

MESSAGE NO: 6123301 MESSAGE DATE: 05/02/2016
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: ALIWE-Auto Liq Exception

FR CITE: 81 FR 20324 FR CITE DATE: 04/07/2016

REFERENCE MESSAGE # (s): 5055305, 5152302, 5152303, 6004302, 6081301

CASE #(s): A-570-010

EFFECTIVE DATE: 04/07/2016 COURT CASE #:

PERIOD OF REVIEW: 07/31/2014 TO 01/31/2016

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 04/07/2016

TO: { Directors Of Field Operations, Port Directors }

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

RE: Automatic liquidation instructions for certain crystalline silicon photovoltaic products from the PRC for the for the periods 7/31/2014 through 1/26/2015 and 2/10/2015 through 1/31/2016 (A-570-010)

1. Commerce does not automatically conduct administrative reviews of antidumping duty orders. Instead, reviews must be requested pursuant to section 751(a)(1) of the Tariff Act of 1930, as amended, and in accordance with 19 CFR 351.213.

2. Commerce has not received a request for an administrative review of the antidumping duty order for the period and on the merchandise identified below except for the firms listed in paragraph 3. Therefore, in accordance with 19 CFR 351.212(c), you are to liquidate all entries for all firms except those listed in paragraph 3 and assess antidumping duties on merchandise entered, or withdrawn from warehouse, for consumption at the cash deposit or bonding rate in effect on the date of entry.

3. Entries of merchandise of the firms listed below should not be liquidated until specific instructions are issued. Continue to suspend liquidation of all entries of merchandise exported by the listed firms entered, or withdrawn from warehouse, for consumption during the periods 7/31/2014 through 1/26/2015 and 2/10/2015 through 1/31/2016.

Company: Changzhou Trina Solar Energy Co., Ltd./Trina Solar (Changzhou) Science & Technology Co., Ltd.

Case number: A-570-010-001

Entries may also have been made under A-570-010-000.

Company: Renesola Jiangsu Ltd./Renesola Zhejiang Ltd./Jinko Solar Co. Ltd./Jinko Solar Import and Export Co., Ltd.

Case number: A-570-010-002

Entries may also have been made under A-570-010-000.

Company: BYD (Shangluo) Industrial Co., Ltd.

Case number: A-570-010-006

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Entries may also have been made under A-570-010-000.

Company: Canadian Solar International Limited

Case number: A-570-010-007

Entries may also have been made under A-570-010-000.

Company: Canadian Solar Manufacturing (Changshu), Inc.

Case number: A-570-010-008

Entries may also have been made under A-570-010-000.

Company: Canadian Solar Manufacturing (Luoyang) Inc.

Case number: A-570-010-009

Entries may also have been made under A-570-010-000.

Company: Chint Solar (Zhejiang) Co., Ltd.

Case number: A-570-010-012

Entries may also have been made under A-570-010-000.

Company: Hefei JA Solar Technology Co., Ltd.

Case number: A-570-010-018

Entries may also have been made under A-570-010-000.

Company: Perligh Solar Co., Ltd.

Case number: A-570-010-028

Entries may also have been made under A-570-010-000.

Company: Risen Energy Co., Ltd.

Case number: A-570-010-029

Entries may also have been made under A-570-010-000.

Company: Shanghai JA Solar Technology Co., Ltd.

Case number: A-570-010-030

Entries may also have been made under A-570-010-000.

Company: Shenzhen Sungold Solar Co., Ltd.

Case number: A-570-010-033

Entries may also have been made under A-570-010-000.

Company: Sunny Apex Development Ltd.

Case number: A-570-010-036

Entries may also have been made under A-570-010-000.

Company: Wuxi Suntech Power Co., Ltd.

Case number: A-570-010-041

Entries may also have been made under A-570-010-000.

Company: Yingli Energy (China) Company Limited

Case number: A-570-010-042

Entries may also have been made under A-570-010-000.

Company: Yingli Green Energy International Trading Limited

Case number: A-570-010-043

Entries may also have been made under A-570-010-000.

Company: Baoding Jiasheng Photovoltaic Technology Co. Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Baoding Tianwei Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Beijing Tianneng Yingli New Energy Resources Co. Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Hainan Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Hengshui Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Lixian Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Shenzhen Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Tianjin Yingli New Energy Resources Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Zhejiang Jinko Solar Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Shanghai BYD Co., Ltd.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

Company: Canadian Solar Inc.

