



2025/2146

23.10.2025

COMMISSION IMPLEMENTING REGULATION (EU) 2025/2146

of 22 October 2025

imposing a definitive anti-dumping duty on imports of bicycles originating in the People's Republic of China as extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka, Tunisia, Cambodia, Pakistan and the Philippines, whether declared as originating in these countries or not, 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 Regulation (EEC) No 2474/93 ⁽²⁾ ('the original investigation'), the Council imposed a definitive anti-dumping duty of 30,6 % on imports of bicycles originating in the People's Republic of China ('the PRC', 'China' or 'the country concerned').
- (2) Following an anti-circumvention investigation, this duty was extended by Council Regulation (EC) No 71/97 ⁽³⁾ to imports of certain bicycle parts originating in China. An exemption scheme for certain bicycle parts was introduced by Commission Regulation (EC) No 88/97 ⁽⁴⁾. Since 1993 there have been expiry reviews published in 2000, 2011 and 2019 ⁽⁵⁾.
- (3) The anti-dumping duties currently in force are definitive anti-dumping duties imposed by Commission Implementing Regulation (EU) 2019/1379 ⁽⁶⁾ of 28 August 2019 ranging between 0 % and 48,5 % ('the measures in force'). The investigation that led to the imposition of the measures in force will be referred to as 'the previous review investigation' or 'the last expiry review'.
- (4) The measures in force were extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not in 2013 ⁽⁷⁾.

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

⁽²⁾ Council Regulation (EEC) No 2474/93 of 8 September 1993 imposing a definitive anti-dumping duty on imports into the Community of bicycles originating in the People's Republic of China and collecting definitively the provisional anti-dumping duty (OJ L 228, 9.9.1993, p. 1, ELI: <http://data.europa.eu/eli/reg/1993/2474/oj>).

⁽³⁾ Council Regulation (EC) No 71/97 of 10 January 1997 extending the definitive anti-dumping duty imposed by Regulation (EEC) No 2474/93 on bicycles originating in the People's Republic of China to imports of certain bicycle parts from the People's Republic of China, and levying the extended duty on such imports registered under Regulation (EC) No 703/96 (OJ L 16, 18.1.1997, p. 55, ELI: <http://data.europa.eu/eli/reg/1997/71/oj>).

⁽⁴⁾ Commission Regulation (EC) No 88/97 of 20 January 1997 on the authorization of the exemption of imports of certain bicycle parts originating in the People's Republic of China from the extension by Council Regulation (EC) No 71/97 of the anti-dumping duty imposed by Council Regulation (EEC) No 2474/93 (OJ L 17, 21.1.1997, p. 17, ELI: <http://data.europa.eu/eli/reg/1997/88/oj>).

⁽⁵⁾ <https://tron.trade.ec.europa.eu/investigations/case-history?caseId=1532>.

⁽⁶⁾ Commission Implementing Regulation (EU) 2019/1379 of 28 August 2019 imposing a definitive anti-dumping duty on imports of bicycles originating in the People's Republic of China as extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka, Tunisia, Cambodia, Pakistan and the Philippines, whether declared as originating in these countries or not, following an expiry review pursuant to Article 11(2) of Regulation (EU) No 2016/1036 (OJ L 225, 29.8.2019, p. 1, ELI: http://data.europa.eu/eli/reg_impl/2019/1379/oj).

⁽⁷⁾ OJ L 153, 5.6.2013, p. 1.

- (5) The measures in force were further extended to imports of bicycles consigned from Cambodia, Pakistan and the Philippines, whether declared as originating in Cambodia, Pakistan and the Philippines or not in 2015 ⁽⁸⁾.

1.2. Request for an expiry review

- (6) Following the publication of a notice of impending expiry ⁽⁹⁾ the European Commission ('the Commission') received a request for a review pursuant to Article 11(2) of the basic Regulation.
- (7) The request for review was submitted on 24 May 2024 by the European Bicycle Manufacturers Association ('EBMA' or 'the applicant') on behalf of the Union industry of bicycles in the sense of Article 5(4) of the basic Regulation. The request for review was based on the grounds that the expiry of the measures would be likely to result in continuation of dumping and continuation and/or likelihood of recurrence of injury to the Union industry.

1.3. Initiation of an expiry review

- (8) 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 29 August 2024 the Commission initiated an expiry review with regard to imports into the Union of bicycles originating in the People's Republic of China 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* ⁽¹⁰⁾ ('the Notice of Initiation').

1.4. Review investigation period and period considered

- (9) The investigation of continuation or recurrence of dumping covered the period from 1 July 2023 to 30 June 2024 ('review investigation period' or 'RIP'). The examination of trends relevant for the assessment of the likelihood of a continuation or recurrence of injury covered the period from 1 January 2021 to the end of the review investigation period ('the period considered').

1.5. Interested parties

- (10) 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 the applicant, other known Union producers, the known producers and the authorities of China, known importers, users, traders, as well as associations known to be concerned about the initiation of the expiry and invited them to participate.
- (11) 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

- (12) 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

- (13) In the Notice of Initiation, the Commission stated that it had provisionally selected a sample of Union producers. The Commission selected the final sample on the basis of representativity in terms of quantity of production and sales. The Commission also took into account the fact that a number of Union producers were sub-contracting partly or fully the production process to companies operating under tolling agreements ('tollers'). The sample consisted of four Union producers. The Commission also requested the cooperation of their related and unrelated tollers in providing data for the microeconomic indicators. The sampled Union producers accounted for 40 % of the estimated Union production.

⁽⁸⁾ OJ L 122, 19.5.2015, p. 4.

⁽⁹⁾ OJ C, C/2023/1260, 1.12.2023, ELI: <http://data.europa.eu/eli/C/2023/1260/oj>.

⁽¹⁰⁾ OJ C, C/2024/5292, 29.8.2024, ELI: <http://data.europa.eu/eli/C/2024/5292/oj>.

- (14) In accordance with Article 17(2) of the basic Regulation, the Commission invited interested parties to comment on the provisional sample. No comments were received. The sample is representative of the Union industry.

1.6.2. *Sampling of importers*

- (15) 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.
- (16) No unrelated importers provided the requested information and therefore no sample was selected.

1.6.3. *Sampling of producers in China*

- (17) To decide whether sampling was necessary and, if so, to select a sample, the Commission asked all known producers in China to provide the information specified in the Notice of Initiation. In addition, the Commission asked the Mission of the People's Republic of China to identify and/or contact other producers, if any, that could be interested in participating in the investigation.
- (18) Two producers in China provided the requested information and agreed to be included in the sample. The total imports of these two exporting producers accounted for less than 15 % of total bicycle imports from China to the Union during the RIP. The Commission considered this small volume of imports unrepresentative of overall bicycle imports from China.
- (19) The Commission informed the Chinese authorities that due to the low level of cooperation it might apply Article 18 of the basic Regulation concerning the findings. The Commission did not receive any comments or requests for an intervention of the Hearing Officer.
- (20) In accordance with Article 18 of the basic Regulation, the findings on the likelihood of continuation or recurrence of dumping were based on facts available, in particular information in the request for review.

1.6.4. *Replies to the questionnaire*

- (21) The Commission sent questionnaires to the sampled Union producers. The same questionnaires had also been made available online ⁽¹⁾ on the day of initiation.
- (22) Questionnaire replies were received from the sampled Union producers and their tolling companies.

1.6.5. *Verification*

- (23) The Commission sought and verified all the information deemed necessary for the determination of likelihood of continuation of dumping and likelihood of continuation and/or recurrence of 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 and tolling companies:

- Denver srl, Italy
- Tekno Bike S.A.S.
- Andos Bike srl
- Boschero Serena D.I.
- Decathlon Produzione Italia srl, Italy
- Telai Olagnero srl

⁽¹⁾ <https://tron.trade.ec.europa.eu/investigations/case-view?caseId=2746>.

- Madirom Prod srl, Romania
 - Sports Mechanical Workshop
- ZPG GmbH & Co KG, Germany
 - Pending System GmbH and Co KG
 - Sport Equipment Bike GmbH and Co KG
 - ZPG s.r.o, Czech Republic
 - AVW GmbH and Co KG

1.6.6. *Subsequent procedure*

- (24) On 27 August 2025, 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.
- (25) No comments from interested parties were received.

2. PRODUCT UNDER REVIEW, PRODUCT CONCERNED AND LIKE PRODUCT

2.1. **Product under review**

- (26) The product under review is the same as in the previous expiry review, namely bicycles and other cycles (including delivery tricycles, but excluding unicycles), not motorised, currently falling under CN codes 8712 00 30 and ex 8712 00 70 (TARIC codes 8712 00 70 91, 8712 00 70 92 and 8712 00 70 99) ('the product under review').

2.2. **Product concerned**

- (27) The product concerned by this investigation is the product under review originating in the People's Republic of China.
- (28) Measures have been extended to imports of the product under review consigned from Indonesia, Malaysia, Sri Lanka and Tunisia as well as Cambodia, Pakistan and the Philippines, whether declared as originating in these countries or not.

2.3. **Like product**

- (29) As established in the previous expiry reviews, 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 Chinese domestic market;
 - 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.
- (30) These products are therefore considered to be like products within the meaning of Article 1(4) of the basic Regulation.

3. REQUEST FOR NAME CHANGE

- (31) On 10 July 2024, Oyama Technology (Jiangsu) Co. Ltd, with TARIC ⁽¹³⁾ additional code B773, a company subject to an individual anti-dumping duty rate of 0 %, informed the Commission that the local Taicang Government decided to use the land currently occupied by the company in Taicang and requested a name change.

⁽¹³⁾ The Integrated Tariff of the European Union.

