



## INSTRUCTION BOOKLET

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

Seamless Refined Copper Pipe And Tube From China And Mexico  
Investigation Nos. 731-TA-1174-1175 (Preliminary)

*Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to these investigations, you may contact the following member of the Commission's staff (Fax 202-205-3205):*

**Elizabeth Haines**, investigator (202-205-3200; E-mail [elizabeth.haines@usitc.gov](mailto:elizabeth.haines@usitc.gov))

## **GENERAL INFORMATION**

**Background.**--These investigations was instituted in response to a petition filed on September 30, 2009 by Cerro Flow Products, Inc. (St. Louis, MO), Kobe Wieland Copper Products (Pine Hall, NC), Mueller Copper Tube Products, Inc. and Mueller Copper Tube Company, Inc. (Memphis, TN). Antidumping duties may be assessed on the subject imports as a result of these investigations if the Commission makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce makes an affirmative determination of dumping.

Questionnaires and other information pertinent to these investigations are available at [http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2009/copper\\_pipe\\_and\\_tube/prelimphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2009/copper_pipe_and_tube/prelimphase.htm). 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 **October 14, 2009**. Use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by **October 14, 2009**. Please make sure the completed questionnaire is sent to the attention of **Elizabeth Haines**. **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.

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

**Filing instructions.**—Questionnaires may be filed either in paper form or electronically.

## **INSTRUCTIONS--Continued**

### **OPTIONS FOR FILING IN PAPER FORM**

- **Overnight mail service.**—Mail to the following address:

**United States International Trade Commission  
Office of Investigations, Room 615  
500 E Street, SW  
Washington, DC 20024**

- **Fax.**—Fax to 202.205.3205.
- **U.S. mail.**—Mail to the address above, but use zip code 20436. *This option is not recommended. U.S. mail sent to government offices undergoes additional processing to screen for hazardous materials; this additional processing results in substantial delays in delivery.*

### **OPTIONS FOR FILING ELECTRONICALLY**

This questionnaire is available as a “fillable” form in MS Word format on the Commission’s website at [http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2009/cooper\\_pipe\\_and\\_tube/prelimphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2009/cooper_pipe_and_tube/prelimphase.htm). *Please do not attempt to modify the format or permissions of the questionnaire document.* You may complete the questionnaire electronically, print it out, and submit it in paper form as described above, or you may submit it electronically through one of the following means:

- **Compact disc (CD).**—Copy your questionnaire onto a CD, include a signed certification page (page 1) (either in paper form or scanned PDF copied onto CD), and mail to the address above. *It is strongly recommended that you use an **overnight mail service**. U.S. mail sent to government offices undergoes additional processing which not only results in substantial delays in delivery but may also damage CDs.*
- **E-mail.**—E-mail your questionnaire to the investigator identified on page 1 of the Instruction Booklet; include a scanned PDF of the signed certification page (page 1). Type the following in the e-mail subject line: BPI Questionnaire, INV. NOS. 731-TA-1174-1175. *Please note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the Commission warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the Commission.*

Note: If you are a party to the investigations, and service of the questionnaire is required, such service should be made in paper form.

## **DEFINITIONS**

**Seamless refined copper pipe and tube.**—Seamless circular refined copper pipes and tubes, including redraw hollows, greater than or equal to 6 inches (152.4 mm) in length and measuring less than 12.130 inches (308.102 mm) (actual) in outside diameter (“OD”), regardless of wall thickness, bore (e.g., smooth, inner-grooved), manufacturing process (e.g., hot finished, cold-drawn, annealed), outer or inner surface features (e.g., grooves, ridges, fins, gills), end finish (e.g., plain end, swaged end, flared end, expanded end, crimped end, threaded), coating (e.g., plastic, paint), insulation, attachments (e.g., plain capped plugged, with compression or other fitting), or physical configuration (e.g., straight, coiled, bent, wound on spools). Refined copper refers to copper with a minimum purity of 99.90 percent by weight (including silver) and containing no more than 0.040 percent phosphorus by weight. The scope covers, but is not limited to, seamless refined copper pipe and tube produced or equivalent to the ASTM-B42, ASTM-B68, ASTM-B75, ASTM-B88, ASTM-B88M, ASTM-B280, ASTM-B302, ASTM-B306, ASTM-B743, ASTM-B819, and ASTM-B903 specifications and meeting the physical parameters described therein. Also included within the scope are sets of otherwise covered products, including “line sets” that contain a liquid line (with or without end finish) and suction line (insulated or non-insulated) commonly used for split system air conditioners and heat pumps. These products covered by statistical reporting numbers 7411.10.1030, 7411.10.1090, 8415.90.8065, and 8415.90.8085 of the Harmonized Tariff Schedule of the United States (HTS). Excluded from the scope are all copper pipes and tubes measuring less than 6 inches (152.4 mm) in length, and with an outside diameter measuring greater than or equal to 12.130 inches (308.102 mm) (actual). Also excluded from the scope are all copper tubular products that are not of a circular cross-section .

***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 China or Mexico involved in the production of seamless refined copper pipe and tube (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 seamless refined copper pipe and tube (as defined above) into the United States from a foreign manufacturer or through its selling agent.

## **DEFINITIONS--Continued**

**Average production capacity.**--The level of production that your establishment(s) could 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 China or Mexico, including production consumed internally within your firm.

**Shipments.**--Shipments of products produced in your establishment(s) in China or Mexico. Quantities reported should be net of returns.

**Home market commercial shipments.**--Shipments, other than internal consumption and transfers to related firms, within China or Mexico.

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

**Export shipments.**--Shipments to destinations outside China or Mexico, including shipments to related firms.

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