

Updated July 29, 2011

UNITED STATES DEPARTMENT OF COMMERCE  
IMPORT ADMINISTRATION  
ANTIDUMPING AND  
COUNTERVAILING DUTY OPERATIONS

OFFICE [INSERT OFFICE NUMBER]

REQUEST FOR INFORMATION

(NAME of RESPONDENT)

(COUNTRY)

(PRODUCT)

PERIOD OF REVIEW: (period)

RESPONSE DUE DATE: (specify by section)

FOR DEPARTMENT USE ONLY. THIS BOX SHOULD BE DELETED BEFORE SENDING THE QUESTIONNAIRE TO RESPONDENTS. THE RESPONSE DUE DATE SHOULD BE 21 DAYS FROM THE DATE OF THE QUESTIONNAIRE FOR SECTION A AND 37 DAYS FROM THE DATE OF THE QUESTIONNAIRE FOR THE OTHER SECTIONS.

OFFICIALS IN CHARGE:

FOR DEPARTMENT USE ONLY. THIS BOX SHOULD BE DELETED BEFORE SENDING THE QUESTIONNAIRE TO RESPONDENTS. LIST TWO NAMES HERE, THE PROGRAM MANAGER AND THE LEAD ANALYST.

NAME:  
PHONE: (202) 482-  
FAX: (202) 482-  
E-MAIL:

NAME:  
PHONE: (202) 482-  
FAX: (202) 482-  
E-MAIL:

A response must be submitted electronically using Import Administration's Antidumping and Countervailing Duty Centralized Electronic Service System (IA ACCESS) on the IA ACCESS website at <http://iaaccess.trade.gov>.

For the electronic filing regulations, please refer to: Antidumping and Countervailing Duty Proceedings: Electronic Filing Procedures; Administrative Protective Order Procedures, 76 FR 39263 (July 6, 2011). You may also obtain the following electronic filing guidelines on the IA

ACCESS website (<http://iaaccess.trade.gov>): IA ACCESS External User Guide, IA ACCESS Handbook.

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## GENERAL INSTRUCTIONS

Note: The latest antidumping questionnaires, antidumping procedures manual, which provides guidance useful for calculating much of the information requested below, and relevant laws and regulations can be found at the following links:

Antidumping Questionnaires

<http://ia.ita.doc.gov/questionnaires/questionnaires-ad.html>

Antidumping Procedures Manual

<http://ia.ita.doc.gov/admanual/index.html>

Laws and Regulations

<http://ia.ita.doc.gov/regs/index.html>

This questionnaire requests information to enable the United States Department of Commerce (the "Department") to determine whether your company dumped the **subject merchandise** in the United States.<sup>1</sup> **Dumping** is the sale of merchandise to the United States at prices below the **normal value** of the merchandise. If you have questions, we urge you to consult with the **official in charge** named on the cover page. If for any reason you do not believe that you can complete the response to the questionnaire by the date specified on the cover page of this questionnaire, or in the form requested, you should contact the official in charge immediately. you must formally request an extension of time in writing. Any extension will be approved in writing; otherwise the original deadlines will apply.

Your response to the questionnaire should include all of the information requested. It is essential and in your interest that the Department receive complete information early in the proceeding to ensure a thorough and accurate analysis and to provide all parties the fullest opportunity to review and comment on your submission and the Department's analysis. We appreciate your cooperation in this review.

This review will be conducted on a schedule dictated by law. If you fail to provide accurately the information requested within the time provided, the Department may be required to base its findings on the **facts available**. If you fail to cooperate with the Department by not acting to the best of your ability to comply with a request for information, the Department may use information that is adverse to your interest in conducting its analysis.

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<sup>1</sup> In each section of the questionnaire, the first use of each term included in the Glossary of Terms at Appendix I is shown in bold type face.

This questionnaire consists of the following sections:

Section A requests information about your organization and accounting practices, and general information regarding sales of the merchandise under review.

Section B requests information about your **home market**, or where appropriate, a **third-country** market,<sup>2</sup> including a sales list and other information necessary for us to calculate the normal value of the merchandise.

Section C requests information about the United States market, including a sales list and other data necessary to calculate the price in or to the United States market.

