



2025/120

24.1.2025

COMMISSION IMPLEMENTING REGULATION (EU) 2025/120

of 23 January 2025

imposing a definitive anti-dumping duty on imports of electric bicycles, 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

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 ⁽¹⁾ ('the basic Regulation'), and in particular Article 11(2) thereof,

Whereas:

1. PROCEDURE

1.1. Previous investigations and measures in force

- (1) By Commission Implementing Regulation (EU) 2019/73 ⁽²⁾, the European Commission imposed anti-dumping duties on imports of electric bicycles, originating in the People's Republic of China (PRC) ('the original measures'). The anti-dumping duties currently in force range from 10,3 % to 70,1 %. The investigation that led to the imposition of the original measures will hereinafter be referred to as 'the original investigation'.
- (2) Following the judgment of the General Court in Case T-242/19, on 17 March 2023 the anti-dumping duties were reimposed as regards Giant Electric Vehicle (Kunshan) Co., Ltd, by Commission Implementing Regulation (EU) 2023/609 ⁽³⁾. The re-imposed duty was set at 9,9 %.
- (3) By Commission Implementing Regulation (EU) 2019/72 ⁽⁴⁾, the Commission imposed, in parallel, definitive countervailing duties on imports of electric bicycles originating in the People's Republic of China. The countervailing duties currently in force range from 3,9 % to 17,2 %.

1.2. Request for an expiry review

- (4) Following the publication of a notice of impending expiry ⁽⁵⁾ the European Commission ('the Commission') received a request for a review pursuant to Article 11(2) of the basic Regulation.
- (5) The request for review ('the request') was submitted on 16 October 2023 by the European Bicycle Manufacturers Association ('the applicant') on behalf of the Union industry of electric bicycles in the sense of Article 5(4) of the basic Regulation. The request was based on the grounds that the expiry of the measures would be likely to result in continuation of dumping and recurrence of injury to the Union industry.

⁽¹⁾ OJ L 176, 30.6.2016, p. 21, ELI: <http://data.europa.eu/eli/reg/2016/1036/oj>.

⁽²⁾ 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, ELI: http://data.europa.eu/eli/reg_impl/2019/73/oj).

⁽³⁾ Commission Implementing Regulation (EU) 2023/609 of 17 March 2023 reimposing a definitive anti-dumping duty on imports of electric bicycles originating in the People's Republic of China as regards Giant Electric Vehicle (Kunshan) Co., Ltd following the judgment of the General Court in Case T-242/19 (OJ L 80, 20.3.2023, p. 41, ELI: http://data.europa.eu/eli/reg_impl/2023/609/oj).

⁽⁴⁾ 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, ELI: http://data.europa.eu/eli/reg_impl/2019/72/oj).

⁽⁵⁾ OJ C 154, 2.5.2023, p. 46.

1.3. Initiation of an expiry review

- (6) Having determined, after consulting the Committee established by Article 15(1) of the basic Regulation, that sufficient evidence existed for the initiation of an expiry review, on 17 January 2024 the Commission initiated an expiry review with regard to imports into the Union of electric bicycles originating in the People's Republic of China ('the country concerned') on the basis of Article 11(2) of the basic Regulation. It published a Notice of Initiation in the *Official Journal of the European Union* ⁽⁶⁾ ('the Notice of Initiation').

1.4. Review investigation period and period considered

- (7) The investigation of continuation or recurrence of dumping covered the period from 1 January 2023 to 31 December 2023 ('review investigation period'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2020 to the end of the review investigation period ('the period considered').

1.5. Interested parties

- (8) In the Notice of Initiation, interested parties were invited to contact the Commission in order to participate in the investigation. In addition, the Commission specifically informed other known Union producers, the known producers in PRC as well as the authorities of PRC, known importers, users as well as associations known to be concerned about the initiation of the expiry and invited them to participate.
- (9) Interested parties had an opportunity to comment on the initiation of the expiry review and to request a hearing with the Commission and/or the Hearing Officer in trade proceedings.

1.6. Sampling

- (10) In the Notice of Initiation, the Commission stated that it might sample the interested parties in accordance with Article 17 of the basic Regulation.

1.6.1. Sampling of Union producers

- (11) In the Notice of Initiation, the Commission stated that it had provisionally selected a sample of Union producers. The Commission selected the sample on the basis of production volume. This sample consisted of three Union producers. The sampled Union producers accounted for 23,4 % of the total Union production in the review investigation period. In accordance with Article 17(2) of the basic Regulation, the Commission invited interested parties to comment on the provisional sample. No comments on the provisional sample were received. The sample was considered representative of the Union industry.

1.6.2. Sampling of importers

- (12) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked unrelated importers to provide the information specified in the Notice of Initiation.
- (13) No unrelated importer replied to the sampling form. Consequently, the Commission decided that sampling was not necessary.

⁽⁶⁾ Notice of initiation of an expiry review of the anti-dumping measures applicable to imports of electric bicycles originating in the People's Republic of China (OJ C, C/2024/802, 17.1.2024, ELI: <http://data.europa.eu/eli/C/2024/802/oj>).

1.6.3. *Sampling of exporting producers in the PRC*

- (14) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all known producers in the PRC to provide the information specified in the Notice of Initiation. In addition, the Commission asked the Mission of the PRC to the European Union to identify and/or contact other producers, if any, that could be interested in participating in the investigation.
- (15) Only two exporting producers from the PRC provided a sampling reply and sampling was therefore not deemed necessary. Furthermore, these two companies accounted together for significantly less than 0,1 % of the Chinese electric bicycle industry in terms of (i) exports to the Union; (ii) exports to all other export destinations; (iii) domestic sales; and (iv) Chinese production capacity in the review investigation period. The Commission therefore considered that those two companies could not be considered representative for the Chinese electric bicycle industry for the purpose of the expiry review investigation.
- (16) Accordingly, the Commission concluded that cooperation from electric bicycle producers in the PRC was insufficient for making representative findings and informed the two companies that the Commission intended to apply Article 18 of the basic Regulation and base its findings on continuation or recurrence of dumping and injury with regard to imports from the PRC on facts available.
- (17) Consequently, the Commission informed the authorities of the PRC by Note Verbale of 12 February 2024, that it might resort to the use of facts available under Article 18(1) of the basic Regulation when examining the continuation or recurrence of dumping. The authorities of the PRC did not react to the Note Verbale.

1.7. **Replies to the questionnaire**

- (18) The Commission sent a questionnaire concerning the existence of significant distortions in the PRC within the meaning of Article 2(6a)(b) of the basic Regulation to the Government of the China ('GOC').
- (19) The Commission informed the two companies which had sent a sampling reply that they could not be considered representative for the overall Chinese e-bikes industry and that their company-specific information was not susceptible to form a basis for representative findings regarding all exports from the PRC to the Union. The Commission invited the two companies to contact the Commission services in case they nevertheless intended to fill out a questionnaire reply. At the initiation of the investigation a copy of the questionnaires was made available in the file for inspection by interested parties and on DG Trade's website.
- (20) No questionnaire replies were received from the GOC nor any Chinese (exporting) producer.

1.8. **Verification**

- (21) The Commission sought and verified all the information deemed necessary for the determination of likelihood of continuation or recurrence of dumping and injury and of the Union interest. Verification visits pursuant to Article 16 of the basic Regulation were carried out at the premises of the following companies:

Union producers

- Cube Bikes, Germany
- Accell Hunland, Hungary
- Cross, Bulgaria.

1.9. **Subsequent procedure**

- (22) On 25 October 2024, the Commission disclosed the essential facts and considerations on the basis of which it intended to maintain the anti-dumping duties in force. All parties were granted a period within which they could make comments on the disclosure.

- (23) Several interested parties submitted comments, which were considered by the Commission and addressed in Sections 2.3 and 7 below. One party who so requested was granted a hearing.

2. PRODUCT UNDER REVIEW, PRODUCT CONCERNED AND LIKE PRODUCT

2.1. Product under review

- (24) The product under review is the same as in the original investigation namely cycles, with pedal assistance, with an auxiliary electric motor, currently falling under CN codes 8711 60 10 and ex 8711 60 90 (TARIC code 8711 60 90 10) ('the product under review').

2.2. Product concerned

- (25) The product concerned by this investigation is the product under review originating in the People's Republic of China.

2.3. Like product

- (26) As established in the original investigation, this expiry review investigation confirmed that the following products have the same basic physical and technical characteristics as well as the same basic uses:
- the product concerned when exported to the Union,
 - the product under review produced and sold on the domestic market of the People's Republic of China,
 - the product under review produced and sold by the exporting producers to the rest of the world, and
 - the product under review produced and sold in the Union by the Union industry.
- (27) These products are therefore considered to be like products within the meaning of Article 1(4) of the basic Regulation.
- (28) Following definitive disclosure, one party submitted that the Commission should specify that the parts imported by the exempted importers and/or from exempted foreign exporters under Commission Implementing Decision (EU) 2024/1279 ⁽⁷⁾ should not be regarded as product concerned. According to this party, it should be clarified that parts of the product concerned to be used for the product concerned are not subject to anti-dumping duties if imported separately.
- (29) The Commission considered that such clarification was not warranted since parts are not covered by the measures that are subject of this review. On this basis, this claim was rejected.

3. DUMPING

3.1. Preliminary remarks

- (30) During the review investigation period, imports of electric bicycles from the PRC continued, albeit at lower levels than in the investigation period of the original investigation (i.e. from 1 October 2016 to 30 September 2017). According to Eurostat data, imports of electric bicycles from the PRC accounted for about 4,4 % of the Union market in the review investigation period compared to 35 % market share during the original investigation period. In absolute terms the volume of imports from the PRC went down from 699 658 pieces in the original investigation period to 220 914 pieces during the review investigation period.

⁽⁷⁾ Commission Implementing Decision (EU) 2024/1279 of 8 May 2024 concerning exemptions from the extended anti-dumping duty on certain bicycle parts originating in the People's Republic of China pursuant to Commission Regulation (EC) No 88/97 (OJ L, 2024/1279, 21.5.2024, ELI: http://data.europa.eu/eli/dec_impl/2024/1279/oj).

- (31) As mentioned in Section 1.6.3, there was no cooperation from the exporters/producers from the PRC in the investigation. Therefore, the Commission informed the authorities of the PRC that due to the absence of cooperation, the Commission might apply Article 18 of the basic Regulation concerning the findings with regard to continuation or recurrence of dumping and injury. The Commission did not receive any comments or requests for an intervention of the Hearing Officer in this regard.
- (32) Consequently, in accordance with Article 18 of the basic Regulation, the findings in relation to the likelihood of continuation or recurrence of dumping were based on facts available, in particular information submitted with the request for review and information obtained from cooperating parties in the course of the review investigation (namely, the applicant and the sampled Union producers).

3.2. Procedure for the determination of the normal value under Article 2(6a) of the basic Regulation for the imports of electric bicycles originating in the PRC

- (33) Given the sufficient evidence available at the initiation of the investigation tending to show, with regard to the PRC, the existence of significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation, the Commission initiated the investigation on the basis of Article 2(6a) of the basic Regulation.
- (34) In order to obtain information it deemed necessary for its investigation with regard to the alleged significant distortions, the Commission sent a questionnaire to the GOC. In addition, in point 5.3.2 of the Notice of Initiation, the Commission invited all interested parties to make their views known, submit information and provide supporting evidence regarding the application of Article 2(6a) of the basic Regulation within 37 days of the date of publication of the Notice of Initiation in the *Official Journal of the European Union*. No questionnaire reply was received from the GOC and no submission on the application of Article 2(6a) of the basic Regulation was received within the deadline. Subsequently, the Commission informed the GOC that it would use facts available within the meaning of Article 18 of the basic Regulation for the determination of the existence of the significant distortions in the PRC.
- (35) In point 5.3.2 of the Notice of Initiation, the Commission also specified that, in view of the evidence available, it had provisionally selected Türkiye as an appropriate representative country pursuant to Article 2(6a)(a) of the basic Regulation for the purpose of determining the normal value based on undistorted prices or benchmarks. The Commission further stated that it would examine other possibly appropriate countries in accordance with the criteria set out in first indent of Article 2(6a)(a) of the basic regulation.
- (36) On 18 July 2024, the Commission informed interested parties by a note to the file ('the Note to the File') of the relevant sources it intended to use for the determination of the normal value, with Türkiye as the representative country. In that note, the Commission provided a list of all factors of production such as raw materials, labour and energy used in the production of electric bicycles. In addition, the Commission informed interested parties that it would establish selling, general and administrative ('SG&A') costs and profits based on aggregated financial statements from Company Accounts Statistics ⁽⁸⁾ for 206 profitable companies active in the Statistical Classification of Economic Activities, commonly referred to as NACE, category 30.9 'Manufacture of transport equipment n.e.c.'. The data for those producers in the representative country, is compiled by the Central Bank of Türkiye and the Turkish Statistical Institute. Parties were invited to comment, and comments were received from the applicant which were taken into account as described in recital (67).

