## **U.S. PRODUCERS' QUESTIONNAIRE**

### 1,1,1,2 - TETRAFLUOROETHANE (R-134a) FROM CHINA

This questionnaire must be received by the Commission by March 17, 2016

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 antidumping investigation concerning 1,1,1,2 – Tetrafluoroethane (R-134a) from China (Inv. No. 731-TA-1313 (Preliminary)). 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 firm's possession (19 U.S.C. § 1333(a)).

Name of firm

City	State Zip Code	
Website		
Has your firm produc	ed R-134a (as defined on next page) at any time since January 1, 2013?	
NO (Sign t	he certification below and promptly return <b>only</b> this page of the questionnaire to the Commission)	
YES (Comp	lete all parts of the questionnaire, and return the entire questionnaire to the Commission)	
-	ire via the U.S. International Trade Commission <i>Drop Box</i> by clicking on the os://dropbox.usitc.gov/oinv/. (PIN: R134A)	
	CERTIFICATION	
owledge and belief and unde	CERTIFICATION  herein supplied in response to this questionnaire is complete and correct to the beststand that the information submitted is subject to audit and verification by the Commission, and its employees and contract personnel to	ssion. By
owledge and belief and unde cans of this certification I a	herein supplied in response to this questionnaire is complete and correct to the beststand that the information submitted is subject to audit and verification by the Comm lso grant consent for the Commission, and its employees and contract personnel, testionnaire and throughout this proceeding in any other import-injury proceedings con	ssion. By o use the
owledge and belief and under eans of this certification I a formation provided in this qual e Commission on the same or the undersigned, acknowledge restigation or other proceeding resonnel (a) for developing or views, and evaluations relat pendix 3; or (ii) by U.S. gover	herein supplied in response to this questionnaire is complete and correct to the beststand that the information submitted is subject to audit and verification by the Comm lso grant consent for the Commission, and its employees and contract personnel, testionnaire and throughout this proceeding in any other import-injury proceedings con	ission. By to use the ducted by thout this dicontract as, audits,
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owledge and belief and under eans of this certification I all formation provided in this quare commission on the same or the undersigned, acknowledge estigation or other proceeding rsonnel (a) for developing or views, and evaluations relat pendix 3; or (ii) by U.S. gover intract personnel will sign app	herein supplied in response to this questionnaire is complete and correct to the barstand that the information submitted is subject to audit and verification by the Commisso grant consent for the Commission, and its employees and contract personnel, t estionnaire and throughout this proceeding in any other import-injury proceedings consimilar merchandise.  The submitted in response to this request for information and through grant be disclosed to and used: (i) by the Commission, its employees and Offices, and maintaining the records of this or a related proceeding, or (b) in internal investigation ing to the programs, personnel, and operations of the Commission including under the temployees and contract personnel, solely for cybersecurity purposes. I understant the representation of the commission including under the programs are propriate nondisclosure agreements.	ission. By to use the ducted by thout this dicontract as, audits,

#### PART I.—GENERAL INFORMATION

**Background.**--This proceeding was instituted in response to a petition filed on March 3, 2016, by the American HFC Coalition and its individual members (Amtrol, Inc., West Warwick, Rhode Island; Arkema, Inc., King of Prussia, Pennsylvania; The Chemours Company FC LLC, Wilmington, Delaware; Honeywell International Inc., Morristown, New Jersey; Hudson Technologies, Pearl River, New York; Mexichem Fluor Inc., St. Gabriel, Louisiana; and Worthington Industries, Inc., Columbus, Ohio) and District Lodge 154 of the International Association of Machinists and Aerospace Workers. Antidumping duties may be assessed on the subject imports as a result of this proceeding 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 this proceeding are available at:

https://www.usitc.gov/investigations/701731/2016/1112 tetrafluoroethane r 134a china/preliminary.htm.

<u>1,1,1,2-Tetrafluoroethane ("R-134a")</u>.--The product covered by this investigation is 1,1,1,2-Tetrafluoroethane, R-134a, or its chemical equivalent, regardless of form, type, or purity level. The chemical formula for 1,1,1,2-Tetrafluoroethane is  $CF_3-CH_2F$ , and the Chemical Abstracts Service registry number is CAS 811-97-2.

Merchandise covered by the scope of this investigation is currently classified in the Harmonized Tariff Schedule of the United States ("HTSUS") at subheading 2903.39.2020. Although the HTSUS subheading and CAS registry number are provided for convenience and customs purposes, the written description of the scope is dispositive.

