

FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE

CERTAIN ORANGE JUICE FROM BRAZIL

This questionnaire must be received by the Commission by no later than November 1, 2011

See page 4 of the Instruction Booklet for filing instructions.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its review of the antidumping duty order concerning certain orange juice from Brazil (Inv. No. 731-TA-1089 (Review)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII.

<p>Name of firm _____</p> <p>Address _____</p> <p>World Wide Web address _____</p> <p>Has your firm produced or exported certain orange juice (as defined in the instruction booklet) at any time since July 1, 2005?</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, and return the entire questionnaire to the Commission so as to be received by the date indicated above)</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 understand that the information submitted is subject to audit and verification by the Commission.

By means of this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this questionnaire and throughout this review in any other import-injury proceedings or reviews conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout this review 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 review or related proceedings for which this information is submitted, or in internal audits and proceedings 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.

_____ <i>Name of Authorized Official</i>	_____ <i>Title of Authorized Official</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Phone: ()</i>	_____ <i>E-mail address</i>
	_____ <i>Fax ()</i>	

PART I.--GENERAL INFORMATION

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 30 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-1a. **OMB statistics.**--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-1b. **OMB feedback.**--We are interested in any comments you may have for improving this questionnaire in general or the clarity of specific questions. Please attach such comments to your response or send them to the above address.

I-2. **Establishments covered.**--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. **U.S. importers.**--Please provide the names, street addresses (not P.O. boxes), contacts, telephone numbers, and e-mail addresses of the **FIVE** largest U.S. importers of your firm’s certain orange juice in 2010/11.

No.	Importer’s name	Contact person	E-mail address	Area code and telephone number	Share of your 2010/11 exports (%)
1					
2					
3					
4					
5					

PART I.--GENERAL INFORMATION--Continued

I-4. **U.S. production.**--Does your firm or any related firm produce, have the capability to produce, or have any plans to produce certain orange juice in the United States or other countries?

- No Yes--Please name the firm(s) and country(ies) below and, if U.S. producer(s), ensure that they complete the Commission's producer questionnaire (contact Amy Sherman (amy.sherman@usitc.gov) for copies of that questionnaire).

I-5. **U.S. importation.**--Does your firm or any related firm import or have any plans to import certain orange juice into the United States?

- No Yes--Please name the firm(s) below and ensure that they complete the Commission's importer questionnaire (contact Amy Sherman (amy.sherman@usitc.gov) for copies of that questionnaire).

I-6. **Business plan.**--In Parts II and III of this questionnaire we request a copy of your company's business plan. Does your company or any related firm have a business plan or any internal documents that describe, discuss, or analyze expected future market conditions for certain orange juice?

- No Yes--Please provide the requested documents. If you are not providing the requested documents, please explain why not.

I-7. **Contracts.**--Please describe any contracts or other legal relationships (e.g., cooperatives and participation plans) your firm may have with orange growers, including names, dates, and terms.

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from Amy Sherman (202-205-3289, amy.sherman@usitc.gov). **Supply all data requested on a crop-year (July 1 through June 30) basis.**

II-1. Please identify the responsible individual and manner of contact for questions regarding the confidential information requested in Part II.

Name and title: _____

E-mail: _____ Telephone: () _____

II-2. **Changes in operations.**--Please indicate whether your firm has experienced any of the following changes in relation to the production of certain orange juice since July 1, 2005. Please specify whether this has affected FCOJM or NFCOJ orange juice.

(check as many as appropriate) (please describe)

grove or plant openings _____

grove or plant closings _____

relocations _____

expansions _____

mergers/ acquisitions..... _____

consolidations..... _____

prolonged shutdowns or importation curtailments _____

revised labor agreements _____

storage capacity/tanks _____

other (*e.g.*, technology) _____

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

II-3. **Anticipated changes in operations.**--Does your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of certain orange juice in the future?