3.3. Normal value

- (37) According to Article 2(1) of the basic Regulation, *'the normal value shall normally be based on the prices paid or payable, in the ordinary course of trade, by independent customers in the exporting country'*.

⁽⁸⁾ Company Accounts Statistics, available at <https://www3.tcmb.gov.tr/sektor/#/en>.

- (38) However, according to Article 2(6a)(a) of the basic Regulation, ‘in case it is determined [...] that it is not appropriate to use domestic prices and costs in the exporting country due to the existence in that country of significant distortions within the meaning of point (b), the normal value shall be constructed exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks’, and ‘shall include an undistorted and reasonable amount of administrative, selling and general costs and for profits’ (‘administrative, selling and general costs’ is hereinafter referred to as ‘SG&A’).
- (39) As further explained below, the Commission concluded in the present investigation that, based on the evidence available, and in view of the lack of cooperation of the GOC and the producers in China, the application of Article 2(6a) of the basic Regulation was appropriate.

3.3.1. Existence of significant distortions

- (40) Steel and aluminium are core raw materials in the bicycle industry. Essentially all major bicycle parts are fully or partially made from these materials. Bicycles frames, forks and handlebars, are usually made of either steel or aluminium. Wheels and spokes chains, deraillleurs, gears and cables and carriers are usually made out of steel. Mudguards and pedals are made out of metal or plastic (i.e. products of the chemical industry). The request mentioned the significant distortions found by the European Commission in the Chinese steel and aluminium industries in recent investigations such as imports from China of steel fasteners, welded tubes and pipes of steel, steel wind towers, hot rolled stainless steel⁽⁹⁾; aluminium converter foil, aluminium extrusions, aluminium flat-rolled products, aluminium foil, and aluminium road wheels⁽¹⁰⁾. The repeated and consistent findings in these cases are according to the request, clear evidence of systemic distortions of Chinese costs and prices of steel and aluminium products in the sense of Article 2(6a)(b) of the basic Regulation.
- (41) Like in previous investigations concerning the steel and aluminium sectors in the PRC, the Commission examined in the present investigation whether it was appropriate or not to use domestic prices and costs in the PRC, due to the existence of significant distortions. The Commission did so on the basis of the evidence available on the file, including the evidence contained in the request, and in the Commission Staff Working Document on Significant Distortions in the Economy of the People's Republic of China for the Purposes of Trade Defence Investigations⁽¹¹⁾

⁽⁹⁾ See Commission Implementing Regulation (EU) 2022/191 of 16 February 2022 imposing a definitive anti-dumping duty on imports of certain iron or steel fasteners originating in the People's Republic of China, OJ L 36, 17.2.2022; Commission Implementing Regulation (EU) 2021/635 of 16 April 2021 imposing a definitive anti-dumping duty on imports of certain welded pipes and tubes of iron or non-alloyed steel originating in Belarus, the People's Republic of China and Russia, OJ L 132, 19.4.2021; Commission Implementing Regulation (EU) 2021/2239 of 15 December 2021 imposing a definitive anti-dumping duty on imports of certain utility scale steel wind towers originating in the People's Republic of China, OJ L 450, 16.12.2021; and Commission Implementing Regulation (EU) 2021/2239 of 15 December 2021 imposing a definitive anti-dumping duty on imports of certain utility scale steel wind towers originating in the People's Republic of China, OJ L 450, 16.12.2021.

⁽¹⁰⁾ See Commission Implementing Regulation (EU) 2021/983 of 17 June 2021 imposing a provisional anti-dumping duty on imports of aluminium converter foil originating in the People's Republic of China, OJ L 216, 18.6.2021; Commission Implementing Regulation (EU) 2021/2170 of 7 December 2021 imposing a definitive anti-dumping duty on imports of aluminium converter foil originating in the People's Republic of China, OJ L 438, 8.12.2021; Commission Implementing Regulation (EU) 2020/1428 of 12 October 2020 imposing a provisional anti-dumping duty on imports of aluminium extrusions originating in the People's Republic of China, OJ L 336, 13.10.2020; Commission Implementing Regulation (EU) 2021/546 of 29 March 2021 imposing a definitive anti-dumping duty and definitively collecting the provisional duty imposed on imports of aluminium extrusions originating in the People's Republic of China, OJ L 109, 30.3.2021; Commission Implementing Regulation (EU) 2021/582 of 9 April 2021 imposing a provisional anti-dumping duty on imports of aluminium flat-rolled products originating in the People's Republic of China, OJ L 124, 12.4.2021; Commission Implementing Regulation (EU) 2021/1784 of 8 October 2021 imposing a definitive anti-dumping duty on imports of aluminium flat-rolled products originating in the People's Republic of China, OJ L 359, 11.10.2021; Commission Implementing Regulation (EU) 2022/402 of 9 March 2022 imposing a definitive anti-dumping duty on imports of certain aluminium foil 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, OJ L 83, 10.3.2022; Commission Implementing Regulation (EU) 2023/112 of 18 January 2023 imposing a definitive anti-dumping duty on imports of certain aluminium road wheels originating in the People's Republic of China, OJ L 18, 19.1.2023. See also Commission Implementing Regulation (EU) 2018/1012 of 17 July 2018 imposing a provisional anti-dumping duty on imports of electric bicycles originating in the People's Republic of China and amending Implementing Regulation (EU) 2018/671, OJ L 181, 18.7.2018.

⁽¹¹⁾ Commission Staff working document SWD (2017) 483 final/2, 20.12.2017, available at: [https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2017\)483&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2017)483&lang=en).

(‘Report’) as well as in its updated version (‘updated Report’) ⁽¹²⁾, which relies on publicly available sources. That analysis covered the examination of the substantial government interventions in the PRC’s economy in general, but also the specific market situation in the relevant sector including the product under review. The Commission further supplemented these evidentiary elements with its own research on the various criteria relevant to confirm the existence of significant distortions in the PRC as also found by its previous investigations in this respect.

- (42) The request alleged that the Chinese economy as a whole is widely influenced and affected by substantial governmental interventions, in view of which domestic prices and costs of the Chinese electric bicycles industry cannot be used in the present investigation. In particular, the request mentioned that the Chinese electric bicycles industry has been characterised by a high level of State ownership, State-influence and/or State-subsidisation and several electric bicycle producers have close ties with the GOC, regional or local governments, either directly or via associations. To support its position, the request referred to the Report, to Chinese legislation, to further reports, as well as to additional anecdotal evidence of distortions implemented during the review investigation period.
- (43) As mentioned in recital (40) above, the request mentioned recent investigations where the Commission found that there is substantial government intervention in the PRC resulting in a distortion of the effective allocation of resources in line with market principles ⁽¹³⁾. More specifically, the request argued that the Chinese economy, including the electric bicycles and bicycles sector, is to a significant degree determined by an elaborate system of planning which sets out priorities and prescribes the goals on which the central and local governments must focus. These policies discriminate in favour of domestic producers or otherwise influence free market forces. The request also mentioned that the system of planning in China results in resources being driven to sectors designated as strategic or otherwise politically important by the government, rather than being allocated in line with market forces. In addition, the request mentioned that the cost of most, if not all, production factors of Chinese electric bicycles production are distorted, including steel and aluminium for bicycle parts, electricity, land, and labour costs.
- (44) The request provided examples of elements pointing to the existence of distortions, as listed in the first to sixth dash of Article 2(6a)(b) of the basic Regulation. The request also established that the electric bicycles industry and its parts (namely battery, engine, control units and light metal components) are regarded as key/strategic industries, whose development is actively pursued by the GOC as a policy objective. In particular, the request submitted that the GOC has been heavily promoting the Chinese bicycle and electric bicycles industry, through national, regional and local instruments such as the 14th 5-Year General Plan ⁽¹⁴⁾; the Made in China 2025 Notice ⁽¹⁵⁾; the Catalogue of Industries Encouraged for Foreign Investment in the Central and Western Region of China ⁽¹⁶⁾ (2020 Version) and the Guidance Catalogue for the Industrial Structure Adjustment ⁽¹⁷⁾ (batteries and lightweight material). The request also mentioned several provinces, among them, e.g. Tianjin, Hebei, Jiangsu, Zhejiang, Shandong and Guangdong, which have included the bicycle and/or electric vehicle industry in their regional plans.

⁽¹²⁾ Commission Staff Working Document on Significant Distortions in the Economy of the People’s Republic of China for the purposes of Trade Defence Investigations, 10 April 2024, SWD(2024) 91 final, available at: [https://ec.europa.eu/transparency/documents-register/detail?ref=SWD\(2024\)91&lang=en](https://ec.europa.eu/transparency/documents-register/detail?ref=SWD(2024)91&lang=en).

⁽¹³⁾ See Commission Implementing Regulation (EU) 2022/2068 recital 80; Commission Implementing Regulation (EU) 2022/191 recital 208, Commission Implementing Regulation (EU) 2022/95 recital 59, Commission Implementing Regulation (EU) 2021/2239 recitals 67-74, Commission Implementing Regulation (EU) 2021/635 recitals 149-150.

⁽¹⁴⁾ 14th Five Year Plan on economic and social development and 2035 perspectives available at https://www.gov.cn/xinwen/2021-03/13/content_5592681.htm (accessed on 29 August 2024).

⁽¹⁵⁾ Available at https://www.gov.cn/zhengce/content/2015-05/19/content_9784.htm (accessed on 29 August 2024).

⁽¹⁶⁾ Available (as of page 29) at <https://www.gov.cn/zhengce/zhengceku/2020-12/28/5574265/files/b145a6631698460e8777d1ab4581ef1f.pdf> (accessed on 29 August 2024).

⁽¹⁷⁾ Available at https://www.ndrc.gov.cn/xxgk/zcfb/fzggwl/202312/t20231229_1362999.html (accessed on 29 August 2024).

- (45) In conclusion, the request took the position that prices or costs, including the costs of raw materials, energy and labour, are not the result of free market forces because they are affected by substantial government intervention within the meaning of Article 2(6a)(b) of the basic Regulation. On that basis, according to the request, it is not appropriate to use domestic prices and costs to establish normal value in this case.
- (46) The GOC did not comment or provide evidence supporting or rebutting the existing evidence on the case file, including the (updated) Report and the additional evidence provided by the applicant, on the existence of significant distortions and/or appropriateness of the application of Article 2(6a) of the basic Regulation in the case at hand.
- (47) The Commission's investigation confirmed the claim contained in the request that the electric bicycles industry keeps being regarded as a key industry by the GOC. This is confirmed in the numerous plans, directives and other documents focused on promoting the bicycles industry in general and the electric bicycles industry in particular, which are issued at national, regional, and municipal level.
- (48) The 14th 5-Year General Plan mentioned specifically the Chinese electric bicycles industry as an encouraged industry. In addition, the electric bicycles industry has been listed as encouraged industry in various catalogues adopted by the GOC, such as those mentioned in recital (44) above.
- (49) Moreover, the GOC and regional governments have also issued sector-specific plans and support programs for the bicycles industry. For instance, the 2022 Guiding Opinion on the high-quality development of light industry MIIT 2022/68 ⁽¹⁸⁾ provides specific information regarding key technology R & D projects mentioning bicycle transmission and high-efficiency lithium ion battery safety technology. It also includes information about upgrading innovative product manufacturing engineering concerning bicycles like long-distance off-road and high-performance folding bicycles as well as intelligent electric bicycles. The 2024 Electric Bicycle Industry Standard Conditions ⁽¹⁹⁾ and the Electric Bicycle Industry Standard Announcement Management Measures (MIIT) ⁽²⁰⁾ were announced by the Ministry of Industry and Information Technology of the People's Republic of China, the State Administration for Market Regulation, and the National Fire and Rescue Bureau in order to promote the development of electric bicycle industry, the announcement mentioned that *'new production enterprises and new and expanded projects should comply with the provisions of national industrial policies. Enterprises should strengthen technological innovation, improve product quality, encourage the high-end, intelligent, and green transformation and upgrading of existing production lines, and reduce construction projects that simply expand production capacity. Encourage regions with conditions to promote the park-based and intensive development of the electric bicycle industry'*. In addition, the announcement included information regarding supervision and management of the electric bicycles industry, mentioning that *'Industry associations shall organize enterprises to strengthen industry self-discipline, guide enterprises to engage in production and business activities in accordance with the law, and assist the industry competent department in the implementation and follow-up supervision of these standard conditions'*.

