

PROCESSORS' QUESTIONNAIRE
CERTAIN FROZEN FISH FILLETS FROM VIETNAM

Return completed questionnaire to:

UNITED STATES INTERNATIONAL TRADE COMMISSION
Office of Investigations, Room 615
500 E Street, SW, Washington, DC 20436

So as to be received by the Commission by no later than April 10, 2003

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its antidumping investigation concerning certain frozen fish fillets from Vietnam (inv. No. 731-TA-1012 (Final)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII. This report is mandatory and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)).

<p>Name of firm _____</p> <p>Address _____</p> <p>City _____ State _____ Zip code _____</p> <p>World Wide Web address _____</p> <p>Has your firm produced the subject product (as defined in the instruction booklet) at any time since January 1, 2000?</p> <p><input type="checkbox"/> NO (Sign the certification below and promptly return only this page of the questionnaire to the Commission)</p> <p><input type="checkbox"/> YES (Read the instruction booklet carefully, complete all parts of the questionnaire, sign the certification, and return the entire questionnaire to the Commission)</p>

CERTIFICATION

I certify that the information herein supplied in response to this questionnaire is complete and correct to the best of my knowledge and belief, and I understand that the information submitted is subject to audit and verification by the Commission.

By signing this certification I also consent for the Commission, and its employees and contract personnel, to use the information provided in this questionnaire and throughout this investigation in any other import-injury investigations conducted by the Commission on the same or similar merchandise. (If you do not consent to such use, please note the certification accordingly).

I acknowledge that information submitted in this questionnaire response and throughout this investigation may be used by the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of this investigation or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3. I understand that all contract personnel will sign non-disclosure agreements.

Name and Title of Authorized Official

Date

Signature of Authorized Official

() _____
Phone

() _____
Fax

PART I.--GENERAL QUESTIONS

The questions in this questionnaire have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this questionnaire is estimated to average 35 hours per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the questionnaire. Send comments regarding the accuracy of this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW., Washington, DC 20436.

I-1. Please report below the actual number of hours required and the cost to your firm of preparing the reply to this questionnaire and completing the form.

_____ hours _____ dollars

I-2. Provide the name and address of establishment(s) covered by this questionnaire (see page 3 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

I-3. Do you support or oppose the petition? Please explain.

Support Oppose Take no position

As indicated at the top of the page, your response to this question will be treated as business proprietary. However, if the Commission's final determination in the investigation is affirmative and an antidumping duty order is issued, the Commission, pursuant to section 754 of the Tariff Act of 1930, will provide a list of firms supporting the petition to the Customs Service for possible distribution of any antidumping duties that may be collected. If you wish to waive business proprietary treatment of your response to this question in order to make your position with respect to the petition public and allow inclusion of your firm on that list, indicate "yes" below.

Yes No (that is, I do not wish my position on the petition to be made public)

I-4. Is your firm owned, in whole or in part, by any other firm?

No Yes--List the following, including type of firm (e.g., grower, cooperative).

<u>Firm name and type</u>	<u>Address</u>	<u>Extent of ownership</u>
_____	_____	_____
_____	_____	_____

PART I.--GENERAL QUESTIONS--Continued

I-5. Does your firm have any related firms, either domestic or foreign, which are engaged in importing the subject product from Vietnam into the United States or which are engaged in exporting the subject product from Vietnam to the United States?

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

I-6. Does your firm have any related firms, either domestic or foreign, which are engaged in the production of the subject product?

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

I-7. Does your firm have any related firms which are engaged in the production of foodsize live catfish:

No Yes--List the following information:

<u>Firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **Larry Reavis** (202-205-3185). **Supply all data requested on a calendar-year basis.**

II-1. Who should be contacted regarding the requested trade and related information?

Company contact: _____
Name and title

Phone No. _____ E-mail address _____

II-2. Has your firm experienced any plant openings, relocations, expansions, acquisitions, modernizations, consolidations, closures, or shutdowns because of outages, strikes, or equipment failure; curtailment of production because of shortages of materials; or any other intracompany

II-5. Does your firm produce other products (non-catfish or catfish products other than frozen fillets) using the same production and related workers employed to produce the subject product?

No Yes--List the following information.

<u>Product</u>	<u>Basis for allocation of employment data</u>
_____	_____
_____	_____

II-6. Since January 1, 2000, the subject product consisted of approximately what share (in percent) of all the catfish products you sold?: By weight _____. By value _____. What other catfish products do you sell? _____

II-7. Approximately what share of the weight of the U.S.-grown live catfish that you acquired between January 1, 2000 and March 31, 2003 went into each of the following:

	Share of weight (in percent)
Production of fresh products.	_____
Production of frozen products other than the subject product	_____
Production of the subject product	_____
Waste that was sold or given away	_____
Waste that was discarded.	_____
Total	100%

If the share of the weight going into the subject product changed during this period, please explain (increase or decrease, magnitude, timing, and reason(s) for the change):

II-8. What percentage of the weight of the U.S. produced live catfish that you acquired between January 1, 2000 and March 31, 2003 did you sell as whole fresh fish? _____.

