

(246) It should be recalled that, in the previous investigations, the adoption of measures was considered not to be against the interest of the Union. Furthermore, the fact that the present investigation is an interim review pursuant to Article 11(3) of the basic Regulation, thus analysing a situation in which anti-dumping measures have already been in place, allows the assessment of any undue negative impact on the parties concerned by the current anti-dumping measures.

(247) The determination of the Union interest was based on an appreciation of the various interests involved, i.e. those of the Union industry, producers of bicycle parts, unrelated importers and users.

2. Interest of the Union industry

(248) The investigation showed that the industry is still in a fragile situation. Given the substantial volume of dumped imports from the PRC and likelihood of continuation of dumping and injury, there is a strong likelihood that Union production would disappear should measures be repealed.

(249) The Union industry contributes significantly to technological innovation and spin offs, such as the recently developed EPACs (Electronically Power Assisted Cycles) and electronic bicycles that would not be economically viable without having a bicycle industry in the Union. Moreover, the Union industry contributes to the environmental goals such as greening of transport and decarbonisation.

(250) The Union industry is also a driving force for related industries, such as production of bicycle parts, bicycle accessories and related services. In total the Union industry generates directly and indirectly between 60 000 and 70 000 jobs in the Union market.

(251) The Union industry had undertaken efforts to restructure and invested in innovation which would be lost should the Union industry disappear. To the contrary, with the measures in place, the Union industry would be able to maintain and even increase sales volume and thereby generating the necessary return on investments which would enable it to continue to reinvest in new technology and innovation.

(252) In view of the conclusions on the situation of the Union industry as set out at recitals 184 to 187, it can be expected that without measures the financial situation of the Union industry would likely deteriorate significantly and ultimately risk the closure of production. Therefore, the anti-dumping measures are in the interest on the Union industry.

3. Interest of producers of bicycle parts

(253) The Association of the Bicycles Parts Producers (COLIPED) made itself known during the investigation. COLIPED provided information that there are about 370 companies in the Union, which are supplying components to the bicycle producers and employ about 16 000 people. The suppliers industry is depending on the continuation of the bicycles production in the Union.

(254) 53 producers of bicycle parts came forward in favour of the measures, representing 39 % of the estimated 1,2 billion EUR of total turnover of the bicycle part industry. The bicycles parts producers are benefiting from the extension of the existing measures to essential bicycle parts (see recital 1). The existing exemption scheme (see recital 1) encourages local production of bicycle parts by restricting the Chinese content of bicycle parts used to less than 60 % of the total value. Due to the measures in place the Union industry was able to develop and invest in new projects aiming to resume production of certain essential parts in the Union.

(255) In this respect, it was found that without the measures and the expected closure of bicycles production in the Union, the bicycle parts industry in the Union will also suffer negative consequences as they will lose their customers. It is therefore concluded that the imposition of anti-dumping measures would be in the interest of the bicycle parts industry.

4. Interest of users/consumers

(256) The European Cyclists' Federation (ECF), an umbrella federation of the national cyclists' associations in Europe supported the continuation of the anti-dumping measures in force. The ECF argued that local production is in the interest of the consumers as it ensures quality and safety as well as specialised customer services.

(257) The ECF argued that an increase of imports from the PRC would have a negative impact on the high quality and safety standards in the Union at the expense of the consumer.

(258) The impact of the anti-dumping duties on the consumer price is estimated not to be significant as the majority of Union producers of bicycles operate under the exemption scheme whereas the essential bicycle parts can be imported from the PRC without any duty up to 60 % of the total value of the parts used.

(259) It is recalled that, in the previous investigations, it was found that the impact of measures would not be significant for the users/consumers. Despite the existence of measures, the supply of bicycles from the PRC, as well as countries without any measures is available. It is therefore concluded that the anti-dumping measures do not have a significant negative impact on users in the Union.

(260) Following the disclosure one party argued that the analysis failed to take into account the negative impact of the measures on the users in form of additional costs brought by the measures. It is noted that the ECF representing the consumers came forward in support of the measures for the quality and safety reasons (see recital 255). Also, thanks to exemptions scheme the consumers already benefit from the reduced price of certain bicycle parts (see recital 257). Therefore, the argument was found unsubstantiated.

5. Interest of unrelated importers

(261) None of the unrelated importers cooperated in the investigation. Therefore, it was not possible to make an assessment of the impact of the measures during the RIP. It should also be recalled that the purpose of the anti-dumping measures is not to prevent imports, but to restore fair trade and ensure that imports are not made at injuriously dumped prices.

(262) It is recalled that there are other sources of imports and around 45 % of the consumption of bicycles are in fact imported bicycles.

(263) As fairly-priced imports from the PRC would still be allowed to enter the Union market, and as imports from third countries would also continue, it is likely that the traditional business of the importers would continue even if the anti-dumping measures with regard to the PRC were maintained. The amended anti-dumping measures for the three cooperating exporting producers would increase the import possibilities from the PRC at 0 % or reduced rate. Therefore, it is concluded that the anti-dumping measures do not have a significant impact on unrelated importers in the Union.

6. Effectiveness of the measures

(264) One party argued that measures would not be effective given that the Union industry is still suffering injury after the anti-dumping measures being in force for almost 20 years. It is noted that despite the measures in force, it has been confirmed that Chinese exporting producers were circumventing the measures via other third countries

which explained at least partly the situation of the Union industry during the RIP. Therefore, the argument was rejected.

(265) Following the disclosure some parties argued that the measures existing for over 23 years are not justified on either legal or trade policy grounds. In response to this claim it is noted that no time limits restrict the duration of the measures as long as the conditions for their imposition or maintenance are met. Also, in the case at hand the measures are justified as the findings confirmed existence of injurious dumping. Furthermore, the situation of the Union industry is further undermined by circumvention. Therefore, the argument is rejected.

7. Conclusion

(266) The continuation of measures on imports of bicycles originating in the PRC would clearly be in the interest of the Union industry and the Union suppliers of bicycle parts. It will allow the Union industry to grow and improve its situation caused by the dumped imports. Furthermore, the importers would not be substantially affected since fairly priced bicycles would still be available on the market from the PRC and other third countries. Also, due to the extensive use of the existing exemption scheme by the Union industry, it was concluded that the existing measures had no significant negative impact on the users/consumers. In contrast, if measures were repealed, Union bicycles producers will likely close production, thus also threatening the existence of Union bicycle parts producers.

(267) In view of the above, it is concluded that based on the information available concerning the Union interest, there are no compelling reasons against imposing the measures at the rates indicated (279) on imports of the product concerned originating in the PRC.

I. PROPOSED DUTIES

1. Injury elimination level

(268) In view of the conclusions reached with regard to dumping, resulting injury and Union interest, the existing measures, as imposed by Implementing Regulation (EU) No 990/2011, should be maintained except as provided herein below.

(269) For the purpose of determining the level of these measures, account was taken of the dumping margins found and the amount of duty necessary to eliminate the injury sustained by the Union producers.