To whom it may concern

Hereby, we at Innoscience confirm that the recent announcement from the Ministry of Commerce and the General Administration of Customs on the Implementation of Export Control on Gallium and Germanium Related Items (see Annex 1.) does not impact the supply of Innoscience’s 8-inch GaN-on-Si power device wafers (i.e. processed wafers) and it does not impact the supply of InnoGaN™ discrete or integrated power devices.

Thanks for your trust in Innoscience’s products.

Best Regards

Dr. Denis Marcon
General Manager
Annex 1.

https://www-mofcom-cn.translate.goog/article/zwgk/gkzcfb/202307/20230703419666.shtml?_x_tr_sch=http&_x_tr_sl=it&_x_tr_tl=en&_x_tr_hl=it&_x_tr_pto=wapp

Announcement No. 23 of 2023 of the Ministry of Commerce and the General Administration of Customs on the Implementation of Export Control on Gallium and Germanium Related Items

[Issuing Unit] Safety and Control Bureau


[Issuing Date] July 03, 2023

In accordance with the relevant provisions of the "Export Control Law of the People's Republic of China", "Foreign Trade Law of the People's Republic of China", and "Customs Law of the People's Republic of China", in order to safeguard national security and interests, with the approval of the State Council, it is decided to implement export controls on items related to gallium and germanium. The related matters are announced as follows:

1. Items meeting the following characteristics shall not be exported without permission:

   (1) Gallium-related items.

   1. Gallium metal (single substance) (refer to customs commodity numbers: 8110929010, 8112929090, 8112999000).

   2. Gallium nitride (including but not limited to wafers, powders, scraps, etc.) (refer to customs commodity numbers: 2850001901, 3818009001, 3825690001).

   Chemical elements and compounds doped for use in electronics, in the form of discs, wafers, cylinders, rods or similar forms, or cut into discs, wafers or similar forms, whether or not polished or with a uniform epitaxial coating (excl. elements that have been further processed, e.g. by selective diffusion, and doped silicon)

   Wastes from chemical or allied industries (excl. wastes of metal pickling liquors, of hydraulic fluids, brake fluids and anti-freeze fluids and those mainly containing organic constituents)
3. Gallium oxide (including but not limited to polycrystalline, single crystal, wafer, epitaxial wafer, powder, scrap, etc.) (refer to customs commodity numbers: 2825909001, 3818009002, 3825690002).

4. Gallium phosphide (including but not limited to polycrystalline, single crystal, wafer, epitaxial wafer, etc.) (refer to customs commodity numbers: 2853904030, 3818009003, 3825690003).

5. Gallium arsenide (including but not limited to polycrystalline, single crystal, wafer, epitaxial wafer, powder, scrap, etc.) (refer to customs commodity numbers: 2853909026, 3818009004, 3825690004).

6. Indium gallium arsenic (refer to customs commodity numbers: 2853909028, 3818009005, 3825690005).

7. Gallium selenide (including but not limited to polycrystalline, single crystal, wafer, epitaxial wafer, powder, scrap, etc.) (refer to customs commodity numbers: 2842909024, 3818009006, 3825690006).

8. Gallium antimonide (including but not limited to polycrystalline, single crystal, wafer, epitaxial wafer, powder, scrap, etc.) (refer to customs commodity numbers: 2853909029, 3818009007, 3825690007).

(2) Items related to germanium.

1. Metal germanium (single substance, including but not limited to crystal, powder, crushed material, etc.) (refer to customs commodity numbers: 8112921010, 8112921090, 8112991000).

2. Zone-melted germanium ingots (refer to customs commodity number: 8112921090).

3. Phosphorus germanium zinc (including but not limited to crystal, powder, crushed material, etc.) (refer to customs commodity numbers: 2853904040, 3818009008, 3825690008).

4. Ge epitaxial growth substrate (refer to customs commodity number: 8112921090).

5. Germanium dioxide (refer to the customs commodity number: 2825600002, 3818009009, 3825690009).

6. Germanium tetrachloride (refer to customs commodity numbers: 2827399001, 3818009010, 3825690010).

2. Export operators should go through export licensing procedures in accordance with relevant regulations, submit an application to the Ministry of Commerce through the provincial commerce department, fill out the application form for export of dual-use items and technologies and submit the following documents:

(1) The original of the export contract or agreement or the photocopy or scanned copy consistent with the original;

(2) Technical description or test report of the item to be exported;

(3) Certificate of end user and end use;

(4) Introduction of importers and end users;

(5) The identity certificates of the applicant's legal representative, main business manager and handler.
3. The Ministry of Commerce shall conduct the review from the date of receipt of the export application documents, or conduct review together with relevant departments, and make a decision of approval or disapproval within the statutory time limit.

For the export of items listed in this announcement that have a major impact on national security, the Ministry of Commerce, together with relevant departments, shall report to the State Council for approval.

4. If the license is approved after review, the Ministry of Commerce shall issue a dual-use item and technology export license (hereinafter referred to as the export license).

5. Procedures for application and issuance of export licenses, handling of special circumstances, and storage period for documents and materials, etc., in accordance with Order No. 29 of 2005 of the Ministry of Commerce and the General Administration of Customs ("Administrative Measures for Import and Export Licenses for Dual-use Items and Technologies") implementation of relevant regulations.

6. The export operator shall issue an export license to the customs, go through the customs formalities in accordance with the provisions of the "Customs Law of the People's Republic of China", and accept the supervision of the customs. The customs shall handle the inspection and release procedures with the export license issued by the Ministry of Commerce.

7. If export operators export without permission, export beyond the scope of permission, or have other violations, the Ministry of Commerce or customs and other departments will impose administrative penalties in accordance with relevant laws and regulations. Constitute a crime, be held criminally responsible.

8. This announcement will come into force on August 1, 2023.

Ministry of Commerce General Administration of Customs

July 3, 2023