- (32) As a consequence, the company had to relocate to another city (Nantong), with consequent name change to Oyama Technology (Nantong) Co., Ltd.
- (33) This is the second name change request from Oyama, which was already granted a name change in 2022 from Oyama Bicycles (Taicang) Co., Ltd to Oyama Technology (Jiangsu) Co. Ltd which was put into effect by Commission Implementing Regulation (EU) 2022/57 ⁽¹³⁾.
- (34) The company submitted a copy of the Notice on the Withdrawal of Land Use Rights ⁽¹⁴⁾.
- (35) The company, following the change of its name ⁽¹⁵⁾, requested on 10 July 2024 the Commission to confirm that the change of name does not affect the right of the company to benefit from the individual anti-dumping duty rate applied to it under its previous name.
- (36) The Commission examined the information on file and concluded that the change of name was properly registered on 6 January 2022 with the relevant authorities (the Nantong City Market Supervision & Administration Bureau) and did not result in any new relationship nor structural change with other groups of companies, which were not investigated by the Commission.
- (37) Accordingly, this change of name does not affect the findings of Implementing Regulation (EU) 2019/1379 and in particular the anti-dumping duty rate applicable to it.
- (38) Given the considerations in the above recital, the Commission considered it appropriate to amend Implementing Regulation (EU) 2019/1379 to reflect the changed name of the company previously attributed to additional TARIC code B773 and that the name change should take effect as of 10 July 2024.

4. DUMPING

4.1. Preliminary remarks

- (39) During the review investigation period, imports of bicycles from China continued albeit at lower levels than in the original investigation. According to Eurostat imports of bicycles from China accounted for about 6 % of the Union market in the review investigation period compared to 30,2 % market share during the original investigation and 4,1 % during the previous expiry review. Over 30 years of history of measures, the Chinese market share has decreased steadily and stabilised around 4-6 % in the period considered.
- (40) As mentioned in recital 18, only two producers from China provided a reply to the sampling exercise, whose cumulative share of total bicycle imports from China to the Union was not considered representative. Therefore, the Commission informed the Chinese authorities that due to the insufficient cooperation, it might apply Article 18 of the basic Regulation concerning the findings with regard to China. The Commission did not receive any comments or requests for an intervention of the Hearing Officer in this regard.
- (41) Consequently, in accordance with Article 18 of the basic Regulation, the findings in relation to the likelihood of continuation of dumping were based on facts available.

⁽¹³⁾ Commission Implementing Regulation (EU) 2022/57 of 14 January 2022 amending Implementing Regulation (EU) 2019/1379 imposing a definitive anti-dumping duty on imports of bicycles originating in the People's Republic of China as extended to imports of bicycles consigned from Indonesia, Malaysia, Sri Lanka, Tunisia, Cambodia, Pakistan and the Philippines, whether declared as originating in these countries or not, following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 (OJ L 10, 17.1.2022, p. 15, ELI: http://data.europa.eu/eli/reg_impl/2022/57/oj).

⁽¹⁴⁾ Taicang Natural Resources and Planning Bureau, Notice on the Withdrawal of Land Use Rights TZGS [2022] No.152, November 25, 2022.

⁽¹⁵⁾ Notice of Approval for Change of Registered Information of Foreign Invested Companies by the Nantong Market Supervision Bureau, Foreign Invested Company - Change Registration [2022] No. 01060001 of 6 January 2022.

4.2. Dumping

4.2.1. *Procedure for the determination of the normal value under Article 2(6a) of the basic Regulation for the imports of the product under review originating in China*

- (42) Given the sufficient evidence available at the initiation of the investigation tending to show, with regard to China, 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.
- (43) The Commission sent a questionnaire to the Government of China (GOC), in order to obtain information that it deemed necessary for its investigation, with regard to the alleged significant distortions. In addition, in 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.
- (44) 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 China.
- (45) 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) of the basic Regulation.
- (46) On 16 May 2025, the Commission by a Note informed interested parties on the relevant sources it intended to use for the determination of the normal value (the 'Note'). 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 bicycles. In addition, based on the criteria guiding the choice of undistorted prices or benchmarks, the Commission identified Serbia as an appropriate representative country.
- (47) The Commission described in the Note that it has searched the Orbis database⁽¹⁶⁾ and other sources for readily available financial data of companies producing bicycles in Türkiye, indicated as an appropriate representative country by the applicant. However, the information available did not allow to calculate selling general and administrative costs ('SG&A') or profits for any Turkish company. Türkiye was therefore disregarded as potential representative country.
- (48) The product under review is produced in several other upper-middle income countries, such as Brazil, Mexico, Malaysia, India, and Thailand. Similarly to what was observed for Türkiye, for none of these countries the Commission could find readily available financial data for companies producing bicycles.
- (49) The Commission only found readily available financial data for three companies producing bicycles in Serbia, another upper-middle income country.
- (50) Therefore, Serbia was found to be the most appropriate representative country within the meaning of Article 2(6a)(a) of the basic Regulation. The Commission also informed interested parties that it would establish selling, general and administrative costs ('SG&A costs') and profits based on the readily available and recent financial data of three Serbian bicycle producers (i.e. Venera Bike, Cassini Wheels d.o.o. and Velo Partner d.o.o. Krusevac).

⁽¹⁶⁾ <https://login.bvdinfo.com/R1/Orbis>.

- (51) The Commission received no comments on the Note, with the exception of a comment related to a clerical mistake in the customs ('CN') codes for certain factors of production.

4.2.2. Normal value

- (52) 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'*.
- (53) However, according to Article 2(6a)(a) of the basic Regulation, if *'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' are referred as 'SG&A costs' below).
- (54) 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 exporting producers, as established in recital 18, the application of Article 2(6a) of the basic Regulation was appropriate.

4.2.2.1. Existence of significant distortions

- (55) The Commission examined the evidence on the file to decide whether significant distortions within the meaning of Article 2(6a)(b) of the basic Regulation exist in the PRC, rendering the use of domestic prices and costs in that country inappropriate. That analysis covered the following evidentiary elements on the various criteria relevant to establish the existence of significant distortions.
- (56) First, the evidence contained in the request included the following elements pointing to the existence of significant distortions:
- There is substantial government control and intervention in the Chinese bicycle sector which has resulted in a distortion of the effective allocation of resources in line with market principles. The Chinese bicycle sector has been characterised by a high level of State ownership, State influence and/or State subsidisation, and a number of major bicycle producers have close ties with the central, regional, or local governments, either directly or via associations. In particular, the Chinese government exercises control and supervision through the China Bicycle Association ('CBA'), which is under the supervision of the China National Light Industry Council ('CNLIC'), the former Ministry of Light Industry. The request contained evidence of the CBA Board of Directors' tight links with the GOC, including the current President of the CBA Board of Directors being the former Vice Secretary-General of the CNLIC ⁽¹⁷⁾.
 - Furthermore, many Chinese bicycle producers, including Shanghai Phoenix, Flying Pigeon and Shanghai Forever, are State-Owned Enterprises ('SOEs'). The GOC and the CCP formulate and oversee the implementation of general economic policies by individual SOEs and participate in their operational decision-making. Moreover, according to the request, also privately owned bicycle producers are subject to policy supervision and guidance and essentially need to conduct their business in line with the rules applicable to SOEs and the Party guidance ⁽¹⁸⁾.
 - Compliance with State direction is also ensured through personal connections. Both Chinese SOEs and privately held companies must have representatives of the Communist Party of China ('CCP') on their Board of Directors. For example, Shanghai Phoenix' current Chair has close connections to the CCP and has held several positions in local Party committees, as well as in industrial zone management companies and industrial development companies. Other Directors, supervisors and senior managers of Shanghai Phoenix also have ties to the CCP. Similar connections can be found concerning Shanghai Forever ⁽¹⁹⁾.

⁽¹⁷⁾ See pages 14-15 of the request (open version).

⁽¹⁸⁾ See page 15 of the request (open version).

⁽¹⁹⁾ See pages 15-16 of the request (open version).

- (57) The Chinese economy, including the 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. Relevant plans exist at all levels of government. The GOC has been promoting the Chinese bicycle industry in particular through the following national, regional and local instruments:
- The 14th Five-Year Plan for Bicycles and Electric Bicycles. This plan manages the development of the bicycle industry through, among others, reforms in a centralized manner and through focus on quality improvement and efficiency enhancement. The plan also set targets for the maintenance of a strong export volume of bicycles and the improvement of the international market shares of Chinese bicycle producers. The plan encourages industry integration through mergers and restructuring of enterprises to create 'national giants' such as Fushida, Phoenix XDS, Golden Wheel, Merida and Giant⁽²⁰⁾. The implementation of the plan is regionally coordinated involving ten regions and provinces. Tianjin is designated as the industrial capital for bicycle and e-bike production. In this regard, the 14th Five-Year Plan for high-quality development of manufacturing industry in Tianjin considers the bicycle sector as an advantageous industry which has to be vigorously developed. The Tianjin plan also focuses on other related industries, including aluminium alloy sheets and high-end steel for certain bicycle parts⁽²¹⁾.
 - Similarly, the 14th Five-Year Plan for the development of characteristic industries in Hebei Province and the Action Plan for developing strategic pillar industry clusters of the Modern Light Industry and Textile in Guangdong Province identify the bicycle industry as a key consumer product industry and foresee investments and support for bicycle companies located in the provinces⁽²²⁾.
 - The 14th Five-Year General Plan. This plan sets the overall framework for heavy State support and subsidisation, emphasizing the role of technological innovation in the economic development of the PRC. The Chinese bicycle parts industry is specifically mentioned as an encouraged industry⁽²³⁾.
 - Made in China 2025 Strategy and the Decision no. 40 of the State Council on Promulgating and Implementing the 'Temporary Provisions on Promoting the Industrial Structure Adjustment' ('Decision No. 40'). Both plans outline the strategic tasks to implement in relation to government support and investment to encouraged industries. The bicycle, e-bike and bicycle parts industries have been listed as encouraged industries in various catalogues adopted by the GOC, such as the Catalogue of Industries Encouraged for Foreign Investment in the Central and Western Region of China (2020 Version), the Catalogue of Industries for Encouraging Foreign Investment (2020 Version), and the Guidance Catalogue for the Industrial Structure Adjustment⁽²⁴⁾.
 - The 2022 Guiding Opinions on Promoting the High-Quality Development of the Light Industry. The opinion sets out several support measures for the Chinese bicycle, e-bike and bicycle parts industry⁽²⁵⁾.
- (58) The request also referred to the Chinese National Light Industry Technology Innovation and Industry Development Conference held in Beijing on 26 September 2021 during which the 13th and 14th Five-Year Light Industry Plans were discussed⁽²⁶⁾.
- (59) The costs of essentially production factors of bicycles are distorted in the PRC due to government policy interventions. As such, it can be argued that the GOC exerts a significant influence over price setting and development and that Chinese prices are not driven by market forces. The request argued that systemic distortions exist in the following sectors: steel and aluminium (which are core raw materials in the bicycle industry)⁽²⁷⁾,

⁽²⁰⁾ See pages 16-17 and Annex 28 of the request (open version).

