



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

**Allura Red Coloring from India
Investigations Nos. 701-TA-433 (Preliminary) and
731-TA-1029 (Preliminary)**

***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):***

Woodley Timberlake, investigator (202-205-3188; E-mail wtimberlake@USITC.GOV)

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.--These investigations were instituted in response to a petition filed on March 4, 2003 by Sensient Technologies Corporation, Milwaukee, WI. Countervailing and/or 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 March 21, 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 21, 2003. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Woodley Timberlake. **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).

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.

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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 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.

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, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

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

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DEFINITIONS

Allura red coloring.--For purposes of these investigations, allura red coloring is defined as red coloring containing not less than 85 percent by weight of the disodium salt of 6-hydroxy-5-[(2-methoxy-5-methyl-4-sulfophenyl)azo]-2-naphthalenesulfonic acid, whether or not certified for human consumption. These investigations cover allura red coloring in all forms and variations, including powders, press cakes, extrudates, liquid, granules or any other form in which the product is or will be imported or sold in the United States. Allura red is a synthetic color, as opposed to a color obtained from animal, vegetable or mineral origin. All batches of allura red must be certified by the U.S. Food and Drug Administration (FDA) before they may be lawfully used as a food additive in the United States. Allura red that has been certified for human consumption in the United States is also referred to as Food, Drug, and Cosmetic (or FD&C) Red No. 40. These investigations do not cover lake pigments (water-insoluble aluminum salts of coloring agents) formed from allura red, downstream products created from dyes that are also used in food, drugs, and cosmetics, as well as colors of animal, vegetable or mineral origin, also known as “natural colors.” The most common applications for allura red include use in soft drinks, dry mixes, baked goods, confections, pet foods, pharmaceutical tablets, dairy products, and sausage casing. Allura red is provided for under subheading 3204.12.50 of the Harmonized Tariff Schedule of the United States (HTS).

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 India involved in the production of allura red coloring (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 allura red coloring (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Average production capacity.--The level of production that your establishment(s) could

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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 India, including production consumed internally within your firm.

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

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

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

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

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