II-9. Since January 1, 2000, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of the subject product?

No Yes--Name firm: _____

II-10. Does your firm produce the subject product in a foreign trade zone (FTZ)?

No Yes--Identify FTZ(s): _____

II-11. Since January 1, 2000, has your firm imported the subject product?

No Yes--**COMPLETE AND RETURN THE ENCLOSED IMPORTERS' QUESTIONNAIRE**

PART II.--TRADE AND RELATED INFORMATION--Continued

II-12. Report your firm's production capacity, production, shipments, inventories, and employment related to the production of **the subject product** in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.)

<i>(Quantity in 1,000 pounds, value in \$1,000)</i>					
Item	Calendar years			January-March	
	2000	2001	2002	2002	2003

AVERAGE PRODUCTION CAPACITY (<i>quantity</i>)					
BEGINNING-OF-PERIOD INVENTORIES (<i>quantity</i>)					
PRODUCTION (<i>quantity</i>)					
U.S. SHIPMENTS:					
Commercial shipments:					
Quantity of commercial shipments					
Value of commercial shipments					
Internal consumption:					
Quantity of internal consumption					
Value ¹ of internal consumption					
Transfers to related firms:					
Quantity of transfers to related firms					
Value ¹ of transfers to related firms					
EXPORT SHIPMENTS:²					
Quantity of export shipments					
Value of export shipments					
END-OF-PERIOD INVENTORIES³ (<i>quantity</i>)					
U.S. SHIPMENTS TO FOOD SERVICE DISTRIBUTORS (<i>quantity</i>)					
U.S. SHIPMENTS TO RESTAURANT CHAINS (<i>quantity</i>)					
U.S. SHIPMENTS TO OTHERS (<i>quantity</i>)					
AVERAGE NUMBER OF PRWs					
HOURS WORKED BY PRWs (<i>1,000 hours</i>)					
WAGES PAID TO PRWs (<i>value</i>)					
<p>¹ Internal consumption and transfers to related firms must be valued at fair market value. In the event that you use a different basis for valuing these transactions, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for 2000, 2001, and 2002 below:</p>					
<p>² Identify your principal export markets: _____</p>					
<p>³ <u>Reconciliation of data</u>.--Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile?</p>					
<p><input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____</p>					

PART II.--TRADE AND RELATED INFORMATION--Continued

II-13. If you reported transfers to related firms in question II-10, please indicate the nature of the relationship between your firm and the related firms (e.g., joint venture, wholly owned subsidiary), whether the transfers were priced by market or by a non-market formula, whether your firm retained marketing rights to all transfers, and whether the related firms also processed inputs from sources other than your firm.

II-14. Does your firm (check all that apply)--

Process foodsize live catfish that you farm or that are farmed by a related firm?

Process foodsize live catfish that you obtain from unrelated farms? If yes, please describe the typical arrangements with the farms from which you obtain the foodsize live catfish. Do you sell the processed product and then reimburse the farmers the sale price received less a processing charge? Please explain:

II-15. Other than direct imports, has your firm otherwise purchased the subject product since January 1, 2000? (See definitions in the instruction booklet.)

No Yes--Report such purchases below for the specified periods.¹

<i>(Quantity in 1,000 pounds, value in \$1,000)</i>					
Item	Calendar years			January-March	
	2000	2001	2002	2002	2003
PURCHASES FROM U.S. IMPORTERS² OF SUBJECT PRODUCT FROM--					
VIETNAM:					
<i>Quantity</i>					
<i>Value</i>					
ALL OTHER COUNTRIES:					
<i>Quantity</i>					
<i>Value</i>					
PURCHASES FROM DOMESTIC PRODUCERS:²					
<i>Quantity</i>					
<i>Value</i>					
PURCHASES FROM OTHER SOURCES:²					
<i>Quantity</i>					
<i>Value</i>					
¹ Please indicate your reasons for purchasing this product. If your reasons differ by source, please elaborate.					
² Please list the name of the firm(s) and country(ies) from which you purchased this product.					

PART III.--FINANCIAL INFORMATION

Address questions on this part of the questionnaire to **Jim Stewart (202-205-3196)**.

III-1. Who should be contacted regarding the requested financial information?

