

PRODUCERS' QUESTIONNAIRE
ALLURA RED COLORING FROM INDIA

Return completed questionnaire to:

UNITED STATES INTERNATIONAL TRADE COMMISSION
Office of Investigations, Room 615
500 E Street, SW, Washington, DC 20436

So as to be received by the Commission by no later than March 21, 2003

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its countervailing duty and antidumping investigations concerning allura red food coloring from India (invs. Nos. 701-TA-433 (Preliminary) and 731-TA-1029 (Preliminary)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII. This report is mandatory and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)).

<p>Name of firm _____</p> <p>Address _____</p> <p>City _____ State _____ Zip code _____</p> <p>World Wide Web address _____</p> <p>Has your firm produced allura red coloring (as defined in the instruction booklet) at any time since January 1, 2000?</p> <p><input type="checkbox"/> NO (Sign the certification below and promptly return only this page of the questionnaire to the Commission)</p> <p><input type="checkbox"/> YES (Read the instruction booklet carefully, complete all parts of the questionnaire, sign the certification, and return the entire questionnaire to the Commission)</p>

CERTIFICATION

I certify that the information herein supplied in response to this questionnaire is complete and correct to the best of my knowledge and belief and understand that the information submitted is subject to audit and verification by the Commission.

By signing this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this questionnaire and throughout these investigations in any other import-injury investigations conducted by the Commission on the same or similar merchandise. (If you do not consent to such use, please note the certification accordingly.)

I acknowledge that information submitted in this questionnaire response and throughout these investigations may be used by the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of these investigations or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3. I understand that all contract personnel will sign non-disclosure agreements.

Name and Title of Authorized Official

Date

Signature of Authorized Official

() _____
Phone

() _____
Fax

PART I.--GENERAL QUESTIONS

The questions in this questionnaire have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this questionnaire is estimated to average 40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the questionnaire. Send comments regarding the accuracy of this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436.

I-1. Please report below the actual number of hours required and the cost to your firm of preparing the reply to this questionnaire and completing the form.

_____ hours _____ dollars

I-2. Provide the name and address of establishment(s) covered by this questionnaire (see page 3 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

I-3. Do you support or oppose the petition? Please explain.

Support Oppose Take no position

As indicated at the top of the page, your response to this question will be treated as business proprietary. However, if the Commission's final determinations in the investigations are affirmative and countervailing and antidumping duty orders are issued, the Commission, pursuant to section 754 of the Tariff Act of 1930, will provide a list of firms supporting the petition to the Customs Service for possible distribution of any countervailing and antidumping duties that may be collected. If you wish to waive business proprietary treatment of your response to this question in order to make your position with respect to the petition public and allow inclusion of your firm on that list, indicate "yes" below.

Yes No (that is, I do not wish my position on the petition to be made public)

I-4. Is your firm owned, in whole or in part, by any other firm?

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Extent of ownership</u>
_____	_____	_____
_____	_____	_____

PART II.--TRADE AND RELATED INFORMATION--Continued

II-3. Does your firm produce other products on the same equipment and machinery used in the production of allura red coloring?

No Yes--List the following information.

Product

Basis for allocation of capacity data

II-4. Please describe the constraint(s) that set the limit(s) on your production capabilities.

II-5. Does your firm produce other products using the same production and related workers employed to produce allura red coloring?

No Yes--List the following information.

Product

Basis for allocation of employment data

II-6. Since January 1, 2000, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of allura red coloring?

No Yes--Name firm: _____

II-7. Does your firm produce allura red coloring in a foreign trade zone (FTZ)?

No Yes--Identify FTZ(s): _____

II-8. Since January 1, 2000, has your firm imported allura red coloring?

No Yes--**COMPLETE AND RETURN THE ENCLOSED IMPORTERS' QUESTIONNAIRE**

PART II.--TRADE AND RELATED INFORMATION--Continued

II-9. Report your firm's production capacity, production, shipments, inventories, and employment related to the production of allura red coloring in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.)

