 below shows the average price per kg of chamois leather from third countries and the PRC (bold), to the UK.

Table 4: UK imports from third countries and the PRC (by volume over the IP)

	2020	2021	2022	2023
Belgium	£3	£26	-	£32
Italy	£36	£35	£35	£44
Turkey	£35	£24	£6	£18
India	£24	£21	£36	£32
Poland	£16	£25	£25	£41
PRC	£6	£7	£5	£15

Source: HMRC UK Trade Info

Note: Countries are listed in order of largest volume during the IP, with Belgium the largest exporter to the UK, followed by Italy. The PRC was the 6th largest exporter to the UK.

64. With the exception of Belgium during 2020, imports from the PRC have been consistently below the price of imports from other countries. Should the UK measure be revoked, this would increase the competitiveness of the PRC price of chamois leather, compared to other countries competing on price.
65. However, based on the above table, should chamois leather be attractive to importers/consumers based on a price point alone, then imports from the PRC would appear the most attractive option; yet, despite imports from the PRC being priced lower, they have accounted for 5% of total imports throughout the IP. This may indicate price-point alone is not a determining factor.
66. We assess that the UK market may be attractive to PRC exporters on the basis that the PRC can fulfil UK market size, compete on pricing, and faces a lack of competition at a price-point. We have been unable to assess further factors due to a lack of evidence. However, in terms of the factors we have been able to assess, we conclude that the UK market may be attractive to PRC exporters should the measure be revoked.

Conclusion on dumping

67. In accordance with the Regulations, we have considered the likelihood of dumping continuing or recurring using the information we have available. Due to a lack of engagement by parties in this transition review, the information with which we can carry out a dumping likelihood assessment has been very limited.



68. We have assessed that the conditions for dumping exist, on the basis that the PRC have produced, and likely have capacity to produce, quantities of chamois leather that are large enough to supply much, if not all, of the UK market's current demand.
69. We have assessed that incentives to dump exist, on the basis that the PRC currently export to countries without measures at prices below those observed in markets that do have measures in place. We also assessed the UK market may be attractive to PRC exporters based on the ability to supply market share, lack of competition, and observed prices that are below current imports into the UK from third countries.
70. Having considered our assessment above, we conclude that, on the balance of probabilities, and based on the information available, dumping would be likely to continue or recur if the measure were no longer applied.

Section G: Injury

71. In accordance with regulation 99A(1)(b) of the Regulations, we have considered whether injury to the UK industry would be likely to continue or recur if the anti-dumping amounts were no longer applied to imports of goods subject to review from the People's Republic of China.
72. However, during this review and as identified in [Sections D2 'Like Goods'](#) and [Section E 'UK Industry'](#), we have not identified any current, or planned UK production of goods which are like the goods subject to review – either during the IP, or with the future intention to produce.
73. With no evidence of production in the UK of the like goods, there are no UK producers, therefore no UK industry. As a result, there is no injury.

Conclusion on Injury

74. Regulation 99A requires us to consider whether injury to a UK industry in the goods would be likely to continue or recur if the anti-dumping amount were no longer applied to the goods. As we have concluded there is no UK industry in the like goods, there is no likelihood of injury continuing or recurring to that industry.

Section H: Economic Interest Test

75. The TRA have determined in the absence of a UK industry, there can be no likelihood of injury continuing or recurring. As a result, there is no requirement for the continued application of an anti-dumping amount, which means no assessment is needed to determine whether the application of the measure meets the requirements of the Economic Interest Test.



Section I: Findings and Proposed Recommendations

76. The TRA has found that it is likely, on the balance of probabilities and in the absence of any evidence submitted that would dissuade from this conclusion, that dumping of chamois leather would recur if the anti-dumping amount were no longer applied.
77. In the absence of evidence of a UK industry, we have determined there is no likelihood of injury continuing or recurring should the anti-dumping amount no longer be applied.

12. Intended Final Recommendation

78. We intend to recommend revocation of the anti-dumping amount under regulations 100(1), 100(2)(a)(ii) and 100B of the Regulations.
79. In accordance with regulation 100B(2), the TRA recommends that the measure be revoked with effect from 22 February 2024, as this would have been the date that the measure would have expired had no transition review been initiated.



Annex 1: Interested parties and contributors

Summary of information received from interested parties and contributors

	<i>Interested party/Contributor</i>	<i>Information received</i>	<i>Status</i>
1	Ministry of Commerce of the People's Republic of China (MOFCOM)	Pre-sampling questionnaire (PSQ)	Foreign Government
2	Leather UK	Pre-sampling questionnaire (PSQ)	Trade Body
3	J&T Beaven Ltd	Pre-sampling questionnaire (PSQ)	Contributor
4	Hutchings & Harding Ltd	Pre-sampling questionnaire (PSQ)	Contributor