⁽²¹⁾ See pages 19-20 and Annex 31 of the request (open version).

⁽²²⁾ See page 20 of the request (open version).

⁽²³⁾ Page 16 and Annex 21 of the request (open version).

⁽²⁴⁾ See pages 17-18 of the request (open version).

⁽²⁵⁾ See page 19 of the request (open version).

⁽²⁶⁾ See page 18 and Annex 29 of the request (open version).

⁽²⁷⁾ See page 20 of the request (open version).

tyres ⁽²⁸⁾, and chemicals ⁽²⁹⁾. Additionally, the request argued that energy prices are distorted due to the GOC significantly and systemically intervening in the Chinese power market ⁽³⁰⁾. Similarly, land and wage costs are also subject to significant distortions due to the GOC's interventions ⁽³¹⁾.

- (60) Access to finance and capital is granted by institutions that implement public policy objectives or otherwise do not act independently of the State. The Chinese financial system is characterised by the strong position of State-owned banks, which are strongly connected to the State not only through ownership but also personal relations. The banks implement public policies and thereby conduct their business in accordance with the needs of national economic and social development and under the guidance of the industrial policies of the State (including rules that direct financing into sectors designated by the GOC as encouraged or otherwise important). Bond and credit ratings are often distorted and borrowing costs are kept artificially low to stimulate investment growth ⁽³²⁾.
- (61) Finally, Chinese bankruptcy laws do not work properly in China, generating distortions in particular by maintaining insolvent firms afloat. The Chinese bankruptcy system is characterised by systematic under-enforcement and delivers inadequately on its main objectives, such as to fairly settle claims and debts and to safeguard the lawful rights and interests of creditors and debtors ⁽³³⁾.
- (62) In light of the above, the request concluded that there is ample evidence that the Chinese bicycle industry is subject to interventions by the GOC that have led to significant distortions in the sector. As such, the normal value and the dumping margin should be established by reference to Article 2(6a) rather than Article 2(1) of the basic Regulation ⁽³⁴⁾.
- (63) Second, in recent investigations concerning the aluminium ⁽³⁵⁾ and steel ⁽³⁶⁾ sectors in China, which are the main raw materials to produce the product under review, the Commission found that significant distortions in the sense of Article 2(6a)(b) of the basic Regulation were present.

⁽²⁸⁾ See page 21 of the request (open version).

⁽²⁹⁾ See page 21 of the request (open version).

⁽³⁰⁾ See pages 21-22 of the request (open version).

⁽³¹⁾ See page 22 of the request (open version).

⁽³²⁾ See pages 23-24 of the request (open version).

⁽³³⁾ See page 24 of the request (open version).

⁽³⁴⁾ See page 24 of the request (open version).

⁽³⁵⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024 imposing a definitive anti-dumping duty on imports of aluminium radiators 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, 2024/2661, 15.10.2024, http://data.europa.eu/eli/reg_impl/2024/2661/oj; 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 following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council, OJ L 18, 19.1.2023, p. 66-92, http://data.europa.eu/eli/reg_impl/2023/112/oj.

⁽³⁶⁾ Commission Implementing Regulation (EU) 2024/1666 of 6 June 2024 imposing a definitive anti-dumping duty on imports of steel ropes and cables originating in the People's Republic of China as extended to imports of steel ropes and cables consigned from Morocco and the Republic of Korea, whether declared as originating in these countries or not, following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council, http://data.europa.eu/eli/reg_impl/2024/1666/oj; Commission Implementing Regulation (EU) 2023/1444 of 11 July 2023 imposing a provisional anti-dumping duty on imports of steel bulb flats originating in the People's Republic of China and Türkiye; Commission Implementing Regulation (EU) 2023/100 of 11 January 2023 imposing a provisional anti-dumping duty on imports of stainless steel refillable kegs originating in the People's Republic of China, http://data.europa.eu/eli/reg_impl/2023/1444/oj; Commission Implementing Regulation (EU) 2022/2068 of 26 October 2022 imposing a definitive anti-dumping duty on imports of certain cold-rolled flat steel products originating in the People's Republic of China and the Russian Federation following an expiry review pursuant to Article 11(2) of Regulation (EU) 2016/1036 of the European Parliament and of the Council, http://data.europa.eu/eli/reg_impl/2022/2068/oj; 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, http://data.europa.eu/eli/reg_impl/2022/191/oj.

- (64) In those investigations, 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 ⁽³⁷⁾.
- (65) In particular, the Commission concluded that in the aluminium and steel sectors, not only does a substantial degree of ownership by the GOC persist in the sense of Article 2(6a)(b), first indent of the basic Regulation ⁽³⁸⁾ but the GOC is also 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 ⁽³⁹⁾. The Commission found further that the State's presence and intervention in the financial markets, as well as in the provision of raw materials and inputs further have an additional distorting effect on the market. Indeed, overall, the system of planning in China results in resources being driven to sectors designated as strategic or otherwise politically important by the GOC, rather than being allocated in line with market forces ⁽⁴⁰⁾.
- (66) Moreover, the Commission concluded that the Chinese bankruptcy and property laws do not work properly in the sense of Article 2(6a)(b), fourth indent of the basic Regulation, thus generating distortions in particular when maintaining insolvent firms afloat and when allocating land use rights in China ⁽⁴¹⁾. In the same vein, the Commission found distortions of wage costs in the aluminium and steel sectors in the sense of Article 2(6a)(b), fifth indent of the basic Regulation ⁽⁴²⁾, as well as distortions in the financial markets in the sense of Article 2(6a)(b), sixth indent of the basic Regulation, in particular concerning access to capital for corporate actors in China ⁽⁴³⁾.
- (67) Third, in the most recent expiry review concerning the product under review, the Commission concluded that significant distortions within the meaning of point (b) of Article 2(6a) of the basic Regulation were present. No major structural changes in China in general and/or in the relevant sector in particular, capable of affecting that conclusion, are known to the Commission.

⁽³⁷⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recital 70 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recital 70. See also Commission Implementing Regulation (EU) 2024/1666, recital 76; Commission Implementing Regulation (EU) 2023/1444, recital 66; Commission Implementing Regulation (EU) 2023/100, recital 58; Commission Implementing Regulation (EU) 2022/2068, recital 80; Commission Implementing Regulation (EU) 2022/191, recital 208.

⁽³⁸⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recitals 45 - 52 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recital 45. See also Commission Implementing Regulation (EU) 2024/1666, recital 60; Commission Implementing Regulation (EU) 2023/1444, recital 45; Commission Implementing Regulation (EU) 2023/100, recital (38); Commission Implementing Regulation (EU) 2022/2068, recital 64; Commission Implementing Regulation (EU) 2022/191, recital 192.

⁽³⁹⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recitals 53-55 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recitals 46-50. See also Commission Implementing Regulation (EU) 2024/1666, recitals 66-68; Commission Implementing Regulation (EU) 2023/1444, recital 58; Commission Implementing Regulation (EU) 2023/100, recital 40; Commission Implementing Regulation (EU) 2022/2068, recital 66; Commission Implementing Regulation (EU) 2022/191, recitals 193 - 194.

⁽⁴⁰⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, rec. 56-63 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recitals 51-63. See also Commission Implementing Regulation (EU) 2024/1666, recitals 61-65; Commission Implementing Regulation (EU) 2023/1444, recital 59; Commission Implementing Regulation (EU) 2023/100, recital 43; Commission Implementing Regulation (EU) 2022/2068, recital 68; Commission Implementing Regulation (EU) 2022/191, recitals 195-201.

⁽⁴¹⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recital 64 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recital 64. See also Commission Implementing Regulation (EU) 2023/1444 recital 62; Commission Implementing Regulation (EU) 2023/100 recital 52; Commission Implementing Regulation (EU) 2022/2068, recital 74; Commission Implementing Regulation (EU) 2022/191, recital 202.

⁽⁴²⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recital 65 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recital 65. See also Commission Implementing Regulation (EU) 2024/1666, recital 72; Commission Implementing Regulation (EU) 2023/1444, recital 45; Commission Implementing Regulation (EU) 2023/100, recital 33; Commission Implementing Regulation (EU) 2022/2068, recital 75; Commission Implementing Regulation (EU) 2022/191, recital 203.

