

FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE

SUGAR FROM MEXICO

This questionnaire must be received by the Commission by JANUARY 28, 2015

See last page for filing instructions.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its countervailing and antidumping investigations concerning sugar from Mexico (Inv. Nos. 701-TA-513 and 731-TA-1249 (Final)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII.

Name of firm _____

Address _____

Website _____

Has your firm produced or exported sugar (as defined on next page) at any time since October 1, 2011?

NO (Sign the certification below and promptly return **only** this page of the questionnaire to the Commission)

YES (Complete all parts of the questionnaire, and return the entire questionnaire to the Commission)

Return questionnaire via the Commission *Drop Box* by clicking on the following link:

<https://dropbox.usitc.gov/oinv/>. (PIN: **SUGAR**)

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 proceeding in any other import-injury proceedings conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout this proceeding 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 proceeding 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.

Name of Authorized Official

Title of Authorized Official

Date

Signature

Phone:

Fax:

Email address

PART I.—GENERAL INFORMATION

Background. This proceeding was instituted in response to a petition filed on March 28, 2014 by the American Sugar Coalition (“ASC”). The ASC members are: American Sugar Cane League, Thibodaux, LA; American Sugarbeet Growers Association, Washington, DC; American Sugar Refining, Inc., West Palm Beach, FL; Florida Sugar Cane League, Washington, DC; Hawaiian Commercial and Sugar Company, Puunene, HI; Rio Grande Valley Sugar Growers, Inc., Santa Rosa, TX; Sugar Cane Growers Cooperative of Florida, Belle Glade, FL; and United States Beet Sugar Association, Washington, DC. Countervailing and antidumping duties may be assessed on the subject imports as a result of these proceedings 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 subsidization and/or dumping. Questionnaires and other information pertinent to this proceeding are available at http://usitc.gov/investigations/701731/2014/sugar_mexico/final.htm.

Sugar covered by these investigations as defined by the Department of Commerce scope is raw and refined sugar of all polarimeter readings derived from sugar cane or sugar beets. The chemical sucrose gives sugar its essential character. Sucrose is a nonreducing disaccharide composed of glucose and fructose linked by a glycosidic bond via their anomeric carbons. The molecular formula for sucrose is $C_{12}H_{22}O_{11}$; the International Union of Pure and Applied Chemistry (IUPAC) International Chemical Identifier (InChI) for sucrose is 1S/C12H22O11/c13-l-4-6(16)8(18)9(19)11(21-4)23-12(3-15)10(20)7(17)5(2-14)22-12/h4-11,13-20H,1-3H2/t4-,5-,6-,7-,8+,9-,10+,11-,12+/m1/s1; the InChI Key for sucrose is CZMRCDWAGMRECN-UGDNZRGBSA-N; the U.S. National Institutes of Health PubChem Compound Identifier (CID) for sucrose is 5988; and the Chemical Abstracts Service (CAS) Number of sucrose is 57-50-1.

Sugar described in the previous paragraph includes products of all polarimeter readings described in various forms, such as raw sugar, estandar or standard sugar, high polarity or semirefined sugar, special white sugar, refined sugar, brown sugar, edible molasses, desugaring molasses, organic raw sugar, and organic refined sugar. Other sugar products, such as powdered sugar, colored sugar, flavored sugar, and liquids and syrups that contain 95 percent or more sugar by dry weight are also within the scope of these investigations.

The scope of these investigations does not include (1) sugar imported under the Refined Sugar Re-Export Programs of the U.S. Department of Agriculture;¹ (2) sugar products produced in Mexico that contain 95 percent or more sugar by dry weight that originated outside of Mexico; (3) inedible molasses (other than inedible desugaring molasses noted above); (4) beverages; (5) candy; (6) certain specialty sugars; and (7) processed food products that contain sugar (e.g., cereals). Specialty sugars excluded from the scope of these investigations are limited to the following: caramelized slab sugar candy, pearl sugar, rock candy, dragees for cooking and baking, fondant, golden syrup, and sugar decorations.