- No Yes--Supply details as to the time, nature, and significance of such changes, including any government financing programs, and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation that address this issue. **Include in your response a specific projection of your firm's capacity to produce certain orange juice (in 1,000 pounds solids equivalent) for crop years 2011/12 and 2012/13.**

II-4. **Anticipated changes in operations in the event the order is revoked.**--Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of certain orange juice in the future if the antidumping duty order on certain orange juice from Brazil were to be revoked?

- No Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation that address this issue. **Include in your response a specific projection of your firm's capacity to produce certain orange juice (in 1,000 pounds solids equivalent) for crop years 2011/12 and 2012/13.**

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

II-5. **Same equipment, machinery, and workers.**--Has your firm since 2005 produced, or does your firm anticipate producing in the future, other products on the same equipment and machinery used in the production of certain orange juice?

- No Yes--List the following information and report your firm’s combined production capacity and production of these products and certain orange juice in the periods indicated.

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of capacity data</u>
FCOJM _____	_____	_____
NFCOJ _____	_____	_____
Other: _____	_____	_____

<i>(Quantity in 1,000 pounds solids equivalent)</i>						
Item	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Overall Production Capacity						
Production of:						
FCOJM						
NFCOJ						
Other:						

II-6. **Constraints on production.**--Please describe the constraint(s) that set the limit(s) on your production capacity.

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

II-7. **Production shifting.**--Is your firm able to switch production between certain orange juice and other products in response to a relative change in the price of certain orange juice vis-à-vis the price of other products, using the same equipment and/or labor?

- No Yes---Please identify the other products, the approximate time and cost involved in switching, and the minimum relative price change required for your firm to switch production to or from certain orange juice.

II-8. **Share of sales.**--What percentage of your firm's total sales in its most recent fiscal year was represented by sales of certain orange juice?

_____ Percent

II-9a. **Inventories in the United States.**--Has your firm, since 2005, maintained any inventories of certain orange juice in the United States (not including inventories held by firms identified in question I-3)?

- No Yes--Report the quantity of such end-of-period inventories below.

<i>(Quantity in 1,000 pounds solids equivalent)</i>						
Item	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Inventory						

II-9b. Has your firm, since 2005, held any inventories of certain orange juice in foreign trade zones or bonded warehouses (not including inventories held by firms identified in question I-3)?

- No Yes--Report the quantity of such end-of-period inventories below.

<i>(Quantity in 1,000 pounds solids equivalent)</i>						
Item	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Inventory						

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

II-10. Barriers.--

(a) Are your firm's exports of certain orange juice subject to tariff or non-tariff barriers to trade (for example, antidumping or countervailing duty findings or remedies, tariffs, quotas, or regulatory barriers) in any countries other than the United States?

No Yes--List the products(s), country(ies), the year each such barrier was imposed, and the type of barrier.

Product	Country	Year imposed	Barrier (if tariff, give rate)
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

(b) Are your firm's exports of certain orange juice subject to current proceedings in any countries other than the United States that might result in tariff or non-tariff barriers to trade?

No Yes--List the products(s), country(ies), and type of proceeding.

Product	Country	Type of proceeding
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

II-11. Other export markets.--Identify export markets (other than the United States) that you have developed or where you have increased your sales of certain orange juice since 2005. Please identify and discuss below.

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

II-12. **Significance of antidumping duty order.**--Describe the significance of the existing antidumping duty order covering imports of certain orange juice from Brazil in terms of its effect on your firm's production capacity, production, home market shipments, exports to the United States and other markets, and inventories. You may wish to compare your firm's operations before and after the imposition of the order.

II-13. **Anticipated changes if order revoked.**--Would your firm anticipate any changes in its production capacity, production, home market shipments, exports to the United States and other markets, or inventories relating to the production of certain orange juice in the future if the antidumping duty order on certain orange juice from Brazil were to be revoked?

No Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation for any trends or projections you may provide.

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

II-14a. **Trade data.**-- Report production capacity, production, shipments, and inventories of **FCOJM** produced by your firm in Brazil during the specified periods. (See definitions in the instruction booklet.)

