

**Ministry of Commerce of the People's Republic of China
Announcement No.12 (2022) on initiation of expiry review of the
anti-dumping measures against the imported Dispersion
Unshifted Single-Mode Optical Fiber originating from the US and
the EU**

<http://trb.mofcom.gov.cn/article/cs/202204/20220403306733.shtml>

On 21 April 2011, the Ministry of Commerce published the Announcement No. 17 (2011), deciding to impose 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 2011. On 21 April 2017, the Ministry of Commerce continued 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), deciding to adjust the dumping margin on US companies to 33.3%-78.2%.

In accordance with the Announcement No. 3 (2021) by the Ministry of Commerce, the trade remedy measures imposed on the EU before 31 December 2020 when the Brexit transition period ended will continue to apply to the EU and the UK, with the implementation period unchanged. Britain will no longer be treated as a member state of the EU in the trade remedy investigation and review cases newly initiated after 31 December 2020.

On 24 January 2022, the Ministry of Commerce received an application for an expiry review of the anti-dumping measures from Changfei optical fiber and cable Co., Ltd., Futong Group Co., Ltd., fenghuotengcang Optical Fiber Technology Co., Ltd., Jiangsu Hengtong Optical Fiber Technology Co., Ltd., Zhongtian Technology Optical Fiber Co., Ltd. and Chengdu Zhongzhu Optical Fiber Co., Ltd on behalf of Dispersion Unshifted Single-Mode Optical Fiber industry in China. The applicant pretested that if the anti-dumping measures were terminated, the dumping imports of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU would continue, and the dumping injury to the industry of China would continue. Therefore, the applicant requested the Ministry of Commerce to conduct expiry review on the anti-dumping measures against the import of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU, and maintain the anti-dumping measures against the imports of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU. The applicant did not request for expiry review on the anti-dumping measures against the import of Dispersion Unshifted Single-Mode Optical Fiber originating from the UK.

In accordance with the provisions of the *Anti-Dumping Regulation of the People's Republic of China*, the Ministry of Commerce made an investigation to the applicant qualification, the investigated products, the same kind of products in China, imports of the investigated products during the anti-dumping measures are taken, possibilities of continuation of dumping and possibilities of continuation of injury and related evidence. The prima facie evidences provided by the petitioner are in line with the provisions on industry and industrial representation from the Article 11, 13 and 17 of the *Anti-Dumping Regulation of the People's Republic of China*. The applicant is qualified to submit the application on behalf of the Dispersion Unshifted Single-Mode Optical Fiber industry in China. The investigation authority believes that the

applicant's claim and the prima facie evidence submitted meet the requirements of initiating an expiry review.

In compliance with provisions of Article 48 of *Anti-Dumping Regulation of the People's Republic of China*, The Ministry of Commerce decided to carry out an expiry review of anti-dumping measures against the imports of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU from 22 April 2022.

The relevant details are hereby made public as follows:

1. Continuation of the anti-dumping measures

According to the suggestions of Ministry of Commerce, the Customs Tariff Committee of the State Council has decided to continue the anti-dumping measures during the expiry review period to the imports of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU, according to the scope and tariff rate announced in the Ministry of Commerce Announcement No.17 (2011), 20 (2017), and 53 (2018). The anti-dumping measures against the import of Dispersion Unshifted Single-Mode Optical Fiber originating from the UK shall terminate as of 22 April 2022.

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%

2. Period of expiry review investigation

The dumping investigation period of the expiry review is set as 1 January 2021 to 31 December 2021. The industry injury investigation period is set as 1 January 2017 to 31 December 2021.

3. Scope of expiry review investigation

Product investigated during the expiry review is the same as the product to which the anti-dumping measures apply in Announcement No.17 (2011), 20 (2017), and 53 (2018) published by the Ministry of Commerce.

The name of the investigated product: Dispersion Unshifted Single-Mode Optical Fiber

Specific description: non dispersion shifted single-mode 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: non dispersive shifted single-mode 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 code of 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.

4. Content of review

The content of the review is if terminate the anti-dumping measures against the import of Dispersion Unshifted Single-Mode Optical Fiber originating from the US and EU, whether it leads to continuation or recurrence of dumping and industry injury.

