

**Question for written answer E-007550/2012
to the Commission**

Rule 117

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Subject: Silicon metal imports into the EU

In 2010 the European Anti-Fraud Office (OLAF) issued report No OF/2010/0827, in which it stated that silicon metal imported from Taiwan in fact originated in China. According to OLAF, the goods were imported through Taiwan in order to avoid paying EU safeguard duties. Despite OLAF's suspicions, the Commission did not at the time initiate the proceedings for circumvention of those duties that it is obliged to open under Article 13 of Council Regulation (EC) No 384/96 on protection against dumped imports from countries not members of the European Community.

The OLAF report had a direct impact on the activities of firms importing silicon metal from Taiwan, as it resulted in the import duty on that raw material being raised from 4.5% to the anti-dumping rate of 49%. The customs authorities also started to demand payment of outstanding anti-dumping duties.

The information I have been given by a firm importing silicon metal from Taiwan – Chemical Worldwide Business S.A. (CWB) – raises serious concerns about the OLAF report. According to the Taiwanese Board of Foreign Trade (BoFT), the silicon metal supplied to CWB by the Taiwanese firms Asian Metallurgical Co Ltd and Latitude Co Ltd underwent substantial processing in Taiwan, the end-results of which included a reduction of more than 80% in impurities. The complex processing operations included both mechanical and chemical treatment resulting in fundamental alterations to the silicon's properties. Because of this, they met the requirements of Article 24 of the Community Customs Code. The checks carried out by the BoFT therefore show that the silicon metal imported by CWB was in reality of Taiwanese, not Chinese, origin and should have been subject to a 5.5% rate of customs duty.

Given the above, can the Commission say:

1. why it waited until July 2012 to initiate proceedings for circumvention of anti-dumping duties on imports of silicon metal from Taiwan, instead of doing so in 2010?
2. whether, after being delivered to Taiwan but before undergoing processing at the Asian Metallurgical Co Ltd and Latitude Co Ltd plants, the silicon metal was suitable for use in aluminium smelting?