

...Announcement of the Ministry of Commerce No. 1 of 2020 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: {{source}} {{time}} Article type: {{atype}} Content category: {{contype}}

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

On January 18, 2019, the Ministry of Commerce issued Announcement No. 2 of 2019, deciding to conduct a final review investigation of the anti-dumping measures applicable to imported solar-grade polysilicon originating in the United States and South Korea from January 20, 2019.

The Ministry of Commerce has investigated the possibility of dumping and damage to the domestic solar-grade polysilicon industry from imported solar-grade polysilicon originating in the United States and South Korea if the anti-dumping measures are terminated. (Hereinafter referred to as the "Anti-dumping Regulations") Article 48 makes a review ruling (see annex). The related matters are announced as follows:

I. Review ruling

The Ministry of Commerce has ruled that if the anti-dumping measures are terminated, dumping of imported solar-grade polysilicon from the United States and South Korea on China may continue or reoccur, and damage to the domestic solar-grade polysilicon industry may continue or reoccur.

Second, anti-dumping measures

According to Article 50 of the Anti-dumping Regulations, the Ministry of Commerce proposed to the State Council Customs Tariff Commission the implementation of anti-dumping measures based on the results of the investigation. The State Council Customs Tariff Commission made a decision based on the recommendation of the Ministry of Commerce. Anti-dumping duties will continue to be imposed on imported solar-grade polysilicon originating in the United States and South Korea, with an implementation period of five years.

The product range for which anti-dumping duties are levied is the product to which the original anti-dumping measures apply, which is consistent with the product range in the 2014 Announcement No. 5 of the Ministry of Commerce. details as follows:

Name of the product under investigation: solar-grade polysilicon. English name: Solar-Grade Polysilicon.

Specific description of the products under investigation: rod-shaped polysilicon, bulk polycrystalline silicon, and granular polycrystalline silicon products produced using chlorosilane as a raw material and (improved) Siemens and silane processes are used to produce crystalline silicon photovoltaic cells.

The electrical parameters of the products under investigation are: resistivity of basic phosphorus $<300 \text{ ohm} \cdot \text{cm} (\Omega \cdot \text{cm})$; resistivity of basic boron $<2600 \text{ ohm} \cdot \text{cm} (\Omega \cdot \text{cm})$; carbon concentration $> 1.0 \times 10^{16} (\text{at} / \text{cm}^3)$; Type minority carrier lifetime $<500\mu\text{s}$; donor impurity concentration $> 0.3 \times 10^{-9}$; acceptor impurity concentration $> 0.083 \times 10^{-9}$.

Main use: It is mainly used for the production of solar-grade single crystal silicon rods and directional solidified polycrystalline silicon ingots, and is the main raw material for the production of crystalline silicon photovoltaic cells.

The product is classified under the "Import and Export Tariff of the People's Republic of China": 28046190. Electronic grade polysilicon used in the production of semiconductor products such as integrated circuits and discrete devices under this tariff code is not within the scope of this survey.

The anti-dumping tax rate will continue to be the same as the Ministry of Commerce Announcement No. 5 of 2014 and the Ministry of Commerce Announcement No. 78 of 2017. details as follows:

American company

1. REC Solar Grade Silicon Co., Ltd. 57%

(REC Solar Grade Silicon LLC)

2. REC Advanced Silicon Materials Co., Ltd. 57%

(REC Advanced Silicon Materials LLC)

3. Hemlock Semiconductor 53.3%

(Hemlock Semiconductor Corporation)

4. MEMC Pasadena Ltd. 53.6%

(MEMC Pasadena, Inc.)

5. AE Polysilicon Corporation 57%

6. Other U.S. companies 57%

(All Others)

Korean company

1. OCI Corporation 4.4%

(OCI Company Ltd.)

2. Korea Silicon Corporation 9.5%

(Hankook Silicon Co., Ltd.)

3. Hanwha Chemical Co., Ltd. 8.9%

(Hanwha Chemical Corporation)

4. SMP Corporation 88.7%

(SMP Ltd.)

5. Xiongjin Polysilicon Co., Ltd. 113.8%

(Woongjin Polysilicon Co., Ltd.)

6. KCC Corp. and Korean Advanced Materials 113.8%

(KAM Corp.)

7. InnovationSilicon Co., Ltd. 113.8%

8. Other Korean companies 88.7%

(All Others)

Methods of Levying Anti-dumping Duties

From January 20, 2020, import operators shall pay corresponding anti-dumping duties to the customs of the People's Republic of China when importing imported solar-grade polysilicon originating in the United States and South Korea. Anti-dumping tax is levied at the customs-paid value-added price. The calculation formula is: anti-dumping tax amount = customs duty-paid price × anti-dumping tax rate. The import value-added tax is levied ad valorem by paying the customs-approved price plus customs and anti-dumping duties as the taxable price.

4. Administrative review and administrative litigation

According to Article 53 of the "Anti-dumping Regulations", if you disagree with this review decision, you may apply for administrative reconsideration in accordance with the law or file a lawsuit in a people's court.

This announcement will be implemented from January 20, 2020.

Attachment: Ministry of Commerce of the People's Republic of China's final review ruling on anti-dumping measures applicable to imported solar-grade polysilicon originating in the United States and South Korea

Ministry of Commerce

January 19, 2020