Does your firm produce **FCOJM**?

Yes (fill out the table below) No (proceed to question II-15)

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)						
Item	Crop year (July 1 – June 30)					
	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Average production capacity¹ (A)						
Beginning-of-period inventories (B)						
Production² (C)						
Home market shipments:						
Internal consumption/transfers quantity (D)						
Commercial shipments quantity (E)						
value (F)						
Export shipments:						
to the United States: ³ quantity (G)						
value (H)						
to the European Union: ⁴ quantity (I)						
value (J)						
to Asia: ⁵ quantity (K)						
value (L)						
to all other markets: ⁶ quantity (M)						
value (N)						
Total exports (quantity) (O)						
Total shipments (quantity) (P)						
End-of-period inventories (Q)						
<p>¹ The production capacity (see definitions in instruction booklet) reported is based on operating _____ hours per week, _____ weeks per year. Please describe the methodology used to calculate production capacity, and explain any changes in reported capacity.</p> <hr/> <p>² Please estimate the percentage of total production of certain orange juice in Brazil accounted for by your firm's production in 2010/11: _____ Percent</p> <p>³ Please estimate the percentage of total exports to the United States of certain orange juice in Brazil accounted for by your firm's exports in 2010/11: _____ Percent</p> <p>⁴ Identify your principal <i>European Union</i> export markets: _____.</p> <p>⁵ Identify your principal <i>Asian</i> export markets: _____.</p> <p>⁶ Identify your principal <i>other</i> export markets: _____.</p>						

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

II-14b. **Reconciliation of trade data.**—

- (a) The quantities reported in question II-14a should reconcile as follows in each period (*i.e.*, in each column):

Reconciliation

$B + C - D - E - G - I - K - M = Q$ Do these data reconcile? Yes No--Please explain: _____

- (b) Further, the quantities reported for end-of-period inventories should equal the beginning-of-period inventories reported in the subsequent crop year (*i.e.*, line Q of year 2005/06 should equal line B of year 2006/07). Do these data reconcile for each adjacent crop year?

Yes. No--Please explain:

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

II-15a. **Trade data.**-- Report production capacity, production, shipments, and inventories of **NFCOJ** produced by your firm in Brazil during the specified periods. (See definitions in the instruction booklet.)

Does your firm produce **NFCOJ**?

Yes (fill out the table below) No (proceed to question III-1)

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)						
Crop year (July 1 – June 30)						
Item	2005/06	2006/07	2007/08	2008/09	2009/10	2010/11
Average production capacity¹ (A)						
Beginning-of-period inventories (B)						
Production² (C)						
Home market shipments:						
Internal consumption/transfers quantity (D)						
Commercial shipments quantity (E)						
value (F)						
Export shipments:						
to the United States: ³ quantity (G)						
value (H)						
to the European Union: ⁴ quantity (I)						
value (J)						
to Asia: ⁵ quantity (K)						
value (L)						
to all other markets: ⁶ quantity (M)						
value (N)						
Total exports (quantity) (O)						
Total shipments (quantity) (P)						
End-of-period inventories (Q)						
¹ The production capacity (see definitions in instruction booklet) reported is based on operating _____ hours per week, _____ weeks per year. Please describe the methodology used to calculate production capacity, and explain any changes in reported capacity.						
² Please estimate the percentage of total production of certain orange juice in Brazil accounted for by your firm's production in 2010/11: _____ Percent						
³ Please estimate the percentage of total exports to the United States of certain orange juice in Brazil accounted for by your firm's exports in 2010/11: _____ Percent						
⁴ Identify your principal <i>European Union</i> export markets: _____						
⁵ Identify your principal <i>Asian</i> export markets: _____						
⁶ Identify your principal <i>other</i> export markets: _____						

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

II-15b. **Reconciliation of trade data.**—

- (a) The quantities reported in question II-15a should reconcile as follows in each period (*i.e.*, in each column):

Reconciliation

$B + C - D - E - G - I - K - M = Q$ Do these data reconcile? Yes No--Please explain: _____

- (b) Further, the quantities reported for end-of-period inventories should equal the beginning-of-period inventories reported in the subsequent crop year (*i.e.*, line Q of year 2005/06 should equal line B of year 2006/07). Do these data reconcile for each adjacent crop year?

