

...Announcement of the Ministry of Commerce Announcement No. 2 of 2019 on the Final Review of the Anti-dumping Measures against Imports of Solar-Grade Polysilicon Originating in the United States and South Korea

Article Source: 商务部贸易救济调查局2019-01-18 13:58 Article type: 原创 Content classification: 政策

On January 20, 2014, the Ministry of Commerce issued the No. 5 announcement in 2014, which decided to implement final anti-dumping measures on imported solar grade polysilicon originating in the United States and South Korea for a period of five years from January 20, 2014. On November 21, 2017, the Ministry of Commerce issued Announcement No. 78 of 2017, which decided to adjust the anti-dumping duty rate on imported solar grade polysilicon originating in South Korea.

On October 9, 2018, the Ministry of Commerce issued Announcement No. 77 of 2018, announcing that anti-dumping measures against imported solar grade polysilicon originating in the United States and South Korea will expire on January 19, 2019. According to the "Anti-dumping Regulations of the People's Republic of China", it is determined by the review that the termination of anti-dumping duties may result in dumping and damage continuing or recurring, and the period of anti-dumping duties may be extended appropriately. From the date of the announcement of the announcement, the domestic industry or natural persons, legal persons or related organizations representing the domestic industry may submit a final application for review to the Ministry of Commerce in writing 60 days before the expiration date of the anti-dumping measures.

On November 16, 2018, the Ministry of Commerce received an application for the final review of anti-dumping measures officially submitted by six companies including Jiangsu Zhongneng Silicon Technology Development Co., Ltd. on behalf of China's solar-grade polysilicon industry. The applicant argues that if the anti-dumping measures are terminated, the dumping of imported solar grade polysilicon originating in the United States and South Korea may continue or reoccur in China, and damage to the Chinese industry may continue or reoccur, requesting the Ministry of Commerce to decide to maintain the original Anti-dumping measures imposed on imported solar grade polysilicon produced in the United States and South Korea.

Pursuant to the relevant provisions of the "Anti-dumping Regulations of the People's Republic of China", the Ministry of Commerce's qualifications for applicants, products under investigation and similar products in China, import of products under investigation during the implementation of anti-dumping measures, possibility of continued or recurrence of dumping, damage continued or The possibility of recurrence and related evidence were reviewed. The available evidence indicates that the applicant is in compliance with the provisions of Articles 11, 13 and 17 of the Anti-Dumping Regulations of the People's Republic of China on industrial and industrial representation, and is eligible to apply on behalf of China's solar-grade polysilicon industry. The investigation authority believes that the applicant's claim and the prima facie evidence submitted meet the requirements for the final review.

According to Article 48 of the Anti-Dumping Regulations of the People's Republic of China, the Ministry of Commerce has decided to conduct a final review of the anti-dumping measures applicable to imported solar grade polysilicon originating in the United States and South Korea from January 20, 2019. The relevant matters are hereby announced as follows:

I. Continue to implement anti-dumping measures

According to the recommendation of the Ministry of Commerce, the State Council Customs Tariff Commission decided to continue to levy the imported solar grade polysilicon originating in the United States in accordance with the scope of taxation and the anti-dumping tax rate announced by the Ministry of Commerce No. 5 in 2014 during the anti-dumping period review investigation. Anti-dumping duties continue to impose anti-dumping duties on imported solar grade polysilicon originating in South Korea in accordance with the scope of taxation and anti-dumping tax rates announced by the Ministry of Commerce in Announcement No. 78 of 2017.

Second, review investigation period

The dumping investigation period of this review is from January 1, 2018 to December 31, 2018, and the industrial damage investigation period is from January 1, 2014 to December 31, 2018.

Third, review the scope of product survey

The scope of this review survey product is consistent with the product range applicable to the anti-dumping measures announced by the Ministry of Commerce in Announcement No. 5 of 2014.

Fourth, review content

The content of this review is whether the termination of anti-dumping measures against imported solar grade polysilicon originating in the United States and South Korea may result in the continuation or recurrence of dumping and damage.