⁽⁴³⁾ Commission Implementing Regulation (EU) 2024/2661 of 14 October 2024, recital 66 and Commission Implementing Regulation (EU) 2023/112 of 18 January 2023, recital 66. See also Commission Implementing Regulation (EU) 2024/1666, recital 73; Commission Implementing Regulation (EU) 2023/1444, recital 64; Commission Implementing Regulation (EU) 2023/100, recital 54; Commission Implementing Regulation (EU) 2022/2068, recital 76; Commission Implementing Regulation (EU) 2022/191, recital 204.

- (68) Fourth, additional evidence available in the Report on Significant Distortions in the Economy of China ⁽⁴⁴⁾, prepared by the Commission pursuant to Article 2(6a)(c) of the basic Regulation, pointed to the existence of significant distortions also during the review investigation period.
- (69) Fifth, no evidence or arguments to the contrary have been adduced by the GOC or the exporting producers in the present investigation.
- (70) In view of the above, 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.
- (71) On that basis, 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.

4.2.3. *Representative country*

4.2.3.1. *General remarks*

- (72) 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 China. For this purpose, the Commission used countries with a gross national income per capita similar to China on the basis of the database of the World Bank ⁽⁴⁵⁾;
 - Production of the product under review in that country ⁽⁴⁶⁾;
 - Availability of relevant 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.
- (73) As explained in recital 46, the Commission issued a note for the file on the sources for the determination of the normal value ('the Note'). In the Note, the Commission informed interested parties of its intention to consider Serbia 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.

4.2.3.2. *A level of economic development similar to China*

- (74) In the Note, the Commission identified Serbia as country with a similar level of economic development as China according to the World Bank, i.e. they are both classified by the World Bank as 'upper-middle income' countries on a gross national income basis where production of the product under review was known to take place. As explained under recital 51 no comments were received.

⁽⁴⁴⁾ 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.

⁽⁴⁵⁾ World Bank Open Data – Upper Middle Income, <https://data.worldbank.org/income-level/upper-middle-income>.

⁽⁴⁶⁾ 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.

4.2.3.3. Availability of relevant data in the representative country

- (75) In the Note the Commission indicated that for Serbia, financial data with regard to producers of the product under review as well as data on imports of relevant raw materials, on energy and on labour are readily available.
- (76) Thus, the Commission searched on Orbis Bureau van Dijk for the availability of financial data of the producing companies in Serbia ⁽⁴⁷⁾. Readily available and recent data were only found for three producers in Serbia – Venera Bike, Cassini Wheels d.o.o. and Velo Partner d.o.o. Krusevac – among the countries with a similar level of development than China. The most recent financial statements of these companies covered the financial year 2023. In addition, Serbia had available data on factors of production, on electricity and on labour costs.
- (77) The Commission informed the interested parties with the Note that it intends to use Serbia as an appropriate representative country and the data from the companies Venera Bike, Cassini Wheels d.o.o. and Velo Partner d.o.o. Krusevac, in accordance with Article 2(6a)(a), first indent of the basic Regulation in order to source undistorted prices or benchmarks for the calculation of normal value.
- (78) Interested parties were invited to comment on the appropriateness of Serbia as a representative country and Venera Bike, Cassini Wheels d.o.o. and Velo Partner d.o.o. Krusevac as producers in the representative country.
- (79) No comments were received.

4.2.3.4. Level of social and environmental protection

- (80) Having established that Serbia was the only available appropriate representative country, based on all of the above elements, 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.

4.2.3.5. Conclusion

- (81) In view of the above analysis, Serbia met the criteria laid down in Article 2(6a)(a), first indent of the basic Regulation in order to be considered as an appropriate representative country.

4.2.4. Sources used to establish undistorted costs

- (82) In the Note, the Commission listed the factors of production such as materials, energy and labour used in the production of the product under review on the basis of information submitted by the applicant and reflecting the manufacturing process used in the Union. 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 the Global Trade Atlas (GTA) ⁽⁴⁸⁾ and MacMap ⁽⁴⁹⁾ to establish the undistorted cost of most of the factors of production, notably the raw materials. In addition, the Commission stated that it would use the Eurostat for establishing undistorted cost of labour, electricity and gas.
- (83) The Commission invited the interested parties to comment and propose readily available information on undistorted values for each of the factors of production mentioned in that note. The Commission received a comment from the EBMA about a clerical mistake on the CN codes associated to three factors of production. The Commission amended the list in Table 1 accordingly.
- (84) The list of factors of production presented in the Note was based on the information provided by the applicant and by the two exporting producers which came forward at initiation (see recital 18), via the form indicated in Section 5.3.2. of the Notice of initiation. Due to unrepresentative cooperation and the fact that no company replied to the questionnaire, the Commission was not in a position to identify and verify the consumption of a number of materials. For this reason, the Commission decided to use the list of material provided by the applicant, which also indicated the consumption for each factor of production.

⁽⁴⁷⁾ <https://login.bvdinfo.com/R0/Orbis>.

⁽⁴⁸⁾ <https://connect.ihsmarkit.com/>

⁽⁴⁹⁾ Market Access Map, International Trade Centre, www.macmap.org (MacMap).

- (85) Compared to the list of materials presented in the Note, the revised list reported in Table 1 includes 'hubs' but excludes 'wheel', 'padlocks' and 'packaging cartoons'.
- (86) Moreover, due to the large number of factors of production and the negligible weight of some of the raw materials in the total cost of manufacturing, these items were grouped under consumables. These consumables also included the 'other parts' which were included in the Note. The Commission calculated the percentage of the consumables on the total cost of raw materials and applied this percentage to the recalculated cost of raw materials when using the established undistorted benchmarks in the appropriate representative country.

4.2.5. Undistorted costs and benchmarks

4.2.5.1. Factors of production

- (87) Considering all the information based on the request and subsequent information analysed by the Commission, 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 bicycles

Factor of Production	Commodity code in China	Source of information	Undistorted value (in CNY)	Unit of measurement
Raw materials				
Frames	87149110	GTA ⁽⁵⁰⁾ / MacMap ⁽⁵¹⁾	3 028,65	Piece
Forks	87149130	GTA/MacMap	598,27	Piece
Rims	87149210	GTA/MacMap	53,16	Piece
Spokes	87149290	GTA/MacMap	67,82	Kg
Brakes	87149420, 87149490	GTA/MacMap	216,71	Kg
Saddles	871495	GTA/MacMap	79,30	Kg
Pedals	87149610	GTA/MacMap	168,66	Pairs
Crank gears	87149630	GTA/MacMap	104,73	Kg
Derailleur gears	87149950	GTA/MacMap	158,88	Kg
Hubs	871493	GTA/MacMap	120,81	Kg
Tyres	401150	GTA/MacMap	36,08	Piece
Tubes	401320	GTA/MacMap	10,28	Piece
Roller chains	73151110	GTA/MacMap	163,86	Kg
Battery lights	851210	GTA/MacMap	342,78	Kg
Consumables	Calculated	Calculated	1 231,42	Piece
By-products, waste				
Alloy tubes	760820	GTA/MacMap	- 0,52	Kg
Energy				
Electricity	N/A	Eurostat	1,42	KwH
Gas	N/A	Eurostat	0,44	KwH
Labour				
Labour cost	N/A	Eurostat	82,57	FTE/hour

⁽⁵⁰⁾ <http://www.gtis.com/gta/secure/default.cfm>.

⁽⁵¹⁾ Market Access Map, International Trade Centre, www.macmap.org (MacMap).

4.2.5.2. Raw materials

- (88) 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 database to which import duties were added. Given the nature of the current review and the level of dumping found, transport costs were not added to the price. An import price in the representative country was determined as a weighted average of unit prices of imports from all third countries excluding China and countries which are not members of the WTO, listed in Annex 1 of Regulation (EU) 2015/755 of the European Parliament and the Council ⁽⁵²⁾.
- (89) The Commission decided to exclude imports from China into the representative country as it concluded in recital 55 that it is not appropriate to use domestic prices and costs in China 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 China into the representative country, the volume of imports from other third countries remained representative. After excluding imports from China into the representative country, the volume of imports from other third countries remained representative.
- (90) A number of factors of production represented a negligible share of total raw material costs in manufacturing in the review investigation period, based on the information provided in the application for review. As the value used for these had no appreciable impact on the dumping margin calculations, regardless of the source used, the Commission decided to include those costs into consumables as explained in the recital 86.
- (91) Normally, domestic transport costs should also be added to these import prices. However, considering the finding in recital 107 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 an increase of the normal value and consequently a higher dumping margin.

4.2.5.3. Labour

- (92) Eurostat publishes detailed information on salaries and wages in different economic sectors in Serbia. The Commission used the latest available data which were for the year 2020 for average labour cost in Sector 'Industry, construction and services (except public administration, defence, compulsory social security)' in Serbia, established in full-time equivalents, per hour ⁽⁵³⁾. The Commission updated this data to the end of the review investigation period, using quarterly labour cost index ⁽⁵⁴⁾ published by Eurostat.

4.2.5.4. Electricity

- (93) The price of electricity for companies (industrial users) in Serbia is published by Eurostat ⁽⁵⁵⁾. The Commission used the data for non-household (which includes industrial users) consumer prices for electricity ⁽⁵⁶⁾ in Serbia, covering the review investigation period.

⁽⁵²⁾ 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>).

⁽⁵³⁾ https://ec.europa.eu/eurostat/databrowser/product/page/lc_ncostot_r2__custom_15374782.

⁽⁵⁴⁾ https://ec.europa.eu/eurostat/databrowser/view/teilm140__custom_15596385/default/table?lang=en.

⁽⁵⁵⁾ https://ec.europa.eu/eurostat/databrowser/view/nrg_pc_205__custom_15374727/default/table.

