

MOFCOM Announcement No. 15 of 2015 on the Preliminary Ruling of the Anti-dumping Case of Imports of Optical Fiber Preform Originated in Japan and the U.S.
May 21, 2015 - 15:14 BJT (19:14 GMT) MOFCOM

In accordance with the provisions of the Regulations of the People's Republic of China on Anti-dumping (hereinafter referred to as the "Anti-dumping Regulations"), on March 19, 2014, the Ministry of Commerce (hereinafter referred to as the "Investigation Authority") issued an annual announcement No. 17 of 2014, deciding to initiate anti-dumping investigations into the imports of optical fiber preform originated in Japan and the U.S. (hereinafter referred to as the "Product under Investigation").

The Investigation Authority has implemented investigations into the existence of dumping and dumping margin and the injury to domestic industry in China by the Product under Investigation, the extent thereof and the causality between dumping and injury. According to findings of the investigations and Article 24 of the Anti-dumping Regulations, the Investigation Authority makes its preliminary ruling (See the Annex). Relevant matters are hereby announced as follows:

I. Preliminary ruling

It is preliminarily ruled by the Investigation Authority that, the imports of optical fiber preform originated in Japan and the U.S. was involved in dumping and the industry of optical fiber preform in China was materially injured, and there was causality between the dumping and material injury.

II. Collection of security deposit

In accordance with Articles 28 and 29 of the Anti-dumping Regulations, the Investigation Authority decided to take a provisional anti-dumping measure by collection of security deposit. Since May 22, 2015, the import operators, when importing the Product under Investigation, shall pay corresponding security deposits to the Customs of the People's Republic of China in light of dumping margin determined by this preliminary ruling.

Scope of investigation: Imports of optical fiber preform originated in Japan and the U.S.

Name of products under investigation: 光纤预制棒; or Optical Fiber Preform or Fiber Preform in English

Detailed description: Optical fiber preform is a kind of quartz glass with specific refractive index of section that is used to manufacture photoconductive fibers (optical fibers).

Main usage: It is mainly used to manufacture photoconductive fibers (optical fibers). The optical fibers manufactured are used for optical signal transmission of various optical fiber cable structures.

The product is included under tariff number of 70022010 in the Customs Import and Export Tariff of the People's Republic of China.

Rates of deposit imposed on companies are as follows:

Japanese companies:

1. Shin-Etsu Chemical Co., Ltd. 8.9%
2. Sumitomo Electric Industries, Ltd. 7.8%
3. Fujikura Ltd. 8.3%
4. Furukawa Electric Co., Ltd. 8.3%
5. ALL Others 8.9%

U.S. companies:

1. Corning Incorporated 39.0%
2. OFS Fitel, LLC. 16.9%
3. ALL Others 39.0%

HaraeusTenevo LLC and other U.S. companies currently not listed, the rates of deposit imposed on other companies shall apply.

III. Methods of deposit collection

As of May 22, 2015, import operators shall, according to the dumping margin of each company as determined in this preliminary ruling, pay relevant deposits to the Customs of the People's Republic of China when importing optical fiber preform originated in Japan and the U.S. The deposit shall be levied by means of ad valorem on the basis of dutiable value authorized by the Customs, and the calculation formula is: $\text{Deposit} = (\text{dutiable value authorized by the Customs} \times \text{rate of deposit}) \times (1 + \text{rate of import value-added tax})$.

IV. Comments and Submission of New Evidence

All interested parties may, within 20 days as of the issuance of this Announcement, submit their written comments attached with relevant evidence to the Investigation Authority, which will consider the same according to the law. For evidence that is not submitted within the specified time limits required herein and in the questionnaire (including supplementary ones), due to the time limit of investigation, the Investigation Authority will not consider such evidence.

Annex: Preliminary Ruling of Ministry of Commerce of the People's Republic of China against imports of optical fiber preform originated in Japan and the U.S.

Ministry of Commerce of the People's Republic of China

May 18, 2015

(Translated by Hou Zuwei)

(All information published in this website is authentic in Chinese. English is provided for reference only.)