

MESSAGE NO: 4363301 MESSAGE DATE: 12/29/2014
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: FIN-Final Determination PUBLIC NON-PUBLIC
SUB-TYPE: AFF-Affirmative
FR CITE: 79 FR 76966 FR CITE DATE: 12/23/2014

REFERENCE
MESSAGE #
(s):

CASE #(s): A-583-853

EFFECTIVE DATE: 12/23/2014 COURT CASE #:
PERIOD OF REVIEW: 10/01/2012 TO 09/30/2013
PERIOD COVERED: TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: Notice of final determination in the antidumping duty investigation of certain crystalline silicon photovoltaic products from Taiwan (A-583-853)

1. On 12/23/2014, Commerce published in the Federal Register (79 FR 76966) its final affirmative determination of sales at less-than-fair-value in the antidumping duty investigation of certain crystalline silicon photovoltaic products from Taiwan (A-583-853).

2. The products covered by this investigation are described below:

The merchandise covered by this investigation is crystalline silicon photovoltaic cells, and modules, laminates and/or panels consisting of crystalline silicon photovoltaic cells, whether or not partially or fully assembled into other products, including building integrated materials.

Subject merchandise includes crystalline silicon photovoltaic cells of thickness equal to or greater than 20 micrometers, having a p/n junction formed by any means, whether or not the cell has undergone other processing, including, but not limited to, cleaning, etching, coating, and/or addition of materials (including, but not limited to, metallization and conductor patterns) to collect and forward the electricity that is generated by the cell.

Modules, laminates, and panels produced in a third-country from cells produced in Taiwan are covered by this investigation. However, modules, laminates, and panels produced in Taiwan from cells produced in a third-country are not covered by this investigation.

Excluded from the scope of this investigation are thin film photovoltaic products produced from amorphous silicon (a-Si), cadmium telluride (CdTe), or copper indium gallium selenide (CIGS). Also excluded from the scope of this investigation are crystalline silicon photovoltaic cells, not exceeding 10,000mm² in surface area, that are permanently integrated into a consumer good whose function is other than power generation and that consumes the electricity generated by the integrated crystalline silicon photovoltaic cells. Where more than one cell is permanently integrated into a consumer good, the surface area for purposes of this exclusion shall be the total combined surface area of all cells that are integrated into the consumer good.

Further, also excluded from the scope of this investigation are any products covered by the existing antidumping and countervailing duty orders on crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China ("PRC") (See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Amended Final Determination of Sales at Less Than Fair Value, and Antidumping Duty Order, 77 FR 73018 (December 7, 2012); Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China: Countervailing Duty Order, 77 FR 73017 (December 7, 2012).) Also excluded from the scope of this investigation are modules, laminates, and panels produced in the PRC from crystalline silicon photovoltaic cells produced in Taiwan that are covered by an existing proceeding on such modules, laminates, and panels from the PRC.

Merchandise covered by this investigation is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") under subheadings 8501.61.0000, 8507.20.8030, 8507.20.8040, 8507.20.8060, 8507.20.8090, 8541.40.6020, 8541.40.6030 and 8501.31.8000. These HTSUS subheadings are provided for convenience and customs purposes; the written description of the scope of this investigation is dispositive.

3. This investigation has been assigned investigation number A-583-853.

4. For imports of certain crystalline silicon photovoltaic products from Taiwan, CBP shall continue to suspend liquidation of such shipments entered, or withdrawn from warehouse, for consumption on or after 07/31/2014. Effective 12/23/2014, CBP shall require, for such entries, a cash deposit equal to the margins for the producer(s) and/or exporter(s) listed below:

Producer and/or Exporter: Gintech Energy Corporation

Case number: A-583-853-001

Cash deposit rate: 27.55%

Producer and/or Exporter: Motech Industries, Inc.

Case number: A-583-853-002

Cash deposit rate: 11.45%

All Others

Case Number: A-583-853-000

Cash Deposit Rate: 19.50%

5. If any entries of this merchandise are exported by a firm other than the producer, then the

following instructions apply:

- A. If the exporter of the subject merchandise does not have its own rate but the producer has its own rate, the cash deposit will be the producer's rate.

 - B. Where neither the exporter nor the producer currently has its own rate or the producer is unknown, use the all-others rate of 19.50 percent to establish the cash deposit.
6. If there are any questions by the importing public regarding this message, please contact the Call Center for the Office of AD/CVD Operations, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce at (202) 482-0984. CBP ports should submit their inquiries through authorized CBP channels only. (This message was generated by O4:CJR.)
7. There are no restrictions on the release of this information.

Michael B. Walsh

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party