

Notice of the Ministry of Commerce of the People's Republic of China No. 23 of 2017 on the final review of the countervailing measures applicable to the import of solar grade polysilicon originating in the EU

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【 Big Middle Small 】【 打印 To

Ministry of Commerce of the People's Republic of China

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April 30, 2014, the Ministry of Commerce of the People's Republic of China (hereinafter referred to as the investigation organ) issued the 26th of 2014 announcement, decided to originate in the EU imports of solar grade polysilicon implementation of countervailing measures, the implementation period from May 1, 2014 2 years from the date.

On April 29, 2016, the investigating authorities issued Announcement No. 14 of the year, and decided to conduct a final review of the countervailing measures applicable to the import of solar grade polysilicon originating from the EU since May 1, 2016.

The investigation authorities investigated the possibility of continuing to re-occurrence of the import of solar grade polysilicon originating in the EU and the continued or recurring damage to China's solar grade polysilicon industry if the original countervailing measures were terminated and the "Anti-Subsidy Regulations of the People's Republic of China" Hereinafter referred to as the "Countervailing Regulations") Article 47 to review the ruling (see Annex), the relevant matters are as follows:

First, review the ruling

The investigating authorities ruled that if the original anti-subsidy measures were terminated, the import of solar grade polysilicon subsidies originating in the EU may continue or recur, and the damage to China's solar grade polysilicon industry may continue or recur.

Second, countervailing measures

According to the provisions of Article 49 of the Countervailing Regulations, taking into account the current situation and development of the demand and supply of the domestic solar grade polysilicon market, the investigating authorities put forward the proposal to continue to implement the countervailing measures to the State Council Tariff Commission on the basis of the survey results. The State Council Customs Tariff Commission shall make a decision on the basis of the recommendations of the investigating organ. Since May 1, 2017, the countervailing duty shall be levied in accordance with the taxation and countervailing duty rates published by the Ministry of Commerce of the People's Republic of China No. 26 of 2014, and the implementation period is 18 Month.

The product description of the countervailing duty continues to be consistent with the provisions of the Ministry of Commerce No. 26 of 2014, as follows:

Product Name: Solar Grade Polysilicon. English name: Solar-Grade Polysilicon.

The specific products of the investigated products: the use of chlorosilane as raw materials (modified) Siemens and silane process and other processes used to produce crystalline silicon photovoltaic cells of rod-like polysilicon, bulk polysilicon, granular polysilicon products.

被调查产品电学参数为: 基磷电阻率 <300 欧姆·厘米 ($\Omega \cdot \text{cm}$); 基硼电阻率 <2600 欧姆·厘米 ($\Omega \cdot \text{cm}$); 碳浓度 $>1.0 \times 10^{16}$ (at/cm^3); n型少数载流子寿命 $<500\mu\text{s}$; 施主杂质浓度 $>0.3 \times 10^{-9}$; 受主杂质浓度 $>0.083 \times 10^{-9}$ 。

Main use: mainly used for solar grade single crystal silicon rods and directional solidification of polysilicon ingot production, is the production of crystalline silicon photovoltaic cells, the main raw material.

The product is included in the "People's Republic of China import and export tariffs" Tariff No. : 28046190. The electronic grade polysilicon used in the production of integrated circuits, discrete devices and other semiconductor products under the tariff number is not within the scope of this survey product.

In accordance with the Countervailing Regulations, the investigating authorities decided to continue to implement the price commitments for the products surveyed by Wacker Chemie AG. WACKER CHEMICAL CO., LTD. Agreed to extend the execution automatically in accordance with the Price Commitment Agreement during the trial period. During the execution of the price commitment, no countervailing duty is levied on the products surveyed from WACKER CHEMICAL CO., LTD. In the event of a breach of a price commitment or other termination price commitment, it is levied at the rate of subsidy determined in the 26th of 2014 Countervailing duty.

Third, the collection of countervailing duty method

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Since May 1, 2017, the import operators in the import of the EU-derived solar grade polysilicon, the People's Republic of China Customs should pay the corresponding countervailing duty. Countervailing duty to the Customs and Excise Department to verify the duty-paid price ad valorem, the formula is: countervailing duty = customs duty-paid price × countervailing duty rate. Import value-added tax to customs duty-approved dutiable value plus tariff and countervailing duty as a taxable price ad valorem.

Fourth, administrative reconsideration and administrative litigation

In accordance with the provisions of Article 52 of the Anti-Subsidy Regulations of the People's Republic of China, the applicant may apply for administrative reconsideration or bring a lawsuit to the people's court.

5. The announcement shall come into force on May 1, 2017.

Annex: [Ministry of Commerce on the origin of the EU-based imports of solar grade polysilicon anti-subsidy measures applicable to the final review of the decision.pdf](#)