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3510-DS-P

DEPARTMENT OF COMMERCE

International Trade Administration

[A-570-979]

Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled into Modules, from the People's Republic of China: Notice of Court Decision Not in Harmony with the Results of Antidumping Administrative Review; Notice of Amended Final Results

AGENCY: Enforcement and Compliance, International Trade Administration, Department of Commerce.

SUMMARY: On October 29, 2026, the U.S. Court of International Trade (CIT) issued its final judgment in *Jinko Solar Import and Export Co., Ltd., et. al. v. United States*, Consol. Court no. 22-00219, sustaining the U.S. Department of Commerce's (Commerce) third remand results pertaining to the administrative review of the antidumping duty (AD) order on crystalline silicon photovoltaic cells, whether or not assembled into modules, from the People's Republic of China covering the period December 1, 2019, through November 30, 2020 (2019-2020 AD administrative review). Commerce is notifying the public that the CIT's final judgment is not in harmony with the final results of the 2019-2020 AD administrative review. Thus, Commerce is amending the final results of that review by recalculating the dumping margins for Jinko, Risen, JA Solar Technology Yangzhou Co., Ltd. (JA Solar Yangzhou), Shanghai JA Solar Technology Co., Ltd. (Shanghai JA Solar), and BYD (Shangluo) Industrial Co., Ltd. (BYD).

DATES: Applicable November 8, 2026

FOR FURTHER INFORMATION CONTACT: Benjamin Blythe, AD/CVD Operations, Office IV, Enforcement and Compliance, International Trade Administration, U.S. Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-3457.

SUPPLEMENTARY INFORMATION:

Background

On June 28 and August 10, 2022, Commerce published in the *Federal Register* the *Final Results* and *Amended Final Results*, respectively, of the 2019-2020 AD administrative review of crystalline silicon photovoltaic cells, whether or not assembled into modules, (solar cells) from the People's Republic of China (China).[1] In the *Amended Final Results* Commerce calculated weighted-average dumping margins of 20.99 and 12.24 percent for Jinko[2] and Risen,[3] respectively, and a separate rate of 14.79 percent for JA Solar Yangzhou, Shanghai JA Solar, BYD, and other non-individually examined companies that qualified for a separate rate (collectively, the separate rate companies).

Jinko, Risen, JA Solar Yangzhou, Shanghai JA Solar, BYD, and Trina[4] appealed Commerce's *Amended Final Results*. On May 1, 2024, the CIT remanded the *Amended Final Results* to Commerce and instructed Commerce to further explain or reconsider the surrogate values that it assigned to solar glass and air freight, its methodology for calculating facts available with an adverse inference, and the dumping margin that it applied to JA Solar Yangzhou, Shanghai JA Solar, and BYD.[5]

In its first remand redetermination, issued in August 2024, Commerce explained its selection of surrogate values for solar glass and air freight and the methodology that it used to apply facts available with an adverse inference to Risen, and noted that since it made no changes to its calculations, it was not necessary to recalculate the separate rate assigned to JA Solar

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[1] *See Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Final Results of Antidumping Duty Administrative Review and Final Determination of No Shipments; 2019-2020*, 87 FR 38379 (June 28, 2022) (*Final Results*); *see also Crystalline Silicon Photovoltaic Cells, Whether or Not Assembled Into Modules, from the People's Republic of China: Amended Final Results of Antidumping Duty Administrative Review, 2019-2020*, 87 FR 48621 (August 10, 2022) (*Amended Final Results*).

[2] Jinko refers to the collapsed entity comprising Jinko Solar Import and Export Co., Ltd., Jinko Solar Co., Ltd., JinkoSolar Technology (Haining) Co., Ltd., Yuhuan Jinko Solar Co., Ltd., Zhejiang Jinko Solar Co., Ltd., Jiangsu Jinko Tiansheng Solar Co., Ltd., JinkoSolar (Chuzhou) Co., Ltd., JinkoSolar (Yiwu) Co., Ltd., and JinkoSolar (Shangrao) Co., Ltd.

[3] Risen refers to the collapsed entity comprising Risen Energy Co. Ltd., Risen (Wuhai) New Energy Co., Ltd., Zhejiang Twinsel Electronic Technology Co., Ltd., Risen (Luoyang) New Energy Co., Ltd., Jiujiang Shengzhao Xinye Technology Co., Ltd., Jiujiang Shengzhao Xinye Trade Co., Ltd., Ruichang Branch/Risen Energy (HongKong) Co., Ltd., Risen Energy (Changzhou) Co., Ltd., and Risen Energy (YIWU) Co., Ltd.