⁽⁵⁶⁾ Consumption from 500 MWh to 1 999 MWh - band IC
https://ec.europa.eu/eurostat/databrowser/product/page/nrg_pc_205__custom_15374727.

4.2.5.5. Natural gas

- (94) The price of natural gas for companies (industrial users) in Serbia is published by Eurostat ⁽⁵⁷⁾. The Commission used the data for non-household consumers prices for natural gas in Serbia ⁽⁵⁸⁾ covering the review investigation period.

4.2.5.6. Manufacturing overhead costs, SG&A costs, profits

- (95) 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.
- (96) To establish undistorted values for manufacturing overheads, and due to the insufficient cooperation from Chinese exporting producers, the Commission used facts available in accordance with Article 18 of the basic Regulation. Therefore, based on 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 and labour costs to obtain the undistorted value of manufacturing overheads.

4.2.6. Calculation of the normal value

- (97) 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.
- (98) 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 on the usage of each factor (materials and labour) to produce bicycles. The Commission multiplied the consumption ratios by the undistorted costs per unit observed in Serbia, as described in Section 4.2.3.
- (99) Once the undistorted manufacturing cost was established, the Commission added the manufacturing overheads, SG&A costs and profit as noted in recitals 95 to 96. Manufacturing overheads were determined based on the data provided by the applicant. SG&A costs and profit were determined based on the financial statements of Bike, Velo Partner Doo Krusevac and Casini Wheels Doo for the year 2023 as reported in the companies' audited accounts ⁽⁵⁹⁾ (see recital 50). The SG&A and profit were calculated as the weighted average of the three companies.
- (100) The Commission added the following items to the undistorted costs of manufacturing:
- Manufacturing overheads, which accounted in total for 0,02 % of the direct costs of manufacturing;
 - SG&A and other costs, which accounted for 12,7 % of the Costs of Goods Sold ('COGS'), and
 - Profits, which amounted to 8,5 % of COGS were applied to the total undistorted costs of manufacturing.
- (101) On that basis, 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.

4.2.7. Export price

- (102) In this case the cooperation by exporting producers from China was insufficient, therefore the export price was determined based on CIF using Eurostat data corrected to ex works level. Thus, the CIF price was reduced by an amount for ocean freight and inland freight in the exporting country ⁽⁶⁰⁾.

⁽⁵⁷⁾ https://ec.europa.eu/eurostat/databrowser/view/nrg_pc_203__custom_15374756/default/table.

⁽⁵⁸⁾ Consumption from 10 000 GJ to 99 999 GJ - band I3.

⁽⁵⁹⁾ Source: Orbis - <https://login.bvdinfo.com/R1/Orbis>.

⁽⁶⁰⁾ Source: Request for review. Annex 14.

- (103) Normally, insurance should also be deducted from the CIF export price. However, considering the finding in recital 107 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 ocean insurance was unnecessary. Such adjustments would only result in a decrease of the export costs and consequently a higher dumping margin.

4.2.8. *Comparison*

- (104) The Commission compared the constructed normal value established in accordance with Article 2(6a)(a) of the basic Regulation and the export price calculated on an ex-works basis as established above. Due to the insufficient cooperation discussed in recital 41, the comparison was not done per product type.
- (105) To ensure a fair comparison, the Commission adjusted the export price for differences affecting prices and price comparability, in accordance with Article 2(10) of the basic Regulation. Article 2(10) of the basic Regulation requires the Commission to make a fair comparison between the normal value and the export price at the same level of trade and to make allowances for differences in factors which affect prices and price comparability. In this case the Commission chose to compare the normal value and the export price of the sampled exporting producers at the ex-works level of trade. Accordingly, adjustments were made for ocean freight and inland freight in the exporting country ⁽⁶¹⁾.

4.2.9. *Dumping margin*

- (106) The Commission compared the normal value with the average export price of the product under review, in accordance with Article 2(11) and (12) of the basic Regulation.
- (107) On this basis, the weighted average dumping margins expressed as a percentage of the CIF Union frontier price, duty unpaid, was 488 %. It was therefore concluded that dumping continued during the review investigation period.

5. LIKELIHOOD OF CONTINUATION OF DUMPING

- (108) 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 be allowed to lapse. The following elements were analysed: production capacity and spare capacity in China and attractiveness of the Union market.

5.1. **Production capacity and spare capacity in China**

- (109) Concerning the production capacity and spare capacity in China, due to the insufficient cooperation of the Chinese producers, findings had to be based on the information provided in the expiry review request.
- (110) The applicant provided evidence that Chinese regular bicycle production capacity in 2023 is estimated at around 150 million pieces ⁽⁶²⁾, which is significantly above the production capacity estimated in the previous expiry review investigation (117 million pieces) ⁽⁶³⁾. The applicant also estimated that domestic sales in China are 11 million pieces a year and that Chinese export are around 38 million pieces a year ⁽⁶⁴⁾. The resulting spare-capacity is therefore above 100 million pieces a year.
- (111) The production capacity in China (150 million pieces a year) is more than 15 times bigger than the Union consumption (8,7 million pieces in the RIP) and more than 20 times the Union production during that same period (7 million pieces in the RIP). Similarly, the spare capacity (slightly above 100 million pieces a year) is more than 10 bigger than the Union consumption in the RIP.

⁽⁶¹⁾ Source: Request for review, Annex 14.

⁽⁶²⁾ Source: Request for review, Section 5.2, Annex 8.

⁽⁶³⁾ Recital 44 of Regulation (EU) No 2019/1379.

⁽⁶⁴⁾ Source: Request for review, Section 5.2, Annexes 8 and 9.

- (112) Moreover, as already established in the previous expiry review ⁽⁶⁵⁾, and confirmed during the investigation, the production of bicycles is essentially an assembly operation that could be easily increased by increasing the number of personnel. In this regard, Chinese producers could rapidly build up new capacity by hiring new personnel and production of bicycles would then rapidly increase.
- (113) Finally, the Commission considered that neither Chinese domestic demand nor worldwide demand will be able to absorb the significant spare capacity available in China.
- (114) Therefore, the Commission concluded that Chinese producers have sufficient spare capacity to supply the Union market if the measures are allowed to lapse.

5.2. Attractiveness of the Union market

- (115) To establish the possible development of imports in case measures are repealed, the Commission considered the attractiveness of the Union market with regard to prices. The Union market is attractive in terms of size and prices.
- (116) In terms of size, despite the declining consumption of bicycles in the Union market, the Union demand for bicycles remained substantial and accounted for around 6,5 % of the world market of around 139 million pieces per year ⁽⁶⁶⁾.
- (117) In addition, important markets such as the UK, Argentina or Mexico have imposed measures on imports of bicycles from China ⁽⁶⁷⁾. The Union market is therefore even more attractive should measures be allowed to lapse.
- (118) In terms of prices, during the RIP, based on GTA export data, the selling price of Chinese bicycles to the EU (89,06 EUR per piece, expressed in FOB), was higher than to the rest of the world (51,87 EUR per piece, expressed in FOB).
- (119) Therefore, the Union market, in terms of prices, remains attractive for Chinese producers.

5.3. Conclusion

- (120) Based on the above and given the significant spare capacity in China and the attractiveness of the Union market, we conclude that repealing the measures would likely lead to the continuation of dumping, with dumped exports entering the Union market in substantial quantities.

6. INJURY

6.1. Definition of the Union industry and Union production

- (121) The like product was manufactured by more than 400 producers in the Union during the period considered. As mentioned in the last expiry review, some of them were sub-contracting part or the entirety of the production process to third-party companies operating under sub-contracting agreements (known as 'tollers'). The producers and tollers constitute the Union industry within the meaning of Article 4(1) of the basic Regulation.
- (122) The total Union production during the review investigation period was established at around 7 million pieces. The Commission established the figure on the basis of all the available information concerning the Union industry, such as the request for review and the reply to the questionnaire sent to the Union producer association EBMA.
- (123) As indicated in recital 13 four Union producers and their tolling companies were sampled representing more than 40 % of the total Union production of the like product.

⁽⁶⁵⁾ Recital 189 of Regulation (EU) No 2019/1379.

⁽⁶⁶⁾ <https://www.statista.com/study/147067/bicycles-market-data-and-analysis/>

⁽⁶⁷⁾ The UK continued the original EU measures at 48,5 %. Argentina has had measures in force since 1995 and Mexico on children's bicycles from China in 2015. See request for review Annex 11, extracted from the WTO database.

6.2. Union consumption

(124) The Commission established the Union consumption based on data submitted by the EBMA.

(125) Union consumption developed as follows:

Table 2

Union consumption (pieces)

	2021	2022	2023	Review Investigation period
Total Union consumption	15 117 145	13 045 448	10 290 947	8 770 986
<i>Index</i>	100	86	68	58

Source: EBMA.

(126) Union consumption declined by more than 40 % over the period considered. The decrease in consumption is mainly due to demand moving to electric bicycles but also a decline following the fall in demand after the end of the pandemic period.

6.3. Imports from the People's Republic of China

6.3.1. Quantity and market share of the imports from China

(127) The Commission established the quantity of imports on the basis of data from Eurostat. The market share of the imports was established on the basis of the Union consumption in Table 2.

