A-570-937
Investigation: 10/01/07 – 03/31/08
IA / NME / Office 8: JHC
Public Document

May 23, 2008

TO ALL INTERESTED PARTIES:

On May 5, 2008, the Department of Commerce ("Department") initiated an antidumping duty investigation to determine whether citric acid and certain citrate salts from the People's Republic of China are being sold in the United States at less than fair value.

In advance of the issuance of the antidumping questionnaire, the Department asks that you respond to the questions in Attachment I to this letter, requesting information on the quantity and U.S. dollar sales value of all exports to the United States of citric acid and certain citrate salts. A definition of the scope of the investigation is included in Attachment II to this letter, and general instructions for responding to this letter are contained in Attachment III to this letter. **Please be advised that receipt of this letter does not indicate that you will be chosen as a mandatory respondent or guaranteed separate rates status. Your response to this letter may be subject to on-site verification by Department officials.**

Due to the issuance date of this quantity and value questionnaire, we have extended the original May 27, 2008, deadline; your response is now due to the Department no later than **5:00 p.m. on June 12, 2008.** Please note that, due to time constraints in this investigation, we will not be able to grant any extensions for the submission of quantity and value information.

Please note that all submissions to the Department must be served on all interested parties. The service instructions are included in Attachment IV. The list of interested parties may be found at <http://web.ita.doc.gov/ia/webapotrack.nsf>.

We appreciate your attention to these matters. Please contact the undersigned at 202-482-5849 or at wendy.frankel@mail.doc.gov, if you have any questions or comments.

Sincerely,

Wendy J. Frankel
Director
AD/CVD Enforcement, Office 8

Attachments

OFFICE OF AD/CVD ENFORCEMENT
QUANTITY AND VALUE QUESTIONNAIRE

REQUESTER(S): {insert name of company}

REPRESENTATION: {insert name of counsel and law firm and contact info}

CASE: Citric Acid and Certain Citrate Salts from the People's Republic of China ("PRC") A-570-937

PERIOD OF INVESTIGATION: October 1, 2007 through March 31, 2008

PUBLICATION DATE OF INITIATION: May 13, 2008

OFFICIALS IN CHARGE:

Wendy J. Frankel
Director
AD/CVD Operations, Office 8
Telephone: 202-482-5849

FILING ADDRESS:

U.S. Department of Commerce
International Trade Administration
Import Administration
APO/Dockets Unit, Room 1870
1401 Constitution Avenue, N.W.
Washington, DC 20230
Attn: Wendy J. Frankel, Room 4410

On May 13, 2008, the Department of Commerce ("Department") published in the *Federal Register* the initiation of the antidumping duty investigation to determine whether Citric Acid and Certain Citrate Salts from the PRC are being sold in the United States at less than fair value during the period of investigation of October 1, 2007, through March 31, 2008.[1]

Section 777A(c)(1) of the Tariff Act of 1930, as amended ("Act"), directs the Department to calculate individual dumping margins for each known exporter and producer of the subject merchandise. Where it is not practicable to examine all known producers/exporters of subject merchandise, as is the case in investigation, section 777A(c)(2) of the Act permits the Department to examine either (1) a sample of exporters, producers or types of products that is statistically valid based on the information available at the time of selection; or (2) exporters and producers accounting for the largest volume of the subject merchandise from the exporting country that can be reasonably examined.

In advance of the issuance of the full antidumping questionnaire, we ask that you respond to Attachments I and II of this Quantity and Value Questionnaire requesting information on production and the quantity and U.S. dollar sales value of all exports to the United States of Citric Acid and Certain Citrate Salts[2] from the PRC during the period of October 1, 2007, through March 31, 2008.[3] A full and accurate response to the Quantity and Value Questionnaire from all participating respondents is necessary to ensure that the Department has the requisite information to appropriately select mandatory respondents.

The Department is also requiring all firms that wish to qualify for separate-rate status in this investigation to complete a separate-rate status application as described in the *Notice of Initiation*. In other words, the Department will not give consideration to any separate-rate status application made by parties that fail to timely respond to the Quality and Value Questionnaire or fail to timely submit the requisite separate-rate status application.

To allow for the possibility of sampling and to complete this segment within the statutory time frame, the Department will be limited in its ability to extend the deadline for the response to the Quantity and Value Questionnaire.

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[1] *See Citric Acid and Certain Citrate Salts from Canada and the People's Republic of China: Initiation of Antidumping Duty Investigation*, 73 FR 27492 (May 13, 2008) ("*Notice of Initiation*"). The May 27, 2008, deadline for submission of the response to the Quantity and Value Questionnaire set forth in the *Notice of Initiation* has been superseded by the June 12, 2008, deadline as set forth in this letter.

[2] The scope of the merchandise subject to this investigation of Citric Acid and Certain Citrate Salts from the PRC is identified in Attachment III to this questionnaire.

