
**AD/CVD OPERATIONS
QUANTITY AND VALUE QUESTIONNAIRE**

REQUESTER(S): {insert name of firm}

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

CASE: Certain Frozen Warmwater Shrimp from Ecuador (A-331-802)

PERIOD OF REVIEW: February 1, 2006, through January 31, 2007

DEADLINE FOR SUBMISSION: April 23, 2007

OFFICIAL IN CHARGE:

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FILING ADDRESS:

U.S. Department of Commerce
International Trade Administration
1401 Constitution Avenue, NW, Room 1870
Washington, DC 20230
Attn: AD/CVD Operations, Office 2

The Department of Commerce (the Department) is initiating an antidumping duty administrative review of 64 companies to determine whether certain frozen warmwater shrimp was sold in the United States at less than fair value during the period of February 1, 2006, through January 31, 2007.

Section 777A(c)(1) of the Tariff Act of 1930, as amended, (the 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 this present administrative review, 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.

Due to the large number of requests for administrative review and the Department's experience regarding the resulting administrative burden to review each company for which a request has been made, the Department is exercising its authority to limit the number of respondents selected for review. In selecting the respondents for individual review, the Department intends to select the largest exporters/producers by U.S. sales/export volume.

In advance of the issuance of the full antidumping questionnaire, we ask that each party for whom a review is initiated respond to Attachment I of this Quantity and Value Questionnaire requesting information on the quantity and U.S. dollar sales value of all exports to the United States of certain frozen warmwater shrimp¹ during the period of February 1, 2006, through January 31, 2007. Full and accurate responses 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.

Alternatively, if your company had no shipments or exports of certain frozen warmwater shrimp during the POR, you may complete the form included as Attachment II instead of the Attachment I questionnaire. If you do not complete and submit to the Department either Attachment I or Attachment II by April 23, 2007, the Department may have to assign an antidumping duty margin to your company based on adverse facts available.

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

¹ The scope of the merchandise subject to the antidumping duty order on certain frozen warmwater shrimp from Ecuador is identified in Attachment III to this questionnaire.

ATTACHMENT I

Name of Your Company: _____

Mailing Address: _____

Name of Company Contact Official: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

FORMAT FOR REPORTING QUANTITY AND VALUE OF SALES

In providing the information in the chart below, please provide the total quantity in kilograms and total value (in U.S. dollars) of all your sales of merchandise covered by the scope of this review (see enclosed scope description in Attachment III), produced in Ecuador, and exported/shipped to the United States during the period February 1, 2006, through January 31, 2007.

Please provide the following information for your company. If you believe that you should be treated as a single entity along with other named producer/exporters, please provide the information requested below both in the aggregate for all named entities in your group and separately for each named entity. Please label each chart accordingly.

Merchandise	Total Quantity (In Kilograms)	Total Quantity ¹ (In Pounds)	Total Value (\$U.S. ²)
1) Subject merchandise your company produced and shipped/exported to the United States during the POR.			
2) Subject merchandise exported/shipped to the United States by your company during the POR which was sourced from an unaffiliated supplier or suppliers (that is, frozen warmwater shrimp not produced by your company).			
3) Subject merchandise produced by your company, which you knew was destined for the United States, but was exported/shipped through another company to the United States during the POR.			
4) Subject merchandise exported/shipped to the United States by your company during the POR which was harvested in another country (that is, shrimp harvested in a country other than Ecuador).			

- NOTE: (1) If you sell products on a glazed-weight basis, report such sales on a net-weight basis.
 (2) Do not include the POR quantity and value of frozen warmwater shrimp harvested in another country in the first three rows of this table (that is, report this data only in the final row of the table).

If your company exported frozen warmwater shrimp produced by another company (as reported in response to question 2 in the table above), please identify the three largest suppliers of the shrimp your company exported to the United States:

Name of Company Producing Shrimp	Approximate Quantity of Shrimp Purchased (in pounds)

¹ Detail any conversion rates used to report quantity in pounds.

² Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

If your company produced frozen warmwater shrimp and sold it to another company that, at the time of the sale, you knew would export the shrimp to the United States (as reported in response to question 3 in the table above), please identify the three largest purchasers of this merchandise:

Name of Company Purchasing Shrimp	Approximate Quantity of Shrimp Purchased (in pounds)

Please check one of the following responses:

_____ This questionnaire response contains no proprietary information. I consent to placing this response on the public record of this administrative review.

OR

_____ This questionnaire response contains proprietary information. I have indicated the information for which I request proprietary treatment with brackets (“[” and “]”), as described in Attachment IV. In addition, as also described in Attachment IV, I am attaching to this response:

- a) a formal request for proprietary treatment of the information;
- b) an explanation of the reasons why the information requires proprietary treatment;
- c) a statement agreeing to limited release of proprietary information under the provisions of an administrative protective order; and
- d) a public summary of the proprietary response.

Please review Attachment IV to ensure that you have complied with all of these requirements.

You must complete the Certification of Accuracy below in order for the Department to consider your submission complete.

CERTIFICATION OF ACCURACY

I, _____, currently employed
(name and title)

by _____, certify that (1) I have read this submission,
(Name of Company)

and (2) the information contained in this submission is, to the best of my knowledge, complete and accurate.