(128) Imports into the Union from China developed as follows:

Table 3

Import quantity (pieces) and market share

	2021	2022	2023	Review Investigation period
Quantity of all imports from China (pieces)	1 012 596	857 598	531 610	569 442
<i>Index</i>	100	85	52	56
Market share	6,7 %	6,6 %	5,2 %	6,5 %
<i>Index</i>	100	98	77	97
Quantity of imports from China with duty paid (pieces)	572 260	348 640	233 520	293 624
<i>Index</i>	100	61	41	51
Market share	3,8 %	2,7 %	2,3 %	3,4 %
<i>Index</i>	100	71	60	88
Quantity of imports from China by companies with 0 % duty or excluded from the antidumping duty	359 651	412 856	251 460	255 648
<i>Index</i>	100	115	70	71

	2021	2022	2023	Review Investigation period
Market share	2,4 %	3,2 %	2,5 %	2,9 %
<i>Index</i>	100	133	103	122

Source: Eurostat, 14(6) database (*)

(*) Note that the data from the 14(6) database that allows for the split between the Chinese exporting producers subject to duties and those not does not exactly match the data from Eurostat.

- (129) The quantity of imports from China declined as the consumption in the Union market also declined. The Chinese market share however remained stable during the period considered. Two of the Chinese exporting producers are subject to a 0 % duty, and a third Chinese exporting producer was excluded from the anti-dumping duty in force. Exports made by these three producers accounted for less than half of all imports of the product under review during the period considered. In the review investigation, these imports accounted for 46,5 % of the import quantity in pieces into the Union, i.e. 3,0 % of the market share.

6.3.2. Prices of the imports from China and price undercutting

- (130) The Commission established the prices of imports on the basis of data from Eurostat as the cooperation from Chinese producers was insufficient in this case. Price undercutting of the imports was established on the basis of comparison of these Eurostat prices to the sales prices of the sampled Union producers.
- (131) The average price of imports into the Union from China developed as follows:

Table 4

Import prices (EUR/piece)

	2021	2022	2023	Review Investigation period
Import price of all imports from China	108	168	157	164
<i>Index</i>	100	156	146	152
Import price of duty paid imports from China	42	62	55	43
<i>Index</i>	100	148	130	102
Import prices of companies with 0 % duty or excluded from the antidumping duty	240	294	291	299
<i>Index</i>	100	123	121	125

Source: Eurostat, 14(6) database.

- (132) The import data from Eurostat does not allow any detailed analysis of the types of bicycles being imported from China, and therefore the product mix between adult bikes, bikes for younger children, mountain bikes and so forth is lost inside the data. The price increase may reflect changes in product mix as well as global inflation.
- (133) However, it can be seen that the import price from the companies that are subject to 0 % duty or were excluded from the anti-dumping duty was significantly higher than those imports from companies subject to duty. It should be noted though that also for these imports the product mix is not known.

- (134) The Commission determined the price undercutting during the review investigation period by comparing the weighted average sales prices of the sampled Union producers charged to unrelated customers on the Union market, adjusted to an ex-works level and the average price of the imports from China from Eurostat, established on a cost, insurance, freight (CIF) basis, including the anti-dumping duty.
- (135) The price comparison was made at the same level of trade. The result of the comparison was expressed as a percentage of the sampled Union producers' turnover during the review investigation period. It showed an average undercutting margin of 50 % by the imports from China on the Union market, with the anti-dumping duty paid.
- (136) It should be noted that the imports made by companies with a 0 % duty or which are excluded from the anti-dumping duty still substantially undercut the Union producers' price by 36 %. This shows that all Chinese imports have undercut Union industry's prices during the review investigation period and that the Union industry needs protection.

6.4. Imports from third countries other than China

- (137) The imports from third countries other than China were mainly from Cambodia, Bangladesh and Taiwan.
- (138) The quantity of imports into the Union as well as the market share and price trends for imports from other third countries developed as follows:

Table 5

Imports from third countries

Country		2021	2022	2023	Review Investigation period
Cambodia	Quantity (Pieces)	1 020 571	1 202 115	816 017	454 628
	Index	100	118	80	45
	Market share	7 %	9 %	8 %	5 %
	Average price (EUR/piece)	274	337	356	398
	Index	100	123	130	145
Bangladesh	Quantity (Pieces)	594 738	666 854	451 026	338 373
	Index	100	112	76	57
	Market share	4 %	5 %	4 %	4 %
	Average price (EUR/piece)	148	211	185	176
	Index	100	143	125	119
Taiwan	Quantity (Pieces)	536 138	462 676	372 502	271 584
	Index	100	86	69	51
	Market share	4 %	4 %	4 %	3 %

Country		2021	2022	2023	Review Investigation period
	Average price (EUR/piece)	506	666	901	1 051
	<i>Index</i>	100	132	178	208
Other third countries (excluding China, Cambodia, Bangladesh, Taiwan)	Quantity (Pieces)	2 580 066	2 027 667	1 291 454	1 004 981
	<i>Index</i>	100	79	50	39
	Market share	17 %	16 %	13 %	11 %
	Average price (EUR/piece)	117	176	185	209
	<i>Index</i>	100	151	158	179
Total of all third countries except China	Quantity (Pieces)	4 731 513	4 359 312	2 930 999	2 069 566
	<i>Index</i>	100	91	60	46
	Market share	31 %	33 %	28 %	24 %
	Average price (EUR/piece)	199	278	323	356
	<i>Index</i>	100	140	163	179

Source: Eurostat, EBMA.

- (139) Imports from other countries all decreased over the period considered. However, the price level varied strongly between the different countries. The price development over years is likely to be related to the product mix of the imported products, as the price is per piece regardless of the type of bicycle. While Taiwanese and Cambodian imports seemed to have shifted to higher-end bicycles, the import price from Bangladesh and other third countries remained relatively low and more in line with Chinese prices.
- (140) Imports from all third countries, except Taiwan, are lower than the Union industry's price. However, in all cases import prices from these countries remain higher than those from China.

6.5. Economic situation of the Union industry

6.5.1. General remarks

- (141) 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.
- (142) Sampling was used for the assessment of the economic situation of the Union industry.

- (143) For the injury determination, the Commission distinguished between macroeconomic and microeconomic injury indicators. The Commission evaluated the macroeconomic indicators on the basis of data from the Union producer association EBMA. The data related to all Union producers.
- (144) The Commission evaluated the microeconomic indicators on the basis of data contained in the questionnaire replies from the sampled Union producers. The data related to the sampled Union producers. Both sets of macroeconomic and microeconomic data were found to be representative of the economic situation of the Union industry.
- (145) The macroeconomic indicators are production, production capacity, capacity utilisation, sales volume, market share, growth, employment, productivity, magnitude of the dumping margin, and recovery from past dumping.
- (146) The microeconomic indicators are average unit prices, unit cost, labour costs, inventories, profitability, cash flow, investments, return on investments, and ability to raise capital.

6.5.2. Macroeconomic indicators

6.5.2.1. Production, production capacity and capacity utilisation

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

Table 6

Production, production capacity and capacity utilisation

	2021	2022	2023	Review Investigation period
Production in pieces	11 362 000	10 093 000	7 221 000	6 994 497
<i>Index</i>	100	89	64	62
Production capacity	13 204 619	15 455 843	15 179 327	12 512 930
<i>Index</i>	100	117	115	95
Capacity utilisation (%)	86	65	48	56

Source: Macro questionnaire reply from the Union producer association.

- (148) The Union production in pieces reduced drastically over the period. In the RIP, the production was almost 40 % lower than in 2021. This decrease followed the trend in consumption, which was due to a shift to electric bikes and following the fall in demand after the end of the pandemic period, as set out in recital 126.
- (149) The production capacity of the Union industry remained relatively stable over the period under consideration. Compared to the base year 2021, there was a small increase of the production capacity in 2022 and 2023, followed by a drop in the RIP.
- (150) The Union industry's capacity utilisation reduced by 30 percentage points over the period. As the Union industry's capacity remained stable, the drop in capacity utilisation can be explained by the downward trend in production quantities in the Union.

6.5.2.2. Sales quantity and market share

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

Table 7

Sales quantity (pieces) and market share

	2021	2022	2023	Review Investigation period
Sales on the Union market (pieces)	9 373 036	7 828 538	6 828 338	6 131 978
<i>Index</i>	100	84	73	65
Market share	62 %	60 %	66 %	70 %
<i>Index</i>	100	97	107	113

Source: Macro questionnaire reply from the Union producer association.

(152) The Union industry saw a decline in sales on the Union market during the period considered by 35 % but given an even starker decline in consumption during the same period, their market share increased by 13 %, resulting in a market share of 70 % in the review investigation period.

6.5.2.3. Growth

(153) Given the decline in Union consumption and Union production, the Commission only found growth in the terms of market share during the period considered.

6.5.2.4. Employment and productivity

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

Table 8

Employment and productivity

	2021	2022	2023	Review Investigation period
Number of employees	9 858	10 485	9 945	8 469
<i>Index</i>	100	106	101	86
Productivity (pieces/employee)	1 153	963	726	826
<i>Index</i>	100	84	63	72

Source: Macro questionnaire reply from the Union producer association.

(155) The Union industry was unable to keep a steady level of employment during the period considered and also showed a drop in productivity. However, the product mix can make a large difference in productivity, as many more bicycles for children can be made in one day than high-end mountain bikes.

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

- (156) The dumping margins established during the review investigation period for imports from China were significant. The effect of the magnitude of the actual margins of dumping on the Union industry was substantial, given the volume and prices of Chinese imports.
- (157) Therefore, continuous unfair pricing by exporters from China made it also impossible for the Union industry to recover from the past dumping practices.

6.5.3. Microeconomic indicators

6.5.3.1. Prices and factors affecting prices

- (158) 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)

	2021	2022	2023	Review Investigation period
Average unit sales price in the Union	307	368	554	537
<i>Index</i>	100	120	180	175
Unit cost of production	153	193	274	268
<i>Index</i>	100	127	179	176

Source: Questionnaire replies from the sampled Union producers.