¹ This exclusion applies to sugar imported under the Refined Sugar Re-Export Program, the Sugar-Containing Products Re-Export Program, and the Polyhydric Alcohol Program administered by the U.S. Department of Agriculture.

Merchandise covered by these investigations is typically imported under the following headings of the HTSUS: 1701.12.1000, 1701.12.5000, 1701.13.1000, 1701.13.5000, 1701.14.1000, 1701.14.5000, 1701.91.1000, 1701.91.3000, 1701.99.1010, 1701.99.1025, 1701.99.1050, 1701.99.5010, 1701.99.5025, 1701.99.5050, and 1702.90.4000. The tariff classification is provided for convenience and customs purposes; however, the written description of the scope of these investigations is dispositive.

Raw sugar.—Unrefined sugar destined for further processing.

Refined sugar.—Sugar that is not destined for further processing.

Reporting of information.-- If information is not readily available from your records, provide carefully prepared estimates. If your firm is completing more than one questionnaire (i.e., a producer, importer, purchaser and/or foreign producer questionnaire), you need not respond to duplicated questions.

Confidentiality.--The commercial and financial data furnished in response to this questionnaire 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, general 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.

Verification.--The information submitted in this questionnaire is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all files, worksheets, and supporting documents used in the preparation of the questionnaire response. Please also retain a copy of the final document that you submit.

Release of information.--The information provided by your firm in response to this questionnaire, as well as any other business proprietary information submitted by your firm to the Commission in connection with this proceeding, 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 this proceeding or other import-injury proceedings 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.

- I-1. **OMB statistics.**--Please report below the actual number of hours required and the cost to your firm of completing this questionnaire.

Hours	Dollars

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 20 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the questionnaire.

We welcome comments regarding the accuracy of this burden estimate, suggestions for reducing the burden, and any suggestions for improving this questionnaire. Please attach such comments to your response or send to the Office of Investigations, USITC, 500 E St. SW, Washington, DC 20436.

- I-2. **Establishments covered.**--Provide the name and address of establishment(s) covered by this questionnaire. If your firm is publicly traded, please specify the stock exchange and trading symbol.

"Establishment"-- Each facility of a firm in Mexico involved in the production or export of sugar, including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities. Firms operating more than one establishment in Mexico should combine the data for all establishments into a single report.

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- I-3. **Related U.S. producers.**--Does your firm or any related firm produce, have the capability to produce, or have any plans to produce sugar 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.

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I-4. **Related U.S. importers.**--Does your firm or any related firm import or have any plans to import sugar into the United States?

- No Yes--Please name the firm(s) below and ensure that they complete the Commission's importer questionnaire.

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I-5. **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 sugar in crop year 2013/14.

	Importer's name	Contact person	Email	Telephone	Street address (not P.O. box), city, state, and zip code	Share of your firm's 2013/14 U.S. exports (%)
1					Street Address City ' State Zip Code	
2					Street Address City ' State Zip Code	
3					Street Address City ' State Zip Code	
4					Street Address City ' State Zip Code	
5					Street Address City ' State Zip Code	

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 basis.**

- II-1. **Contact information.**-- Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in part II.

Name	
Title	
Email	
Telephone	
Fax	

- II-2. **Changes in operations.**--Please indicate whether your firm has experienced any of the following changes in relation to the production of sugar since October 1, 2011.

<i>(check as many as appropriate)</i>		<i>(please describe)</i>
<input type="checkbox"/>	plant openings	
<input type="checkbox"/>	plant closings	
<input type="checkbox"/>	relocations	
<input type="checkbox"/>	expansions	
<input type="checkbox"/>	acquisitions	
<input type="checkbox"/>	consolidations	
<input type="checkbox"/>	prolonged shutdowns or production curtailments	
<input type="checkbox"/>	revised labor agreements	
<input type="checkbox"/>	other (<i>e.g.</i> , technology)	

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

- 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.

