

January 23, 2007

RE: Quantity and Value Questionnaire for Fresh Garlic from the People's Republic of China

TO ALL INTERESTED PARTIES:

On December 27, 2006, the Department of Commerce (“the Department”) initiated an antidumping duty administrative review of the antidumping duty order on fresh garlic from the People’s Republic of China (“PRC”) for 52 companies to determine whether fresh garlic was sold in the United States at less than fair value during the period of November 1, 2005, through October 31, 2006.¹

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 considering exercising its authority to limit the number of respondents selected for review.

In advance of the issuance of the full antidumping questionnaire, we ask that each party for whom a review is initiated to respond to **Attachment I** of this **Quantity and Value (“Q&V”)** Questionnaire requesting information on the quantity and U.S. dollar sales value of your exports of fresh garlic from the PRC during the period of November 1, 2005 through October 31, 2006.² Full and accurate responses to the Q&V Questionnaire from all participating respondents is

¹See Initiation of Antidumping and Countervailing Duty Administrative Reviews, 71 FR 77720 (December 27, 2006).

² If your company did not produce the merchandise under review, we request that the production related questions be immediately forwarded to the company that produced the merchandise and that its responses be included in your filing/response.

necessary to ensure that the Department has the requisite information to appropriately select mandatory respondents. A definition of the scope of the merchandise subject to this review is included in Attachment II, and general instructions for responding to this Q&V Questionnaire are contained in Attachment III. If you had no exports during the POR it is very important that you submit a statement to that effect, or the Department may have to assign a margin to your company based on adverse facts available. **Your response to this questionnaire may be subject to on-site verification by Department officials.**

The response to the Department's Q&V Questionnaire **in Attachment I** is due no later than **February 6, 2007.**

Additionally, the Department recently modified the process by which exporters and producers may obtain separate-rate status in non-market economy ("NME") investigations or administrative reviews. See Policy Bulletin 05.1: Separate-Rates Practice and Application of Combination Rates in Antidumping Investigations Involving Non-Market Economy Countries, (April 5, 2005), available on the Department's website at <http://ia.ita.doc.gov/policy/bull05-1.pdf>. See, also, Notice of Initiation of Administrative Reviews of the Antidumping Duty Orders on Frozen Warmwater Shrimp from the Socialist Republic of Vietnam and the People's Republic of China, 71 FR 17813 (April 7, 2006).

Due to the large number of firms requesting an administrative review in this proceeding, the Department is requiring all firms for which a review was initiated who wish to qualify for separate-rate status in this administrative review to complete, as appropriate, either a separate-rate status application or separate-rate status certification. In order to demonstrate separate-rate eligibility, the Department requires entities for whom a review was requested that had been assigned a separate rate in the previous segment of this proceeding to certify that they continue to meet the criteria for obtaining a separate rate. For entities that have not previously been assigned a separate rate, to demonstrate eligibility for such, the Department requires a separate-rate status application. The separate-rate status application and certification are available on the Department's website at <http://ia.ita.doc.gov/ia-highlights-and-news.html> on the date the Q&V Questionnaire is issued. If you are unable to access the Department's website to obtain the separate-rate status application or certification you should immediately contact the official in charge to obtain the separate-rate status application or certification through other means.

In responding to the separate-rate status application or certification, refer to the instructions contained in each. **Separate-Rate Status Applications** are due to the Department no later than **March 26, 2007**, 60 calendar days after the issuance date of the Q&V Questionnaire of this review. **Separate-Rate Status Certifications** are due to the Department no later than **February 22, 2007**, 30 days after the issuance date of the Q&V Questionnaire of this review. The deadline and requirement for submitting a separate-rate status application or certification applies equally to NME-owned firms, wholly foreign-owned firms, and foreign sellers that purchase the subject merchandise and export it to the United States.

To receive consideration for a separate rate, your firm must respond to this **Q&V Questionnaire** in addition to the Department's **Separate-Rate Status Application or Certification**, by the appropriate deadlines. This ensures that the Department has the necessary information to appropriately select mandatory respondents. In other words, the Department will not give consideration to any separate rate-status made by parties that failed to respond to this questionnaire within the established deadline.

Please note that all submissions to the Department must be served on all interested parties. The list of interested parties may be found at <http://www.ia.ita.doc.gov/apo/apo-svc-lists.html>.

We appreciate your attention to these matters. Please contact Matthew Renkey or Julia Hancock at (202) 482-2312 or (202) 482-1394, respectively, if you have any questions or comments.

Sincerely,

Alex Villanueva
Program Manager, Office 9
AD/CVD Enforcement
Import Administration

Enclosure