Company contact: _____
Name and title

_____ Phone No. _____ E-mail address

III-2. When does your fiscal year end (month and day)? _____

Transfers to related firms					
Total net sales quantities					
Net sales values:²					
Commercial sales					
Internal consumption					
Transfers to related firms					
Total net sales values					
Cost of goods sold (including internal consumption and transfers to related firms):					
Foodsize live catfish from related growers					
Foodsize live catfish from unrelated growers					
Direct labor					
Other factory costs					
Total cost of goods sold					
Gross profit or (loss)					
Selling, general, and administrative (SG&A) expenses:					
Selling expenses					
General and administrative expenses					
Total SG&A expenses					
Operating income or (loss)					
Other income and expenses:					
Interest expense					
All other expense items					
All other income items					
All other income or expenses, net					
Net income or (loss) before income taxes					
Depreciation/amortization included above					
¹ Include only sales (whether domestic or export) and costs related to your U.S. manufacturing operations. ² Less discounts, returns, allowances, and prepaid freight. The quantities and values should approximate the corresponding shipment quantities and values reported in Part II of this questionnaire.					

PART III.--FINANCIAL INFORMATION--Continued

- III-7. Please indicate by check how foodsize live catfish purchased from related farmers are valued in cost of goods sold in question III-6: By amount paid ___ By farm's cost ___ By other ___ (describe: _____)
- III-8. If applicable, please indicate the percentage of a subject frozen fillet's production cost (COGS) accounted for by (1) marinating _____ and (2) breeding _____.
- III-9. Please list all catfish farms in which your firm or any owners of your firm has an ownership interest or any catfish farms or owners of catfish farms which have an ownership interest in your firm.

This section requests quarterly price and quantity data concerning your firm's shipments of the following frozen subject products produced and sold by your firm to all unrelated customers during January 2000-March 2003:

Product 1.— 2 to 3 ounce frozen fillets, not breaded or marinated, in 15 lb. to 10 kg. (22 lb.) boxes

Product 2.— over 3 ounce to 5 ounce frozen fillets, not breaded or marinated, in 15 lb. to 10 kg. (22 lb.) boxes

Product 3.— over 5 ounce to 7 ounce frozen fillets, not breaded or marinated, in 15 lb. to 10 kg. (22 lb.) boxes

Product 4.— over 7 ounce to 9 ounce frozen fillets, not breaded or marinated, in 15 lb. to 10 kg. (22 lb.) boxes

Please note that total dollar values should be f.o.b., U.S. point of shipment and should not include U.S.-inland transportation costs. Total dollar values should reflect the FINAL NET amount paid to you (i.e., should be net of all deductions for discounts or rebates. See instruction booklet).

Please note: If your product falls within one of the size ranges please report quantity and value of sales within the appropriate size range. For example, report sales of 4 ounce fillets with the 3-5 ounce product.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-A.--PRICE DATA--Continued

COPY THIS PAGE AS NECESSARY. Complete a separate page for each of the specified products ¹ produced and sold by your firm to unrelated U.S. customers.

Product 1 Product 2 Product 3 Product 4

<i>(Quantity in pounds, value in dollars)</i>								
Month	2000		2001		2002		2003	
	Quantity	F.o.b. value ²	Quantity	F.o.b. value ²	Quantity	F.o.b. value ²	Quantity	F.o.b. value ²
January								
February								
March								
April								
May								
June								
July								
August								
September								
October								
November								
December								

¹ If your product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your product:

² Net value (i.e. gross sales value less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. producing establishment.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS

IV-B-1. Please describe how your firm determines the prices that it charges for sales of the subject product (transaction by transaction negotiation, contracts for multiple shipments, set price lists, etc.). If your firm issues price lists, please include a copy of a recent price list with your submission. If your price list is large, please submit sample pages.

IV-B-2. Please describe your firm's discount policy (quantity discounts, annual total volume discounts, etc.).

IV-B-3. What are your firm's typical sales terms for its U.S.-produced subject product (e.g., 2/10 net 30 days)? _____ On what basis are your prices of the subject product usually quoted (e.g., f.o.b. warehouse, or delivered)? _____

IV-B-4. Approximately what percentage of your firm's sales of its U.S.-produced subject product are on a contract (___ percent) vs. spot sales (___ percent) basis? If you sell on a contract basis, please answer the following questions with respect to provisions of a typical contract.

(a) What is the average duration of a contract? _____

(b) How frequently are contracts renegotiated? _____

(c) Does the contract fix quantity, price, or both? _____

(d) Does the contract have a meet or release provision? _____

(e) What are the standard quantity requirements, if any? _____

(f) What is the price premium for sub-minimum shipments? ___ percent

IV-B-5. What is the average lead time between a customer's order and the date of delivery for your firm's sales of the subject product? _____

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-6. What is the approximate percentage of the total delivered cost of the subject product that is accounted for by U.S. inland transportation costs? _____ percent. Who generally arranges the transportation to your customers' locations? Your firm _____ or purchaser _____ (check one). What proportion of your sales occur within 100 miles of your storage or production facility? _____ percent. 101 to 500 miles? _____ percent. Over 500 miles? _____ percent.