Section D requests information about the **cost of production** of merchandise sold in the foreign market and the **constructed value** of merchandise sold in or to the United States, which may be required in connection with the calculation of normal value.<sup>3</sup>

Section E requests information about further manufacturing or assembly in the United States prior to delivery to **unaffiliated** United States customers.

Please comply with the following general instructions for filing and preparing your response to this questionnaire.

I. Instructions for Filing the Response

The following instructions apply to your response to this questionnaire and all other documents you submit to the Department during the course of this proceeding, such as responses to additional questionnaires, extension requests, and case briefs.

A. Due Date

1. All submissions must be made electronically using the Department's IA ACCESS website at <http://iaaccess.trade.gov>. If an exception to the electronic filing requirement applies, you must address and manually submit your response to the address indicated on the cover page of this questionnaire. To determine if your response qualifies for manual filing, see the section on "Manual Filing" below. All laws, regulations, and other descriptive materials that supplement your responses should be submitted on the same date as the initial response.

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<sup>2</sup> Hereafter referred to as your **foreign market**.

<sup>3</sup> If you are required to complete section D, it will be specified in the cover letter.

2. The **business proprietary** response should be submitted on the day specified on the cover page of this questionnaire. The **public version** of the response may be filed one business day after the proprietary response.
3. An electronically filed document must be received successfully in its entirety by IA ACCESS by 5 p.m. Eastern Time (ET) on the due date, unless an earlier time is specified. Where applicable, a submitter must manually file a document between the hours of 8:30 a.m. and 5 p.m. ET on the due date, unless an earlier time is specified.

B. Format

1. You are required to state in the upper right-hand corner of your cover letter the following information in the following format:
  - a. on the first line, indicate the case number stated on the cover page to this questionnaire;
  - b. on the second line, indicate the total number of pages in the document including cover pages, appendices, and any unnumbered pages;
  - c. on the third line, indicate the specific segment of the proceeding, (e.g., investigation, administrative review, scope inquiry, suspension agreement, etc.) and, if applicable, indicate the complete period of review (MM/DD/YY - MM/DD/YY);
  - d. on the fourth line, indicate the Department office conducting the proceeding;
  - e. on the fifth and subsequent lines, indicate whether any portion of the document contains business proprietary information and, if so, list the page numbers containing business proprietary information; and indicate the business proprietary/public status of the document and whether you agree or object to release of the submitted information under **administrative protective order** (APO) by stating one of the following:
    - “Business Proprietary Document -- May Be Released Under APO,”
    - “Business Proprietary Document -- May Not Be Released Under APO,”
    - “Business Proprietary/APO Version-- May Be Released Under APO,” as applicable,
    - “Public Version,” or
    - “Public Document.”

2. Please include a “Re:” line on the cover letter of your response, or any other submissions you make during this proceeding. In the Re: line, briefly summarize the purpose of your submission, e.g., “response to questionnaire,” “case brief.”
3. Prepare your response in typed form and in English (see 351.303(d) and (e) for these and other formatting requirements). Include an original and translated version of all pertinent portions of non-English language documents that accompany your response, including financial statements.
4. Repeat the question to which you are responding in your narrative submission and place your answer directly below it. The Department will provide an electronic version of this questionnaire for your convenience.
5. Please respond to each question. If a particular question does not apply, please state so and explain why in your response. Failure to do so could lead to the use of adverse inferences for that particular question.
6. In each of your answers, please identify your source of information. Please include with your response copies of source documents necessary to understand your response. For additional information sources not included in your response, indicate the location where the documents or electronic data systems are maintained. If information is maintained at multiple locations, please list in an appendix to your response these locations along with notes indicating the information maintained at each location. This information is used by the Department to prepare for **verification**.
7. Include all worksheets, financial reports, and other requested documents as appendices to your response.
8. Provide a table of attachments. Assign a number to each attachment and include a descriptive name for each attachment and its number in the table.
9. All monetary amounts should be shown in the currency in which they were originally denominated, and in the currency in which they are registered in your accounts (if the two are different). Also, report the actual exchange rate used for a particular conversion. For all values adjusted for inflation, please provide the data in both nominal and adjusted terms and explain how these values were adjusted.