V. Participate in the investigation and registration

Interested parties may register with the Trade Relief and Investigation Bureau of the Ministry of Commerce to participate in the final review of the anti-dumping period within 20 days from the date of this announcement. The interested parties participating in the survey shall provide basic identity information according to the "Reference Format for Registration Participation Survey", the quantity and amount of products to be exported or imported into China during the investigation period, the quantity and amount of similar products produced and sold, and the related conditions. Etc. The Reference Format for Registration for Participation can be downloaded from the Trade Relief and Investigation Bureau sub-site of the Ministry of Commerce (<http://trb.mofcom.gov.cn>).

The interested parties referred to in this announcement are the individuals and organizations stipulated in Article 19 of the Anti-Dumping Regulations of the People's Republic of China.

Six, access to public information

Interested parties can download, browse, copy and copy the non-confidential text of the application submitted by the applicant in the relevant website or in the Trade Relief Public Information Office of the Ministry of Commerce (Tel: 0086-10-65197856). During the investigation, interested parties can access the case disclosure information through the relevant website, or go to the Ministry of Commerce's Trade Relief Public Information Checking Room to find, read, transcribe and copy the case public information.

Seven, comments on the case

Interested parties may submit written comments to the Ministry of Commerce's Trade Relief Survey within 20 days from the date of publication of this announcement if they wish to comment on the product scope and product classification of the survey, the applicant's qualifications, the country under investigation and other related issues. Bureau.

Eight, the way of investigation

According to the provisions of Article 20 of the "Anti-dumping Regulations of the People's Republic of China", the Ministry of Commerce may use questionnaires, sampling, hearings, on-site inspections, etc. to understand the situation and conduct investigations with relevant stakeholders.

In order to obtain the information required for the investigation of this case, the Ministry of Commerce usually issues questionnaires to registered foreign exporters or producers, domestic producers and domestic importers within 10 working days from the deadline for participation in the survey registration as stipulated in this announcement. Interested parties participating in the survey registration can also download the questionnaire from the relevant website.

Other interested parties who have not conducted investigation and registration can download the questionnaire directly from the relevant website or obtain the above questionnaire from the Trade Relief and Investigation Bureau of the Ministry of Commerce and report it as required.

All companies should submit complete and accurate answers within the specified time. The answer sheet should include all the information required for the questionnaire.

9. Submission and processing of confidential information

If the information submitted by the Ministry of Commerce is confidential, the Ministry of Commerce may submit a request for confidentiality of the relevant information and explain the reasons. If the Ministry of Commerce agrees to its request, the interested party applying for confidentiality shall also provide a non-confidential summary of the confidential information. The non-confidential summary should contain sufficient and meaningful information to enable other stakeholders to have a reasonable understanding of the confidential information. If a non-confidential summary cannot be provided, the reasons should be stated. If the information submitted by the interested party does not indicate that it needs to be kept confidential, the Ministry of Commerce will regard the information as public information.

X. Consequences of non-cooperation

According to the provisions of Article 21 of the Anti-Dumping Regulations of the People's Republic of China, when the Ministry of Commerce conducts an investigation, the interested parties shall truthfully report the situation and provide relevant information. If the interested party fails to truthfully report the situation, provide relevant information, or fails to provide necessary information within a reasonable time, or otherwise seriously obstructs the investigation, the Ministry of Commerce may make a ruling based on the facts already obtained and the best information available. .

XI. Investigation period

The survey began on January 20, 2019 and ended before January 19, 2020.

12. Contact information of the Ministry of Commerce

Trade Relief and Investigation Bureau of the Ministry of Commerce

Address: 2 East Chang'an Street, Beijing, China

Zip code: 100731

Tel: 86-10-65198760 65198053

Fax: 86-10-65198172

annex

Registered for the US and South Korea solar-grade polysilicon anti-dumping period review

Application for end-of-life review of solar-grade polysilicon for US and South Korea (public version)

Annex to the US and South Korea Solar Grade Polysilicon Anti-dumping Final Review Application (Open Edition)

Ministry of Commerce of the People's Republic of China January 18, 2019