<i>(Quantity in pounds, value in actual dollars)</i>			
Item	Calendar years		
	2000	2001	2002
AVERAGE PRODUCTION CAPACITY (<i>quantity</i>)			
BEGINNING-OF-PERIOD INVENTORIES (<i>quantity</i>)			
PRODUCTION (<i>quantity</i>)			
U.S. SHIPMENTS:			
Commercial shipments:			
<i>Quantity</i> of commercial shipments			
<i>Value</i> of commercial shipments			
Internal consumption:			
<i>Quantity</i> of internal consumption			
<i>Value</i> ¹ of internal consumption			
Transfers to related firms:			
<i>Quantity</i> of transfers to related firms			
<i>Value</i> ¹ of transfers to related firms			
EXPORT SHIPMENTS:²			
<i>Quantity</i> of export shipments			
<i>Value</i> of export shipments			
END-OF-PERIOD INVENTORIES³ (<i>quantity</i>)			
U.S. SHIPMENTS TO DISTRIBUTORS (<i>quantity</i>)			
U.S. SHIPMENTS TO END USERS (<i>quantity</i>)			
AVERAGE NUMBER OF PRWs			
HOURS WORKED BY PRWs (<i>1,000 hours</i>)			
WAGES PAID TO PRWs (<i>value</i>)			
<p>¹ Internal consumption and transfers to related firms must be valued at fair market value. In the event that you use a different basis for valuing these transactions, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for 2000, 2001, and 2002 below:</p>			
<p>² Identify your principal export markets: _____</p>			
<p>³ <u>Reconciliation of data</u>.--Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile?</p>			
<p><input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____</p>			

PART II.--TRADE AND RELATED INFORMATION--Continued

II-10. If you reported transfers to related firms in question II-9, please indicate the nature of the relationship between your firm and the related firms (e.g., joint venture, wholly owned subsidiary), whether the transfers were priced by market or by a non-market formula, whether your firm retained marketing rights to all transfers, and whether the related firms also processed inputs from sources other than your firm.

II-11. Other than direct imports, has your firm otherwise purchased allura red coloring since January 1, 2000? (See definitions in the instruction booklet.)

No Yes--Report such purchases below for the specified periods.¹

<i>(Quantity in pounds, value in actual dollars)</i>			
Item	Calendar years		
	2000	2001	2002
PURCHASES FROM U.S. IMPORTERS² OF ALLURA RED COLORING FROM--			
INDIA:			
<i>Quantity</i>			
<i>Value</i>			
ALL OTHER COUNTRIES:			
<i>Quantity</i>			
<i>Value</i>			
PURCHASES FROM DOMESTIC PRODUCERS:²			
<i>Quantity</i>			
<i>Value</i>			
PURCHASES FROM OTHER SOURCES:²			
<i>Quantity</i>			
<i>Value</i>			
¹ Please indicate your reasons for purchasing this product. If your reasons differ by source, please elaborate. <hr/> <hr/>			
² Please list the name of the firm(s) from which you purchased this product. If your suppliers differ by source, please identify the source for each listed supplier. <hr/> <hr/>			

PART III.--FINANCIAL INFORMATION--Continued

III-6. **Operations on allura red coloring.**--Report the revenue and related cost information requested below on the allura red coloring operations of your U.S. establishment(s).¹ Note that internal consumption and transfers to related firms must be valued at fair market value and purchases from related firms must be at cost. Provide data for your three most recently completed fiscal years in chronological order from left to right.

<i>(Quantity in pounds, value in actual dollars)</i>			
Item	Fiscal years ended--		
	<u>2000</u>	<u>2001</u>	<u>2002</u>
Net sales quantities:²			
Commercial sales			
Internal consumption			
Transfers to related firms			
Total net sales quantities			
Net sales values:²			
Commercial sales			
Internal consumption			
Transfers to related firms			
Total net sales values			
Cost of goods sold (including internal consumption and transfers to related firms):			
Raw materials			
Direct labor			
Other factory costs			
Total cost of goods sold			
Gross profit or (loss)			
Selling, general, and administrative (SG&A) expenses:			
Selling expenses			
General and administrative expenses			
Total SG&A expenses			
Operating income or (loss)			
Other income and expenses:			
Interest expense			
All other expense items			
All other income items			
All other income or expenses, net			
Net income or (loss) before income taxes			
Depreciation/amortization included above			
¹ Include only sales (whether domestic or export) and costs related to your U.S. manufacturing operations. ² Less discounts, returns, allowances, and prepaid freight. The quantities and values should approximate the corresponding shipment quantities and values reported in Part II of this questionnaire.			

