

Source: International Trade Reporter: News Archive > 2015 > 07/09/2015 > Americas/NAFTA > Dumping: Canadian Agency Finds Potential Injury Of Dumped, Subsidized Chinese Solar Panels

32 ITR 1243

### Dumping

## Canadian Agency Finds Potential Injury Of Dumped, Subsidized Chinese Solar Panels



By Peter Menyasz

July 7 — Dumped and subsidized Chinese solar energy equipment exports pose a threat of injury to Canadian producers, the Canadian International Trade Tribunal said.

While the dumped and subsidized imports of certain photovoltaic modules and laminates have not yet caused injury to domestic manufacturers, they are threatening to cause injury, supporting the application of dumping and countervailing duties, the agency said July 3 in a notice.

The final injury finding follows on the Canada Border Services Agency's June 5 final determination that Chinese domestic prices for solar energy equipment are substantially lower than would be the case under competitive conditions (32 ITR 1071, 6/11/15).

The CITT is to issue a statement of reasons for its findings by July 18.

The border agency found average Chinese domestic prices for the specified solar energy equipment were 18.3 percent lower than for comparable goods in Germany and 20.5 percent lower than prices in Japan and Korea. It applied duties ranging from 9.14 percent to 202.5 percent for the nine exporters who responded to its questionnaire and at 286.1 percent for all other Chinese exporters, based on an estimated margin of dumping of 202.0 percent and an estimated subsidy amount of 84.1 percent.

The dumping and countervailing duties apply to certain photovoltaic modules and laminates consisting of crystalline silicon photovoltaic cells, usually classified under Harmonized System number 8541.40.00.22, including laminates shipped or packaged with other components of photovoltaic modules and thin-film photovoltaic products produced from amorphous silicon, cadmium telluride or copper indium gallium selenide.

The investigations by the CBSA and CITT had exempted modules, laminates or thin-film products with a power output of less than 100 watts, as well as those incorporated into electrical goods not used for power generation or that consume the electricity generated by the photovoltaic product. The CITT's injury determination added an exclusion for 195-watt monocrystalline photovoltaic modules made of 72 monocrystalline cells in which each cell is no more than 5 inches in width and height.

The CBSA launched in December 2014 an investigation into imports of the Chinese products, based on a complaint filed by four Ontario manufacturers—Toronto-based Eclipsall Energy Corp., Sault St. Marie-based Heliene Inc., Mississauga-based Silfab Ontario Ltd. and Woodbridge-based Solgate Inc.

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### BNA Snapshot

#### Canadian Solar Panel Imports

**Key Development:** Canadian agency finds dumped and subsidized Chinese solar panels pose risk of injury to domestic producers.

**Next Step:** Agency will release reasons for finding by July 18.

### For More Information

The notice is available at <http://www.citt.gc.ca/en/node/7363>.

Contact us at <http://www.bna.com/contact/index.html> or call 1-800-372-1033

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