[4] Trina refers to the collapsed entity comprising Trina Solar Co., Ltd., Trina Solar (Changzhou) Science and Technology Co., Ltd., Yancheng Trina Guoneng Photovoltaic Technology Co., Ltd., Changzhou Trina Solar Yabang Energy Co., Ltd., Turpan Trina Solar Energy Co., Ltd., Hubei Trina Solar Energy Co., Ltd., Trina Solar (Hefei) Science and Technology Co., Ltd., and Changzhou Trina Hezhong Photoelectric Co., Ltd.

[5] *See Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, 701 F.Supp.3d 1367 (CIT 2024) (*Jinko I*).

Yangzhou, Shanghai JA Solar, or BYD.[6] The CIT remanded the review to Commerce for a second time, ordering Commerce to reconsider the surrogate value that it selected for solar glass, its calculation of facts available with an adverse inference, and its determination of the separate rate assigned to JA Solar Yangzhou, Shanghai JA Solar, and BYD.[7]

In its second remand redetermination, issued in September 2025, Commerce continued to select the same surrogate value for solar glass, continued to use, and explained why it was reasonable to use, the same methodology to apply partial adverse facts available (AFA) to Risen, and continued to assign JA Solar Yangzhou, Shanghai JA Solar, and BYD the same separate rate that it assigned to these companies in the *Amended Final Results*.[8] The CIT remanded the review to Commerce for a third time, ordering Commerce to reconsider its valuation of solar glass and its determination of the separate rate assigned to JA Solar Yangzhou, Shanghai JA Solar, and BYD.[9]

In its final remand redetermination, issued in August 2026, Commerce assigned a new surrogate value to solar glass and recalculated the separate rate that it assigned to JA Solar Yangzhou, Shanghai JA Solar, and BYD.[10] The CIT sustained Commerce's final redetermination.[11]

Timken Notice

In its decision in *Timken*,[12] as clarified by *Diamond Sawblades*,[13] the U.S. Court of Appeals for the Federal Circuit held that, pursuant to section 516A(c) and (e) of the Tariff Act of

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[6] *See Final Results of Redetermination Pursuant to Court Remand, Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, Consol. Court No. 22-00219, Slip Op. 24-53 (CIT May 1, 2024), dated August 29, 2024, available at https://access.trade.gov/FinalRemandRedetermination.
[7] *See Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, 789 F.Supp.3d 1275 (CIT 2025).
[8] *See Final Results of Redetermination Pursuant to Court Remand, Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, Consol. Court No. 22-00219, Slip Op. 25-67 (CIT 2025) dated September 26, 2025, available at https://access.trade.gov/FinalRemandRedetermination.
[9] *See Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, 829 F.Supp.3d 1247 (CIT 2026).
[10] *See Final Results of Redetermination Pursuant to Court Remand, Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, Consol. Court No. 22-00219, Slip Op. 26-30 (CIT 2026) dated August 13, 2026, available at https://access.trade.gov/FinalRemandRedetermination.
[11] *See Jinko Solar Import and Export Co., Ltd., et. al., v. United States*, Slip Op. 26-133 (CIT October 29, 2026).
[12] *See Timken Co. v. United States*, 893 F.2d 337 (Fed. Cir. 1990) (*Timken*).
[13] *See Diamond Sawblades Manufacturers Coalition v. United States*, 626 F.3d 1374 (Fed. Cir. 2010) (*Diamond Sawblades*).

1930, as amended (the Act), Commerce must publish a notice of a court decision that is not "in harmony" with Commerce's determination and must suspend liquidation of entries pending a "conclusive" court decision. The CIT's October 29, 2026, judgment constitutes a final decision of the CIT that is not in harmony with Commerce's *Final Results* (as amended). Thus, this notice is published in fulfillment of the publication requirements of *Timken*.