Identify all units of measurement, currencies, and conversion factors used in your narrative response, worksheets, or other appendices. For electronic databases submitted in antidumping proceedings, you must complete Appendix VII, which is a template providing a standard format for reporting the units of measurement,

currencies, and conversion factors. Please complete a separate template for each database submitted (home market sales, U.S. sales, cost, etc.) and be sure to provide the requested data for each numerical field in the database. In addition, for antidumping proceedings, please refer to Appendix II (not included for CVD proceedings), which includes additional information for submitting databases.

10. It is your responsibility to contact the official in charge if subsequent to your filing there are events that affect your response (e.g., changes in your cost accounting system are relevant to antidumping proceedings, and changes as a result of an audit are relevant to both antidumping and CVD proceedings).

C. Manual Filing

1. All submissions must be filed electronically. Only under the following four circumstances will the Department accept a hardcopy response that is manually filed:
  - Documents exceeding 500 pages in length may be filed manually (in paper form) in the APO/Dockets Unit. This is referred to as a “bulky document.”
  - Data files greater than 20 MB must be filed manually on CD-ROM or DVD.
  - If the IA ACCESS system is unable to accept filings continuously or intermittently over the course of any period of time greater than one hour between 12:00 p.m. and 4:30 p.m. ET or for any duration of time between 4:31 p.m. and 5:00 p.m. ET, then a person may manually file the document in the APO/Dockets Unit. The Department will provide notice of such technical failures on the IA ACCESS Help Desk line at 202-482-3150 and on the IA website, which is <http://www.trade.gov/ia/>.
  - Apart from the above, if you are unable to comply with the electronic filing requirement, as provided in § 351.103(c) of the Department’s Regulations, and in accordance with section 782(c) of the Tariff Act of 1930, as amended (the Act), you must promptly notify the official in charge and submit a full written explanation of the reasons you are unable to file the document electronically. You must also suggest alternative forms in which to submit the information. The Department will consider the ability of a submitter and may modify the electronic filing requirement on a case-by-case basis.



2. All manually filed documents must be accompanied by a cover sheet generated in IA ACCESS. For manually filed bulky documents, separator sheets must also be generated and used.
3. If your response qualifies as a bulky document and you opt to file it manually, you must file two identical paper copies of the document. For all other authorized manual submissions, only one paper copy is required.
4. Manual submissions must be addressed and submitted to:  
**Secretary of Commerce**  
**APO/Dockets Unit**  
**Room 1870**  
**U.S. Department of Commerce**  
**Fourteenth Street and Constitution Avenue, N.W.**  
**Washington, D.C. 20230**  
**Attn: Import Administration**  
**AD/CVD Operations, Office** (*specify office number indicated on the cover page of this questionnaire*)

D. Certification

1. 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 questionnaire responses that do not contain the certification statements. Forms for such certification are included as appendices to this questionnaire. You may photocopy this form and submit a completed copy with each of your submissions.
2. Provide the required **certificate of service** (included as an appendix) with each business proprietary document and public version submitted to the Department.
3. Signed certifications of accuracy and certificates of service should be scanned and appended to the appropriate electronic documents filed in IA ACCESS.

E. Business Proprietary Information and Summarization of Business Proprietary Information

1. Request business 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 or countervailing duty proceeding in a public reading file. However, information deemed to be proprietary information will not be made available to the public. If

you wish to make a request for proprietary treatment for particular information, refer to sections 351.304, 351.305, and 351.306 of the Department's regulations. You must submit the request for proprietary treatment at the same time as the claimed business proprietary information is submitted to the Department.

2. Utilize the "one-day lag rule" under section 351.303(c)(2) of the Department's regulations if you wish an additional day to review the final bracketing of business proprietary information in a document and to prepare the required public version. The filing requirements under the one-day lag rule provide for a party to file only the business proprietary document within the applicable time limit (section 351.303(c)(2)(i)). By the close of business one business day after the date the business proprietary document is filed, the person must file the complete final business proprietary document (section 351.303(c)(2)(i)(ii)). The final business proprietary document must be identical to the original document except for any bracketing corrections.
3. By the close of business one business day after the date the business proprietary document is filed (refer to the "one-day lag rule" in the preceding paragraph), submit the public version of your response (section 351.303(c)(2)(i)(iii)). A public version must contain:
  - (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, 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.