- (159) The sampled Union producers have a large product range that changes from season to season, and so comparisons between the years in terms of prices were difficult. However, the data showed that sales prices per year remained higher than the unit cost of production in the same year. It should be noted that the unit cost of production provided is for all sampled Union producers, including the tollers, while the unit sales price has been only given for the sampled Union producers that have direct unrelated sales.

6.5.3.2. Labour costs

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

Table 10

Average labour costs per employee

	2021	2022	2023	Review Investigation period
Average labour costs per employee (EUR)	22 160	19 120	21 309	20 551
<i>Index</i>	100	86	96	93

Source: Questionnaire replies from the sampled Union producers.

- (161) Labour costs remained stable and even slightly decreased for the sampled Union producers during the period considered.

6.5.3.3. Stocks

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

Table 11

Stocks

	2021	2022	2023	Review Investigation period
Closing stocks (pieces)	113 888	165 442	213 805	137 905
<i>Index</i>	100	145	188	121
Closing stocks as a percentage of production	4 %	6 %	11 %	8 %
<i>Index</i>	100	169	309	211

Source: Questionnaire replies from the sampled Union producers.

(163) Stocks of finished bicycles from the sampled Union producers was not considered as a reliable indicator, as some operators producing under a tolling agreement do not hold stocks themselves. The indicator therefore reflects those companies who sell under their own name only. However, the level of closing stocks as a percentage of production has doubled over the period considered, showing an increase in stock levels.

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

(164) 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

	2021	2022	2023	Review Investigation period
Profitability of sales in the Union to unrelated customers (% of sales turnover)	4 %	3 %	3 %	2 %
<i>Index</i>	100	95	80	53
Cash flow (EUR)	- 18 446 738	- 19 355 298	1 643 383	19 482 385
<i>Index</i>	- 100	- 105	9	106
Investments (EUR)	7 355 498	7 729 029	3 043 340	2 317 929
<i>Index</i>	100	105	41	32
Return on investments	45 %	43 %	38 %	26 %
<i>Index</i>	100	96	84	57

Source: questionnaire replies from the sampled Union producers.

- (165) The Commission established the profitability of the sampled Union producers by expressing the pre-tax profit of the sales of the like product to unrelated customers in the Union as a percentage of the turnover of those sales.
- (166) However, the indicator only reflected two of the four sampled Union producers who had sales to unrelated parties. Those sampled producers who produce under tolling agreement had no sales to unrelated parties and the first unrelated sale would be the retail sale of each bicycle to the final customer.
- (167) The profitability halved over the period considered, from 4 % to 2 %. This showed that the Union industry was not able to make a healthy profit during the period considered, aggravated by the drop in consumption and sales throughout this period.
- (168) The net cash flow is the ability of the Union producers to self-finance their activities. The trend in net cash flow developed positively during the period considered from a very low point in 2021.
- (169) Although initially the sampled producers were able to make investments, including brand new production facilities for the assembly of all types of bicycles, the level of investments showed a drastic drop after 2022.
- (170) The return on investments shows the profit that has been generated by the sampled Union producers as a ratio of the net book value of their investments. Return remained positive throughout the period considered but followed the negative trend in profitability and sales quantities.

6.6. Conclusion on injury

- (171) Although imports from China went down by 44 % in a decreasing market consumption context, its market share remained stable over the period considered and was significant with 6,5 % during the review investigation period, while imports from all other third countries decreased more significantly, resulting in a decrease in their market share of 7 percentage points over the period considered.
- (172) Imports from China were significantly undercutting the prices of the Union industry, thereby causing price pressure on the Union market.
- (173) This caused most injury indicators to show a negative trend during the period considered.
- (174) The production of the Union industry declined over the period considered. This decline was attributable to a reduction in consumption on the Union market by 42 %. Overall, production declined by 38 %, while sales decreased by 35 % over the period considered.
- (175) Since the decrease in consumption was larger than the loss in sales of the Union industry, the Union industry has been able to increase its market share by 8 percentage points over the period considered to 70 % in the review investigation period.
- (176) However, the indicators also showed that profit remained low, between 2 % and 4 %, as price increases were matched by cost increases. Return on investment also fell dramatically as did productivity. Additionally, employment followed the negative trend with a loss of 14 %.
- (177) On the basis of the above, the Commission concluded that the Union industry did suffer material injury within the meaning of Article 3(5) of the basic Regulation during the review investigation period.

7. CAUSATION

- (178) In accordance with Article 3(6) of the basic Regulation, the Commission examined whether the dumped imports from China caused material injury to the Union industry.

- (179) In accordance with Article 3(7) of the basic Regulation, the Commission also examined whether other known factors could at the same time have injured the Union industry. The Commission ensured that any possible injury caused by factors other than the dumped imports from China was not attributed to the dumped imports. These factors include the drop in demand during the period considered and imports from other countries.

7.1. Effects of the imports from China

- (180) The Commission examined whether there was a causal link between the dumped imports and the injury suffered by the Union industry.
- (181) During the period considered the market share of dumped imports from China remained stable at around 3 %, despite the anti-dumping measures in place and Union consumption declining by a significant 42 %.
- (182) Import prices of dumped bicycles from China increased from 2021 to 2022 by 48 % before dropping down to their 2021 level during the period considered, while prices of the Union industry increased by 75 %. However, this has to be set against the cost increase of 76 % of the Union industry. This showed that Chinese imports could remain even more competitive than before.
- (183) Chinese dumped prices remained extremely low and were able to massively undercut the Union industry's prices. Price undercutting was present for both Chinese imports on which a dumping duty was paid and imports that were subject to a 0 % duty or which were excluded from the measures, therefore causing price pressure on the Union market.

7.2. Effects of other factors

- (184) The injury analysis showed that dumped Chinese imports and those subject to no duty or a 0 % duty into the Union kept their market share despite existing anti-dumping measures and declining Union consumption at heavily undercutting price levels. This coincided in time with the deterioration of the Union industry's financial performance indicators, like a decrease in profitability and a decrease in return on investments.
- (185) The Commission distinguished and separated the effects of all known factors on the situation of the Union industry from the injurious effects of the dumped imports.

7.2.1. Imports from third countries

- (186) The quantity of imports from all other third countries was significant but showed a significant decrease over the period considered by 7 percentage points, as shown in recital 138.
- (187) These imports were partially made at prices undercutting the Union industry, especially with regard prices from Bangladesh which followed the price level of the Chinese imports.
- (188) Therefore, even if these imports decreasing over the period considered might have contributed to the injurious situation of the Union industry, they did not attenuate the causal link between the injury and the Chinese exports.

7.2.2. Export performance of the Union industry

(189) The quantity of exports of the sampled Union producers developed over the period considered as follows:

Table 13

Export performance of the sampled Union producers

	2021	2022	2023	Review Investigation period
Export quantity to unrelated parties (pieces)	18 772	19 222	19 409	16 228
<i>Index</i>	100	103	104	87
Average price (EUR/piece)	613	692	969	1 130
<i>Index</i>	100	113	158	184

Source: questionnaire replies from the sampled Union producers.

- (190) While the Union industry's export performance remained stable until 2023, a significant drop of 17 percentage points is shown from 2023 to the review investigation period. Like the sales on the Union market, the average price of the export sales increased in line with the increase in cost of production.
- (191) However, the quantities sold for export by the sampled Union producers are limited and represent around 2 % of their sales on the Union market and could therefore not have had a significant effect on the economic situation of the Union industry.

7.2.3. Union demand for bicycles

- (192) The Union demand for bicycles, shown in recital 125, gave a clear and sharp downward trend. This downward trend was caused by an increased interest in electric bikes on the one hand, and a fall in demand after the end of the pandemic period. However, the Union market remained one of the biggest markets worldwide.
- (193) The Commission considered that the reduction in demand contributed to the injury to the Union industry, even though the Union industry was able to gain some market share in this declining market. Therefore, the reduction in demand did not attenuate the causal link between the Chinese exports to the Union and the injury suffered by the Union industry.

7.3. Conclusion on causation

- (194) On the basis of the above, the Commission concluded that the dumped imports from China caused material injury to the Union industry. However, other factors, in particular the decreased consumption and imports from other third countries, might also have had an effect on the injurious situation of the Union industry. Therefore, the Commission decided to further assess whether injury caused by the dumped imports from China would likely continue if measures were allowed to lapse.

8. LIKELIHOOD OF CONTINUATION OF INJURY

- (195) The Commission concluded in recital 194 that the Union industry suffered material injury during the review investigation period. Therefore, the Commission assessed, in accordance with Article 11(2) of the basic Regulation, whether there would be a likelihood of continuation of injury caused by the dumped imports from China if the measures against were allowed to lapse. The Commission examined the likely price levels of imports from China in the absence of anti-dumping measures and their impact on the Union industry, attractiveness of the Union market, production capacity and spare capacity in China and circumvention practices.

8.1. Price level of imports without anti-dumping measures

- (196) The average import prices into the Union from China during the review investigation period were significantly lower than the average sales price of the Union industry. As set out in recital 135, during the review investigation period Chinese prices undercut the Union industry's prices with 50 %, with the anti-dumping duties paid.
- (197) If measures were allowed to lapse, the level of undercutting would increase to 65 %.
- (198) Prices would likely even be lower considering that competition would increase between Chinese imports that are currently subject to an anti-dumping duty and those that currently pay no duty.
- (199) Therefore, the Commission concluded that prices on the Union market would be likely to fall without anti-dumping measures in force, thereby causing injury to the Union industry.

8.2. Attractiveness of the Union market

- (200) As set out in recitals 115 to 119 above the Union market remained attractive to Chinese exporters, which would suggest that in the absence of duties exports to the Union would increase, causing further injury to the Union industry.