II-4a. **Alternative products using same machinery.**-- Does your firm produce any alternative products (*e.g.*, other than sugar) on the same equipment and machinery used to produce sugar? (Do not count by-products or co-products such as the production of molasses as an "alternative" product produced on the same equipment and machinery used to produce sugar for the purpose of this question--Molasses is a by-product or a co-product that results from raw sugar milling, it is not an alternative product that can be produced on the same machinery and equipment).

- No Yes--Please describe these alternative products and indicate the amounts of each of these products produced by your firm in crop year 2013/14.

II-5. **Share of sales.**--What percentage of your firm's total sales in its most recent fiscal year was represented by sales of sugar? _____ percent

II-6. **Firm's estimated share of production in Mexico.**--Please estimate the percentage of total production of sugar in Mexico accounted for by your firm's production in crop year 2013/14. _____ percent

II-7. **Firm's estimated share of Mexico's exports.**--Please estimate the percentage of total exports to the United States of sugar from Mexico accounted for by your firm's exports in crop year 2013/14. _____ percent

II-8. **Inventories in the United States.**--Has your firm, since October 1, 2011, maintained any inventories of sugar in the United States (not including inventories held by firms identified in question I-3)?

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

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

<i>(Quantity in 1,000 short tons raw value)</i>			
Item	Crop year		
	2011/12	2012/13	2013/14
Inventory			

II-9. **Third country trade actions.**--Is the sugar exported by your firm subject to antidumping/countervailing duty/safeguard findings, remedies, or proceedings?

No Yes--List the products(s), countries affected, and the date of such findings/remedies/proceedings.

II-10. **Trade data.**--Report your firm's production capacity, production, shipments, and inventories related to the production of sugar in your establishment(s) in Mexico during the specified periods. Do not submit data by manufacturing facility if they are in the same country. If your firm has multiple manufacturing establishments within one country, you are required to combine data for those establishments within one foreign producer questionnaire response. Do not submit data on multiple countries combined. The establishments reported here should all be located in the country of the firm's address reported on the certification page. Multinational companies with production in multiple subject countries should submit separate foreign producer questionnaire responses for each subject country.

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

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

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

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

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

II-10. **Trade data**--Continued.

Quantity (in 1,000 short tons raw value)					
Item	Actual experience			Projections¹	
	Crop years			Crop years	
	2011/12	2012/13	2013/14	2014/15	2015/16
Average production capacity² (A)					
Beginning-of-period inventories (B)					
Production (C)					
Home market shipments:					
Internal consumption/transfers (D)					
Commercial shipments (E)					
Exports to the United States					
Of a polarity less than or equal to 99.4 and destined for further processing (F)					
Of a polarity greater than 99.4 and less than or equal to 99.6.-- Destined for further processing ³ (G)					
Not destined for further processing ³ (H)					
Of a polarity greater than 99.6.-- Destined for further processing ³ (I)					
Not destined for further processing ³ (J)					
Total exports to the United States	0	0	0	0	0
Exports to all other markets⁴ (K)					
Total exports	0	0	0	0	0
Total shipments	0	0	0	0	0
End-of-period inventories (L)					
<p>¹ Please explain the basis for your firm's projections: _____</p> <p>² The production capacity reported is based on operating _____ hours per week, _____ weeks per year. Please describe the constraint(s) that set the limit(s) on your firm's capacity to produce sugar: _____</p> <p>³ This product is often referred to as "estandar."</p> <p>⁴ Identify principal other export markets: _____</p>					

Reconciliation of inventory, production, and shipments.--Generally, the data reported for end-of-period inventories should be equal to beginning of period inventories, plus production, less total shipments. The following "data check" calculates this reconciliation directly in the MS Word form. If the calculated fields below return values other than zero (i.e., "0"), the data need to be revised prior to submission to the Commission or the reasons for the differences must be explained (e.g., theft, loss, damage, record systems issues, et cetera).

