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# COMMISSION IMPLEMENTING REGULATION (EU) 2024/2725

## of 24 October 2024

## making imports of mobile access equipment originating in the People's Republic of China subject to registration

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2016/1037 of the European Parliament and of the Council of 8 June 2016 on protection against subsidised imports from countries not members of the European Union ([1]) ('the basic Regulation'), and in particular Article 24(5) thereof,

After informing the Member States,

Whereas:

(1) On 27 March 2024, the Commission announced, by a notice published in the *Official Journal of the European Union* ([2]), the initiation of an anti-subsidy proceeding with regard to imports into the Union of mobile access equipment ('MAE'), originating in the People's Republic of China. This initiation followed a complaint lodged on 13 February 2024 by the 'Coalition to restore a level playing field in the EU Mobile Access Equipment Sector' on behalf of producers representing more than 25 % of the total Union production of MAE.

(2) Separately, on 13 November 2023, the Commission announced, by a notice published in the *Official Journal of the European Union* ([3]) the initiation of an anti-dumping proceeding with regard to imports into the Union of MAE, originating in the People's Republic of China. On 13 July 2024, the Commission imposed provisional anti-dumping duties on imports of MAE originating in China ([4]).

### 1. PRODUCT SUBJECT TO REGISTRATION

(3) The product subject to registration ('the product concerned') is mobile access equipment designed for the lifting of persons, self-propelled, with a maximum working height of 6 meters or more, and pre-assembled or ready-to-assemble sections thereof, excluding individual components when presented separately, and excluding person lifting equipment mounted on vehicles of Chapter 86 and Chapter 87 of the Harmonised System.

(4) The product concerned is currently classified, for the MAE, under CN codes ex 8427 10 10, ex 8427 20 19, ex 8428 90 90 and, for the pre-assembled or ready-to-assemble sections of MAE, under ex 8431 20 00 and ex 8431 39 00 (TARIC codes: 8427 10 10 10, 8427 20 19 10, 8428 90 90 20, 8431 20 00 60 and 8431 39 00 10). The CN and TARIC codes are given for information only and without prejudice to a subsequent change in the tariff classification.

### 2. REGISTRATION

(5) Under Article 24(5) of the basic Regulation, imports of the product concerned may be made subject to registration for the purpose of ensuring that, if the investigation results in findings leading to the imposition of countervailing duties, those duties can, if the necessary conditions are fulfilled, be levied retroactively on the registered imports in accordance with the applicable legal provisions.

(6) The Commission has decided to make imports of the product concerned subject to registration on its own initiative under to Article 24(5) of the basic Regulation. The conditions for retroactive collection of duties will be assessed in the regulation imposing definitive duties, if any.

([1]) OJ L 176, 30.6.2016, p. 55, ELI: http://data.europa.eu/eli/reg/2016/1037/oj.
([2]) OJ C, C/2024/2362, 27.3.2024, ELI: http://data.europa.eu/eli/C/2024/2362/oj.
([3]) OJ C, C/2023/783, 13.11.2023, ELI: http://data.europa.eu/eli/C/2023/783/oj.
([4]) OJ L, 2024/1915, 12.7.2024, ELI: http://data.europa.eu/eli/reg_impl/2024/1915/oj.

(7) Any future liability would emanate from the findings of the investigation.

(8) At this stage of the investigation is not yet possible to estimate the amount of subsidisation. The complaint does not provide for an accurate estimation of the amount of subsidisation, which should normally be used as the basis to establish the countervailing duties. The complaint contains an estimate of the injury elimination level of 64,1 % for the product concerned from April 2022 to March 2023. In accordance with Article 15(1), fourth paragraph, of the basic Regulation, the injury elimination level would only be relevant in case a duty based on the amount of countervailable subsidies would be higher and the Commission clearly concludes that it is not in the Union's interest to impose this higher duty.

### 3. **PROCESSING OF PERSONAL DATA**

(9) Any personal data collected in the context of this registration will be treated in accordance with Regulation (EU) 2018/1725 of the European Parliament and of the Council ([5]),

HAS ADOPTED THIS REGULATION:

*Article 1*

1. The customs authorities are hereby directed, under Article 24(5) of Regulation (EU) 2016/1037, to take the appropriate steps to register imports into the Union of mobile access equipment designed for the lifting of persons, self-propelled, with a maximum working height of 6 meters or more, and pre-assembled or ready-to-assemble sections thereof, excluding individual components when presented separately, and excluding person lifting equipment mounted on vehicles of Chapter 86 and Chapter 87 of the Harmonised System, currently classified, for the mobile access equipment, under CN codes ex 8427 10 10, ex 8427 20 19, ex 8428 90 90 and, for the pre-assembled or ready-to-assemble sections of mobile access equipment, under ex 8431 20 00 and ex 8431 39 00 (TARIC codes: 8427 10 10 10, 8427 20 19 10, 8428 90 90 20, 8431 20 00 60 and 8431 39 00 10), and originating in the People's Republic of China.

2. Registration shall expire nine months following the date of entry into force of this Regulation.

*Article 2*

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

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

Done at Brussels, 24 October 2024.

*For the Commission*
*The President*
Ursula VON DER LEYEN

([5]) Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data, and repealing Regulation (EC) No 45/2001 and Decision No 1247/2002/EC (OJ L 295, 21.11.2018, p. 39, ELI: http://data.europa.eu/eli/reg/2018/1725/oj).