IV-B-7. What is the geographic market area in the United States served by your firm's subject product?

IV-B-8. (a) Are there fillets of other species of fish that may be substituted for the subject product?

No Yes--Please describe.

(b) What other products may be substituted for the subject product?

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-9. (a) What frozen fish fillets produced domestically may be substituted for imported subject product from Vietnam (i.e. frozen fish fillets produced from "basa" and "tra")?

(b) What domestic products other than frozen fish fillets may be substituted for imported subject product from Vietnam (i.e. frozen fish fillets produced from "basa" and "tra")?

IV-B-10. Describe the end uses of the subject product that you produce. For each end use product, what percentage of the total cost is accounted for by the subject product?

IV-B-11. (a) How has the demand within the United States (and outside the United States if known) for the subject product changed since January 1, 2000? What were the principal factors affecting changes in demand?

(b) Have changes in the prices or marketing of other types of white fish fillets affected the demand for the subject product since January 1, 2000?

No Yes--Please describe.

(c) When negotiating prices and volumes of the subject product, to what extent (if at all) are prices of other types of frozen white fish fillets (e.g. flounder, pollack, sole, tilapia) relevant or used as leverage by your customers? Please identify the relevant type(s) of fillets.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-12. Have there been any significant changes in the product range or marketing of the subject product in the past five years?

No Yes--Please describe.

IV-B-13. Are the U.S.-produced subject product and imported subject product from Vietnam used interchangeably (i.e., can they physically be used in the same applications)?

Yes No--Please explain.

IV-B-14. Are the U.S.-produced subject product and NONSUBJECT imported product (i.e., product imported from countries other than Vietnam) generally used interchangeably?

Yes No--Please explain, by country.

IV-B-15. Are the NONSUBJECT imported product and the subject product from Vietnam used interchangeably?

Yes No--Please explain, by country.

IV-B-16. Are there any differences in product characteristics or sales conditions between U.S.-produced subject product and subject product imported from Vietnam that are a significant factor in your firm's sales of the subject product?

No Yes--Please describe any such advantages or disadvantages of the domestic product compared to the imported product (e.g., quality, availability, transportation network, product range, etc.).

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-17. Are there any differences in product characteristics or sales conditions between the U.S.-produced subject product and NONSUBJECT imported product that are a significant factor in your firm's sales of the subject product?

- No Yes--Please describe any such advantages or disadvantages of the domestic product compared to the nonsubject imported product, by country.

IV-B-18. Are there any differences in product characteristics or sales conditions between the NONSUBJECT imported product and subject product from Vietnam that are a significant factor in your firm's sales of the subject product?

- No Yes--Please describe, by country, any such advantages or disadvantages of the nonsubject imported product compared to the subject product from Vietnam.

IV-B-19. Please describe any effects of U.S. state and federal "catfish" labeling laws enacted after 2001 in terms of supply, demand, production of the subject product, imports into the United States of subject product from Vietnam, and/or competition between domestically produced subject product and subject product imported from Vietnam.

IV-B-20. (a) What determines the pond-bank price you pay for live catfish to your related and unrelated catfish growers? Please note any constraints on your ability to pass decreases in the price that you receive for frozen catfish fillets back to the grower in terms of lower pond-bank prices.

(b) Do lower catfish prices at the pond-bank level have adverse effects on your frozen catfish fillet processing operations? If so, please explain how, both short term and long term.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-D.--COMPETITION FROM IMPORTS--LOST SALES

DO NOT REPEAT ALLEGATIONS MADE IN THE PETITION OR IN THE PRELIMINARY PHASE QUESTIONNAIRE. (Note: petitioners may only provide allegations involving quotes made AFTER the filing of their questionnaire in the preliminary phase of the investigations.)

Since January 1, 2000: Did your firm lose sales of the subject product to imports of these products from Vietnam?

Yes No

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost sales whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). **Please note that the Commission may contact the firms named to verify the allegations reported.**

- Customer name, contact person, phone and fax numbers
- Specific product(s) involved
- Date of your price quotation
- Quantity involved
- Your rejected price quotation (total delivered value)
- The country of origin of the competing imported product
- The accepted price quotation of the imported product (total delivered value)

Customer name, contact person, phone and fax numbers	Product	Date of quote	Quantity (pounds)	Rejected U.S. price (total value-- dollars)	Country of origin	Accepted import price (total value-- dollars)