	Crop years			Projections	
	2010/11	2011/12	2012/13	2013/14	2014/15
B + C – D – E – F – G – H – I – J – K – L = 0 (revise data if not zero, or explain below)	0	0	0	0	0

II-11. **Other explanations.**--If your firm would like to further explain a response to a question in Part II that did not provide a narrative box, please note the question number and the explanation in the space provided below. Please also use this space to highlight any issues your firm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

PART III.--ALTERNATIVE PRODUCT INFORMATION

Further information on this part of the questionnaire can be obtained from Amy Sherman (202-205-3289, amy.sherman@usitc.gov).

III-1 **Comparability of types of sweetener products.**--For each of the following, indicate whether refined sugar and HFCS are: fully comparable or the same, *i.e.*, have no differentiation between them; mostly comparable or similar; somewhat comparable or similar; never or not-at-all comparable or similar; or no familiarity with products.

(a) **Characteristics and Uses.**-- The differences and similarities in the physical characteristics and end uses between refined sugar and HFCS.

Fully comparable	Mostly comparable	Somewhat comparable	Not at all comparable	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their characteristics and uses:

(b) **Interchangeability.**--The ability to substitute refined sugar and HFCS in the same application.

Fully interchangeable	Mostly interchangeable	Somewhat interchangeable	Not at all interchangeable	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their interchangeability:

III-2 **Comparability of types of sweetener products.--Continued**

- (c) **Manufacturing facilities, production processes, and production employees.**-- Whether refined sugar and HFCS are manufactured in the same facilities, from the same inputs, on the same machinery and equipment, and using the same employees.

Fully the same	Mostly the same	Somewhat the same	Not at all the same	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their manufacturing processes:

- (d) **Channels of distribution.**-- Channels of distribution/market situation through which refined sugar and HFCS are sold in the United States (i.e., sold direct to end users, through distributors, etc.).

Fully comparable	Mostly comparable	Somewhat comparable	Not at all comparable	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their channels of distribution:

III-2 **Comparability of types of sweetener products.--Continued**

(e) **Customer and producer perceptions.**--Perceptions as to the differences and/or similarities in refined sugar and HFCS in the market (*e.g.*, sales/marketing practices).

Fully comparable	Mostly comparable	Somewhat comparable	Not at all comparable	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their customer and producer perceptions:

(f) **Price.**--Whether prices are comparable or differ between refined sugar and HFCS.

Fully comparable	Mostly comparable	Somewhat comparable	Not at all comparable	NA/no familiarity
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Please provide a narrative discussion for the comparability ratings you provided in terms of their prices:

HOW TO FILE YOUR QUESTIONNAIRE RESPONSE

This questionnaire is available as a “fillable” form in MS Word format on the Commission’s website at: http://www.usitc.gov/investigations/701731/2014/sugar_mexico/final.htm.

Please do not attempt to modify the format or permissions of the questionnaire document. Please submit the completed questionnaire using one of the methods noted below. If your firm is unable to complete the MS Word questionnaire or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

• **Upload via Secure Drop Box.**—Upload the MS Word questionnaire along with a scanned copy of the signed certification page (page 1) through the Commission’s secure upload facility:

Web address: <https://dropbox.usitc.gov/oinv/> **Pin:** **SUGAR**

• **E-mail.**—E-mail your questionnaire to amy.sherman@usitc.gov; include a scanned copy of the signed certification page (page 1). *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.*

If your firm did not produce or export this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.

Parties to this proceeding.—If your firm is a party to this proceeding, you are required to serve a copy of the completed questionnaire on parties to the proceeding that are subject to administrative protective order (see 19 CFR §207.7). A list of such parties may be obtained from the Commission’s Secretary (202-205-1803). A certificate of service must accompany the completed questionnaire you submit (see 19 CFR §207.7). Service of the questionnaire must be made in paper form.