**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, and/or purchaser questionnaire), you need not respond to duplicated questions.

<u>Confidentiality</u>.--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.

<u>Verification</u>.--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

<sup>&</sup>lt;sup>1</sup> 1,1,1,2-Tetrafluoroethane is sold under a number of trade names including Klea 134a and Zephex 134a (Mexichem Fluor); Genetron 134a (Honeywell); Freon™ 134a, Suva 134a, Dymel 134a, and Dymel P134a (Chemours); Solkane 134a (Solvay); and Forane 134a (Arkema). Generically, 1,1,1,2-Tetrafluoroethane has been sold as Fluorocarbon 134a, R-134a, HFC-134a, HF A-134a, Refrigerant 134a, and UN3159.

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. In addition, if your firm is a U.S. producer, the information you provide on your production and imports of R-134a and your responses to the questions in Part I of the producer questionnaire will be provided to the U.S. Department of Commerce, upon its request, for use in connection with (and only in connection with) its requirement pursuant to section 702(c)(4)/732(c)(4) of the Act (19 U.S.C. § 1671a(c)(4)/1673a(c)(4)) to make a determination concerning the extent of industry support for the petition requesting this proceeding. Any information provided to Commerce will be transmitted under the confidentiality and release guidelines set forth above. Your response to these questions constitutes your consent that such information be provided to Commerce under the conditions described above.

I-1a. <u>OMB statistics</u>.--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 50 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-1b. <u>TAA information release</u>.--In the event that the U.S. International Trade Commission (USITC) makes an affirmative final determination in this proceeding, do you consent to the USITC's release of your contact information (company name, address, contact person, telephone number, email address) appearing on the front page of this questionnaire to the Departments of Commerce, Labor, and Agriculture, as applicable, so that your firm and its workers can be made eligible for benefits under the Trade Adjustment Assistance program?

Yes	☐ No
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I-3.

I-4.

I-2. <u>Establishments covered</u>.--Provide the city, state, zip code, and brief description of each establishment covered by this questionnaire. If your firm is publicly traded, please specify the stock exchange and trading symbol in the footnote to the table. Firms operating more than one establishment should combine the data for all establishments into a single report.

"<u>Establishment</u>"--Each facility of a firm involved in the <u>production</u> of R-134a, including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

Establishments covered <sup>1</sup>	City, State	Zip (5 digit)	Description
1			
2			
3			
4			
5			
6			
<sup>1</sup> Additional discus	sion on establishments cons	solidated in this quest	ionnaire:
tition supportDo	es your firm support or o	opose the petition?  Oppose	Take no position

YesList the following information.		
Address	Extent of ownership (percent)	

	-134a from China to the United S	na into the United States or that a States?
No Yes	List the following information.	
Firm name	Address	Affiliation
Related producersD	pes vour firm have any related fi	ms. either domestic or foreign. tl
Related producersDengaged in the produc	•	ms, either domestic or foreign, tl
engaged in the produc	•	rms, either domestic or foreign, tl
engaged in the produc	ion of R-134a?	rms, either domestic or foreign, tl
engaged in the produc	ion of R-134a?List the following information.	
engaged in the produc	ion of R-134a?List the following information.	

### 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 <u>calendar-year</u> 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. <u>Changes in operations.</u>—Please indicate whether your firm has experienced any of the following changes in relation to the production of R-134a since January 1, 2013.

		(If checked, please describe; leave blank if not applicable)
	plant openings	
	plant closings	
	relocations	
	expansions	
	acquisitions	
	consolidations	
	prolonged shutdowns or production curtailments	
	revised labor agreements	
	other (e.g., technology)	

II-3a. <u>Production using same machinery.--</u> Please report your firm's production of products made on the same equipment and machinery used to produce R-134a, and the combined production capacity on this shared equipment and machinery in the periods indicated.

"Overall production capacity" or "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).

"**Production**" – All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.

	Quantity (in short tons	-		
	Calendar years			
ltem	2013	2014	2015	
Overall production capacity				
Production of:				
R-134a <sup>1</sup>	0	0	0	
Other products <sup>2</sup>				
Total	0	0	0	
<sup>1</sup> Data entered for production of R-13 <sup>2</sup> Please identify these products:	34a will populate here ond	ce reported in question	on II-7.	

