



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION FOREIGN  
PRODUCER/EXPORTER QUESTIONNAIRES**

Lawn and Garden Steel Fence Posts from China  
Investigation No. 731-TA-1010 (Final)

***Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this investigation, you may contact the following member of the Commission's staff (Fax 202-205-3205):***

***Christopher Cassise, investigator (202-708-5408; E-mail ccassise@usitc.gov)***

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

### GENERAL INFORMATION

***Background.***--This investigation was instituted in response to a petition filed on May 1, 2002, by Steel City Corp., Youngstown, OH. Antidumping duties may be assessed on the subject imports as a result of this investigation if the Commission makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce makes an affirmative determination of dumping.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this investigation via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire(s).***--Return the completed questionnaire(s) to the United States International Trade Commission by no later than March 4, 2003. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by March 4, 2003. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Christopher Cassise. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the investigation.**

***Service of questionnaire response(s).***--In the event that your firm is a party to this investigation, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

***Confidentiality.***--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

### GENERAL INFORMATION--Continued

***Verification.***--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

***Release of information.***--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the investigation, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use solely in connection with this investigation; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

### INSTRUCTIONS

***Answer all questions.***--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this investigation (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

***Consolidate all establishments in China.***--Report the requested data for your establishment(s) located in China. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS**

***Lawn and garden steel fence posts.***--all “U” shaped or “hat” shaped lawn and garden fence posts made of steel and/or any other metal, weighing 1 pound or less per foot. Imports of these products are classified under the following categories: fence posts, studded with corrugations, knobs, studs, notches or similar protrusions with or without anchor posts and exclude round or square tubing or pipes.

Imports of these products are classified under the Harmonized Tariff Schedule of the United States (HTSUS) statistical reporting number 7326.90.85.35. Fence posts classified under subheading 7308.90 are also included within the scope of the investigation if the fence posts are made of steel and/or metal.

Specifically excluded from the scope are other posts made of steel and/or other metal including “tee” posts, farm posts, and sign posts, regardless of weight. Although the HTSUS subheadings are provided for convenience and U.S. Customs Service purposes, the written description of the merchandise under investigation is dispositive.

***Other steel posts of 1 pound or less per foot.***--Posts (including tee, farm, and sign posts) of steel and/or any other metal, weighing 1 pound or less per square foot, other than lawn and garden fence posts, and other than round or square tubing or pipes.

***Firm.***--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

***Related firm.***--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

***Establishment.***--Each facility of a firm in China involved in the production of lawn or garden steel fence posts (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

***United States.***--For purposes of this investigation, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

***Importer.***--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing lawn or garden steel fence posts (as defined above) into the United States from a foreign manufacturer or through its selling agent.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Average production capacity**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

**Production**--All production in your establishment(s) in China, including production consumed internally within your firm.

**Shipments**--Shipments of products produced in your establishment(s) in China. Quantities reported should be net of returns.

**Home market commercial shipments**--Shipments, other than internal consumption and transfers to related firms, within China.

**Home market internal consumption/transfers to related firms**--Shipments made to related firms in China, including product consumed internally by your firm.

**Export shipments**--Shipments to destinations outside China, including shipments to related firms.

**Inventories**--Finished goods inventory, not raw materials or work-in-progress.