⁽¹⁸⁾ 2022 Guiding Opinion on the high-quality development of light industry available at https://www.gov.cn/zhengce/zhengceku/2022-06/19/content_5696665.htm (accessed on 29 August 2024).

⁽¹⁹⁾ See also article posted on MOFCOM website dated 12.6.2024, 'China's electric bicycles actively expand the "One Belt One Road" market' available at <http://tradeinservices.mofcom.gov.cn/article/ydyl/sedly/qtfw/202406/164502.html>.

⁽²⁰⁾ 2024 Electric Bicycle Industry Standard Conditions" and the Electric Bicycle Industry Standard Announcement Management Measures (MIIT) available at http://www.hunan.gov.cn/zqt/zcsd/202405/t20240509_33296376.html (accessed on 29 August 2024).

- (50) Further industrial policy objectives regarding electric bicycles can also be seen in the planning documents of provinces, such as Shandong ⁽²¹⁾, Hebei ⁽²²⁾, Tianjin ⁽²³⁾, Jinghai, and Jiangsu ⁽²⁴⁾. Jiangsu Province is the number one province for electric bicycle production in the PRC, and its electric bicycle production accounts for about 20 % of the country's electric bicycle production ⁽²⁵⁾. It has a high-tech industrial park called Tianjin Ziya Economic and Technological Development Zone which is the leading industrial district in the production of bicycles in general and electric bicycles in particular ⁽²⁶⁾, receiving the 'China Bicycle and Electric Bicycle Capital' brand awarded by the expert group of China Light Industry Federation and China Bicycle Association ⁽²⁷⁾.
- (51) As to the GOC being in a position to interfere with prices and costs through State presence in firms in the sense of Article 2(6a)(b), second indent of the basic Regulation, the investigation showed that the China Bicycle Association (CBA) is controlled by the Communist party of China as established in the articles of the Association ⁽²⁸⁾. In particular, Article 21 of the CBA established the composition of the Board of Directors and the conditions they have to fulfil including *'support the leadership of the Communist Party of China, conscientiously implement the Party's line, principles and policies, abide by laws and regulations, abide by social and professional ethics, and have high political quality and professionalism'*. Moreover, the Jiangsu Bicycle Association ⁽²⁹⁾, includes in its Article 4 that the *'In accordance with the provisions of the Constitution of the Communist Party of China, this association shall establish the organization of the Communist Party of China, carry out party activities and provide necessary conditions for the activities of the party organization'*, and in its Article 5 *'The registration authority of this association is the Civil Affairs Department of Jiangsu Province. This association accepts the business guidance and supervision and management of the Civil Affairs Department of Jiangsu Province and other relevant departments'*.
- (52) Concerning the main producers of electric bicycles, the investigation also found that Fushida is a member of the CBA, and its CEO is a Party Branch secretary ⁽³⁰⁾. Shanghai Phoenix is a company which is 24,36 % owned by the State ⁽³¹⁾ and the Chairman is a Party Committee Secretary since January 2023. Flying Pigeon is a State-Owned Enterprise held by Tianjin Bohai Light Industry Investment Group, a State-Owned Enterprise Group under SASAC ⁽³²⁾. As regards private company Zhonglu co. operating the Shanghai Forever brand, it is to be noted that the Chairman of the company is a deputy secretary of the Party Committee ⁽³³⁾.

⁽²¹⁾ 2022 Shandong management measures applicable to e-bikes available at https://www.gov.cn/zhengce/2022-03/18/content_5714921.htm (accessed on 29 August 2024).

⁽²²⁾ Hebei, 14 FYP for the high-quality development of manufacturing industry available at http://www.xiongan.gov.cn/2022-02/16/c_1211574110.htm (accessed on 29 August 2024).

⁽²³⁾ Tianjin, 14 FYP for the high-quality development of manufacturing industry available at https://www.tjjn.gov.cn/zwgk/zcwj/qjwj/QZBF/202111/t20211115_5702971.html (accessed on 29 August 2024).

⁽²⁴⁾ Jiangsu, Notice on the implementation plan for promoting equipment renewal in the industrial field 2024 available at https://gxt.jiangsu.gov.cn/art/2024/5/31/art_6278_11260100.html (accessed on 29 August 2024).

⁽²⁵⁾ See press article dated 21.11.2023 available at <https://bg.qianzhan.com/trends/detail/506/231121-9d0c8395.html> (accessed on 29 August 2024).

⁽²⁶⁾ Press article on Tianjin Jinghai bicycle cluster dated 11.12.2023, *'Bicycles, electric bicycles Why is Jinghai called the "capital"? Jinghai District creates a full-cycle industrial chain to let "small wheels" drive "big development"'* available at https://www.sohu.com/a/743048182_121443915 (accessed on 29 August 2024).

⁽²⁷⁾ Press article on Jinghai industry park dated 4.7.2024, *The robot arm of AIMA Technology's Tianjin factory is working'* available at <https://m.yunnan.cn/system/2024/07/04/033128530.shtml> (accessed on 29 August 2024).

⁽²⁸⁾ Article 3 of the CBA available at <http://www.china-bicycle.com/information/?cid=33>. (accessed on 29 August 2024).

⁽²⁹⁾ See <http://www.jsbeva.cn/?xhzc/> (accessed on 29 August 2024).

⁽³⁰⁾ See https://www.tjdl.gov.cn/dongtai/jddt/202206/t20220622_5913121.html (accessed on 29 August 2024).

⁽³¹⁾ See 2023 Annual Report pages 9, 28 and 65 available at <http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESHTOCK/2024/2024-4/2024-04-27/10118847.PDF> (accessed on 29 August 2024).

⁽³²⁾ See <https://www.flyingpigeon1936.com/index.html> (accessed on 29 August 2024).

⁽³³⁾ See 2023 Annual Report of, page 22 available at <http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESHTOCK/2024/2024-4/2024-04-18/9985123.PDF> (accessed on 29 August 2024).

- (53) Further, policies discriminating in favour of domestic producers or otherwise influencing the market in the sense of Article 2(6a)(b), third indent of the basic Regulation are in place in the sector of the product under review. The investigation identified further documents showing that the industry benefits from governmental guidance and intervention into the electric bicycles sector. Moreover, the bicycle industry in Jinghai District was included in the list of characteristic industry clusters of small and medium-sized enterprises in 2023 announced by the Ministry of Industry and Information Technology (see recital (49) above) ⁽³⁴⁾.
- (54) No evidence was submitted in the present investigation demonstrating that the electric bicycles sector is not affected by the government intervention in the financial system in the sense of Article 2(6a)(b), sixth indent of the basic Regulation. For instance, the investigation confirmed that Shanghai Phoenix benefited from governmental subsidies in 2022 and 2023 as stated in its 2023 Annual Report ⁽³⁵⁾. Zhonglu co, operating the Shanghai Forever brand has also benefited from governmental subsidies as stated in its 2023 Annual Report ⁽³⁶⁾.
- (55) Finally, the Commission recalls that in order to produce the product under review, a number of inputs are needed (see also recital (40) above). When the producers of electric bicycles purchase/contract these inputs, the prices they pay (and which are recorded as their costs) are clearly exposed to the same systemic distortions mentioned before. For instance, suppliers of inputs employ labour that is subject to the distortions. They may borrow money that is subject to the distortions on the financial sector/capital allocation. In addition, they are subject to the planning system that applies across all levels of government and sectors.
- (56) As a consequence, not only the domestic sales prices of electric bicycles are not appropriate for use within the meaning of Article 2(6a)(a) of the basic Regulation, but all the input costs (including raw materials, energy, land, financing, labour, etc.) are also affected because their price formation is affected by substantial government intervention, as described in Parts I and II of the (updated) Report. Indeed, the government interventions described in relation to the allocation of capital, land, labour, energy and raw materials are present throughout the PRC. This means, for instance, that an input that in itself was produced in the PRC by combining a range of factors of production is exposed to significant distortions. The same applies for the input to the input and so forth.
- (57) In sum, the evidence available showed that prices or costs of the product under review, including the costs of raw materials, energy and labour, are not the result of free market forces because they are affected by substantial government intervention within the meaning of Article 2(6a)(b) of the basic Regulation, as shown by the actual or potential impact of one or more of the relevant elements listed therein. On that basis, and in the absence of any cooperation from the GOC, the Commission concluded that it is not appropriate to use domestic prices and costs to establish normal value in this case. Consequently, the Commission proceeded to construct the normal value exclusively on the basis of costs of production and sale reflecting undistorted prices or benchmarks, that is, in this case, on the basis of corresponding costs of production and sale in an appropriate representative country, in accordance with Article 2(6a)(a) of the basic Regulation, as described in the following section.

⁽³⁴⁾ Press article on Jinghai Industry Park dated 4.7.2024, *The robot arm of AIMA Technology's Tianjin factory is working* available at <https://m.yunnan.cn/system/2024/07/04/033128530.shtml> (accessed on 29 August 2024).

⁽³⁵⁾ See 2023 Annual Report, page 165 available at <http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESHTOCK/2024/2024-4/2024-04-27/10118847.PDF> (accessed on 29 August 2024).

⁽³⁶⁾ See 2023 Annual Report, page 116 available at <http://file.finance.sina.com.cn/211.154.219.97:9494/MRGG/CNSESHTOCK/2024/2024-4/2024-04-18/9985123.PDF> (accessed on 29 August 2024).

3.3.2. *Representative country*

3.3.2.1. General remarks

- (58) The choice of the representative country was based on the following criteria pursuant to Article 2(6a) of the basic Regulation:
- a level of economic development similar to the PRC. For this purpose, the Commission used countries with a gross national income per capita similar to the PRC on the basis of the database of the World Bank ⁽³⁷⁾,
 - production of the product under review in that country ⁽³⁸⁾,
 - existence of relevant readily available data in the representative country,
 - where there is more than one possible representative country, preference should be given, where appropriate, to the country with an adequate level of social and environmental protection.
- (59) As explained in recital (36), the Commission issued a note to the file on the sources for the determination of the normal value on 18 July 2024. This note described the facts and evidence underlying the relevant criteria, informed interested parties of its intention to consider Türkiye as an appropriate representative country in the present case if the existence of significant distortions pursuant to Article 2(6a) of the basic Regulation would be confirmed.
- (60) In line with the criteria listed under Article 2(6a) of the basic Regulation, the Commission identified Türkiye as a country with a similar level of economic development as the PRC. Türkiye is classified by the World Bank as an 'upper-middle income' country on a gross national income basis. Furthermore, Türkiye was identified as a country where the product under review is produced and where relevant data was readily available.
- (61) Finally, having established that, based on all of the above elements, Türkiye was an appropriate representative country, and with no alternative appropriate representative country being proposed by any of the interested parties, there was no need to carry out an assessment of the level of social and environmental protection in accordance with the last sentence of Article 2(6a)(a) first indent of the basic Regulation.

