

November 25, 2020

## Bifacial Exemption Ended Again as CIT Declines to Extend Injunction

Dear Valued U.S. Import Customer,

On November 19, 2020, The Court of International Trade (CIT) declined to extend the injunction against bifacial solar panels and lifted the temporary restraining order against the removal of the exclusion. These panels will now be subject to the Section 201 safeguard tariffs for solar cells. The CIT did leave the possibility for solar companies to continue to fight for the exemption through additional lawsuits.

On October 10, 2020 President Donald Trump issued a proclamation that ended the exemption for bifacial panels from the safeguard duties on solar cells, stating that the exclusion of the panels had “impaired the effectiveness” of the safeguard tariffs. The CIT had initially issued a restraining order against the U.S. government preventing them to enforce the tariffs on the bifacial solar panels on October 24, 2020.

The link to the CIT decision can be found here: <https://www.cit.uscourts.gov/sites/cit/files/20-166.pdf>

Thank you for being our Valued Customer. If you have any questions, please do not hesitate to contact your C.H. Robinson commercial representative for further information.

Sincerely,  
C.H. Robinson

*Our information is compiled from a number of sources that to the best of our knowledge are accurate and correct. It is always the intent of our company to present accurate information. C.H. Robinson accepts no liability or responsibility for the information published herein.*