Please note: The summarization requirement does not apply solely to the narrative portion of your response. It applies equally to worksheets and other appendices to your response, and even to sales and cost databases submitted in antidumping proceedings. Generally, numerical data, such as that provided in sales and cost databases in antidumping proceedings, are adequately summarized only if grouped or presented in terms of indices or figures ranged within 10 percent of the actual figure. If a particular portion of data is voluminous, use ranged figures for at least one percent of the voluminous portion.

Responses, or portions thereof, that are not adequately summarized may be rejected from the record of this proceeding.

4. Submit the statements required regarding limited release of business proprietary information under the provisions of an 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. As discussed above, you must state in the upper right-hand corner of the cover letter accompanying your questionnaire response whether you agree or object to release of the submitted information under APO (e.g., May Be Released Under APO or May Not Be Released Under APO). (See section 351.304 of the Department's regulations for specific instructions.<sup>4</sup>)

5. 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.<sup>5</sup>
6. Provide to all parties whose representatives have been granted APO access and who are listed on the Department's most recent APO Service List, a complete copy of the submission--proprietary document and public version, except for that information which you do not agree to release under APO. (APO service lists, as well as public service lists, are maintained at <http://ia.ita.doc.gov/apo/apo-svc-lists.html>, and are also either attached to the cover letter of this questionnaire or will be provided by a subsequent letter from the Department). If you exclude information because you do not agree to release it under APO, you must submit

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<sup>4</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.

<sup>5</sup> The Department will not disclose proprietary customer names under APO during an antidumping or countervailing duty investigation until either an order is published or the investigation is suspended. To ensure that proprietary customer names are properly treated in this case, place double brackets (“[[ ]]”) around all proprietary customer names in your submissions to the Department during the course of this investigation.

the complete business proprietary version, wherein information in double brackets has been excluded. This version of the response must be marked “Business Proprietary/APO Version-- May Be Released Under APO” on the cover page. For parties that do not have access to information under APO, please provide a public version only.

Note: A chart summarizing AD/CVD document filing requirements can be found at <http://ia.ita.doc.gov/filing/index.html>. Detailed and supplemental information concerning APOs, including the APO Handbook, a complete set of APO regulations, and APO application forms and service lists, can be found at <http://ia.ita.doc.gov/apo/index.html>.

F. Government Confidential Information

Any government confidential information submitted to us should be clearly labeled, preferably with the national security classification mark of the responsible authority. The appropriate authority should also submit a statement explaining, in detail, why the information is confidential.

Please note that any company-specific information submitted by government authorities, for which the government is acting merely as a conduit, is not entitled to government confidential treatment; such information is covered by the business proprietary information guidelines outlined above.

G. Verification

All information submitted may be subject to verification. Failure to allow full and complete verification of any information may affect the consideration accorded to that or any other verified or non-verified item in the responses.

H. Extension Requests

The Department must conduct this proceeding in accordance with statutory and regulatory deadlines. If you are unable to respond completely to every question in the attached questionnaire by the established deadline, or are unable to provide all requested supporting documentation by the same date, you must notify the official in charge and submit a request for an extension of the deadline for all or part of the questionnaire response. If you require an extension for only part of your response, such a request should be submitted separately from the portion of your response filed under the current deadline. Statements included within a questionnaire response regarding a respondent’s ongoing efforts to collect part of the requested information, and promises to supply such missing information when available in the future, do not substitute for a written extension request. Section 351.302(c) of the Department’s regulations requires that all extension

requests be in writing and state the reasons for the request. Any factual statements made in support of such reasons must be accompanied by the certifications required under section 351.303(g) of the regulations. An extension request submitted without a proper certification for any factual information contained therein will be considered improperly filed and, as with any other improperly filed document, will not be accepted. Any extension granted in response to your request will be in writing; otherwise the original deadline will apply.

