



GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION QUESTIONNAIRES

**Live Swine from Canada
Investigations Nos. 701-TA-438 (Final) and 731-TA-1076 (Final)**

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

Michael Szustakowski, investigator (202-205-3188; E-mail mgs@usitc.gov) regarding general questions and trade and related information;

David Boyland, auditor (202-708-4725; E-mail david.boyland@usitc.gov) regarding financial information; and

Clark Workman, economist (202-205-3248, E-mail: clark.workman@usitc.gov) regarding pricing, market, and related information.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.--These investigations were instituted in response to a petition filed on March 5, 2004 by the National Pork Producers Council, and numerous state associations and individual swine producers. Countervailing and antidumping duties may be assessed on the subject imports as a result of these investigations if the Commission makes affirmative determinations of injury, threat, or material retardation, and if the U.S. Department of Commerce makes affirmative determinations of subsidization and/or 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 these investigations 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 January 21, 2005. 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 January 21, 2005. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Michael Szustakowski. **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 investigations.**

Service of questionnaire response(s).--In the event that your firm is a party to these investigations, 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).

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

GENERAL INFORMATION--Continued

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.

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 investigations, 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 in connection with these investigations or other import-injury investigations conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals. In addition, if your firm is a U.S. producer, the information you provide on your production and imports of live swine and your responses to the questions in Part I of the producer questionnaire will be provided to the U.S. Department of Commerce, upon its request, for use in connection with (and only in connection with) its requirement pursuant to section 702(c)(4) and/or 732(c)(4) of the Act (19 U.S.C. § 1671a(c)(4) and 1673a(c)(4)) to make determinations concerning the extent of industry support for the petitions requesting these investigations. Any information provided to Commerce will be transmitted under the confidentiality and release guidelines set forth above. Your response to these questions constitutes your consent that such information be provided to Commerce under the conditions described above.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

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 these investigations (i.e., a producer, broker/distributor/importer, and/or packer questionnaire), you need not respond to duplicated questions in the questionnaires.

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

DEFINITIONS

Live Swine.--Four-legged, monogastric (single-chambered stomach), litter bearing (litters typically range from 8 to 12 animals) of the species *sus scrofa domesticus*, as covered by statistical reporting numbers 0103.91.0010, 0103.91.0020, 0103.91.0030, 0103.92.0010, and 0103.92.0090 of the Harmonized Tariff Schedule of the United States (HTS). Excluded from the scope are breeding stock, including USDA certified purebred breeding swine.

Early-weaned pig.--Swine raised from birth to weaning (about 10-15 pounds). Early-weaned pigs are also commonly referred to as isoweans or weanlings.

Feeder pig.--Swine raised from birth or weaning to approximately 50 pounds.

Market hogs (barrows and gilts).--Pigs between 166 to 180 days of age and typically weigh between 240-280 pounds, at which point they are ready for slaughter.

Sows and boars.--A sow is a mature female swine that usually shows evidence of having reproduced or having reached an advanced stage of pregnancy; a boar is an uncastrated male.

Pig finishing.--Swine raised from approximately 50 pounds to appropriate slaughter weights of about 260 pounds.

Farrow-to-finish.--Swine produced from birth to slaughter.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

PRRS.--Porcine Reproductive and Respiratory Syndrome.

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 the United States involved in the production, importation, and/or purchase of live swine (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States.--For purposes of these investigations, 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 live swine (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Imports.--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered).

Import quantities.--Quantities reported should be net of returns.

Purchaser.--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing live swine (as defined above) from another firm that produces, imports, or otherwise distributes live swine.

Purchases.--Purchases from all sources, NOT including direct imports from foreign producers (which should be reported in an importer questionnaire).

Purchase quantities.--Quantities reported should be net of returns.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Purchase values.--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

Shipments.--Shipments of products produced in or imported by your U.S. establishment(s). Include shipments to the contracting firm of product produced by your firm under a toll agreement.

Shipment quantities.--Quantities reported should be net of returns.

Types of shipments:

U.S. shipments.--Commercial shipments, internal consumption, and transfers to related firms within the United States.

Inventories.--Report the quantity (in head of swine) of such beginning-of-period and/or end-of-period inventories.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

The following definitions apply only to the PRODUCER QUESTIONNAIRE.

Gestation capacity.--The number of sows.

Toll agreement.--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

Production.--All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.

PRWs.--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

Average number employed.--Add the number of employees, including owners/employers, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12.

Hours worked.--Include time paid for sick leave, holidays, and vacation time for employees, including owners/employers. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

Wages paid.--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.) to employees, including owners/employers. Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

Fiscal year.--The 12-month period between settlement of your firm's financial accounts.

Purchases other than direct imports.--Purchases from U.S. producers, U.S. importers, and other U.S. sources.