5. Registration to intervene in the case

As concerns the dumping investigation, any interested party may, within 20 days of the publication of this Announcement, apply to the Bureau of Trade Remedy and Investigation of MOFCOM to intervene in the case. Interested parties should provide information according to the reference of registration form, such as basic identity information, quantity and value of the investigated products exported or imported into China, quantity and value of producing same kind products, and their relevance. The reference registration form can be downloaded from the website of the Trade Remedy and Investigation Bureau, MOFCOM.

The interested parties registered to participate in this anti-dumping investigation shall submit electronic version through the Trade Remedy and Investigation Information Platform (<http://etrb.mofcom.gov.cn>), and at the same time submit the written version according to the requirements of the Ministry of Commerce. The electronic version and the written version shall keep the same and consistent in terms of the content and the format.

The interested parties in the Notice refer to the individuals and organisations defined in the Article 19 of the *Anti-Dumping Regulation of the People's Republic of China*.

6. Access to Public Information

The interested parties can download from the website of the Trade Remedy and Investigation Bureau, MOFCOM or go to the Trade Remedy Public Information Office (phone number: 0086-10-65197878) to search, read and copy non-confidential documents of the case. During the investigation, the interested parties can download from relevant website or go to the Trade Remedy Public Information Office to search, read and copy public information of the case.

7. Comments to the case initiation

The interested parties can submit their comments to the Trade Remedy and Investigation Bureau of MOFCOM in written form within 20 days since the announcement is published if they would like to make comments on the product scope of the investigation, the standing of the petitioners, the alleged countries and other relevant issues.

8. Investigation Approaches

In accordance with the provisions in Article 20 of the *Anti-Dumping Regulation of the People's Republic of China*, The Ministry of Commerce can investigate by means of questionnaires, sampling, public hearing, on-the-spot verification etc.

In order to obtain the required information, MOFCOM will normally issue investigation questionnaire to interested parties within 10 working days since the deadline of the above-mentioned registration to participate in the investigation. The interested parties can download the questionnaire from the website of the Trade Remedy and Investigation Bureau of MOFCOM.

Interested parties shall submit complete and accurate questionnaire responses in specified time limit. The response shall include all information required by the questionnaire.

9. Submission and processing of Information

The interested parties, when submitting comments and questionnaires during the investigation, shall submit electronic version through the Trade Remedy and Investigation Information Platform (<http://etrb.mofcom.gov.cn>), and at the same time submit the written version according to the requirements of the Ministry of Commerce. The electronic version and the written version shall keep the same and consistent in terms of the content and the format.

For confidential information, interested parties can submit request and reason to MOFCOM for confidential processing of the information. If MOFCOM agrees to the request, the interested party should submit the non-confidential outline summary of the confidential information. The outline should include sufficient meaningful information to allow other interested parties to have reasonable understanding of the confidential information. If the interested party cannot provide the outline, it should clarify the reasons. If the interested party does not indicate confidential requests when submit information, MOFCOM will conduct the information as non-confidential.

10. Result of Non-cooperation

[Translation]

In accordance with the Article 21 of the *Anti-Dumping Regulation of the People's Republic of China*, the interested parties shall provide authentic information and relevant documentation to the Ministry of Commerce in the process of the investigation. In the event that any interested party does not provide authentic information and relevant documentation, or does not provide necessary information within a reasonable time limit, or significantly impedes the investigation in other ways, the Ministry of Commerce may make determinations on the basis of the facts already known and the best information available.

11 Investigation period

The investigation starts from 22 April 2022 and shall normally end before 22 April 2022.

12 Contact of MOFCOM

2 Dong Chang'An Jie, Beijing 100731

Import Investigation Division I, Trade Remedy and Investigation Bureau, MOFCOM

Tel. +86 10 65198053, 65198176

Fax +86 10 65198172

Relevant website: Trade Remedy and Investigation Bureau, MOFCOM

(<http://trb.mofcom.gov.cn>)

Ministry of Commerce

21 April 2022

Annex 1: Application for expiry review of the anti-dumping measures against Dispersion Unshifted Single-Mode Optical Fiber (public text)

[link](#)

Annex 2: Application for expiry review of the anti-dumping measures against Dispersion Unshifted Single-Mode Optical Fiber (public text) – annex

[link](#)

Annex 3: Reference registration form [link](#)