



A-583-853
Administrative Review
POR: 02/01/2018 – 01/31/2019
Public Document
E&C/OIV: TM

March 17, 2020

MEMORANDUM TO: Jeffrey I. Kessler
Assistant Secretary
for Enforcement and Compliance

FROM: James Maeder
Deputy Assistant Secretary
for Antidumping and Countervailing Duty Operations

SUBJECT: Issues and Decision Memorandum for the Final Results of the
2018-2019 Administrative Review of the Antidumping Duty Order
on Certain Crystalline Silicon Photovoltaic Products from Taiwan,
and Final Determination of No Shipments

I. SUMMARY

The Department of Commerce (Commerce) analyzed the comments of the interested parties in the 2018-2019 administrative review of the antidumping duty (AD) order on certain crystalline silicon photovoltaic products (solar products) from Taiwan. As a result of our analysis, we made no changes to the margin calculation for the collapsed entity of Sino-American Silicon Products Inc., Solartech Energy Corp entity and Sunshine PV Corporation (SAS-SEC), the sole mandatory respondent with reviewable transactions in this administrative review. We recommend that you approve the positions described in the “Discussion of Issues” section of this memorandum. Below is a complete list of issues in this administrative review for which we received comments from interested parties:

Comment 1: Win Win Precision Technology Co., Ltd. Name Correction

Comment 2: Corrections for Third-Country Case Numbers for Several Companies

II. BACKGROUND

On December 26, 2019, Commerce published the *Preliminary Results* of this administrative review.¹ The period of review (POR) is February 1, 2018 through January 31, 2019.

¹ See *Certain Crystalline Silicon Photovoltaic Products From Taiwan: Preliminary Results of Antidumping Duty Administrative*



We invited interested parties to comment on the *Preliminary Results*.² On January 21, 2020 and January 27, 2020, we received case briefs from Win Win Precision Technology Co., Ltd. (Win Win)³ and Peimar Industries Srl., (Peimar)⁴ respectively. We received no rebuttal briefs. After analyzing the comments received, Commerce made no changes to the weighted-average dumping margins for SAS-SEC or any other respondent presented in the *Preliminary Results*, however, we: (1) corrected the name of Win Win in the rate table presented in the *Preliminary Results*;⁵ and (2) added certain company-specific third-country case numbers presented in draft U.S. Customs and Border Protection (CBP) instructions that we released for comment.⁶

III. DISCUSSION OF THE ISSUES

Comment 1: Win Win Precision Technology Co., Ltd. Name Correction

Win Win's Case Brief

- Commerce made a typographical error affecting Win Win's name in the *Preliminary Results*.⁷ The company should have been identified as "Win Win Precision Technology Co., Ltd." rather than "Win Precision Technology Co., Ltd.."⁸

No other party commented on this issue.

Commerce's Position: We agree with Win Win. For the final results, we have corrected the rate table in the *Federal Register* notice dated concurrently with this memorandum to reflect the correct name, "Win Win Precision Technology Co., Ltd."

Comment 2: Corrections for Third-Country Case Numbers for Several Companies

Peimar's Case Brief

- Commerce omitted five third-country company-specific case numbers for certain Taiwan producers and/or exporters of subject merchandise that ship subject merchandise from Italy, from the draft cash deposit instructions released for comment in the *Preliminary Results*.⁹

No other party commented on this issue.

Review and Preliminary Determination of No Shipments; 2018–2019, 84 FR 70943 (December 26, 2019) (*Preliminary Results*).

² *Id.*, 84 FR at 70945.

³ See Win Win's Letter, "Certain Crystalline Silicon Photovoltaic Products from Taiwan: Case Brief," dated January 21, 2020 (Win Win's Case Brief).

⁴ See Peimar's Letter, "Certain Crystalline Silicon Photovoltaic Products from Taiwan: Case Brief," dated January 27, 2020 (Peimar's Case Brief).

⁵ See Comment 1.

⁶ See Comment 2.

⁷ See *Preliminary Results*, 84 FR at 70945.

⁸ See Win Win's Case Brief at 2.

⁹ See Peimar's Case Brief at 2-3; see also Memorandum, "Draft Customs Instructions," dated December 19, 2019 at 9.

Commerce's Position: We agree with Peimar. For the purposes of its cash deposit and liquidation instructions to CBP, Commerce issues third-country company-specific case numbers for Taiwan producers and/or exporters of subject merchandise that ship subject merchandise from third countries to the United States (*i.e.*, subject merchandise not shipped directly from Taiwan). On September 10, 2019, at Peimar's request,¹⁰ Commerce created six third-country company-specific case numbers for certain Taiwan producers and/or exporters of subject merchandise that ship subject merchandise from Italy, specifically TSEC Corporation, EEPV Corp., Inventec Solar Energy Corp., Motech Industries Inc., United Renewable Energy Co., Ltd and SAS-SEC.¹¹ The draft cash deposit and liquidation instructions released for comment at the *Preliminary Results* stage did not reference these case numbers. For the final results, we have included in the draft cash deposit instructions for CBP the Italy case numbers for the five companies cited by Peimar. We further note that Commerce created additional third-country company-specific case numbers on April 16, 2019,¹² May 31, 2019,¹³ June 19, 2019,¹⁴ and January 31, 2020,¹⁵ that will also be included in our cash deposit instructions.

IV. RECOMMENDATION

Based on our analysis of the comments received, we recommend adopting all of the above positions. If this recommendation is accepted, we will publish the final results of this review in the *Federal Register*.

☒

Agree

☐

Disagree

X 

Signed by: JEFFREY KESSLER

Jeffrey I. Kessler
Assistant Secretary
for Enforcement and Compliance

¹⁰ See Peimar's Letter, "Request for Third-Country Exporter Rates for Certain Crystalline Silicon Photovoltaic Products from Taiwan (A-583-853) Imported from Italy (A-475-993)," dated August 23, 2019.

¹¹ See Barcode 3907031-01.

¹² See Barcode 3906928-02.

¹³ See Barcodes 3907031-03 and 3906928-01.

¹⁴ See Barcode 3907031-02.

¹⁵ See Barcode 3942582-01.