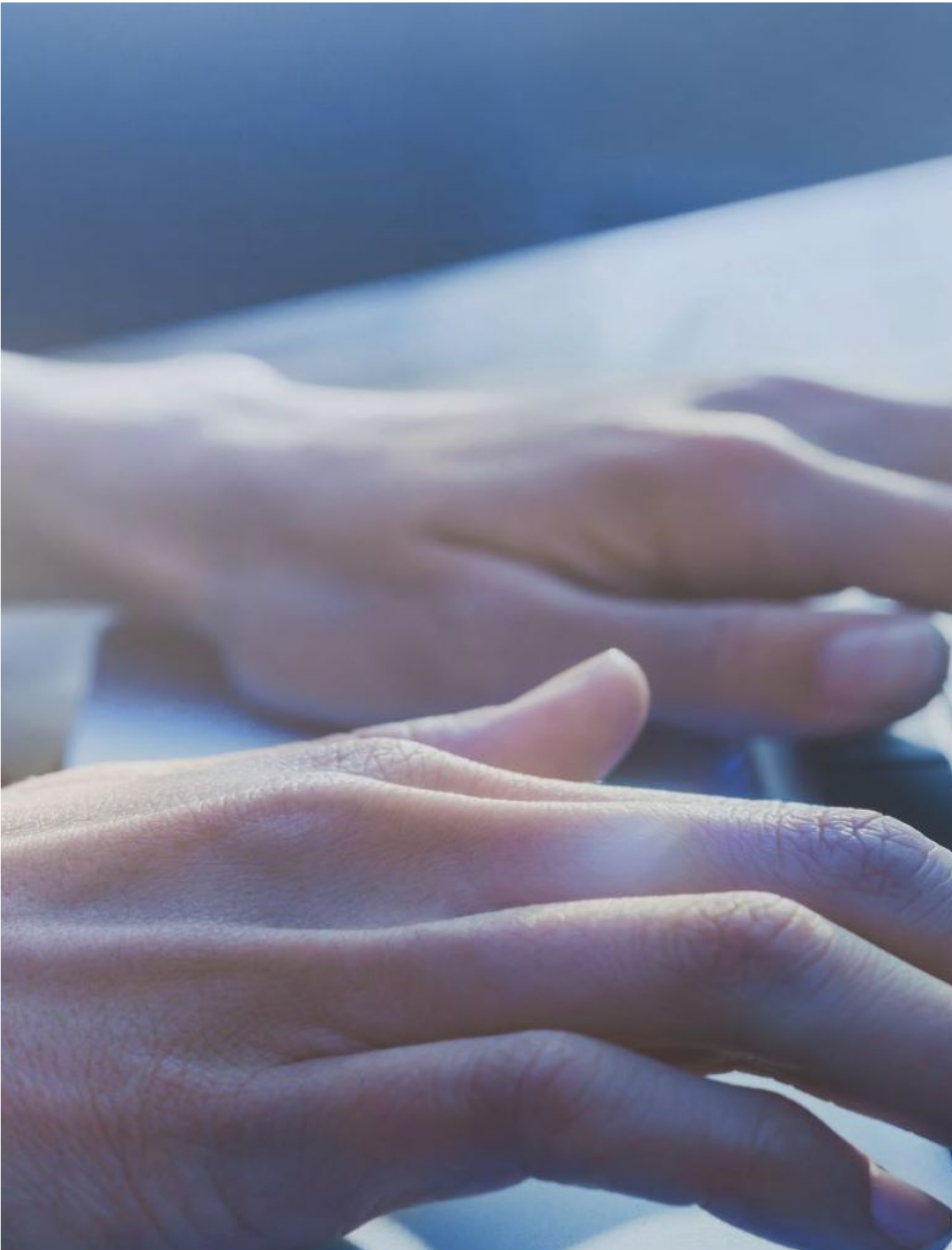




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# Reminder on Utilization Requirements for Solar Cells and Modules Imported from Cambodia, Malaysia, Thailand, and Vietnam

## Reminder on Utilization Requirements for Solar Cells and Modules Imported from Cambodia, Malaysia, Thailand, and Vietnam

On August 23, 2023, the Department of Commerce published the Final Scope Determination and Final Affirmative Determinations of Circumvention with Respect to Cambodia, Malaysia, Thailand, and Vietnam relating to the Antidumping and Countervailing Duty Orders on Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, From the People's Republic of China (88 FR 57419).

This determination provides, among other things, that “applicable entries” from Cambodia, Malaysia, Thailand, and Vietnam entering after November 15, 2022 and before the “date of termination” (June 6 2024) must be utilized (used or installed) in the United States by the “utilization expiration date,” 180 days after the date of termination (180 days after the earlier of 06/06/2024, or the date the emergency described in Presidential Proclamation 10414 is terminated). Such entries that are not utilized by the expiration date will be subject to antidumping and countervailing duties (AD/CVD).

Merchandise which remains in inventory or a warehouse in the United States after the utilization expiration date; is resold to another party; is subsequently exported; or is destroyed after importation is not considered utilized.

If subject imports are entered without the payment of the cash deposit of antidumping and countervailing duties, and do not meet the utilization requirements, importers should reach out to CBP to file a post summary correction with the AD/CVD cash deposit. For entries beyond the post summary correction timeline, importers may file a prior disclosure.

Importers should be prepared, upon request, to document to U.S. Customs and Border Protection (CBP) whether “applicable entries” entering during the specified period were used or installed in the United States by the expiration date. Importers are required to file on a timely basis in the Document Imaging System the certifications required by Commerce’s Final Determination.

For more information, see the Commerce Department’s Final Determination published in the Federal Register at 88 FR 57419, August 23, 2023.