



Customs Flash Belgium

Latest news on anti-dumping claims for the import of photovoltaic modules (solar panels)



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On 5 December 2013, the European Commission published a regulation (1239/2013) with which an anti-dumping levy was introduced for photovoltaic modules (solar panels), originating in the Peoples Republic of China. These products are classified in GN-codes ex 8501 31 00, ex 8501 32 00, ex 8501 33 00, ex 8501 34 00, ex 8501 61 20, ex 8501 61 80, ex 8501 62 00, ex 8501 63 00, ex 8501 64 00 and ex 8541 40 90 (TARIC-codes 8501 31 00 81, 8501 31 00 89, 8501 32 00 41, 8501 32 00 49, 8501 33 00 61, 8501 33 00 69, 8501 34 00 41, 8501 34 00 49, 8501 61 20 41, 8501 61 20 49, 8501 61 80 41, 8501 61 80 49, 8501 62 00 61, 8501 62 00 69, 8501 63 00 41, 8501 63 00 49, 8501 64 00 41, 8501 64 00 49, 8541 40 90 21, 8541 40 90 29, 8541 40 90 31 and 8541 40 90 39).

The European Commission conducted an investigation (via OLAF) with regard to the origin of photovoltaic modules imported with a different origin than China. According to available information, the European Commission finds that the origin was declared incorrectly in quite a number of cases. This outcome is expected to lead to retroactive anti-dumping claims. As these levies are rather high, the amounts that will be claimed can also be high.

In the coming weeks, the customs authorities are likely to start issuing these retroactive duty claims.

What does it mean for you?

If the European Commission believes that incorrect/false certificates of origin are used upon the importation of the above products into the EU, the businesses concerned may face high additional duty claims.

What to do?

It is suggested to firstly assess the impact of any possible additional duty claims. Should this impact be substantial, it is essential to obtain from the customs authorities the information which led to these claims being issued. Doing so would help determine if these claims are correct and then examine the options available to fight these claims.

Deloitte's Customs and Global Trade team would be happy to assist in this process.

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