No case number was in place for this company during the period of review.

Entries may also have been made under A-570-010-000.

CBP officers must also examine entries under A-570-010-000 and all existing company-specific case numbers to ensure the continued suspension of liquidation of entries during the applicable period of review for the exporters listed above.

4. Entries for the period 01/27/2015 through 02/09/2015, should be liquidated via message 5055305, dated 02/24/2015.

5. The injunction with 15-00080 in message number 6081301, dated 03/21/2016, is applicable to entries which were exported by either Jinko Solar Co. Ltd. or Jinko Solar Import & Export Co., Ltd., and imported by JinkoSolar (U.S.) Inc.; and were suspended pursuant to Department of Commerce case number A-570-010; and were entered or withdrawn from warehouse, for consumption from 7/31/2014 through 1/26/2015 and from 2/10/2015 through 1/31/2016. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

6. The injunctions with court numbers 15-00083 and 15-00088 (now consolidated under court Message Date: 05/02/2016 Message Number: 6123301 Page 5 of 8

number 15-00067) in message number 6004302, dated 01/04/2016, are applicable to the entries imported by SunPower Corporation, Systems; and were suspended pursuant to Department of Commerce case number A-570-010; and were entered, or withdrawn from warehouse, for consumption from 7/31/2014 through 1/26/2015 and from 2/10/2015 through 1/31/2016. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

7. The injunctions with court number 15-00083 and 15-00088 (now consolidated under court number 15-00067) in message number 5152302, dated 06/01/2015, are applicable to the entries imported by SunPower Corporation; and were suspended pursuant to Department of Commerce case number A-570-010; and were entered, or withdrawn from warehouse, for consumption from 7/31/2014 through 1/26/2015 and from 2/10/2015 through 1/31/2016. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

8. The injunction with court number 15-00071 in message number 5152303, dated 06/01/2015 is applicable to the entries imported into the United States by Suniva, Inc.; and were suspended pursuant to Department of Commerce case number A-570-010; and were entered, or withdrawn from warehouse, for consumption from 7/31/2014 through 1/26/2015 and from 2/10/2015 through 1/31/2016. Accordingly, until further notice continue to suspend liquidation of these entries until liquidation instructions are issued.

9. Notice of the lifting of suspension of liquidation of entries of subject merchandise covered by paragraph 2 occurred with the publication of the notice of initiation of administrative review for the 02/2016 anniversary month (81 FR 20324, 04/07/2016). Unless instructed otherwise, for all other shipments of certain crystalline silicon photovoltaic products from the People's Republic of China you shall continue to collect cash deposits of estimated antidumping duties for the merchandise at the current rates.

10. The assessment of antidumping duties by CBP on shipments or entries of this merchandise is subject to the provisions of section 778 of the Tariff Act of 1930, as amended. Section 778 requires that CBP pay interest on overpayments or assess interest on underpayments of the required amounts deposited as estimated antidumping duties. The interest provisions are not applicable to cash or bonds posted as estimated antidumping duties before the date of publication of the antidumping duty order. Interest shall be calculated from the date payment of estimated antidumping duties is required through the date of liquidation. The rate at which such interest is payable is the rate in effect under section 6621 of the Internal Revenue Code of 1954 for such period.

11. Upon assessment of antidumping duties, CBP shall require that the importer provide a reimbursement statement, as described in section 351.402(f)(2) of Commerce's regulations. The importer should provide the reimbursement statement prior to liquidation of the entry. If the importer certifies that it has an agreement with the producer, seller, or exporter, to be reimbursed antidumping and/or countervailing duties, CBP shall double the antidumping duties and/or increase the antidumping duty by the amount of the countervailing duties in accordance with the above-referenced regulation. Additionally, if the importer does not provide the reimbursement statement prior to liquidation, reimbursement shall be presumed and CBP shall double the antidumping duties due. If an importer timely files a protest challenging the presumption of reimbursement and doubling of duties, consistent with CBP's protest process, CBP may accept the reimbursement statement filed with the protest to rebut the presumption of reimbursement.

12. 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:JDP.)

13. There are no restrictions on the release of this information.

Alexander Amdur

Company Details

*Party Indicator Value:

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