Yes. No--Please explain:

- II-16. **Toll production.**--Since October 1, 2005, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of certain orange juice?

No Yes--Name firm(s): _____.

PART III.--MARKET FACTORS

Further information on this part of the questionnaire can be obtained from **Craig Thomsen** (202-205-3226, craig.thomsen@usitc.gov).

III-1. Please identify the responsible individual and manner of contact for questions regarding the confidential information requested in Part III.

Name and title: _____

E-mail: _____ Telephone: (____) _____

III-2. **Contract versus spot.**--Approximately what share of your firm's sales of certain orange juice to U.S. customers in 2010 was on a (1) long-term contract basis (multiple deliveries for more than 12 months), (2) short-term contract basis (multiple deliveries up to 12 months), and (3) spot sales basis (for a single delivery)?

<u>Type of sale</u>	<u>Share of sales</u>
Long-term contracts	_____ %
Short-term contracts	_____ %
Spot sales	_____ %
	100 %

III-3. **Long-term contract provisions.**--If you sell certain orange juice to U.S. customers on a long-term contract basis, please answer the following questions with respect to provisions of a typical long-term contract.

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

(b) Can prices be renegotiated during the contract period? Yes No

(c) Does the contract fix quantity, price, or both? Quantity Price Both

(d) Does the contract have a meet or release provision? Yes No

III-4. **Short-term contract provisions.**--If you sell certain orange juice to U.S. customers on a short-term contract basis, please answer the following questions with respect to provisions of a typical short-term contract.

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

(b) Can prices be renegotiated during the contract period? Yes No

(c) Does the contract fix quantity, price, or both? Quantity Price Both

(d) Does the contract have a meet or release provision? Yes No

PART III.--MARKET FACTORS--Continued

III-5. **Lead times.**--What is the average lead time for certain orange juice to U.S. customers between a customer's order and the date of delivery for your firm's sales of certain orange juice?

<u>Source</u>	<u>Share of sales, 2010/11</u>	<u>Lead time</u>
From inventory	_____ %	_____ days
Produced to order	_____ %	_____ days
Total	100 %	

III-6. **Raw materials.**--To what extent have changes in the prices of raw materials affected your firm's selling prices for certain orange juice since 2005? Also discuss any anticipated changes in your raw material costs.

III-7. **Changes in factors affecting supply.**--Have any changes occurred in any other factors affecting supply (e.g., changes in availability or prices of energy or labor; transportation conditions; production capacity and/or methods of production; technology; export markets; or alternative production opportunities) that affected the availability of Brazil-produced certain orange juice in the U.S. market since 2005?

No Yes-- Please describe.

PART III.--MARKET FACTORS--Continued

III-8. Availability of subject import supply.--

- (a) Has the availability **subject** certain orange juice (*i.e.*, FCOJM imported from subject producers/exporters in Brazil and all NFCOJ from Brazil) changed since 2005?

No Yes--Please explain.

- (b) What type of changes in terms of the availability of subject certain orange juice imported from Brazil in the U.S. market do you anticipate?

Increase No change Decrease

- (c) If you anticipate changes in availability, please identify the changes, and why you anticipate these changes in supply, including the time period and the impact of such changes on shipment volumes and prices.

- III-9. Product shifting.--**Describe how easily your firm can shift its sales of certain orange juice between the U.S. market and alternative country markets. In your discussion, please describe any contracts, other sales arrangements, or other constraints (including any third-country trade barriers such as tariffs, quotas, or other non-tariff barriers) that would prevent or retard your firm from shifting certain orange juice between the U.S. and alternative country markets within a 12-month period.