[3] If your company did not produce the merchandise under investigation, we request that these questions be immediately forwarded to the company that produces the merchandise and supplies it to you or your customers.

A definition of the scope of the merchandise subject to this review is included in Attachment II, and general instructions for responding to this Quantity and Value Questionnaire are contained in Attachment III. **Your response to this questionnaire may be subject to on-site verification by Department officials.**

ATTACHMENT I
FORMAT FOR REPORTING QUANTITY AND VALUE OF SALES

In providing the information in the chart below, please provide the total quantity in pieces/units and total value (in U.S. dollars) of all your sales covered by the scope of this investigation (*see* Attachment II), produced in the PRC, and exported/shipped to the United States during the period October 1, 2007, through March 31, 2008.

Additionally, if you believe that you should be treated as a single entity along with other named exporters, please complete the chart, below, both in the aggregate for all named parties in your group and, in separate charts, individually for each named entity. Please label each chart accordingly.

Market: United States	Total Quantity (In Metric Tons)	Terms of Sale[4]	Total Value[5] ($U.S.)
1. Export Price[6]			
2. Constructed Export Price[7]			
3. Further Manufactured[8]			
Total			

[4] To the extent possible, sales values should be reported based on the same terms (*e.g.*, FOB).

[5] Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

[6] Generally, a U.S. sale is classified as an export price sale when the first sale to an unaffiliated person occurs before the goods are imported into the United States.

[7] Generally, a U.S. sale is classified as a constructed export price sale when the first sale to an unaffiliated person occurs after importation. However, if the first sale to the unaffiliated person is made by a person in the United States affiliated with the foreign exporter, constructed export price applies even if the sale occurs prior to importation. Do not report the sale to the affiliated party in the United States, rather report the sale made by the affiliated party to the unaffiliated customer in the United States.

[8] "Further manufactured" refers to merchandise that undergoes further manufacture or assembly in the United States before sale to the first unaffiliated customer.

ATTACHMENT II
DESCRIPTION OF PRODUCTS UNDER INVESTIGATION

The scope of these investigations includes all grades and granulation sizes of citric acid, sodium citrate, and potassium citrate in their unblended forms, whether dry or in solution, and regardless of packaging type. The scope also includes blends of citric acid, sodium citrate, and potassium citrate; as well as blends with other ingredients, such as sugar, where the unblended form(s) of citric acid, sodium citrate, and potassium citrate constitute 40 percent or more, by weight, of the blend. The scope of these investigations also includes all forms of unrefined calcium citrate, including dicalcium citrate monohydrate, and tricalcium citrate tetrahydrate, which are intermediate products in the production of citric acid, sodium citrate, and potassium citrate. The scope of these investigations includes the hydrous and anhydrous forms of citric acid, the dihydrate and anhydrous forms of sodium citrate, otherwise known as citric acid sodium salt, and the monohydrate and monopotassium forms of potassium citrate. Sodium citrate also includes both trisodium citrate and monosodium citrate, which are also known as citric acid trisodium salt and citric acid monosodium salt, respectively. Citric acid and sodium citrate are classifiable under 2918.14.0000 and 2918.15.1000 of the Harmonized Tariff Schedule of the United States ("HTSUS"), respectively. Potassium citrate and calcium citrate are classifiable under 2918.15.5000 of the HTSUS. Blends that include citric acid, sodium citrate, and potassium citrate are classifiable under 3824.90.9290 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the merchandise is dispositive.

ATTACHMENT III
GENERAL INSTRUCTIONS

Instructions for Filing the Response

The following instructions apply to all documents you submit to the Department during the course of this proceeding.

1. File your response in Washington, D.C. at:

   U.S. Department of Commerce
   International Trade Administration
   Import Administration
   APO/Dockets Unit, Room 1870
   1401 Constitution Avenue, N.W.
   Washington, DC 20230
   Attn: Wendy J. Frankel

2. A person must file one copy of the business proprietary version of any document with the Department within the applicable time limit. By the close of business one business day after the date the business proprietary version is filed under section 351.303(c)(2)(i) of the Department's regulations, a person must file six copies of the final business proprietary version of the document with the Department. The final business proprietary version must be identical to the previous day's submission except for any bracketing corrections. Although a person must file six copies of the complete final business proprietary version with the Department, the persons may serve other persons with only those pages containing bracketing corrections.

   Simultaneously with the filing of the final business proprietary version under section 351.303(c)(2)(ii) of the Department's regulations, a person must file three copies of the public version of such document (*see* section 351.304(c) of the Department's regulations) with the Department.

3. File the original and six copies of the proprietary version. However, if you file an electronic copy of the proprietary version in Microsoft Word, you need file only the original version and four copies. In case of any difference between the narrative response and the content of the electronic media, the narrative response is the controlling version. For either alternative, only one copy of sample printouts and electronic media containing sales files and cost files need be submitted.