II-3b. Operating parameters.--The production capacity reported in II-3a is based on operating \_\_\_\_\_\_ hours per week, \_\_\_\_\_ weeks per year.

II-3c. Capacity calculation.--Please describe the methodology used to calculate overall production capacity reported in II-3a, and explain any changes in reported capacity.

II-3d. Production constraints.--Please describe the constraint(s) that set the limit(s) on your firm's production capacity.

II-3e.	3e. Product shifting.—	
	(i)	Is your firm able to switch production (capacity) between R-134a and other products using the same equipment and/or labor?
		No Yes (i.e., have produced other products or are able to produce other products). Please identify other actual or potential products:
	(ii)	Please describe the factors that affect your firm's ability to shift production capacity between products (e.g., time, cost, relative price change, etc.), and the degree to which these factors enhance or constrain such shifts.
II-4.		Since January 1, 2013, has your firm been involved in a toll agreement regarding the tion of R-134a?
	materia	greement"Agreement between two firms whereby the first firm furnishes the raw als and the second firm uses the raw materials to produce a product that it then returns first firm with a charge for processing costs, overhead, etc.
	☐ No	YesPlease describe the toll arrangement(s) and name the firm(s) involved

II-5.	Foreign trade zones			
	(a)	<u>Firm's FTZ operations</u> Does your firm produce R-134a in and/or admit R-134a into a foreign trade zone (FTZ)?		
		<b>"Foreign trade zone"</b> is a designated location in the United States where firms utilize special procedures that allow delayed or reduced customs duty payments on foreign merchandise. A foreign trade zone must be designed as such pursuant to the rules and procedures set forth in the Foreign-Trade Zones Act.		
		No YesDescribe the nature of your firms operations in FTZs and identify the specific FTZ site(s).		
	(b)	Other firms' FTZ operationsTo your knowledge, do any firms in the United States import R-134a into a foreign trade zone (FTZ) for use in distribution of R-134a and/or the production of downstream articles?		
		☐ No/Don't know ☐ YesIdentify the firms and the FTZs.		
II-6.	Importe	erSince January 1, 2013, has your firm imported R-134a?		
	mercha	ter" – The person or firm primarily liable for the payment of any duties on the ndise, or an authorized agent acting on his behalf. The importer may be the consignee, mporter of record.		
	☐ No	YesCOMPLETE AND RETURN A U.S. IMPORTERS' QUESTIONNAIRE		

- II-7. <u>Production, shipment and inventory data</u>.--Report your firm's production capacity, production, shipments, and inventories related to the production of R-134a in its U.S. establishment(s) during the specified periods.
  - "Average production capacity" or "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 U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.
  - **"U.S. commercial shipments"** –Shipments made within the United States as a result of an arm's length commercial transaction in the ordinary course of business. Report <u>net values</u> (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods) in U.S. dollars, f.o.b. your point of shipment.
  - "Internal consumption" Product consumed internally by your firm.
  - "Transfers to related firms" Shipments made to related domestic firms. Such transactions are valued at fair market value.
  - "Related firm" —A firm that your firm solely or jointly owns, manages, or otherwise controls. Such transactions are valued at fair market value.
  - "Export shipments" Shipments to destinations outside the United States, including shipments to related firms.
  - "Inventories" Finished goods inventory, not raw materials or work-in-progress.

Note: As requested in Part I of this questionnaire, please keep all supporting documents/records used in the preparation of the trade data, as Commission staff may contact your firm regarding questions on the trade data. The Commission may also request that your company submit copies of the supporting documents/records (such as production and sales schedules, inventory records, etc.) used to compile these data.

## II-7. <u>Production, shipment and inventory data</u>.--

Quantity (in sho	ort tons) and value (ir	\$1,000)	
		Calendar years	
Item	2013	2014	2015
Average production capacity <sup>1</sup> (quantity) (A)			
<b>Beginning-of-period inventories</b> (quantity) (B)			
<b>Production</b> (quantity) (C)			
U.S. shipments: Commercial shipments: Quantity (D)			
Value (E)			
Internal consumption:  Quantity (F)			
Value² (G)			
Transfers to related firms:  Quantity (H)			
Value <sup>2</sup> (I)			
Swaps: <sup>3</sup> Quantity (J)			
Value² (K)			
Export shipments: <sup>4</sup> Quantity (L)			
Value (M)			
End-of-period inventories <sup>4</sup> (quantity) (N)			
<sup>1</sup> The production capacity reported is based or Please describe the methodology used to calcula capacity <sup>2</sup> Internal consumption, transfers to related fir	te production capacit ms, and swaps must b	y, and explain any ch	anges in reported et value. In the
event that your firm uses a different basis for val cost plus, <i>etc.</i> ) and provide value data using that <sup>3</sup> From the perspective of relevant R-134a give <sup>4</sup> Identify your firm's principal export markets:	basis for each of the n up in exchange.		