PART III.--FINANCIAL INFORMATION--Continued

III-7. Capital expenditures, research and development expenditures, and asset values.--Report your firm's capital expenditures and research and development expenditures on allura red coloring, and the values of the property, plant, and equipment used in the production of allura red coloring. Provide data for your three most recently completed fiscal years in chronological order from left to right.

<i>(Value in actual dollars)</i>			
Item	Fiscal years ended--		
	<u>2000</u>	<u>2001</u>	<u>2002</u>
Capital expenditures			
Research and development expenditures			
Property, plant, and equipment:			
Original cost			
Book value			

III-8. Since January 1, 2000, has your firm experienced any actual negative effects on its return on investment or its growth, investment, ability to raise capital, existing development and production efforts (including efforts to develop a derivative or more advanced version of the product), or the scale of capital investments as a result of imports of allura red coloring from India?

No Yes--My firm has experienced actual negative effects as follows:

- Cancellation or rejection of expansion projects
- Denial or rejection of investment proposal
- Reduction in the size of capital investments
- Rejection of bank loans
- Lowering of credit rating
- Problem related to the issue of stocks or bonds

Other (specify) _____

III-9. Does your firm anticipate any negative impact of imports of allura red coloring from India?

No Yes--My firm anticipates negative effects as follows:

PART IV.--PRICING AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **ECONOMIST** (202-205-xxxx).

IV-1. Who should be contacted regarding the requested pricing and related information?

Company contact: _____
Name and title

Phone No.

E-mail address

Section IV-A.--PRICE DATA

This section requests quarterly price and quantity data concerning your firm's U.S. commercial shipments to unrelated U.S. customers of the following products during January 1999-March 2002:

Product 1.--DEFINE

Product 2.--DEFINE

Product 3.--DEFINE

Product 4.--DEFINE

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-A.--PRICE DATA--Continued

COPY THIS PAGE AS NECESSARY. Complete a separate page for each of the specified products produced and sold by your firm.

Product 1 Product 2 Product 3 Product 4

(Quantity in SPECIFY, value in dollars)		
Period of shipment	Quantity	Value
1999:		
January-March		
April-June		
July-September		
October-December		
2000:		
January-March		
April-June		
July-September		
October-December		
2001:		
January-March		
April-June		
July-September		
October-December		
2002:		
January-March		
¹ If your product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your product: <hr/> <hr/>		

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS

IV-B-1. Please describe how your firm determines the prices that it charges for sales of **PRODUCT** (transaction by transaction negotiation, contracts for multiple shipments, set price lists, etc.). If your firm issues price lists, please include a copy of a recent price list with your submission. If your price list is large, please submit sample pages.

IV-B-2. Please describe your firm's discount policy (quantity discounts, annual total volume discounts, etc.).

IV-B-3. What are your firm's typical sales terms for its U.S.-produced **PRODUCT** (e.g., 2/10 net 30 days)? _____ On what basis are your prices of domestic **PRODUCT** usually quoted (e.g., f.o.b. warehouse, or delivered)? _____

IV-B-4. Approximately what percentage of your firm's sales of its U.S.-produced **PRODUCT** are on a contract (___ percent) vs. spot sales (___ percent) basis? If you sell on a contract basis, please answer the following questions with respect to provisions of a typical contract.

(a) What is the average duration of a contract? _____

(b) How frequently are contracts renegotiated? _____

(c) Does the contract fix quantity, price, or both? _____

(d) Does the contract have a meet or release provision? _____

(e) What are the standard quantity requirements, if any? _____

(f) What is the price premium for sub-minimum shipments? ___ percent

IV-B-5. What is the average lead time between a customer's order and the date of delivery for your firm's sales of **PRODUCT**? _____

IV-B-6. What is the approximate percentage of the total delivered cost of **PRODUCT** that is accounted for by transportation costs? ___ percent. Who generally arranges the transportation to your customers' locations? Your firm ___ or purchaser ___ (check one). What proportion of your sales occur within 100 miles of your storage or production facility? ___ percent. 101 to 1,000 miles? ___ percent. Over 1,000 miles? ___ percent.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-7. What is the geographic market area in the United States served by your firm's **PRODUCT**?