8.3. Production capacity and spare capacity

- (201) As set out in recitals 109 to 114 above all the evidence on file showed that the Chinese have the capacity to supply the Union market and spare capacity to put to use to increase their supply to the Union, at dumped prices that would cause injury.

8.4. Circumvention

- (202) Ever since the imposition of measures in 1993 the Commission has conducted anti-circumvention investigations on consignment of bicycles to the Union, and extended measures as follows to:
- bicycle parts imported from China
 - bicycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia
 - bicycles consigned from Cambodia, Pakistan and the Philippines ⁽⁶⁸⁾.
- (203) Such recurring circumvention from different third countries clearly showed the interest of Chinese companies to supply the Union market.

8.5. Conclusion

- (204) On this basis, the Commission concluded that the absence of measures would in all likelihood result in a significant increase of dumped imports from China at injurious prices and material injury would be likely to continue.

9. UNION INTEREST

- (205) 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, wholesalers, retailers, and consumers.
- (206) Measures have been in force since 1993 and in every expiry review the Commission found that extension of the measures have not been against the interest of the Union.

⁽⁶⁸⁾ A full case history is on the website of DG TRADE <https://tron.trade.ec.europa.eu/investigations/case-history?caseId=1532>.

9.1. Interest of the Union industry

- (207) EBMA represented more around half of the Union industry. The investigation showed that the Union industry is still in a fragile situation. Should the measures expire, the situation of the Union industry would quickly deteriorate resulting again in losses in the short term and the gradual elimination of the whole industry in the long term.
- (208) A significant part of Union production is sub-contracted to tollers, who made significant investments in the product under review during the period considered. Considering that the tollers are heavily dependent on the level of activity of their business partners, if measures were repealed their economic situation would also quickly deteriorate.
- (209) On this basis, it was concluded that the continuation of the measures on imports from China was in the interest of the Union industry as it would allow them to stabilise their position in the market and secure their employment.

9.2. Interest of unrelated importers

- (210) The Commission invited all unrelated importers to participate in the investigation and contacted all known importers. As in the last review investigation, none of them came forward or cooperated in any way in the investigation.
- (211) The purpose of anti-dumping measures is not to prevent imports, but to restore fair trade and ensure that imports are not made at dumped and injurious prices.
- (212) The investigation found that imports accounting for over 14 % market share in the review investigation period came from countries that were not subject to anti-dumping measures.
- (213) Statistics from Eurostat and data submitted to the Commission under Article 14(6) of the basic Regulation also show that imports are entering the Union through companies with exemptions from the extension of measures, giving importers access to imports from these countries as follows:

Table 14

Imports from companies with exemptions

Country	Market share	Imports from companies with exemption
Indonesia	1 %	97 %
Sri Lanka	1 %	99 %
Tunisia	1 %	86 %
Cambodia	8 %	100 %
The Philippines	< 1 %	98 %

- (214) As a consequence, the Commission considered that importers could still source bicycles from a wide range of countries.

9.3. Interest of users

- (215) The Commission asked all users of the product under review to come forward and make their views known. No users or consumer associations came forward or cooperated with the investigation.
- (216) In the current investigation there is no evidence on file suggesting that the measures in force affected users in any negative way.
- (217) On that basis it is confirmed that the measures currently in force had no substantial negative effect on the financial situation of users and that the continuation of the measures would not unduly affect them.

9.4. Conclusion on Union interest

- (218) On the basis of the above, the Commission concluded that there were no compelling reasons of the Union interest against the maintenance of the existing measures on imports of bicycles originating in China.

10. ANTI-DUMPING MEASURES

- (219) On the basis of the conclusions reached by the Commission on continuation of dumping, continuation of injury and Union interest, the anti-dumping measures on bicycles from China should be maintained.
- (220) 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 and exemptions from extensions of the measures after anti-circumvention investigations.
- (221) The application of individual anti-dumping duties or exemptions 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(6) of this regulation. Until such invoice is presented, imports should be subject to the anti-dumping duty applicable to 'all other imports originating in China'.
- (222) 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(6) 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 or exemption is justified, in compliance with customs law.
- (223) Should the exports by one of the companies benefiting from lower individual duty rates increase significantly in quantity after the imposition of the measures concerned, such an increase in quantity 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 examine the need for the removal of individual duty rate(s) and the consequent imposition of a country-wide duty.
- (224) The individual company anti-dumping duty rates specified in this Regulation are exclusively applicable to imports of the product under review originating in China 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 imports originating in China'. They should not be subject to any of the individual anti-dumping duty rates.
- (225) A company may request the application of these individual anti-dumping duty rates if it changes subsequently the name of its entity. The request must be addressed to the Commission ⁽⁶⁹⁾. 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*.
- (226) 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. No comments were received.

⁽⁶⁹⁾ European Commission, Directorate-General for Trade, Directorate G, Rue de la Loi 170, 1040 Brussels, Belgium.

- (227) 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.
- (228) 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.
- (229) In view of Article 109 of Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council ⁽⁷⁰⁾ 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.
- (230) 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,

HAS ADOPTED THIS REGULATION:

Article 1

1. A definitive anti-dumping duty is hereby imposed on imports of bicycles and other cycles (including delivery tricycles, but excluding unicycles), not motorised, currently falling under CN codes 8712 00 30 and ex 8712 00 70 (TARIC codes 8712 00 70 91, 8712 00 70 92 and 8712 00 70 99), originating in the People's Republic of China.
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:

Company	Anti-dumping duty	TARIC additional code
Zhejiang Baoguilai Vehicle Co. Ltd	19,2 %	B772
Oyama Technology (Nantong) Co. Ltd	0 %	B773
Ideal (Dongguan) Bike Co., Ltd	0 %	B774
All other imports originating in the People's Republic of China, except Giant (China) Co. Ltd. - TARIC additional code C329	48,5 %	B999

3. The definitive anti-dumping duty applicable to imports originating in the People's Republic of China, as set out in paragraph 2, is hereby also extended to imports of the same bicycles and other cycles consigned from Indonesia, Malaysia, Sri Lanka and Tunisia, whether declared as originating in Indonesia, Malaysia, Sri Lanka and Tunisia or not, currently falling under CN codes ex 8712 00 30 and ex 8712 00 70 (TARIC codes 8712 00 30 10 and 8712 00 70 91) with the exception of those produced by the companies listed below:

Country	Company	TARIC additional code
Indonesia	P.T. Insera Sena	B765
	PT Wijaya Indonesia Makmur Bicycle Industries (Wim Cycle)	B766
	P.T. Terang Dunia Internusa (United Bike)	B767

⁽⁷⁰⁾ Regulation (EU, Euratom) 2024/2509 of the European Parliament and of the Council of 23 September 2024 on the financial rules applicable to the general budget of the Union (recast) (OJ L, 2024/2509, 26.9.2024, ELI: <http://data.europa.eu/eli/reg/2024/2509/oj>).

Country	Company	TARIC additional code
Sri Lanka	Asiabike Industrial Limited	B768
	BSH Ventures (Private) Limited	B769
	Samson Bikes (Pvt) Ltd	B770
Tunisia	Euro Cycles SA	B771
	Look Design System SA	C206

4. The definitive anti-dumping duty applicable to imports originating in the People's Republic of China, as set out in paragraph 2, is hereby also extended to imports of the same bicycles and other cycles consigned from Cambodia, Pakistan and the Philippines, whether declared as originating in Cambodia, Pakistan and the Philippines or not, currently falling under CN codes ex 8712 00 30 and ex 8712 00 70 (TARIC codes 8712 00 30 20 and 8712 00 70 92) with the exception of those produced by the companies listed below:

Country	Company	TARIC additional code
Cambodia	A and J (Cambodia) Co., Ltd	C035
	Smart Tech (Cambodia) Co., Ltd	C036
	Speedtech Industrial Co. Ltd	C037
	Bestway Industrial Co. Ltd	C037
The Philippines	Procycle Industrial Inc	C038

5. The extension of the anti-dumping duty imposed on imports of bicycles originating in the People's Republic of China to imports of certain bicycle parts originating in the People's Republic of China by Regulation (EC) No 71/97, is hereby maintained.

The definitive anti-dumping duty referred to in Article 2(1) of Regulation (EC) No 71/97 shall be the 'all other companies' anti-dumping duty imposed by Article 1(2) above.

6. The application of the individual duty rates specified for the companies mentioned in paragraph 2 and exemptions from extensions of the measures after anti-circumvention investigations mentioned in paragraphs 3 and 4 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 their name and function, drafted as follows: 'I, the undersigned, certify that the (quantity) of (bicycles) sold for export to the European Union covered by this invoice was manufactured by (company name and address) (TARIC additional code) in the People's Republic of China. 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.

7. 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 1990 to 30 September 1991 ('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.

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

Article 2

1. Article 1(2) of Implementing Regulation (EU) 2019/1379, as amended by article 1 of Implementing Regulation (EU) 2022/57, is amended as follows:

‘Oyama Technology (Jiangsu) Co., Ltd	B773’
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is replaced by:

‘Oyama Technology (Nantong) Co., Ltd	B773’
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2. TARIC additional code B773 previously attributed to Oyama Technology (Jiangsu) Co., Ltd shall apply to Oyama Technology (Nantong) Co., Ltd as of 10 July 2024.

3. Any definitive duty on imports of products manufactured by Oyama Technology (Nantong) Co., Ltd in excess of the anti-dumping duty established in Article 1(2) of Implementing Regulation (EU) 2019/1379 as regards Oyama Technology (Jiangsu) Co. Ltd shall be repaid or remitted in accordance with the applicable customs legislation as of 10 July 2024.

Article 3

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, 22 October 2025.

For the Commission
The President
Ursula VON DER LEYEN