

[Translation]

MINISTRY OF COMMERCE OF THE PEOPLE'S REPUBLIC OF CHINA
Announcement No. 16 (2023)

On 21 April 2011, the Ministry of Commerce published the Announcement No. 17 (2011), and decided to impose antidumping measures against the imports of Dispersion Unshifted Single-mode Optical Fiber originating from the US and the EU for 5 years as of 22 April 2011. On 21 April 2017, the Ministry of Commerce published the Announcement No. 20 (2017), deciding to continue the anti-dumping measures against the imports of Dispersion Unshifted Single-mode Optical Fiber originating from the US and the EU for 5 years as of 22 April 2017. On 10 July 2018, the Ministry of Commerce published the Announcement No. 53 (2018), adjusting the anti-dumping margins applicable to the US companies to 33.3% - 78.2%.

In accordance with the Ministry of Commerce Announcement No. 3 (2021), the UK will no longer be treated as a member state of the EU in the trade remedy investigation and review cases newly initiated against the EU after 31 December 2020. On 21 April 2022, following the application of China's industry of Dispersion Unshifted Single-mode Optical Fiber, the Ministry of Commerce published the Announcement No. 12 (2022), and decided, as of 22 April 2022, to initiate an expiry review of the anti-dumping measures on the imports of Dispersion Unshifted Single-mode Optical Fiber originating from the US and the EU. The applicant did not apply for expiry review of the anti-dumping measures against the import of Dispersion Unshifted Single-mode Optical Fiber originating from the UK. As of 22 April 2022, the anti-dumping measures against the import of Dispersion Unshifted Single-mode Optical Fiber originating from the UK shall terminate.

The Ministry of Commerce conducted an investigation in the possibility that the dumping and damage of the imported Dispersion Unshifted Single-mode Optical Fiber originating from the US and the EU to the domestic industry of Dispersion Unshifted Single-mode Optical Fiber will continue or reoccur if the anti-dumping measures were terminated, and made determination of the expiry review (see annex) in accordance with Article 48 of *Anti-Dumping Regulation of the People's Republic of China* (hereafter referred to as *Anti-Dumping Regulation*).

1 Determination of the Review

The investigation authority determines that, if the antidumping measures were terminated, the dumping from imports of Dispersion Unshifted Single-mode Optical Fiber from US and the EU to the Chinese domestic industry would continue or reoccur, and the injury to the domestic industry would continue or reoccur.

2 Anti-dumping measures

In compliance with the provisions of Article 50 of *Anti-Dumping Regulation*, and based on the investigation result, the Ministry of Commerce submitted the proposal to continue the implementation of the anti-dumping measures to the Tariff Committee of the State Council. According to the proposal of the Ministry of Commerce, the Tariff Committee of the State Council decided, as of 22 April 2023, to continue to impose anti-dumping tariff on the imports of Dispersion Unshifted Single-mode Optical Fiber from US and the EU for 5 years.

[Translation]

The scope of products subject to anti-dumping duties is the products to which the original anti-dumping measures apply, which is consistent with the scope of products in the Ministry of Commerce Announcement No. 17 of 2011. Details are as follows:

Name: Dispersion Unshifted Single-mode Optical Fiber

Specific description: dispersion unshifted single-mode optical fiber is usually called G.652 fiber or G.652 single-mode fiber. It has both 1550nm and 1310nm windows. The zero dispersion point is near the 1310nm window, while the minimum attenuation is in the 1550nm window. It is characterized by zero dispersion when the wavelength is around 1310nm during design and manufacturing, and the minimum loss but the maximum dispersion at 1550nm. The typical loss of non dispersion shifted single-mode fiber in the above two windows is: the attenuation of 1310nm window is 0.3 ~ 0.4db/km, and the dispersion coefficient is 0 ~ 3.5ps/nm Km, the attenuation of 1550nm window is 0.19 ~ 0.25db/km, and the dispersion coefficient is 15 ~ 18ps / nm km.

Main applications: dispersion unshifted single-mode optical fiber has the advantages of low internal loss, large bandwidth, easy upgrading and capacity expansion and low cost. It can be widely used in high-speed and long-distance transmission, such as long-distance communication, trunk line, cable TV and loop feeder networks.

It is listed under the code 90011000 in the *Customs Import and Export Tariff of the People's Republic of China*. This investigation does not include other kinds of optical fibers, optical fiber bundles and optical cables under the tax code, and does not include ITU-T G.657 A / b optical fiber products.

In accordance with the Ministry of Commerce Announcement No.17 (2011), 20 (2017), and 53 (2018), the anti-dumping margins to be collected from each company are listed below.

US companies:

1. Corning Incorporated 37.9%
2. OFS Fitel, LLC 33.3%
3. Draka Communications Americas, Inc. 78.2%
4. All Others 78.2%

EU companies:

1. Draka Comteq France SAS 12.9%
2. Draka Comteq Fibre B.V. 12.9%
3. OFS Fitel Denmark ApS 29.1%
4. Fibre Ottiche Sud – F.O.S. S.r.l. 24.7%
5. All others 29.1%

3 Collection of anti-dumping duties

[Translation]

As of 22 April 2023, importers who import Dispersion Unshifted Single-mode Optical Fiber from US and the EU should pay applicable anti-dumping duties to the Customs of the People's Republic of China. Anti-dumping duties shall be assessed ad valorem, with the taxable value being the price CIF on the basis of the transaction price examined and ratified by the Customs; the formula for imposition is: level of anti-dumping duty= customs dutiable value x rate of anti-dumping duty. Sectoral import VAT shall be assessed ad valorem, with the taxable value being the price CIF which is on the basis of the transaction price examined and ratified by the Customs, plus duties and anti-dumping duties.

4 Administrative review and administrative litigation

In accordance with the provisions of Article 53 of the *Anti-Dumping Regulation of the People's Republic of China*, those who do not accept the final determination of this expiry review may lawfully apply for administrative review, and may also lawfully lodge a case with the People's Court.

5 The Announcement shall be taken into force as of 22 April 2023.

Ministry of Commerce of the People's Republic of China
21 April 2023

Annex: Ministry of Commerce determination of the expiry review of the anti-dumping measures against the imports of Dispersion Unshifted Single-mode Optical Fiber originating from the US and the EU