IV-B-8. What other products may be substitutes for **PRODUCT**?

IV-B-9. Describe the end uses of the **PRODUCT** that you manufacture. For each end use product, what percentage of the total cost is accounted for by **PRODUCT**?

IV-B-10. How has the demand within the United States (and outside the United States if known) for **PRODUCT** changed since January 1, 1999? What were the principal factors affecting changes in demand?

IV-B-11. Have there been any significant changes in the product range or marketing of **PRODUCT** in the past five years?

No Yes--Please describe.

IV-B-12. Does your firm sell **PRODUCT** over the internet?

No Yes--Please describe, noting the estimated percentage of your firm's total sales of **PRODUCT** in 2001 accounted for by internet sales.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-13. Are the U.S.-produced and imported **PRODUCT** from **COUNTRY** (**separately for and among each subject country if more than one**) used interchangeably (i.e., can they physically be used in the same applications)?

Yes No--Please explain.

IV-B-14. Are the U.S.-produced and NONSUBJECT imported **PRODUCT** (i.e., product imported from countries/firms not subject to this investigation) generally used interchangeably?

Yes No--Please explain, by country.

IV-B-15. Are NONSUBJECT imported **PRODUCT** and imported **PRODUCT** from **COUNTRY** used interchangeably?

Yes No--Please explain, by country.

IV-B-16. Are there any differences in product characteristics or sales conditions between U.S.-produced **PRODUCT** and **PRODUCT** imported from **COUNTRY** (**separately for and among each subject country if more than one**) that are a significant factor in your firm's sales of **PRODUCT**?

No Yes--Please describe any such advantages or disadvantages of the domestic product vis-a-vis the imported product (e.g., quality, availability, transportation network, product range, technical support, etc.).

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-17. Are there any differences in product characteristics or sales conditions between U.S.-produced **PRODUCT** and NONSUBJECT imported **PRODUCT** that are a significant factor in your firm's sales of **PRODUCT**?

- No Yes--Please describe any such advantages or disadvantages of the domestic product vis-a-vis the nonsubject imported product, by country of origin.

IV-B-18. Are there any differences in product characteristics or sales conditions between NONSUBJECT imported **PRODUCT** and imported **PRODUCT** from **COUNTRY** that are a significant factor in your firm's sales of **PRODUCT**?

- No Yes--Please describe, by country, any such advantages or disadvantages of the nonsubject imported product vis-a-vis the imported product from **COUNTRY**.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-14. Are differences other than price (i.e., quality, availability, transportation network, product range, technical support, etc.) between **PRODUCT** produced in the United States and in other countries a significant factor in your firm's sales of the products? Please indicate below, using "A" to indicate that such differences are *always* significant, "F" to indicate that such differences are *frequently* significant, "S" to indicate that such differences are *sometimes* significant, "N" to indicate that such differences are *never* significant, and "0" to indicate *no familiarity* with products from a specified country-pair.¹

Country-pair	United States	COUNTRY 1	COUNTRY 2	COUNTRY 3	Other countries
United States					
Country 1					
Country 2					
Country 3					

¹ For any country-pair for which factors other than price *always or frequently* are a significant factor in your firm's sales of **PRODUCT**, identify the country-pair and report the advantages or disadvantages imparted by such factors:

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-C.--CUSTOMER IDENTIFICATION

Please identify below the names and addresses of your firm's 10 largest customers for **PRODUCT** during 1999-2001. Please also provide the name and telephone number of a contact person and the share of the quantity of your firm's total shipments of **PRODUCT** that each of these customers accounted for in 2001.