(signature of certifying official)

Please ensure that you have provided a copy of this response (“served”) to all other participants in this review, as discussed in Attachment IV. You must complete the Certificate of Service below in order for the Department to consider your submission complete.

_____ **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 - if applicable)

On Behalf of

(List the name and address of each company or legal representative to whom you have sent a copy of the business proprietary version of your response, if applicable. Note that you are only required to serve a business proprietary version of your response on parties on the Administrative Protective Order service list. This list will be available on the Department’s website at <http://ia.ita.doc.gov/apo/apo-svc-lists.html>.)

(Public Version)

On Behalf of

(List the name and address of each company or legal representative to whom you have sent a copy of your response, or, if you prepared a public version separate from a business proprietary version, the name and address of each company or legal representative to whom you have sent a copy of the public version of your response. Note that you are only required to serve a public version of your response on parties on the public service list. This list will be available on the Department’s website at <http://ia.ita.doc.gov/apo/apo-svc-lists.html>.)

(signature of certifying official)

ATTACHMENT II

Complete this form if your company did not export any frozen warmwater shrimp to the United States during the POR, and your company did not sell any frozen warmwater shrimp it produced to another company that you knew would export the shrimp to the United States.

Name of Company: _____

Mailing Address: _____

Name of Company Contact Official: _____

Telephone Number: _____

Fax Number: _____

Email Address: _____

Neither _____ nor any of its affiliates exported any frozen
(Name of Company)
warmwater shrimp to the United States during the period February 1, 2006, through January 31, 2007. Neither _____ nor any of its affiliates sold frozen
(Name of Company)
warmwater shrimp it produced to any other company that, to my knowledge, exported the merchandise to the United States during the period February 1, 2006, through January 31, 2007.

I, _____, currently employed
(name and title)

by _____, certify that (1) I have read this submission,
(Name of Company)

and (2) the information contained in this submission is, to the best of my knowledge, complete and accurate. This submission does not contain any proprietary information and I acknowledge that it may be placed on a public record.

(signature of certifying official)

Please ensure that you have provided a copy of this statement (“served”) to all other participants in this review, as discussed in Attachment IV. You must complete the Certificate of Service below in order for the Department to consider your submission complete.

_____ **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:

On Behalf of

(List the name and address of each company or legal representative to whom you have sent a copy of your response.)

(signature of certifying official)

ATTACHMENT III DESCRIPTION OF PRODUCTS UNDER REVIEW

The products covered by this review include certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,¹ deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the scope of this review, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of this review. In addition, food preparations, which are not “prepared meals,” that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of this review.

Excluded from the scope of this review are: 1) breaded shrimp and prawns (HTS subheading 1605.20.10.20); 2) shrimp and prawns generally classified in the *Pandalidae* family and commonly referred to as coldwater shrimp, in any state of processing; 3) fresh shrimp and prawns whether shell-on or peeled (HTS subheadings 0306.23.00.20 and 0306.23.00.40); 4) shrimp and prawns in prepared meals (HTS subheading 1605.20.05.10); 5) dried shrimp and prawns; 6) canned warmwater shrimp and prawns (HTS subheading 1605.20.10.40); 7) certain dusted shrimp; and 8) certain battered shrimp. Dusted shrimp is a shrimp-based product: 1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; 2) to which a “dusting” layer of rice or wheat flour of at least 95 percent purity has been applied; 3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; 4) with the non-shrimp content of the end product constituting between four and 10 percent of the product’s total weight after being dusted, but prior to being frozen; and 5) that is subjected to IQF freezing immediately after application of the dusting layer. Battered shrimp is a shrimp-based product that, when dusted in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

¹ “Tails” in this context means the tail fan, which includes the telson and the uropods.

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The products covered by this review are currently classified under the following HTSUS subheadings: 0306.13.00.03, 0306.13.00.06, 0306.13.00.09, 0306.13.00.12, 0306.13.00.15, 0306.13.00.18, 0306.13.00.21, 0306.13.00.24, 0306.13.00.27, 0306.13.00.40, 1605.20.10.10, and 1605.20.10.30. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of this review is dispositive.

ATTACHMENT IV 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. You may also review the filing instructions online at:

<http://ia.ita.doc.gov/filing/index.html>

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

U.S. Department of Commerce
International Trade Administration
1401 Constitution Avenue, NW, Room 1870
Washington, DC 20230
Attn: AD/CVD Operations, Office 2

2. **Proprietary versions** of the response should be submitted on the day specified in the cover letter. The **public version** of the response may be filed one business day after the proprietary version. You must provide a copy of the public version of your response to all parties on the public service list for this administrative review, the latest version of which can be found here: <http://ia.ita.doc.gov/apo/apo-svc-lists.html>
3. File the original and six copies of the proprietary version. However, if you file an electronic copy of the proprietary version in WordPerfect or Word format, 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 Attachments I and II of this document.
5. Provide the required **certificate of service** with each proprietary version and public version submitted to the Department. A form for such certification is included in Attachments I and II of this document.

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. 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,¹ 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.

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

¹ 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.

agree or object to release of the submitted information under APO. (See section 351.303 of our regulations for specific instructions.)¹

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. A copy of the latest version of the APO service list can be found here: <http://ia.ita.doc.gov/apo/apo-svc-lists.html> 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.
10. 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.

¹ 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 our regulations). However, any information which you withdraw will be taken out of the official record and will not be used in our determination.