3.3.2.2. Conclusion

- (62) In the absence of cooperation, as proposed in the expiry review request and given that Türkiye met the criteria laid down in Article 2(6a)(a), first indent of the basic Regulation, the Commission selected Türkiye as the appropriate representative country.

3.3.3. *Sources used to establish undistorted costs*

- (63) In the note on relevant sources to use for the determination of the normal value, the Commission listed the factors of production such as materials, energy and labour used in the production of the product under review by Union and Turkish producers based on the information in the expiry review request duly updated where more accurate information was available. The Commission also stated that, in order to construct the normal value in accordance with Article 2(6a)(a) of the basic Regulation, it would use Global Trade Atlas ('GTA') ⁽³⁹⁾ to establish the undistorted cost of some of the factors of production, notably the most important raw materials. In addition, the Commission stated that it would use information from the Turkish Statistical Institute ⁽⁴⁰⁾ for establishing undistorted costs of labour and energy.
- (64) The Commission also stated that to establish the reasonable amounts for SG&A costs and for profit, it would use the financial data from Company Account Statistics for 206 companies active in NACE category 30.9, as set out in recital (36).

⁽³⁷⁾ World Bank Open Data – Upper Middle Income, <https://data.worldbank.org/income-level/upper-middle-income>.

⁽³⁸⁾ If there is no production of the product under review in any country with a similar level of development, production of a product in the same general category and/or sector of the product under review may be considered.

⁽³⁹⁾ <http://www.gtis.com/gta/secure/default.cfm>.

⁽⁴⁰⁾ <https://www.tuik.gov.tr/Home/Index>.

- (65) The Commission further informed the interested parties that a number of factors of production (paint, undercoat and EPAC electric kit) all individually represented a small share of the total raw material / component costs in the review investigation period (together less than 1 % of the total raw material / component costs). The Commission therefore treated these other factors of production as 'consumables' and expressed these consumables as a percentage of the total cost of raw materials.
- (66) In addition, the Commission included a value for manufacturing overhead costs in order to cover costs not included in the factors of production referred to above. The Commission established the ratio of manufacturing overheads to the direct costs of manufacturing, based on specific information from Union producers and their related companies, provided by the applicant ⁽⁴¹⁾.
- (67) In light of the applicant's comments on the Note to the File, the Commission made two changes to the list of the factors of production as follows. First, a clerical error was corrected where the information related to batteries was inadvertently switched with the information for the electric motor for bicycles. Second, for four factors of production (crank sets, pedals, rear hub and front hub) the commodity codes used in the note were replaced with more accurate commodity codes directly related to the parts concerned. These changes were reflected in Table 1.

3.4. Undistorted costs and benchmarks

3.4.1. Factors of production

- (68) Considering all the information based on the request and subsequent information submitted by the applicant and collected during the verification visits, the following factors of production and their sources have been identified in order to determine the normal value in accordance with Article 2(6a)(a) of the basic Regulation:

Table 1

Factors of production of e-bikes

Factor of Production	Commodity Code	Undistorted value (CNY)	Unit of measurement	Source of information
Raw materials				
Adapters (electrical parts)	39235090	55,13	Piece	Review request
Adapters (others)	39235090, 87149990	1,61	Piece	Review request
Battery	85076	1 487,88	Piece	GTA
Battery case	39235090	54,78	Kilogram	GTA
Bell	871499	3,64	Piece	Review request
Brake	87149420	282,49	Kilogram	GTA
Brake inner wire	8714 99	2,83	Piece	Review request
Brake lever	87149490	14,24	Piece	Review request
Cable group	-	3,73	Metre	Review request
Chain	73151110, 73151900	32,53	Metre	Review request

⁽⁴¹⁾ The Applicant estimated overheads (rentals, consumables and others) at a conservative 1 % of the total manufacturing cost of an e-bike. See Annexes 40.0 and 40.1 of the review request, available in Tron.tdi t24.000754.

Factor of Production	Commodity Code	Undistorted value (CNY)	Unit of measurement	Source of information
Chain cover	871499900019	36,29	Set	Review request
Chain cover holder	87149990	3,83	Piece	Review request
Connecting part	871499	0,56	Piece	Review request
Crank Set	87149630	120,22	Kilogram	GTA
Decal	490890	511,63	Kilogram	GTA
Electric bike parts	871499	1,38	Metre	Review request
Electric cable	871499	51,00	Piece	Review request
Electric motor for bicycle	8501310090	1 162,33	Piece	GTA
Fork	87149130	626,86	Piece	GTA
Frame	871491100019	1 485,75	Piece	GTA
Frame accessories	871499900019	5,47	Piece	Review request
Front Hub	871493	185,46	Kilogram	GTA
Grip	87149990	11,03	Piece	Review request
Handlebar	87149910	28,65	Piece	GTA
Handlebar stem	87149990	37,13	Kilogram	GTA
Head light	871499	115,77	Piece	Review request
Head light bracket	871499	14,59	Piece	Review request
Head set	87149190	59,39	Kilogram	GTA
Head sets compressor	87149190	3,83	Piece	Review request
Inner tube	401320	5,96	Piece	GTA
Kick-stand	871499	32,47	Piece	Review request
Mudguard	87149990	56,85	Set	Review request
Mudguard parts	87149990	15,68	Piece	Review request
Gear hub components	87149990	15,85	Piece	Review request
Spoke Nipples	87149990	5,67	Piece	Review request
Outer casing	-	5,13	Metre	Review request
Pedal	87149610	42,23	Pair	GTA
Rear carrier	87149930	97,30	Piece	GTA

Factor of Production	Commodity Code	Undistorted value (CNY)	Unit of measurement	Source of information
Rear derailleur	87149950	168,27	Kilogram	GTA
Rear Hub	871493	185,46	Kilogram	GTA
Rear sprocket	871493	185,46	Kilogram	GTA
Wheel Rim	87149210	85,76	Piece	Review request
Rim tape	8714999	1,23	Piece	Review request
Rotor	871499	43,32	Piece	Review request
Saddle	871495	81,05	Kilogram	GTA
Seat clamp	87149990	37,13	Kilogram	GTA
Seat post	87149990	37,13	Kilogram	GTA
Shifter	87149990	37,13	Kilogram	GTA
Speedometer	871499	364,85	Piece	Review request
Spoke	87149990	37,13	Kilogram	GTA
Spoke protector	87149990	3,83	Piece	Review request
Switch	39235090	54,78	Kilogram	GTA
Tail light	871499	12,92	Piece	Review request
Tire	401150	22,52	Piece	GTA
Labour				
Labour	N/A	50,90	Hours	Turkish Statistical Institute ⁽¹⁾
Energy				
Electricity	N/A	0,892	kWh	Turkish Statistical Institute ⁽¹⁾
Gas	N/A	4,112	kWh	Turkish Statistical Institute ⁽¹⁾

⁽¹⁾ <https://data.tuik.gov.tr/Kategori/GetKategori?p=Istihdam%2c-Issizlik-ve-Ucret-108>.

3.4.1.1. Raw materials

- (69) The production processes of e-bikes are globally similar, with no significant differences between the production processes or the input materials used in the PRC, the Union and other countries.
- (70) In order to establish the undistorted price of raw materials as delivered at the gate of a representative country producer, the Commission used as a basis the weighted average import price to the representative country as reported in the GTA to which import duties were added. An import price in the representative country was determined as a weighted average of unit prices of imports from all third countries excluding the PRC and countries which are not members of the WTO, listed in Annex I of Regulation (EU) 2015/755 of the European Parliament and the Council ⁽⁴²⁾. The Commission decided to exclude imports from the PRC into the representative country as it

⁽⁴²⁾ Regulation (EU) 2015/755 of the European Parliament and of the Council of 29 April 2015 on common rules for imports from certain third countries (OJ L 123, 19.5.2015, p. 33, ELI: <http://data.europa.eu/eli/reg/2015/755/oj>). Article 2(7) of the basic Regulation considers that domestic prices in those countries cannot be used for the purpose of determining normal value.

concluded in recital (57) that it is not appropriate to use domestic prices and costs in the PRC due to the existence of significant distortions in accordance with Article 2(6a)(b) of the basic Regulation. Given that there is no evidence showing that the same distortions do not equally affect products intended for export, the Commission considered that the same distortions affected export prices. After excluding imports from the PRC into the representative country, the volume of imports from other third countries remained representative.

- (71) The Commission did not find any other imports in material quantities from other distorted sources.
- (72) For some factors of production, the statistical data from GTA provided prices per tonne/kilogram, while the consumption values in the production of an e-bike were in pieces (or other units such as metres). This concerned the following factors of production: switches, brakes, crank sets, rear derailleurs, rear sprockets, shifters, front hubs, rear hub, spokes, rear hubs, decals, head sets, pedals, saddles, seat clamps, and seat posts. For the conversion factors to be used for these factors of production, the Commission relied on the explanations and supporting evidence provided by the applicants in the request ⁽⁴³⁾. This evidence consisted of information from specialised websites ⁽⁴⁴⁾ and the applicants' own calculations of weight per item ⁽⁴⁵⁾.
- (73) For a number of factors of production the actual costs incurred by the sampled Union producers represented a negligible share of total raw material costs in the review investigation period. As the value used for these factors of production had no appreciable impact on the dumping margin calculations, regardless of the source used, the Commission decided to include those costs in consumables as explained in recital (65).
- (74) In view of lack of cooperation and in the absence of other elements on file, based on the data provided by the applicant, the Commission established the ratio of consumables to the total raw material / components costs at 1 %. This percentage was then applied to the recalculated cost of raw materials / components when using the established undistorted prices.
- (75) Normally, domestic transport prices should also be added to these import prices. However, considering the absence of cooperation as well as the nature of this expiry review investigation, which is focused on finding whether dumping continued during the review investigation period or could reoccur, rather than finding its exact magnitude, the Commission decided that adjustments for domestic transport were unnecessary. Such adjustments would only result in increasing the normal value and hence the dumping margin.

3.4.1.2. Labour

- (76) The Turkish Statistical Institute publishes detailed information on wages in different economic sectors in Türkiye. The Commission used the latest available statistics (2022) for average labour cost in NACE Sector 30 which includes costs for labour in the manufacturing of e-bikes ⁽⁴⁶⁾. The hourly average labour costs thus obtained were further adjusted for inflation using the labour cost index ⁽⁴⁷⁾ to reflect the costs for the review investigation period.

⁽⁴³⁾ See Annex 40.2 of the request, available in Tron.tdi t24.000754 and also provided as an annex to the note to file on the sources for the determination of the normal value (Tron.tdi t24.006125).

⁽⁴⁴⁾ <https://cyclingbeginner.com/which-bike-part-is-the-heaviest-20-parts-ranked/> and <https://www.bikeraceinfo.com/tech/wheel-building-03-spokes.html>.

⁽⁴⁵⁾ These calculations were done by placing a certain item (e.g. a rear hub) on a digital scale and dividing the total weight in the import statistics for that item by the weight per piece.

⁽⁴⁶⁾ <https://data.tuik.gov.tr/> (last accessed on 6 September 2024).

⁽⁴⁷⁾ <https://data.tuik.gov.tr/Bulten/Index?p=Labour-Input-Indices-Quarter-I-January-March,-2024-53682> (last accessed on 6 September 2024).

3.4.1.3. Electricity

- (77) To establish the benchmark price for electricity, the Commission used prices as reported in the electricity tariff tables based on electricity bills published by the Turkish Energy Market Regulatory Authority (EMRA) in its regular press releases ⁽⁴⁸⁾. The Commission used the data related to the industrial electricity prices in Kuruş/kWh for the industrial sector for 2023, which was 0,892 CNY/kWh.