No.	Customer's name	Street address (not P.O. box), state, and zip code	Contact person	Area code and telephone number	Share of 2001 sales (%)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-E.--COMPETITION FROM IMPORTS--LOST SALES

Instructions for preliminary investigation: **THIS SECTION IS TO BE COMPLETED ONLY BY NON-PETITIONERS.** (Note: petitioners may provide allegations involving quotes made AFTER the filing of the petition.)

Instructions for final investigation: **PLEASE DO NOT RE-SUBMIT ALLEGATIONS PROVIDED IN THE PRELIMINARY PHASE OF THESE INVESTIGATIONS.**

Since January 1, 1999: Did your firm lose sales of **PRODUCT** to imports of these products from **COUNTRY**?

Yes No

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost sales whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). **Please note that the Commission may contact the firms named to verify the allegations reported.**

- Customer name, contact person, phone and fax numbers
- Specific product(s) involved
- Date of your price quotation
- Quantity involved
- Your rejected price quotation (total delivered value)
- The country of origin of the competing imported product
- The accepted price quotation of the imported product (total delivered value)

Customer name, contact person, phone and fax numbers	Product	Date of quote	Quantity (UNITS)	Rejected U.S. price (total value-- dollars)	Country of origin	Accepted import price (total value-- dollars)

PART V.--PRODUCT--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **INVESTIGATOR (202-205-XXXX)**. **Supply all data requested (except for financial data) on a calendar-year basis.**

V-1. Who should be contacted regarding the requested information?

Company contact: _____
Name and title

Phone No.

E-mail address

V-2. With respect to your firm's operations on **PRODUCT**, have you, since January 1, 1999, lost sales or revenues or experienced any negative effects on your firm's growth, investment, ability to raise capital, or existing development and production efforts, including efforts to develop a derivative or more advanced version of the product, as a result of imports of **PRODUCT** from **COUNTRY**?

No

Yes--Please describe the lost sales/revenues and/or negative impact.

V-3. Report the information requested on the following page for **PRODUCT** produced in your U.S. establishment(s) during the specified periods. (See product definitions in the instruction booklet). In the space provided below, please indicate whether or not your firm was able to provide accurate figures, or estimates, for the data requested. If not, identify your problems in doing so and indicate the nature (and extent) of any inaccuracies.

PART V.--PRODUCT--TRADE AND RELATED INFORMATION--Continued

<i>(Quantity in SPECIFY UNITS, value in \$1,000)</i>					
Item	Calendar years, except as noted			January-March	
	1999	2000	2001	2001	2002
AVERAGE PRODUCTION CAPACITY <i>(quantity)</i>					
BEGINNING-OF-PERIOD INVENTORIES <i>(quantity)</i>					
PRODUCTION <i>(quantity)</i>					
U.S. SHIPMENTS:					
Commercial shipments:					
<i>Quantity</i> of commercial shipments					
<i>Value</i> of commercial shipments					
Internal consumption:					
<i>Quantity</i> of internal consumption					
<i>Value</i> ¹ of internal consumption					
Transfers to related firms:					
<i>Quantity</i> of transfers to related firms					
<i>Value</i> ¹ of transfers to related firms					
EXPORT SHIPMENTS:²					
<i>Quantity</i> of export shipments					
<i>Value</i> of export shipments					
END-OF-PERIOD INVENTORIES ³ <i>(quantity)</i>					
AVERAGE NUMBER OF PRWs					
HOURS WORKED BY PRWs <i>(1,000 hours)</i>					
WAGES PAID TO PRWs <i>(value)</i>					
FINANCIAL INFORMATION:⁴					
Net sales:⁵					
<i>Quantity</i>					
<i>Value</i>					
Cost of goods sold <i>(value)</i>					
Gross profit or (loss) <i>(value)</i>					
Selling, general, and administrative expenses <i>(value)</i>					
Operating income or (loss) <i>(value)</i>					
Capital expenditures <i>(value)</i>					
¹ Sales to related firms (including internal consumption and transfers) must be valued at fair market value. ² Identify your principal export markets: _____ ³ <u>Reconciliation of data</u> .--Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile? <input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____ ⁴ Report financial information on a fiscal-year basis (year ending _____). ⁵ Including internal consumption and transfers to related firms and net of discounts, returns, allowances, and prepaid freight.					