   File the original and four copies of the public version of your narrative response and attachments, including sample printouts.

4. Submit the required **certification of accuracy.** Providers of information and the person(s) submitting it, if different (*e.g.*, a legal representative), must certify that they have read the submission and that the information submitted is accurate and complete. The Department cannot accept responses to the letter that do not contain the certification statements. A form for such certification is included in this Appendix. You may photocopy this form and submit a completed copy with each of your submissions.

5. Provide the required **certificate of service** with each proprietary version and public version submitted to the Department.

6. Request **proprietary treatment** for information submitted that you do not wish to be made publicly available. As a general rule, the Department places all correspondence and submissions received in the course of an antidumping proceeding in a public reading file. However, information deemed to be **proprietary information** will not be made available to the public.[1] If you wish to make a request for proprietary treatment for particular information, refer to sections 351.304 and 351.304(a)(2) of the Department's regulations. Submit the request for proprietary treatment no later than one business day following the submission of the proprietary version of your response to the letter accompanied by:

   (1) a non-proprietary (public) version of your response that is in sufficient detail to permit a reasonable understanding of the information submitted in confidence,[2] and/or

   (2) an itemization of particular information that you believe you are unable to summarize. State the reasons why you cannot summarize each piece of information.

   Responses, or portions thereof, that are not adequately summarized may be returned to you and not used.

7. Submit the statements required regarding limited release of proprietary information under the provisions of an **administrative protective order** ("APO"). U.S. law permits limited disclosure to representatives of parties (*e.g.*, legal counsel) of certain business proprietary information, including electronic business proprietary information, under an APO. (Note that data received under an APO cannot be shared with others who are not covered by the APO.) Under the provisions governing APO disclosure, you must submit either:

   (1) a statement agreeing to permit the release under APO of information submitted by you in confidence during the course of the proceeding, or

   (2) a statement itemizing those portions of the information which you believe should not be released under APO, together with arguments supporting your objections to that release.

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[1] Pursuant to the Department's Policy Bulletin 05.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries (April 5, 2005), exporters are required to provide the Department with the names and contact information of all the producers whose merchandise they exported to the United States during the period of investigation, and are required to make public the names of their suppliers in order for the Department to assign combination rates in an investigation. Additionally, supplier names will not be considered proprietary information in situations where the Department has excluded the exporter from the investigation. Exclusions of non-producing exporters will be granted only to exporter/supplier combinations.

[2] Generally, numerical data are adequately summarized if grouped or presented in terms of indices or figures ranged within ten percent of the actual figure. If a particular portion of the data is voluminous, use ranged figures for at least one percent of the voluminous portion.

We are required by our regulations to reject, at the time of filing, submissions of business proprietary information that do not contain one of these statements. You must state in the upper right-hand corner of the cover letter accompanying your response whether you agree or object to release of the submitted information under APO. (*See* section 351.303 of the Department's regulations for specific instructions.)[3]

8. Place brackets ("[...]") around information for which you request business proprietary treatment. Place double brackets ("[[...]]") around information for which you request proprietary treatment and which you do not agree to release under APO.

9. Provide to all parties whose representatives have been granted an APO (as listed in the cover letter or as listed in a subsequent letter from the Department) a complete copy of the submission, proprietary and public versions, except for that information which you do not agree to release under APO. If you exclude information because you do not agree to release it under APO, submit with your response to the Department a certificate of service and a copy of the APO version of the document containing the information that you agree may be released under APO. For parties that do not have access to information under APO, please provide a public version only.

Prepare your response in typed form and in English. Repeat the question to which you are responding in your narrative submission and place your answer directly below it.

[3] If you do not agree to release under APO all or part of the proprietary information, but we determine that the information should be released, you will have the opportunity to withdraw the information (*see* section 351.304(d) of the Department's regulations). However, any information which you withdraw will be taken out of the official record and will not be used in our determination.

COMPANY OFFICIAL CERTIFICATION

I, _____, currently employed
(name and title)

by _____, certify that (1) I have
(Interested Party)

read the attached submission, and (2) the information contained in

this submission is, to the best of my knowledge, complete and

accurate.

_____
(signature of certifying official)

CERTIFICATE OF SERVICE

I, _____, hereby certify that a copy of the
(name of certifying official)

foregoing submission on behalf of _____,
(company name)

dated _____, was served by first class mail or by hand delivery (circle the method used) on the following parties:

(Business Proprietary Version)

On Behalf of

{See http://ia.ita.doc.gov/apo/apo-svc-lists.html for names and addresses}

(Public Version)

On Behalf of

{See http://ia.ita.doc.gov/apo/apo-svc-lists.html for names and addresses}

_____
(signature of certifying official)