3.4.1.4. Natural gas

- (78) To establish the benchmark price for gas, the Commission used the price of gas for industrial users in Türkiye as published by the Turkish Statistical Institute ⁽⁴⁹⁾ in its regular press releases for the second semester of 2021 and the first semester of 2022. The Commission used the data of the gas prices in the corresponding consumption band in Kuruş/m³ duly adjusted for inflation using the Producer Price Index published by the Turkish Statistical Institute ⁽⁵⁰⁾ to adapt to the review investigation period (2023), which resulted in a price of 4,112 CNY/m³. The price was adjusted for VAT of 18 %, as the quoted price was VAT included.

3.4.1.5. Manufacturing overhead costs, SG&A costs, profits and depreciation

- (79) According to Article 2(6a)(a) of the basic Regulation, *'the constructed normal value shall include an undistorted and reasonable amount for administrative, selling and general costs and for profits'*. In addition, a value for manufacturing overhead costs needs to be established to cover costs not included in the factors of production referred to above.
- (80) In order to establish an undistorted value of the manufacturing overheads and given the absence of cooperation from Chinese e-bike producers, the Commission used facts available in accordance with Article 18 of the basic Regulation. Therefore, based on the data provided by the applicant, the Commission established the ratio of manufacturing overheads to the total manufacturing and labour costs. This percentage was then applied to the undistorted value of the cost of manufacturing to obtain the undistorted value of manufacturing overheads.
- (81) For establishing an undistorted and reasonable amount for SG&A and profit, the Commission relied on the most recent available financial data for 206 Turkish companies active in NACE category 30.9, as set out in recital (36). The Commission considered the amount for SG&A costs and profits so established to be reasonable within the meaning of Article 2(6a)(a), for the ex-works trade level at which the normal value was constructed.

3.4.2. Calculation of the normal value

- (82) On the basis of the above, the Commission constructed the normal value per product type on an ex-works basis in accordance with Article 2(6a)(a) of the basic Regulation.
- (83) First, the Commission established the undistorted manufacturing costs. In the absence of cooperation by the exporting producers, the Commission relied on the information provided by the applicant in the review request ⁽⁵¹⁾, verified on spot at one of the sampled union producers, on the usage of each factor (materials, energy and labour) for the production of e-bikes. The Commission multiplied the usage factors by the undistorted costs per unit observed in the representative country Türkiye.

⁽⁴⁸⁾ EMRA | Energy Market Regulatory Authority (epdk.gov.tr) (last accessed on 6 September 2024).

⁽⁴⁹⁾ <http://www.turkstat.gov.tr> (last accessed on 6 September 2024).

⁽⁵⁰⁾ <http://www.turkstat.gov.tr> (last accessed on 6 September 2024).

⁽⁵¹⁾ The relevant data was updated for the review investigation period and verified on spot at one of the sampled Union producers.

- (84) Once the undistorted manufacturing cost established, the Commission added the manufacturing overheads, SG&A costs and profit as noted in recitals (79)-(80). Manufacturing overheads were determined based on data provided by the applicant. SG&A costs and profit were determined based on the average of the values reported for the 206 Turkish companies active in NACE category 30.9 for 2022 ⁽⁵²⁾. The Commission added the following items to the undistorted costs of manufacturing:
- manufacturing overheads, which accounted in total for 1 % of the direct costs of manufacturing,
 - SG&A and other costs, which accounted for 5,76 % of the Costs of Goods Sold ('COGS'), and
 - profits, which amounted to 7,37 % of the COGS were applied to the total undistorted costs of manufacturing.
- (85) On that basis, the Commission constructed the normal value on an ex-works basis in accordance with Article 2(6a)(a) of the basic Regulation.

3.5. Export price

- (86) In the absence of cooperation by exporting producers from the PRC, the export price was determined based on CIF (Eurostat) data corrected to an ex-works level. Thus, the CIF price was reduced by the (sea) freight and insurance cost, and domestic transport cost. Domestic Chinese and international transport costs were based on information provided by the applicant in the request for review.

3.6. Comparison

- (87) The Commission compared the constructed normal value established in accordance with Article 2(6a)(a) of the basic Regulation and the export price on an ex-works basis as established above. Considering that both the normal value and the export price were established at the ex-works level of trade, no adjustments were necessary.

3.7. Dumping margin

- (88) On this basis, the average dumping margin was found to be significant.. It was therefore concluded that dumping continued during the review investigation period.

4. LIKELIHOOD OF CONTINUATION OF DUMPING

- (89) Further to the finding of the existence of dumping during the review investigation period, the Commission investigated, in accordance with Article 11(2) of the basic Regulation, the likelihood of continuation of dumping, should the measures lapse. The following additional elements were analysed: the production capacity and spare capacity in the PRC, the relation between export prices to third countries and the price level in the Union, and the attractiveness of the Union market. It is recalled that due to the non-cooperation from the Chinese exporting producers, as well as the GOC, the analysis was based on facts available in accordance with Article 18 of the basic Regulation, in particular the request for review, GTA statistics and other available information.

4.1. Production capacity and spare capacity in the PRC

- (90) In the absence of cooperation by the GOC and the Chinese exporting producers, the Commission based its findings regarding production capacity and spare capacity in the PRC on the information provided by the applicant in its request for review.

⁽⁵²⁾ Company Accounts Statistics, available at <https://www.3.tcmb.gov.tr/sektor/#/en> (last accessed on 6 September 2024).

- (91) The investigation has shown that there was a general overcapacity in the e-bikes sector in the PRC during the period considered. The production capacity ⁽⁵³⁾ in the PRC during this period was estimated to be 130 million pieces per year. In addition, Chinese production of standard bicycles can be easily switched to producing e-bikes, with a potential total capacity of over 400 million pieces ⁽⁵⁴⁾. According to the applicant's market intelligence, Chinese actual production and sales of e-bikes amounted to 57 million pieces per year, which indicated an estimated spare capacity of 73 million pieces per year during the review investigation period ⁽⁵⁵⁾. This spare capacity, which was almost fifteen times the total Union consumption during the same period, could be diverted to the Union if the current measures would lapse.
- (92) Based on the above, the Commission concluded that the Chinese exporting producers have significant spare capacities, which could be used for exports to the Union in large quantities at dumped prices if the measures were allowed to lapse.

4.2. Attractiveness of the Union market

- (93) Based on the information provided in the expiry review request, the Union market for e-bikes remained attractive to Chinese exporters. Since the original investigation, imports from the PRC have decreased both in absolute and in relative terms. However, since 2020, when import volumes from China were at its lowest, imports increased significantly and almost doubled despite the measures in place (see Table 3 below). The market share previously held by the PRC has in part been taken over by other third countries such as Taiwan, which has increased its export volumes of the product under review to the Union since the previous investigation. At the same time, the PRC was still the second largest exporter of e-bikes to the Union during the review investigation period. This shows that the Union remained an attractive market for exporters from the PRC.
- (94) The Union market for e-bikes is one of the largest in the world, with a consumption of 4 979 000 pieces during the review investigation period. In addition, as explained in the expiry review request, e-bike demand is expected to grow in the coming years due to (among other things) environmental policies in the Union. Evidence provided by the applicant in the expiry review request ⁽⁵⁶⁾ and supported by the findings in this investigation (see recital (147)) showed that Chinese producers were offering e-bikes at very low prices (between EUR 210 and EUR 650) both to the Union and third countries during the review investigation period.
- (95) Even with the measures in place, Chinese exports to the Union continued, and even increased in the period considered to obtain a market share of 4,4 % in the review investigation period, which showed that the Union market remains attractive to Chinese exporting producers.
- (96) Therefore, based on the significant overcapacity in the PRC and the attractiveness of the Union market, the Commission concluded that, should the current measures lapse, it is likely that the Chinese exporting producers would redirect exports towards the Union in large quantities, at dumped prices.

4.2.1. Conclusion

- (97) In view of its findings on the continuation of dumping during the review investigation period and on the likely development of increasing exports should the measures lapse, the Commission concluded that there is a strong likelihood that the expiry of the anti-dumping measures on imports from the PRC would result in the continuation of dumping.

⁽⁵³⁾ According to information provided by the applicant based on its market knowledge, information from the websites of a large number of Chinese e-bike producers and the 'White Paper on China's Two-Wheeled Electric Vehicle Industry', available at https://m.thepaper.cn/baijiahao_17589803 (last viewed on 7 October 2024). See Annex 8 of the request for review, available in Tron at Tron.tdi t24.000754.

⁽⁵⁴⁾ Based on the applicant's market knowledge and the websites of the known Chinese e-bike producers provided in Annex 4 of the request for review, available in Tron at Tron.tdi t24.000754.

⁽⁵⁵⁾ Based on the sources mentioned in footnotes 55 and 57. See Annexes 8 and 9 of the request for review, available in Tron at Tron.tdi t24.000754.

⁽⁵⁶⁾ See Section 7.3 and Annexes 15, 17 and 18 of the request for review, available in Tron at Tron.tdi t24.000754. Evidence consisted of 19 price offers from Chinese producers for different types of e-bikes, and statistical information from Eurostat.

5. INJURY

5.1. Definition of the Union industry and Union production

- (98) The like product was manufactured by 67 producers in the Union during the period considered. They constitute the 'Union industry' within the meaning of Article 4(1) of the basic Regulation.
- (99) The total Union production in the review investigation period was established at around 4 560 000 pieces. This number was established on the basis of available information concerning the Union industry, such as The European Bicycle Industry & Market Profile report, and an economic study carried out by the Confederation of the European Bicycle Industry ('CONEBI'). As indicated in recital (11), three Union producers were selected in the sample representing 23,4 % of the total Union production of the like product.

5.2. Union consumption

- (100) The Commission established the Union consumption on the basis of Eurostat import statistics and sales volume of the Union industry in the Union, as submitted by CONEBI.
- (101) Union consumption developed as follows:

Table 2

Union consumption (pieces)

	2020	2021	2022	Review investigation period
Total Union consumption (pieces)	4 377 000	4 892 000	5 325 000	4 979 000
Index	100	112	122	114

Source: Eurostat and CONEBI.

- (102) The total consumption of e-bikes in the EU increased from approximately 4,3 million e-bikes in 2020 to 5,3 million e-bikes in 2022. Design and performance improvements, combined with a greater environmental awareness among EU citizens, has led to a constant increase in e-bike consumption. However, in the review investigation period the consumption of e-bikes in the EU decreased by 346 000 pieces in comparison to 2022 following a drop in demand that occurred some time after the lifting of the last COVID-19 measures in the first half of 2022.

5.3. Imports from the PRC

5.3.1. Volume and market share of the imports from the PRC

- (103) The Commission established the volume of imports on the basis of Eurostat data.
- (104) The market share of the imports was then established by comparing import volumes with the Union consumption as shown in Table 2.

(105) Imports into the Union from the PRC developed as follows:

Table 3

Import volume (pieces) and market share

	2020	2021	2022	Review investigation period
Volume of imports from the PRC (pieces)	102 757	210 806	268 148	220 914
<i>Index</i>	100	205	261	215
Market share	2,3 %	4,3 %	5,0 %	4,4 %
<i>Index</i>	100	184	214	189

Source: Eurostat and CONEBI.

(106) Even with the measures in place, the market share of Chinese imports increased from 2,3 % in 2020 to 4,4 % in the review investigation period.

5.3.2. *Prices of the imports from the PRC and price undercutting*

(107) The Commission established the prices of imports on the basis of Eurostat data.

(108) The average price of imports into the Union from the PRC developed as follows:

Table 4

Import prices (EUR/piece)

	2020	2021	2022	Review investigation period
The PRC	294	354	449	298
<i>Index</i>	100	120	153	101

Source: Eurostat.

(109) The average prices of imports from the PRC have continued to be extremely low during the period considered. In 2020 and 2021, the prices reported by Eurostat were even lower than the average prices found in the initial investigation (i.e. between EUR 422 and EUR 477).

(110) Based on Eurostat data, prices in 2022 were temporarily higher, but still lower than Chinese import prices in 2016 (i.e. EUR 477).