If the Department does not receive either the requested information or a written extension request before 5:00 pm ET on the established deadline, we may conclude that you have decided not to cooperate in this proceeding. The Department will not accept any requested information submitted after the deadline. As required by section 351.302(d) of our regulations, we will reject such submissions as untimely. Therefore, failure to properly request extensions for all or part of a questionnaire response may result in the application of partial or total facts available, pursuant to section 776(a) of the Act, which may include adverse inferences, pursuant to section 776(b) of the Act.

## II. Additional Instructions for Preparing an Antidumping Questionnaire Response

1. Report all **price adjustments**, sales expenses, and cost data in the computer data files requested in sections B, C, and D (if required) of this questionnaire. Report price adjustments and expenses on an allocated basis (e.g., on an average basis) only when price adjustments and expenses cannot be tied to a specific sale (e.g., indirect selling expenses).

The Department will accept allocated price adjustments and expenses only if you can demonstrate that the allocation is calculated on as specific a basis as is feasible (e.g., on a customer-specific basis, product-specific basis, and/or monthly-specific basis, etc.) and is not unreasonably distortive. In doing so, provide a complete explanation of: (1) how the price adjustments or expenses are recorded in your records; (2) why you cannot report the price adjustment or expense on a more specific basis using your records; and, (3) why your allocation methodology does not cause inaccuracies or distortions. For example, if you must allocate an expense between subject and non-subject merchandise and you perform the allocation on the basis of sales value, show that subject and non-subject merchandise incur, or should incur, the expense in such proportions. Include the allocation formula and supporting worksheets in your response.

2. The narrative portion of your response should include an explanation of each price adjustment, sales expense, and cost field reported in your databases. Such explanations should include a discussion of the nature of the price adjustment, expense, or cost, as well as a detailed description of the calculation used (including samples). Explain whether sales expenses relate directly or indirectly

to your sales of the subject merchandise. Please refer to the Glossary of Terms included as an appendix for a definition of **direct** and **indirect expenses**.

3. Report all revenues and expenses in the currencies in which they were earned or incurred.
4. Revenues and expenses should be identified by name and by the account or sub-account codes listed in your chart of accounts.
5. Prepare only a single response for you and your **affiliates** involved with the production or sale of the products under investigation during the **period of investigation** (POI) in the foreign market or the United States. In other words, report the sales and cost information of these affiliates and your sales and cost information in the same computer data files and submit only one narrative response. However, clearly separate your answers regarding each company for which you are reporting information. Likewise, each record in your electronic sales databases should indicate which company is the manufacturer and which is the seller. Each record in your cost database (if required) should indicate the manufacturer.
6. If (a) you are uncertain whether a company is affiliated with you; (b) you do not believe you are able to prepare a response that includes the information of a known affiliate; or, (c) you do not believe it is appropriate to prepare a response that includes the information of a known affiliate, contact the official in charge immediately.
7. If you make sales to unaffiliated customers in the United States through an affiliated reseller located in the United States, your sales will generally be classified as **constructed export price** sales. For these sales, the Department deducts from the price to the unaffiliated customer all selling, distribution, and manufacturing expenses incurred in the United States. The Department also makes a deduction for profit attributable to U.S. operations. If you are required to respond to the cost-of-production section of this questionnaire, the Department will typically calculate a profit rate based on your reported revenues and expenses (in the United States and the foreign market).

If you are not required to respond to the cost-of-production section of this questionnaire (*i.e.*, section D), you may voluntarily submit the information necessary to calculate a profit rate. Within legislative guidelines, we will use the information if it is practicable to do so and the information can be verified.

8. You must report all sales, including those sales which you believe are outside the **ordinary course of trade**. If you claim that some sales are outside the ordinary

course of trade, you should then identify those sales. You must include a complete explanation in your narrative of why you consider those sales to be outside the ordinary course of trade.

III. Submission of Computer Databases and Spreadsheets

Refer to Appendix II for additional instructions.

IV. Separate Letter of Appearance Required

Section 351.103(d)(1) of the Department's regulations states that "with the exception of a petitioner filing a petition in an investigation, to be included on the public service list for a particular segment, each interested party must file a letter of appearance." The letter of appearance must be filed separately from any other document (with the exception of an application for APO access).