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US begins WRO enforcement in earnest with solar modules detained by customs officials, say reports

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US Customs and Border Protection is alleged to have seized module shipments from numerous manufacturers. Image: Pixabay.

Reports have emerged alleging that US officials have begun detaining solar module shipments suspected of infringing the withhold and release order (WRO) implemented in June.

The WRO, which effectively blocks the import of silicon metal from Hoshine Silicon Industry and its subsidiaries, as well as solar products suspected of containing silicon products manufactured by Hoshine, is enforced by US Customs and Border Protection.

Yesterday ROTH Capital reported that some manufacturers – namely JinkoSolar, Canadian Solar and Trina Solar – have had modules detained in recent weeks. While Canadian Solar and Trina Solar are alleged to have had sample modules detained, JinkoSolar is reported to have had upwards of 100MW of solar module shipments held by customs officials. Credit Suisse has also reported that JinkoSolar has been beset by module detentions.

JinkoSolar declined to comment when contacted by *PV Tech*, while Canadian Solar and Trina Solar have yet to respond to requests for comment at the time of publication.

The US Department of Commerce and US Customs and Border Protection had also yet to respond to requests for comment by *PV Tech*.

During a conference call with analysts held after its Q2 results disclosure last week, Yan Zhuang, president of Canadian Solar's manufacturing arm, said the company had been working hard to deal with the prospect of the WRO and insisted Canadian Solar was "pretty confident that we can overcome that constraint".

Shares in both JinkoSolar and Canadian Solar fell by around 6% yesterday.

As detailed by *PV Tech Premium* in June, in the event of shipments being detained the importer has three months to either submit documentation proving the WRO does not apply to its products or arrange for them to be re-exported. After those three months, if products are still under question the importer has 60 days to arrange for their re-export, and if products remain at the port of entry after that period they are deemed abandoned and destroyed.

The news of WRO enforcement comes amidst a flurry of activity pertaining to trade relations between the US and China, with solar PV finding itself the subject of much attention. Yesterday also saw petitions filed on behalf of an alliance of US solar manufacturers alleging Chinese solar companies were circumventing antidumping and countervailing duties through the use of entities based in Malaysia, Vietnam and Thailand, with the express likelihood that petitions filed with the US Department of Commerce could result in such duties being extended to include Southeast Asian nations.

Meanwhile an amendment to the budget reconciliation bill currently passing through the US Senate tabled by Republican senator Dan Sullivan which seeks to ban renewables projects using technology developed in China from claiming federal funds and subsidies received considerable support from the Senate, however the overall bill remains some way from passing into law.