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**OFFICE OF AD/CVD ENFORCEMENT  
QUANTITY AND VALUE QUESTIONNAIRE**

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**REQUESTER(S):** {insert name of firm}

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

**CASE:** Fresh Garlic from the People's Republic of China ("PRC") A-570-831

**PERIOD OF REVIEW:** November 1, 2005 through October 31, 2006

**DEADLINE FOR SUBMISSION OF RESPONSE:** **February 6, 2007**

**OFFICIALS IN CHARGE:**

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and

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Senior Case Analyst  
AD/CVD Operations, Office 9  
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**FILING ADDRESS:**

AD/CVD Operations, NME Office 9  
Import Administration  
U.S. Department of Commerce  
14<sup>th</sup> Street and Constitution Avenue, N.W.  
Room 1870  
Washington, D.C. 20230  
Attn: Matthew Renkey & Julia Hancock (Room 4003)

**ATTACHMENT I**  
**FORMAT FOR REPORTING QUANTITY AND VALUE OF SALES**

In providing the information in the chart below, please provide the total quantity in kilograms (and pounds) and total value (in U.S. dollars) of all your sales covered by the scope of this review (see enclosed scope description), produced in the People’s Republic of China (“PRC”), and exported/shipped to the United States during the period November 1, 2005 through October 31, 2006.

Additionally, if you believe that you should be treated as a single entity along with other named exporters, please complete the chart, below, both in the aggregate for all named parties in your group and, in separate charts, individually for each named entity. Please label each chart accordingly.

| Market:<br>United States                    | Total<br>Quantity<br>(In Kilograms) | Total<br>Quantity <sup>1</sup><br>(In Pounds) | Terms of<br>Sale <sup>2</sup> | Total<br>Value <sup>3</sup><br>(\$U.S.) |
|---|-------------------------------------|---|-------------------------------|---|
| 1. Export Price <sup>4</sup>                |                                     |   |                               |   |
| 2. Constructed<br>Export Price <sup>5</sup> |                                     |   |                               |   |
| 3. Further<br>Manufactured <sup>6</sup>     |                                     |   |                               |   |
| Total                                       |                                     |   |                               |   |

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<sup>1</sup> Detail any conversion rates used to report quantity in pounds.

<sup>2</sup> To the extent possible, sales values should be reported based on the same terms (e.g., FOB).

<sup>3</sup> Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

<sup>4</sup> Generally, a U.S. sale is classified as an export price sale when the first sale to an unaffiliated person occurs before the goods are imported into the United States.

<sup>5</sup> Generally, a U.S. sale is classified as a constructed export price sale when the first sale to an unaffiliated person occurs after importation. However, if the first sale to the unaffiliated person is made by a person in the United States affiliated with the foreign exporter, constructed export price applies even if the sale occurs prior to importation. Do not report the sale to the affiliated party in the United States, rather report the sale made by the affiliated party to the unaffiliated customer in the United States.

<sup>6</sup> Further manufacture or assembly (including re-packing) (“further manufactured”) refers to merchandise that undergoes further manufacture or assembly in the United States before sale to the first unaffiliated customer.

Please provide the following information for your company. If you believe that you should be treated as a single entity along with other named 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.

(1) **Production**

| <b>Production</b>  | <b>Total Quantity<br/>( In Kilograms)</b> | <b>Total Quantity<sup>1</sup><br/>( In Pounds)</b> |
|--|---|--|
| Your total production of all merchandise meeting the description of fresh garlic identified in Attachment II to this questionnaire, produced during the POR (regardless of the ultimate market destination). |   |  |
| Subject merchandise you produced which was made from fresh garlic produced in another country ( <u>i.e.</u> , not PRC).  |   |  |

(2) **U.S. Sales**

| <b>Merchandise</b>   | <b>Total Quantity<br/>(In Kilograms)</b> | <b>Total Quantity<sup>2</sup><br/>(In Pounds)</b> | <b>Total Value<br/>(\$U.S.<sup>3</sup>)</b> |
|--|--|---|---|
| Subject merchandise your company produced and shipped/exported to the United States during the POR.  |  |   |   |
| Subject merchandise exported/shipped to the United States by your company during the POR which was sourced from an unaffiliated supplier or suppliers ( <u>i.e.</u> , not produced by your company). |  |   |   |
| Subject merchandise produced by your company but exported/shipped through another company to the United States during the POR.   |  |   |   |
| Subject merchandise exported/shipped to the United States by your company during the POR which was produced in another country ( <u>i.e.</u> , not PRC).   |  |   |   |

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<sup>1</sup> Detail any conversion rates used to report quantity in pounds.

<sup>2</sup> Detail any conversion rates used to report quantity in pounds.

<sup>3</sup> Values should be expressed in U.S. dollars. Indicate any exchange rates used and their respective dates and sources.

NOTE: Do not include the POR quantity and value of fresh garlic produced in another country in the first three categories in this table (i.e., report this data only in the final block of the chart).

## **ATTACHMENT II DESCRIPTION OF PRODUCTS UNDER REVIEW**

The products subject to the antidumping duty order on fresh garlic from the PRC are all grades of garlic, whole or separated into constituent cloves, whether or not peeled, fresh, chilled, frozen, provisionally preserved, or packed in water or other neutral substance, but not prepared or preserved by the addition of other ingredients or heat processing. The differences between grades are based on color, size, sheathing, and level of decay.

The scope of this order does not include the following: (a) garlic that has been mechanically harvested and that is primarily, but not exclusively, destined for non-fresh use; or (b) garlic that has been specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed.

The subject merchandise is used principally as a food product and for seasoning. The subject garlic is currently classifiable under subheadings 0703.20.0010, 0703.20.0020, 0703.20.0090, 0710.80.7060, 0710.80.9750, 0711.90.6000, and 2005.90.9700 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of this order is dispositive. In order to be excluded from the antidumping duty order, garlic entered under the HTSUS subheadings listed above that is (1) mechanically harvested and primarily, but not exclusively, destined for non-fresh use or (2) specially prepared and cultivated prior to planting and then harvested and otherwise prepared for use as seed must be accompanied by declarations to CBP to that effect.

## ATTACHMENT III 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.

1. AD/CVD Operations, NME Office 9  
Import Administration  
U.S. Department of Commerce  
14<sup>th</sup> Street and Constitution Avenue, N.W.  
Room 1870  
Washington, D.C. 20230  
Attn: Matthew Renkey & Julia Hancock (Room 4003)
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, 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 this Appendix. You may photocopy this form and submit a completed copy with each of your submissions.
5. Provide the required **certificate of service** with each proprietary version and public version submitted to the Department.
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.<sup>1</sup> 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**.

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<sup>1</sup> Supplier names will not be considered proprietary information in situations where the Department has excluded the exporter from the antidumping duty order. Exclusions of non-producing exporters will be granted only to exporter/supplier combinations.

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,<sup>2</sup> 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 agree or object to release of the submitted information under APO. (See section 351.303 of our regulations for specific instructions.)<sup>3</sup>

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

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<sup>2</sup> 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.

<sup>3</sup> 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.

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.



**COMPANY OFFICIAL CERTIFICATION**

I, \_\_\_\_\_, currently employed  
(name and title)

by \_\_\_\_\_, certify that (1) I have  
(Interested Party)

read the attached submission, and (2) the information contained in

this submission is, to the best of my knowledge, complete and

accurate.

\_\_\_\_\_  
(signature of certifying official)

**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)

On Behalf of

Name and address

(Public Version)

On Behalf of

Name and address

\_\_\_\_\_  
(signature of certifying official)