

**UNITED STATES DEPARTMENT OF COMMERCE
IMPORT ADMINISTRATION
OFFICE OF ANTIDUMPING AND
COUNTERVAILING DUTY ENFORCEMENT**

REQUEST FOR INFORMATION

(NAME of RESPONDENT)

(COUNTRY)

(PRODUCT)

PERIOD OF INVESTIGATION: *(period)*

For Department use only. This box should be deleted before sending the questionnaire to respondents. *The period of investigation should be the respondent's last completed fiscal quarter before the filing of the petition and the three previous fiscal quarters.*

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.*

OFFICIAL 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.*

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

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

Return the Questionnaire Response to:

Secretary of Commerce
Attn: Import Administration
Office of AD/CVD Enforcement *(specify office number)*
Attn: *(specify analyst's name)*

**APO/Dockets Unit
Room 1870
U.S. Department of Commerce
Fourteenth Street and Constitution Avenue, N.W.
Washington, D.C. 20230**

Import Administration Website: <http://www.trade.gov/ia/>

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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.¹ **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 investigation.

This investigation 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.

¹ 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 typeface.

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 investigation.

Section B requests information about your **home market**, or where appropriate, a **third-country** market,² 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.³

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 not only to your questionnaire response but to all documents you submit to the Department during the course of this proceeding.

1. Address and submit your response to the address indicated on the cover page of this questionnaire.
2. **Business proprietary versions** of the response should be submitted on the day specified on the cover of the questionnaire. The **public version** of the response may be filed one business day after the proprietary version.
3. File six copies of the business proprietary version.

² Hereafter referred to as your **foreign market**.

³ The cover letter attached to this questionnaire indicates whether you must complete section D.

File three 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 questionnaire responses that do not contain the certification statements. A form for such certification is included at Appendix IV of this questionnaire. You may photocopy this form and must submit a completed copy with each of your submissions.
5. Provide the required **certificate of service** (also included at Appendix IV) with each business proprietary version and public version submitted to the Department.
6. 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 proceeding in a public reading file. However, information deemed to be business proprietary information will not be made available to the public.⁴ 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.
7. 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 one copy of 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 simultaneously file six copies of the complete final business proprietary document (351.303(c)(2)(i)(ii)), along with the three required public versions (§ 351.303(c)(2)(i)(iii)). The final business proprietary version of the document must be identical to the original document except for any bracketing corrections.
8. Submit the statements required regarding limited release of proprietary information under the provisions of an **administrative protective order** (APO).

⁴ 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.

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 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.

It is important to note that the summarization requirement applies to databases, worksheets, and other appendices to your response, not solely to the narrative portion. Generally, numerical data, such as that provided in your sales and cost databases, are adequately summarized only if grouped or presented in terms of indices or figures ranged within ten 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.

7. Submit the statements required regarding limited release of business 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

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 our regulations for specific instructions.⁵)

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.⁶
9. 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 and public versions, 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, submit with your response to the Department one copy of those pages in which information in double brackets has been excluded (*i.e.*, the “APO version”). For parties that do not have access to information under APO, please provide a public version only.

Note: A chart summarizing all 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>.

⁵ 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.

⁶ The Department will not disclose proprietary customer names under APO during an antidumping investigation until either an order is published or the investigation is suspended. To insure 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.

II. Instructions for Preparing the Response

1. 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. If this is impractical for certain documents, please contact the official in charge.
2. Repeat the question to which you are responding in your narrative submission and place your answer directly below it. To assist you, we have provided a copy of the questionnaire in electronic form in Microsoft Office Word format.
3. Refer to the instructions at Appendix II for information requested in electronic form (*i.e.*, sales lists and cost of production data).
4. Include all worksheets, financial reports and other requested documents as appendices to your response.
5. 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.

6. 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 (Appendix I) for a definition of **direct** and **indirect expenses**.

7. Report all revenues and expenses in the currencies in which they were earned or incurred.
8. Revenues and expenses should be identified by name and by the account or sub-account codes listed in your chart of accounts.
9. Identify all units of measurement, currencies, and conversion factors used in your narrative response, worksheets, or other appendices. (In addition, Appendix VII requires a summary of such characteristics for all data reported in your sales databases, pursuant to a standard format.)
10. Identify any source documents maintained in the normal course of business you have relied on in preparing your response, and note the locations where these documents are maintained. Please include this information in an Appendix to your response. This information is used by the Department to prepare for **verification**.
11. Prepare sample printouts of information from each computer file submitted. The sample should contain the first and every fiftieth record (*i.e.*, observations 1, 50, 100, etc.) in each file submitted (always submit at least 60 records in the sample). However, if the total records in a file number less than 500, prepare a printout of the entire file.⁷ Submit the printouts with the electronic files (*see* Appendix II part D).
12. 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.

⁷ While the Department requires only sample printouts, if requested you are obligated to provide a full printout of all submitted data files to any party granted an APO.

13. 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.
14. 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.

15. 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.
16. Provide a table of contents and a table of attachments. Assign a number to each attachment and include a descriptive name for each attachment and its number in the table. Provide page numbers on each of your attachments.
17. Please respond to each question. If a particular question does not apply, please state so in your response. Failure to do so could lead to the use of adverse inferences for that particular question.
18. 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, changes as a result of an audit).

III. 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).