

# Notice of the Ministry of Commerce of the People's Republic of China Notice No. 78 of 2017 on the Adjudicative Review of Dumping and Dumping Period of Imported Polysilicon Originating in Korea

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On January 20, 2014, the Ministry of Commerce released Announcement No. 5 of the year and decided to impose anti-dumping duties on imported solar grade polysilicon originating in the United States and South Korea starting January 20, 2014.

On February 14, 2016, Jianguo Zhongneng Silicon Technology Development Co., Ltd., LDK Photovoltaic Silicon Technology Co., Ltd., LDK, Luoyang Silicon High Technology Co., Ltd. and Chongqing Daquan New Energy Co., Ltd. (hereinafter referred to as domestic industry applicants) MOFCOM put forward an official application and claimed that South Korea would dump its solar-grade polysilicon exported to China more than the final anti-dumping duty rate and required anti-dumping measures applicable to imported solar-grade polysilicon originating in South Korea Dumping and dumping period in the review.

According to Article 49 of the "Anti-dumping Regulations of the People's Republic of China" and the relevant provisions of the "Provisional Rules on Review in the Dumping and Dumping Margin Period" issued by the Ministry of Commerce, the Ministry of Commerce shall, on the qualification of the applicant, apply for the investigation of the export price and normal value of the products, The implementation of measures such as the necessity of anti-dumping measures carried out the review of the situation and asked domestic industry applicants to submit additional evidence. Domestic industry applicants submitted the relevant materials within the prescribed time limit.

On November 22, 2016, MOFCOM issued a case filing and decided to conduct a mid-term review of dumping and dumping duties on the anti-dumping measures applicable to imported solar grade polysilicon originating in South Korea (hereinafter referred to as the investigated product). The scope of this review survey is the normal value of imported solar grade polysilicon originating in South Korea, export prices and dumping margin. The surveyed products surveyed were the same as the investigated products of the original anti-dumping measures, namely, solar grade polysilicon. The product is classified as "People's Republic of China Import and Export Tariff": 28046190. The electronic grade polysilicon used for the production of semiconductor products such as integrated circuits and discrete devices under the tariff number is not within the range of products under review for this review.

According to the findings of a review of the dumping and dumping margins of imported solar grade polysilicon originating in South Korea, the Ministry of Commerce proposed to the Tariff Commission of the State Council to amend the relevant anti-dumping duties. Pursuant to Article 50 of the "Anti-dumping Regulations of the People's Republic of China" and the Provisional Rules for Review in the Dumping and Dumping Margin Period of the Ministry of Commerce, the relevant matters are hereby announced as follows:

First, review the verdict

After investigation, the Ministry of Commerce ruled that in the current investigation and investigation period, there was dumping of the investigated product.

Second, impose anti-dumping duties

According to the relevant provisions of the "Anti-dumping Regulations of the People's Republic of China", the Tariff Commission of the State Council decides that from November 22, 2017, the anti-dumping duty on imported solar grade polysilicon originating in Korea will be adjusted to:

1. OCI Company Ltd. 4.4%
2. South Korea's Silicon Industry Co., Ltd. (Hankook SiliconCo., Ltd.) 9.5%
3. Hanwha Chemical Corporation 8.9%
4. SMP Ltd. 88.7%
5. Woongjin Polysilicon Co., Ltd. 113.8%
6. KCC Corp. and Korean Advanced Materials (KAM Corp.) 113.8%
7. Innovation Silicon Co., Ltd. 113.8%
8. Other Korean companies 88.7%

Third, the method of imposing anti-dumping duties

Since November 22, 2017, importers should pay corresponding customs duties to the Customs of the People's Republic of China when importing surveyed products. Anti-dumping duties to the Customs examination of the dutiable value ad valorem calculation, the formula is: anti-dumping duties = customs duty-paid price × anti-dumping duty rate. Import value-added tax to customs duty-bound dutiable value plus duties and anti-dumping duties as the tax price ad valorem.

Fourth, the administrative reconsideration and administrative litigation

According to Article 53 of the "Anti-Dumping Regulations of the People's Republic of China", if the party refuses to accept the review decision, it may apply for administrative reconsideration in accordance with the law and may also institute legal proceedings in the people's court according to law.

V. This announcement will be implemented on November 22, 2017

Attachment: [Decision of the Ministry of Commerce of the People's Republic of China on Reviewing the Dumping and Dumping Period of Imported Solar Grade Polycrystalline Originating in Korea.pdf](#)