Amended Final Results

Because there is now a final court judgment regarding the 2019-2020 AD administrative review of solar cells from China, Commerce is amending its *Final Results* (as previously amended) with respect to Jinko, Risen, JA Solar Yangzhou, Shanghai JA Solar, and BYD. Specifically, in these amended final results of review pursuant to the final court judgement noted above, Commerce determines that the following estimated weighted-average dumping margins exist for the companies listed below for the period December 1, 2019, through November 30, 2020:

Exporter	Weighted-Average Dumping Margin (percent)
Jinko Solar Import and Export Co., Ltd./Jinko Solar Co., Ltd./JinkoSolar Technology (Haining) Co., Ltd./Yuhuan Jinko Solar Co., Ltd./Zhejiang Jinko Solar Co., Ltd./Jiangsu Jinko Tiansheng Solar Co., Ltd./JinkoSolar (Chuzhou) Co., Ltd./JinkoSolar (Yiwu) Co., Ltd./JinkoSolar (Shangrao) Co., Ltd.	4.76
Risen Energy Co. Ltd./Risen (Wuhai) New Energy Co., Ltd./Zhejiang Twinsel Electronic Technology Co., Ltd./Risen (Luoyang) New Energy Co., Ltd./Jiujiang Shengzhao Xinye Technology Co., Ltd./Jiujiang Shengzhao Xinye Trade Co., Ltd./Ruichang Branch/Risen Energy (HongKong) Co., Ltd./Risen Energy (Changzhou) Co., Ltd./Risen Energy (YIWU) Co., Ltd.[14]	0.00
Review-Specific Rate Applicable to the Following Non-Examined Companies	
BYD (Shangluo) Industrial Co., Ltd.	4.76
JA Solar Technology Yangzhou Co., Ltd.	4.76
Shanghai JA Solar Technology Co., Ltd.	4.76

Cash Deposit Requirements

[14] While Risen Energy Co. Ltd. is the only company in this group that was party to the litigation, Commerce treated Risen Energy Co. Ltd. and the other companies listed here as a single entity in the *Final Results* and *Amended Final Results*. Therefore, the weighted-average dumping margin applies to the entire entity.

Commerce will issue appropriate cash deposit instructions to U.S. Customs and Border Protection (CBP) based on these amended results of review. Because Jinko, BYD, JA Solar Yangzhou, and Shanghai JA Solar each have a superseding cash deposit rate, *i.e.*, Commerce published in the *Federal Register* the final results of subsequent reviews covering these companies, Commerce will not issue revised cash deposit instructions for these companies based on these amended results of review. Thus, this notice will not affect the current cash deposit rates for these companies. However, because Risen does not have a superseding cash deposit rate, Commerce will issue a revised cash deposit instruction regarding Risen to CBP.

Liquidation of Suspended Entries

At this time, Commerce remains enjoined by the CIT's order from liquidating entries of subject merchandise that was exported by Jinko, Risen Energy Co., Ltd., JA Solar Yangzhou, Shanghai JA Solar, BYD, or Trina[15] and entered, or withdrawn from warehouse, for consumption during the period December 1, 2019 through November 30, 2020. These entries will remain enjoined pursuant to the terms of the injunctions during the pendency of any appeals process.

In the event that the CIT's ruling is not appealed, or, if appealed, upheld by a final and conclusive court decision, Commerce intends to instruct CBP to assess antidumping duties on unliquidated entries of subject merchandise exported by Jinko, Risen Energy Co., Ltd., JA Solar Yangzhou, Shanghai JA Solar, BYD, or Trina in accordance with 19 CFR 351.212(b). Commerce will instruct CBP to assess antidumping duties on all appropriate entries covered by this review when the estimated weighted-average dumping margin for the exporter or the importer-specific *ad valorem* assessment rate for an importer of the exporter's subject merchandise is not zero or *de minimis*. Where the estimated weighted-average dumping margin

[15] In *Jinko I*, the CIT sustained Commerce's determination in the *Final Results* and *Amended Final Results* that the collapsed entity comprising the following companies is not eligible for a separate rate: Trina Solar Co., Ltd., Trina Solar (Changzhou) Science & Technology Co., Ltd., Changzhou Trina Solar Yabang Energy Co., Ltd., Turpan Trina Solar Energy Co., Ltd., Trina Solar (Hefei) Science & Technology Co., Ltd., and Changzhou Trina Hezhong Photoelectric Co., Ltd. Therefore, the dumping margin applicable to the Trina single entity is not affected by these amended results of review and these companies are not listed in the above rate table.

for the exporter or an importer-specific *ad valorem* assessment rate for an importer of the exporter's subject merchandise is zero or *de minimis*,[16] Commerce will instruct CBP to liquidate the appropriate entries without regard to antidumping duties.

Notification to Interested Parties

This notice is issued and published in accordance with sections 516A(c) and (e) and 777(i)(1) of the Act.

Dated: November 6, 2026.

Steven Presing,
Executive Director
for Policy and Negotiations.

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[16] *See* 19 CFR 351.106(c)(2).