(111) Since there was no cooperation from exporting producers in the PRC, the Commission determined the price undercutting during the review investigation period by comparing:

- (1) the weighted average sales prices of the product under review of the sampled Union producers charged to unrelated customers on the Union market, adjusted to an ex-works level; and
- (2) the corresponding weighted average prices of the product under review from PRC to the Union market, established on a Cost, insurance, freight (CIF) basis, including the anti-dumping duty (all other companies 62,1 %) and the countervailing duty (all other companies 17,2 %), with appropriate adjustments for customs duties (6 %) and post-importation costs (2 %).

- (112) The result of the comparison was expressed as a percentage of the sampled Union producers' turnover during the review investigation period. The price undercutting ranged from 68 % to 80 %. Without the duties, the price undercutting amounted to 82,8 %.

5.3.3. Imports from third countries other than the PRC

- (113) The imports of e-bikes from third countries other than the PRC were mainly from Taiwan and Vietnam.
- (114) The (aggregated) volume of imports into the Union as well as the market share and price trends for imports of e-bikes from other third countries developed as follows:

Table 5

Imports from third countries

Country		2020	2021	2022	Review investigation period
Taiwan	Volume (pieces)	506 822	539 473	598 920	435 315
	<i>Index</i>	100	106	118	86
	Market share	11,6 %	11,0 %	11,2 %	8,7 %
	Average price (EUR/piece)	1 092	1 046	1 168	1 393
	<i>Index</i>	100	96	107	128
Vietnam	Volume (pieces)	162 787	173 204	210 321	199 070
	<i>Index</i>	100	106	129	122
	Market share	3,7 %	3,5 %	3,9 %	4,0 %
	Average price (EUR/piece)	542	585	762	790
	<i>Index</i>	100	108	140	146
Total of all third countries except the country concerned	Volume (pieces)	827 640	960 338	1 081 033	812 356
	<i>Index</i>	100	116	131	98
	Market share	18,9 %	19,6 %	20,3 %	16,3 %
	Average price (EUR/piece)	966	935	1 082	1 258
	<i>Index</i>	100	97	112	130

Source: Eurostat.

- (115) The market shares of total imports of the product under review from third countries other than the PRC increased between 2020-2022 and reached 20,3 % in 2022. However, in the review investigation period it dropped to 16,3 %, a lower level than in 2020.

5.4. Economic situation of the Union industry

5.4.1. General remarks

- (116) The assessment of the economic situation of the Union industry included an evaluation of all economic indicators having a bearing on the state of the Union industry during the period considered.
- (117) As mentioned in recital (11), sampling was used for the assessment of the economic situation of the Union industry.
- (118) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated the macroeconomic indicators on the basis of the information provided by CONEBI. The data related to all Union producers. The Commission evaluated the microeconomic indicators on the basis of data contained in the questionnaire replies from the sampled Union producers.
- (119) The macroeconomic indicators are: production, production capacity, capacity utilisation, sales volume, market share, employment, productivity, magnitude of the dumping margin, and recovery from past dumping.
- (120) The microeconomic indicators are: average unit prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investments, and ability to raise capital.

5.4.2. Macroeconomic indicators

5.4.2.1. Production, production capacity and capacity utilisation

- (121) The total Union production, production capacity and capacity utilisation developed over the period considered as follows:

Table 6

Production, production capacity and capacity utilisation

	2020	2021	2022	Review investigation period
Production volume (pieces)	3 428 000	4 284 000	5 145 000	4 560 000
<i>Index</i>	100	125	150	133
Production capacity (pieces)	5 801 885	7 501 519	7 550 464	7 103 289
<i>Index</i>	100	129	130	122
Capacity utilisation	59 %	57 %	68 %	64 %
<i>Index</i>	100	97	115	109

Source: CONEBI, sampled Union producers.

- (122) The production capacity and production in the Union increased steadily in the period from 2020 to 2022 as a consequence of an increased demand during the COVID-19 pandemic. However, in the review investigation period there was a decrease in production volumes and capacities due to increased stock build-up during COVID-19, where Union producers anticipated continued sales at high accelerated level, which did not happen as, after COVID-19, demand fell significantly.

5.4.2.2. Sales volume and market share

(123) The Union industry's sales volume and market share developed over the period considered as follows:

Table 7

Sales volume and market share (pieces)

	2020	2021	2022	Review investigation period
Total sales volume on the Union market	3 446 603	3 720 856	3 975 819	3 945 730
<i>Index</i>	100	108	115	114
Market share	78,7 %	76,1 %	74,7 %	79,2 %
<i>Index</i>	100	97	95	101

Source: CONEBI, sampled Union producers.

(124) Sales increased over the period considered, especially because of an increased demand during the COVID-19 pandemic. However, once COVID-19 measures were lifted, the demand for e-bikes dropped which resulted in lower sales figures in the review investigation period. Furthermore, the economic situation in 2022 and the review investigation period (higher energy costs, inflation, in particular) had an effect not only on the Union industry but also on consumers, in particular those with less purchasing power. Therefore, the Union industry's sales stagnated in the review investigation period compared to 2022, while market share of the Union industry increased by 4,5 percentage points.

5.4.2.3. Employment and productivity

(125) Employment and productivity developed over the period considered as follows:

Table 8

Employment and productivity

	2020	2021	2022	Review investigation period
Number of employees	8 354	10 972	12 125	10 716
<i>Index</i>	100	131	145	128
Productivity (pieces/employee)	410	390	424	426
<i>Index</i>	100	95	103	104

Source: CONEBI, sampled Union producers.

(126) The Union industry increased the level of employment by 28 % in the period considered. Most of this increase occurred between 2020 and 2022 as a consequence of an increased demand during the COVID-19 pandemic. In 2023 there was a drop in number of employees due to the decrease in production volumes. Productivity remained rather stable in the period considered.

5.4.2.4. Growth

- (127) As sales remained stable in the review investigation period in comparison to 2022, while consumption decreased, the Union industry managed to increase its market share by 4,5 % in that period.

5.4.2.5. Magnitude of the dumping margin and recovery from past dumping

- (128) The level of imports from the PRC during the review investigation period was relatively limited, representing 4,4 % of Union consumption. Therefore, the impact of the magnitude of dumping on the Union industry was rather limited.

5.4.3. Microeconomic indicators

5.4.3.1. Prices and factors affecting prices

- (129) The weighted average unit sales prices of the sampled Union producers to unrelated customers in the Union developed over the period considered as follows:

Table 9

Sales prices and cost of production in the Union (EUR/piece)

	2020	2021	2022	Review investigation period
Average unit sales price in the Union	1 533	1 633	1 719	1 871
<i>Index</i>	100	107	112	122
Unit cost of production	1 419	1 516	1 589	1 786
<i>Index</i>	100	107	112	126

Source: sampled Union producers.

- (130) The average sales prices of the sampled Union producers, as well as the production costs, increased in the period considered, which in 2020 and 2021 mainly reflected a change in the product mix and the technological advancements in e-bike motors and batteries, while in 2022 and the review investigation period that increase also reflected increased production costs due to the general economic situation marked with inflation and higher energy costs.

5.4.3.2. Labour costs

- (131) The average labour costs of the sampled Union producers developed over the period considered as follows:

Table 10

Average labour costs per employee

	2020	2021	2022	Review investigation period
Average labour costs per employee (EUR)	28 793	31 722	32 122	35 447
<i>Index</i>	100	110	112	123

Source: sampled Union producers.

- (132) Even though there a decrease in number of employees in the review investigation period in comparison to 2022 following a drop in demand, the average labours costs per employee steadily increased in the period considered.

5.4.3.3. Inventories

- (133) Stock levels of the sampled Union producers developed over the period considered as follows:

Table 11

Inventories

	2020	2021	2022	Review investigation period
Closing stocks (pieces)	37 309	30 236	77 734	198 958
Index	100	81	208	533

Source: sampled Union producers.

- (134) The increases in the inventories were due to the increased stock build-up during COVID-19 where there was a significant increase in demand, combined with the supply chain issues as Union producers were overordering raw materials and components in order to meet production requirements. However, once supply chain issues were resolved, Union producers received more raw materials and components than needed. This was followed by a drop in demand for e-bikes in the review investigation period, in comparison to 2022, which left the Union producers with very high numbers of inventories at the end of the review investigation period.

5.4.3.4. Profitability, cash flow, investments, return on investments and ability to raise capital

- (135) Profitability, cash flow, investments and return on investments of the sampled Union producers developed over the period considered as follows:

Table 12

Profitability, cash flow, investments and return on investments

	2020	2021	2022	Review investigation period
Profitability of sales in the Union to unrelated customers (% of sales turnover)	7,5 %	7,4 %	7,8 %	5,4 %
Index	100	98	104	72
Cash flow (EUR)	145 777 915	96 187 869	68 459 937	- 86 504 717
Index	100	66	47	- 59
Investments (EUR)	5 545 607	12 373 944	11 588 325	5 781 801

	2020	2021	2022	Review investigation period
<i>Index</i>	100	223	209	104
Return on investments	147 %	127 %	163 %	111 %
<i>Index</i>	100	86	111	75
Source: sampled Union producers.				

- (136) The Commission established the profitability of the sampled Union producers by expressing the pre-tax net profit of the sales of the like product to unrelated customers in the Union as a percentage of the turnover of those sales. The sampled Union producers remained profitable over the period considered. In the review investigation period, the profitability, however, dropped due to increased costs.
- (137) The overall stable profitability in the period considered allowed the Union industry to make large investments.
- (138) The net cash flow is the ability of the Union producers to self-finance their activities. The cash flow decreased significantly over the period considered and turned negative in 2023. The return on investments also deteriorated, which made it more difficult for the Union industry to raise capital and grow. This resulted in a drop in investments of 50 % in the review investigation period in comparison to 2022.

5.5. Conclusion on injury

- (139) Macro indicators such as Union production, sales and employment steadily increased in the period from 2020 to 2022, as a consequence of an increased demand during the COVID-19 pandemic. However, in the review investigation period production volumes, capacities, sales and employment decreased, due to increased stock build-up during the COVID-19 pandemic, followed by a decrease in demand as a result of the lifting of the COVID-19 measures and the change in the economic situation in the Union, marked by in particular high energy costs and inflation.
- (140) As regards the microeconomic indicators, the investigation established that the profitability of the sampled Union producers in period from 2020 to 2022 remained above 7 %. However, in the review investigation period, the Union industry's profitability dropped to 5,4 %. Cash flow decreased from 2020 to 2022 and turned negative in 2023. The return on investments also deteriorated, which made it more difficult for the Union industry to raise capital and grow.
- (141) On the basis of the above, the Commission concluded that the Union industry had recovered from past material injury within the meaning of Article 3(5) of the basic Regulation, caused by dumped imports from the PRC. However, during the period considered, a number of injury indicators deteriorated, and the Union industry returned to an economically fragile situation. Therefore, the Commission further examined the likelihood of recurrence of injury originally caused by dumped imports from the PRC if the measures were to be repealed.

6. LIKELIHOOD OF RECURRENCE OF INJURY

- (142) The Commission analysed the following elements to establish the likelihood of recurrence of injury should the measures be repealed: the production capacity and spare capacity in the PRC, the relation between export prices to third countries and the price level in the Union and the impact of potential imports and price levels of such imports from these countries on the Union industry's situation.

6.1. Spare capacity in the PRC and the attractiveness of the Union market

- (143) As already described and detailed in Section 3.10.1 above, the exporting producers in the PRC have significant spare capacities which could be used to produce the product under review for export to the Union if measures were allowed to lapse. The quantities that could be exported by Chinese exporting producers amount to 73 million pieces, exceeding by far the size of the Union market.
- (144) As described and detailed in Section 3.10.2 above, the Union market for e-bikes is one of the largest in the world and e-bike demand is expected to grow in the coming years due to, among other points, environmental policies in the Union. The Chinese exporting producers exported to their main third markets at prices significantly below the average sales prices of the Union producers on the Union market during the review investigation period. Therefore, exporting to the Union is potentially much more attractive for Chinese exporters. Consequently, it can be reasonably expected that, should the measures be repealed, Chinese exporting producers would start to export high volumes of the product under review to the Union.