III-10. Product changes.--

- (a) Is the product range, product mix, or marketing of certain orange juice in your home market different from that of certain orange juice for export to the United States or to third-country markets?

No Yes—Please explain.

PART III.--MARKET FACTORS--Continued

(b) Have there been any significant changes in the product range, product mix, or marketing of certain orange juice in your home market, for export to the United States, or for export to third-country markets since 2005?

No Yes--Please describe.

III-11. **Anticipated product changes.**—Do you anticipate changes in the product range, product mix, or marketing of certain orange juice in your home market, for exports to the United States, or for exports to third-country markets.

No Yes--Please explain.

III-12. **Substitutes.**—Are there any nonsubject products that may be substituted for certain orange juice?

No Yes—Please fill in the following table.

Substitute product	Description of applications and end uses in which this substitute can be used	Have changes in the prices of this substitute affected the price of certain orange juice since October 1, 2005
1.		<input type="checkbox"/> No <input type="checkbox"/> Yes—Please explain. <hr/> <hr/>
2.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
3.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
4.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>

PART III.--MARKET FACTORS--Continued

III-13. **Changes in substitutes.**--Have there been any changes in the number or types of products that can be substituted for certain orange juice since 2005?

No Yes--Please explain.

III-14. **Anticipated changes in substitutes.**--Do you anticipate any changes in terms of the substitutability of other products for certain orange juice?

No Yes--Please describe.

III-15. **Interchangeability.**--Is the certain orange juice produced by your firm and sold in its home market interchangeable (*i.e.*, can be used in the same applications) with your firm's certain orange juice sold to the United States and/or to third-country markets?

Yes No--Identify the market(s) and any differences in the products.

III-16. **Home market end uses.**--Describe the end uses of the certain orange juice that you manufacture and sell to your home market. If these end uses differ from those of the certain orange juice you sell to the U.S. market or to third-country markets, explain.

PART III.--MARKET FACTORS--Continued

III-17. **Changes in end uses.**--Have there been any changes in the end uses of certain orange juice since 2005?

No Yes--Please describe.

III-18. **Anticipated changes in end uses.**--Do you anticipate any changes in terms of the end uses of certain orange juice?

No Yes--Please describe.

III-19. **Demand trends.**--How has the demand for certain orange juice changed since October 1, 2005? What principal factors affect changes in demand?

	<u>Increased</u>	<u>No change</u>	<u>Decreased</u>	<u>Fluctuated</u>
Demand in:				
Your home market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PART III.--MARKET FACTORS--Continued

III-20. **Anticipated demand trends.**-- How do you anticipate demand will change for certain orange juice into 2012/13? What principal factors that will affect these changes in demand?

	<u>Increase</u>	<u>No change</u>	<u>Decrease</u>	<u>Fluctuate</u>
Demand in:				
Your home market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III-21. **Price differences.**--Please compare market prices of certain orange juice in your home market, the United States, and third-country markets.

III-22. **Futures effects.**-- Since October 2005, to what extent did changes in Brazilian inventories of certain orange juice affect the futures price of FCOJM, and to what extent did changes in the futures price of FCOJM affect Brazilian inventories of certain orange juice? Please explain. Also include a discussion of any impact the futures price of FCOJM had on the price of NFCOJ.

III-23. **Description of home market.**--Describe briefly your home market for certain orange juice, including the number of, and competition between, producers.

PART III.--MARKET FACTORS--Continued

III-24. **Import competition.**--Do you face competition from imports of certain orange juice in your home market?

- No Yes--Please identify the country sources of any imports of certain orange juice into your home market.

III-25. **Market studies.**--Please provide as a separate attachment to this request any studies, surveys, etc. that you are aware of that quantify and/or otherwise discuss certain orange juice supply (including production capacity and capacity utilization) and demand in (1) the United States, (2) each of the other major producing/consuming countries, including Brazil, and (3) the world as a whole. Of particular interest is such data from 2008 to the present and forecasts for the future.