6.2. Likely import prices and impact on the Union industry

- (145) In order to establish how the imports from the PRC would affect the Union industry should the measures be terminated, the Commission performed a comparative price analysis without the existence of anti-dumping measures.
- (146) In order to estimate the likely price at which Chinese producers would sell when exporting to the Union market, the Commission made a price comparison between the sampled Union producers average price (ex-works) to the corresponding average price of the product under review from the PRC when exported to third countries such as the United Kingdom, Türkiye, Norway or Serbia, which have separate codes for e-bikes and no measures in place.
- (147) The result of the comparison showed that the average price of Chinese exports of the product concerned to the above countries varied from EUR 210 to EUR 650, i.e. significantly lower than the Union industry's price on the Union market. Therefore, should the measures be allowed to lapse it would thus be likely that imports from the PRC would enter the market in high volumes, as in the investigation period of the original investigation and at low prices which would cause injury.
- (148) In view of the above, the conclusion is that the repeal of the measures would in all likelihood result in a significant increase of dumped imports from the PRC at injurious price levels. As a consequence, the viability of the Union industry would be at serious risk.

7. UNION INTEREST

- (149) In accordance with Article 21 of the basic Regulation, the Commission examined whether maintaining the existing anti-dumping measures would be against the interest of the Union as whole. The determination of the Union interest was based on an appreciation of all the various interests involved, including those of the Union industry, importers and users.

7.1. Interest of the Union industry

- (150) The investigation showed that should the measures expire it would have a negative effect on the Union industry. The measures have re-established a level playing field on the Union market. This has allowed new companies to enter the market, especially in the entry level and mid-range segments. The number of known e-bike Union producers almost doubled from approximately 37 in 2020 to 67 in 2023, despite challenges resulting from the economic situation in 2022-2023. The number of e-bikes produced in the Union increased by more than 1 million between 2020 (3,4 million) and 2023 (4,5 million) and is forecasted to increase further. The number of direct employees has increased from around 3 500 in the original investigation period to almost 11 000 in the review investigation period.

- (151) A termination of the anti-dumping measures would put Union producers at high-risk, especially those serving the entry-level and mid-range e-bike segments, which include many smaller producers across the Union industry.
- (152) Compounding the vulnerable situation is the fact that the production of e-bikes is a highly capital intense business, because substantial stocks of bicycle parts are required at all times to maintain production. In addition, Union producers have made large investments in sustainable and environmentally friendly production and product improvements over the last years. Termination of the anti-dumping measures would block development of practical engineering know-how for the application of ultimate high technologies, including automation and new materials.
- (153) In addition, according to the expiry review request, the Union e-bikes industry is one of the largest green industries, with more than 1 000 small and medium-sized enterprises ("SMEs") having provided approximately 80 000 jobs according to The European Bicycle Industry & Market Profile report 2024. This includes jobs in direct and indirect production jobs, upstream industries, bicycle accessories, bicycle dealerships, etc.
- (154) On the basis of the above, the extension of the measures is in the interest of the Union industry.

7.2. Interest of assemblers

- (155) The Commission contacted all known users and unrelated importers.
- (156) Following initiation, the only party that came forward and provided comments was an ad hoc Group, on behalf of 8 small companies in the Union which assemble e-bike parts imported from China and other third countries. Their main comment related to the implementation of the measures against imports of (conventional) bicycle parts from China, which creates uncertainty about the legal rules of the import of e-bike components and, hence, renders it difficult to import parts of e-bikes, which are not subject to measures. The group opposed the extension of the measures, mainly due to the current problems with the imports of components, coupled with the risk of extension of the measures to these e-bikes components, and argued that using market surveillance to scrutinise compliance of imports from the PRC with all pertinent regulations would be more efficient to address imports of unfairly traded e-bikes from China which are often illegal and unsafe.
- (157) The Commission considered, however, that it is not realistic that market surveillance and regulatory measures only can prevent injury caused by imports of dumped e-bikes from the PRC. Also, customs enforcement issues in relation to the imports of e-bikes components cannot justify the termination of the measures, which have achieved the intended effect. In any event, the enforcement of measures falls outside the scope of the investigation.
- (158) Following disclosure, the ad hoc Group reiterated the same claims. It argued that the Commission should focus on strengthening market surveillance rather than extending trade defence measures to address the root causes of market distortions and ensure a level playing field for all stakeholders. According to the ad hoc Group, trade defence measures inadvertently create a regulatory framework that fosters imports of sub standardised and unsafe bikes while making the life of serious e-bikes manufacturers from the PRC with long-term ambitions on Union market difficult.
- (159) The Commission considered that the arguments raised by the ad hoc Group were already addressed in recital (156). Since no new comments of substance on these matters were brought forward, the conclusion in recital (157) was confirmed.
- (160) The ad hoc Group also argued that repealing the trade defence measures would not lead to a significant increase in injurious imports as, according to them, a modest 4,4 % market share of Chinese imports during the RIP undermined the claim that Chinese imports pose a significant threat.

- (161) The Commission considered that the increase of market share to 4,4 % in the RIP took place in a situation with trade defence measures in place. Because of the trade defence measures, Chinese imports only gained 2,1 percentage points market share during the period considered. Considering the attractiveness of the Union market, the production capacity and spare capacity in the PRC and the relation between export prices to third countries and the price level in the Union, the Commission concluded that if measures are to be repealed there would be a significant increase of dumped imports from the PRC at injurious price levels. On this basis, this claim was rejected.
- (162) Furthermore, the ad hoc Group claimed that the Commission relied on unverified information and claims which compromises the impartiality of the investigation, especially those coming from the applicant.
- (163) As mentioned in recitals (31) and (32), the Commission applied Article 18 of the basic Regulation concerning the findings with regard to continuation or recurrence of dumping and injury as there was no cooperation from the exporters/producers from the PRC in the investigation. Consequently, the findings in relation to the likelihood of continuation or recurrence of dumping and injury were based on facts available, in particular information submitted with the request for review and information obtained from cooperating parties in the course of the review investigation (namely, the applicant and the sampled Union producers). All information submitted by the sampled Union producers was thoroughly verified. On this basis, this claim was rejected.

7.3. Interest of users and unrelated importers

- (164) No users or unrelated importers came forward and cooperated in this investigation by submitting a questionnaire reply apart from the above-mentioned submission. On the basis of the information available to the Commission, it found that there was no evidence contradicting the conclusion in the original investigation that the negative effects on unrelated importers could not be considered disproportionate and was mitigated by the availability of alternative sources of supply. The positive effects of the countervailing measures on the Union market, in particular on the Union industry, outweighed the potential negative effect on the other interest groups. Indeed, the investigation confirmed that, in addition to China, there are increasingly other source of supply from third countries. Therefore, the Commission concluded that the continuation of measures would not be disproportionately detrimental to users and importers.

7.4. Conclusion on Union interest

- (165) On the basis of the above, the Commission concluded that there were no compelling reasons of Union interest against the maintenance of the existing measures on imports of the product under review originating in the PRC.

8. ANTI-DUMPING MEASURES

- (166) On the basis of the conclusions reached by the Commission on continuation of dumping, recurrence of injury and Union interest, the anti-dumping measures on imports of electric bicycles originating in the PRC should be maintained.
- (167) To minimise the risks of circumvention due to the difference in duty rates, special measures are needed to ensure the application of the individual anti-dumping duties. The application of individual anti-dumping duties is only applicable upon presentation of a valid commercial invoice to the customs authorities of the Member States. The invoice must conform to the requirements set out in Article 1(3) of this regulation. Until such invoice is presented, imports should be subject to the anti-dumping duty applicable to 'all other companies'.
- (168) While presentation of this invoice is necessary for the customs authorities of the Member States to apply the individual rates of anti-dumping duty and exemptions to imports, it is not the only element to be taken into account by the customs authorities. Indeed, even if presented with an invoice meeting all the requirements set out in Article 1(3) of this Regulation, the customs authorities of Member States must carry out their usual checks and may, like in all other cases, require additional documents (shipping documents etc.) for the purpose of verifying the accuracy of the particulars contained in the declaration and ensure that the subsequent application of the lower rate of duty is justified, in compliance with customs law.

- (169) Should the exports by one of the companies benefiting from lower individual duty rates increase significantly in volume after the imposition of the measures concerned, such an increase in volume could be considered as constituting in itself a change in the pattern of trade due to the imposition of measures within the meaning of Article 13(1) of the basic Regulation. In such circumstances and provided the conditions are met an anti-circumvention investigation may be initiated. This investigation may, inter alia, examine the need for the removal of individual duty rate(s) and the consequent imposition of a country-wide duty.
- (170) The individual company anti-dumping duty rates specified in this Regulation are exclusively applicable to imports of the product under review originating in the PRC and produced by the named legal entities. Imports of the product under review produced by any other company not specifically mentioned in the operative part of this Regulation, including entities related to those specifically mentioned, should be subject to the duty rate applicable to 'all other companies'. They should not be subject to any of the individual anti-dumping duty rates.
- (171) A company may request the application of these individual anti-dumping duty rates if it subsequently changes the name of its entity. The request must be addressed to the Commission ⁽⁵⁷⁾. The request must contain all the relevant information enabling to demonstrate that the change does not affect the right of the company to benefit from the duty rate which applies to it. If the change of name of the company does not affect its right to benefit from the duty rate which applies to it, a regulation about the change of name will be published in the *Official Journal of the European Union*.
- (172) All interested parties were informed of the essential facts and considerations on the basis of which it was intended to recommend that the existing measures be maintained. They were also granted a period to make representations subsequent to this disclosure.
- (173) An exporter or producer that did not export the product concerned to the Union during the period that was used to set the level of the duty currently applicable to its exports may request the Commission to be made subject to the anti-dumping duty rate for cooperating companies not included in the sample. The Commission should grant such request, provided that three conditions are met. The new exporting producer would have to demonstrate that: (i) it did not export the product concerned to the Union during the period that was used to set the level of the duty applicable to its exports; (ii) it is not related to a company that did so and thus is subject to the anti-dumping duties; and (iii) has exported the product concerned thereafter or has entered into an irrevocable contractual obligation to do so in substantial quantities.
- (174) In view of Article 109 of Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council ⁽⁵⁸⁾ when an amount is to be reimbursed following a judgment of the Court of Justice of the European Union, the interest to be paid should be the rate applied by the European Central Bank to its principal refinancing operations, as published in the C series of the *Official Journal of the European Union* on the first calendar day of each month.
- (175) The measures provided for in this regulation are in accordance with the opinion of the Committee established by Article 15(1) Regulation (EU) 2016/1036,

⁽⁵⁷⁾ European Commission, Directorate-General for Trade, Directorate G, Rue de la Loi/Wetstraat 170, 1040 Bruxelles/Brussel, BELGIQUE/BELGIË.

⁽⁵⁸⁾ Regulation (EU, Euratom) 2018/1046 of the European Parliament and of the Council of 18 July 2018 on the financial rules applicable to the general budget of the Union, amending Regulations (EU) No 1296/2013, (EU) No 1301/2013, (EU) No 1303/2013, (EU) No 1304/2013, (EU) No 1309/2013, (EU) No 1316/2013, (EU) No 223/2014, (EU) No 283/2014, and Decision No 541/2014/EU and repealing Regulation (EU, Euratom) No 966/2012 (OJ L 193, 30.7.2018, p. 1, ELI: <http://data.europa.eu/eli/reg/2018/1046/oj>).

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is imposed on imports of cycles, with pedal assistance, with an auxiliary electric motor, originating in the People's Republic of China, currently falling under CN codes 8711 60 10 and ex 8711 60 90 (TARIC code 8711 60 90 10).

2. The rates of the definitive anti-dumping duty applicable to the net, free-at-Union-frontier price, before duty, of the product described in paragraph 1 and produced by the companies listed below shall be as follows:

Country	Company	Anti-dumping duty	TARIC additional code
People's Republic of China	Bodo Vehicle Group Co., Ltd.	58,3 %	C382
	Giant Electric Vehicle (Kunshan) Co., Ltd;	9,9 %	C383
	Jinhua Vision Industry Co., Ltd and Yongkang Hulong Electric Vehicle Co., Ltd	10,3 %	C384
	Suzhou Rununion Motivity Co., Ltd	62,1 %	C385
	Yadea Technology Group Co., Ltd	37,4 %	C463
	Other cooperating companies in the original anti-dumping investigation (with the exception of the companies subject to the parallel countervailing duty rate for all other companies) listed in Annex I	24,2 %	
	Other cooperating companies in the original anti-dumping investigation, subject to the parallel countervailing duty rate for all other companies listed in Annex II	16,2 %	
	Non-cooperating companies in the original anti-dumping investigation, but cooperating in the parallel original anti-subsidy investigation listed in Annex III	70,1 %	
	All other companies	62,1 %	C999

3. The application of the individual duty rates specified for the companies mentioned in paragraph 2 shall be conditional upon presentation to the Member States' customs authorities of a valid commercial invoice, on which shall appear a declaration dated and signed by an official of the entity issuing such invoice, identified by his/her name and function, drafted as follows: *'I, the undersigned, certify that the (volume) of (product under review) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in [country concerned]. I declare that the information provided in this invoice is complete and correct.'* Until such invoice is presented, the duty applicable to all other companies shall apply.

4. Article 1(2) may be amended to add new exporting producers from the People's Republic of China and make them subject to the appropriate weighted average anti-dumping duty rate for cooperating companies not included in the sample. A new exporting producer shall provide evidence that:

- (a) it did not export the goods described in Article 1(1) originating in the People's Republic of China during the period between 1 October 2016 to 30 September 2017 ('original investigation period');

- (b) it is not related to an exporter or producer subject to the measures imposed by this Regulation, and which have or could have cooperated in the investigation that led to the duty; and
- (c) it has either actually exported the product under review originating in the People's Republic of China or has entered into an irrevocable contractual obligation to export a significant quantity to the Union after the end of the original investigation period.

5. Should the definitive countervailing duties imposed by Article 1 of Commission Implementing Regulation (EU) 2025/114 ⁽⁵⁹⁾ be modified or removed, the duties specified in paragraph 2 will be increased by the same proportion limited to the actual dumping margin found or the injury margin found as appropriate per company and from the entry into force of this Regulation.

In cases where the countervailing duty has been subtracted from the anti-dumping duty for certain exporting producers, refund requests under Article 21 of Regulation (EU) 2016/1037 shall also trigger the assessment of the dumping margin for that exporting producer prevailing during the refund investigation period. The amount to be reimbursed to the applicant for refund cannot exceed the difference between the duty collected and the combined countervailing and anti-dumping duty established in the refund investigation.

6. Unless otherwise specified, the provisions in force concerning customs duties shall apply.

Article 2

This Regulation shall enter into force on the day following that of its publication in the *Official Journal of the European Union*.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels, 23 January 2025.

For the Commission
The President
Ursula VON DER LEYEN

⁽⁵⁹⁾ Commission Implementing Regulation (EU) 2025/114 of 23 January 2025 imposing a definitive countervailing duty on imports of electric bicycles originating in the People's Republic of China following an expiry review pursuant to Article 18 of Regulation (EU) 2016/1037 of the European Parliament and of the Council (OJ L, 2025/114, 24.1.2025, ELI: http://data.europa.eu/eli/reg_impl/2025/114/oj).

ANNEX I

Name	Province	TARIC additional code
Acetrikes Bicycles (Taicang) Co., Ltd.	Jiangsu	C386
Active Cycles Co., Ltd.	Jiangsu	C387
Aigeni Technology Co., Ltd.	Jiangsu	C388
Alco Electronics (Dongguan) Limited	Guangdong	C390
Changzhou Airwheel Technology Co., Ltd.	Jiangsu	C392
Changzhou Bisek Cycle Co., Ltd.	Jiangsu	C393
Changzhou Fujiang Vehicle Co. Ltd	Jiangsu	C484
Changzhou Rich Vehicle Technology Co., Ltd	Jiangsu	C395
Changzhou Sobowo Vehicle Co., Ltd.	Jiangsu	C397
Changzhou Steamoon Intelligent Technology Co., Ltd.	Jiangsu	C398
Cycleman E-Vehicle Co., Ltd.	Jiangsu	C400
Dongguan Benling Vehicle Technology Co., Ltd.	Guangdong	C401
Dongguan Honglin Industrial Co., Ltd, Melton Industrial (Dong Guan) Co., Ltd	Guangdong	C402
Easy Electricity Technology Co., Ltd.	Tianjin	C451
Enjoycare Technology (Zhejiang) Co., Ltd.	Zhejiang	C419
Foshan Lano Bike Co., Ltd.	Guangdong	C405
Foshan Zenith Sports Co., Ltd.	Guangdong	C406
Guangzhou Symbol Bicycle Co., Ltd.	Guangdong	C410
Hangzhou Fanzhou Technology Co., Ltd.	Zhejiang	C411
Jiangsu Imi Electric Vehicle Technology Co., Ltd.	Jiangsu	C415
Jiangsu Lvneng Electrical Bicycle Technology Co., Ltd.	Jiangsu	C416
Jiangsu Stareyes Bicycle Industrial Co., Ltd.	Jiangsu	C417
Jiaxing Onway Ev Tech Co., Ltd.	Zhejiang	C418
Jinhua Feirui Vehicle Co., Ltd.	Zhejiang	C420
Jinhua Jobo Technology Co., Ltd.	Zhejiang	C421
Jinhua Lvobao Vehicles Co. Ltd	Zhejiang	C486
Jinhua Suntide Vehicle Co., Ltd.	Zhejiang	C422
Jinhua Zodin E-Vehicle Co., Ltd.	Zhejiang	C424
Kenstone Metal (Kunshan) Co., Ltd.	Jiangsu	C425
Komda Industrial (Dongguan) Co., Ltd.	Guangdong	C426
Kunshan Sevenone Cycle Co., Ltd.	Jiangsu	C427
Nantong Tianyuan Automatic Vehicle Co., Ltd.	Jiangsu	C429
Ningbo Bestar Co., Ltd.	Zhejiang	C430
Ningbo Lv Kang Vehicle Co., Ltd.	Zhejiang	C431
Ningbo Nanyang Vehicle Co., Ltd.	Zhejiang	C432
Ningbo Oner Bike Co., Ltd.	Zhejiang	C433

Name	Province	TARIC additional code
Ningbo Roadsan New Energy Technology Co., Ltd.	Zhejiang	C435
Ningbo Zixin Bicycle Industry Co., Ltd.	Zhejiang	C437
Pronordic E-Bikes Limited Company	Jiangsu	C438
Shenzhen Shenling Car Co., Ltd.	Guangdong	C442
Sino Lithium (Suzhou) Electric Technology Co., Ltd.	Jiangsu	C443
Skyland Sport Tech Co., Ltd.	Tianjin	C444
Suzhou Guoxin Group Fengyuan Imp & Exp. Co., Ltd.	Jiangsu	C446
Suzhou Leisger Vehicle Co. Ltd	Jiangsu	C487
Tianjin Luodeshengda Bicycle Co., Ltd.	Tianjin	C449
Tianjin Upland Bicycle Co., Ltd.	Tianjin	C450
Ubchoice Co., Ltd.	Guangdong	C452
Wettsen Corporation	Shandong	C454
Wuxi Shengda Bicycle Co., Ltd. and Wuxi Shengda Vehicle Technology Co.,Ltd	Jiangsu	C458
Wuxi United Mobility Technology Inc	Jiangsu	C459
Xiangjin (Tianjin) Cycle Co., Ltd.	Tianjin	C462
Yong Qi (China) Bicycle Industrial Corp	Jiangsu	C464
Yongkang Juxiang Vehicle Co, Ltd.	Zhejiang	C466
Yongkang Lohas Vehicle Co., Ltd.	Zhejiang	C467
Yongkang Mars Vehicle Co., Ltd.	Zhejiang	C468
Zhejiang Apollo Motorcycle Manufacturer Co., Ltd.	Zhejiang	C469
Zhejiang Baoguilai Vehicle Co., Ltd.	Zhejiang	C470
Zhejiang Goccia Electric Technology Co., Ltd.	Zhejiang	C472
Zhejiang Hangpai Electric Vehicle Co. Ltd	Zhejiang	C488
Zhejiang Jsl Vehicle Co., Ltd.	Zhejiang	C473
Zhejiang Kaiyi New Material Technology Co., Ltd.	Zhejiang	C474
Zhejiang Lianmei Industrial Co., Ltd.	Zhejiang	C475
Zhejiang Tuer Vehicle Industry Co., Ltd.	Zhejiang	C477
Zhejiang Xingyue Electric Vehicle Co., Ltd. Zhejiang Xingyue Overfly Electric Vehicle Co., Ltd., and Zhejiang Xingyue Vehicle Co., Ltd.,	Zhejiang	C478
Zhongxin Power (Tianjin) Bicycle Co., Ltd.	Tianjin	C480

ANNEX II

Name	Province	TARIC additional code
Aima Technology Group Co., Ltd.	Tianjin	C389
Beijing Tsingtao Technology Co., Ltd.	Beijing	C391
Changzhou HJ Pedal Co., Ltd.	Jiangsu	C394
Changzhou Merry Ebike Co., Ltd.	Jiangsu	C456
Changzhou Ristar Cycle Co., Ltd.	Jiangsu	C396
Cutting Edge Power Vehicle Int'l TJ Co., Ltd.	Tianjin	C399
Eco International Elebike Co., Ltd.	Jiangsu	C403
Everest International Industries Ltd.	Jiangsu	C404
Geoby Advance Technology Co., Ltd.	Jiangsu	C407
Guangdong Commercial Trading Imp. & Exp. Corp., Ltd.	Guangdong	C408
Guangdong Shunde Junhao Technology Development Co., Ltd.	Guangdong	C409
Hangzhou Morakot E-Bike Manufacture Co., Ltd.	Zhejiang	C412
Hangzhou TOP Mechanical And Electrical Technology, Co. Ltd.	Zhejiang	C413
Hua Chin Bicycle & Fitness (H.Z.) Co., Ltd.	Guangdong	C414
Jinhua Yifei Electric Science And Technology Co., Ltd.	Zhejiang	C423
Nanjing Jincheng Machinery Co., Ltd.	Jiangsu	C428
Ningbo Pugonying Vehicle Technology Co., Ltd.	Zhejiang	C434
Ningbo Shenchima Vehicle Industry Co., Ltd.	Zhejiang	C436
Shandong Eco Friendly Technology Co., Ltd.	Shandong	C439
Shanghai Promising Int'l Trade & Logistics Co., Ltd.	Shanghai	C440
Shenzhen SanDin Cycle Co., Ltd.	Guangdong	C441
Suzhou Dynavolt Intelligent Vehicle Technology Co., Ltd.	Jiangsu	C445
Suzhou Joydeer E-Bicycle Co., Ltd.	Jiangsu	C447
Taiku Manufacturing (Jiangsu) Co., Ltd.	Jiangsu	C448
Universal Cycle Corporation (Guang Zhou)	Guangdong	C453
Wuxi Bashan E-Vehicle Co., Ltd.	Jiangsu	C455
Wuxi METUO Vehicle Co., Ltd.	Jiangsu	C457
Wuyi Simino Industry & Trade Co., Ltd.	Zhejiang	C460
Wuyi Yuema Leisure Articles Co., Ltd.	Zhejiang	C461
Yongkang Aijiu Industry & Trade Co., Ltd.	Zhejiang	C465
Zhejiang Enze Vehicle Co., Ltd.	Zhejiang	C471
Zhejiang Luyuan Electric Vehicle Co., Ltd.	Zhejiang	C476
Zhongshan Qiangli Electronics Factory	Guangdong	C479

ANNEX III

Name	Province	TARIC additional code
Changzhou Fujiang Vehicle Co. Ltd	Jiangsu	C484
Jinhua Lybao Vehicles Co. Ltd	Zhejiang	C486
Suzhou Leisger Vehicle Co. Ltd	Jiangsu	C487
Zhejiang Hangpai Electric Vehicle Co. Ltd	Zhejiang	C488