### II-7. Production, shipment and inventory data.--Continued

<u>RECONCILIATION OF SHIPMENTS, PRODUCTION, AND INVENTORY</u>.--Generally, the data reported for the end-of-period inventories (i.e., line L) should be equal to the beginning-of-period inventories (i.e., line B), plus production (i.e., line C), less total shipments (i.e., lines D, F, H, J, L, and N). Please ensure that any differences are not due to data entry errors in completing this form, but rather actually reflect your firm's records; and also provide any likely explanations for any differences (e.g., theft, loss, damage, record systems issues, etc.) if they exist.

		Calendar years	
Reconciliation	2013	2014	2015
B + C - D - F - H - J - L - N = should equal zero			
("0") or provide an explanation. <sup>1</sup>	0	0	0
<sup>1</sup> Explanation if the calculated fields above are nonetheless accurate:	e returning values oth	er than zero (i.e., "0"	) but are

# II-8. <u>Channels of distribution</u>.--Report your firm's commercial U.S. shipments by channel of distribution.

Quantity (in s	hort tons) and value (in	n \$1,000)	
		Calendar years	
ltem	2013	2014	2015
Channels of distribution: Commercial U.S. shipments: To distributors (quantity) (O)			
To end users ( <i>quantity</i> ) (P)			
To retailers (quantity) (Q)			

		Calendar years	
Reconciliation	2013	2014	2015
O + P + Q - D = zero ("0"), if not revise.	0	0	0

II-9. <u>U.S. shipments by segment</u>-- Report your firm's U.S. shipments (inclusive of commercial shipments, internal consumption, transfers and swaps) of R-134a to each of the segments listed.

		Calendar years	
ltem	2013	2014	2015
	Quantity (i	in short tons) and Valu	e (in \$1,000)
U.S. shipments to  Automotive OEM  Quantity (R)			
Value (S)			
Automotive aftermarket.—  Quantity (T)			
Value (U)			
Stationary OEM.—  Quantity (V)			
Value (W)			
Stationary aftermarket.—  Quantity (X)			
Value (Y)			
Foam expansion and propellant.—  Quantity (Z)			
Value (AA)			
Other segments and/or unknown <sup>1</sup> .—  Quantity (AB)			
Value (AC)			
<sup>1</sup> Identify these "other" segments:		•	<b>1</b>

		Calendar years	
Reconciliation	2013	2014	2015
Quantity reconciliation: $R + T + V + X + Z + AB - D - F - H - J = zero$ ("0"), if not revise.	0	0	0
Value reconciliation: S + U + W + Y + AA + AC - E - G - I - K = zero ("0"), if not revise	0	0	0

Explanation of trends:

II-10. **Employment data**.--Report your firm's employment-related data related to the production of R-134a and provide any explanation for any trends in these data.

"Production Related Workers" (PRWs) includes working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

Average number employed may be computed by adding the number of employees, both full time and part time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12.

"Hours worked" includes time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight time hours.

"Wages paid" – Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

		Calendar years	ı
Item	2013	2014	2015
Average number of PRWs (number)			
Hours worked by PRWs (1,000 hours)			
Wages paid to PRWs (\$1,000)			

1.	Related firmsIf your firm reported transfers to related firms in question II-8, 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 at market value 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.
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II-12.	<u>Purchases</u> Other than direct imports, h 1, 2013?	nas your firm oth	erwise purchased F	R-134a since January
	"Purchase" – A transaction to buy producer, a U.S. distributor, or a U.S. firm		•	
	"Direct import" –A transaction to buy front of record or consignee.	om a foreign pro	oducer where your f	firm is the importer
	No YesReport such pur purchases:	rchases below a	nd explain the reaso	ons for your firms'
	(Quantit	y in short tons)		
			Calendar years	
	ltem	2013	2014	2015
	ases from U.S. importers <sup>1</sup> of R-134a			
from- Chi				
	other sources			
	ases from domestic producers <sup>2</sup>			
	ases from other sources <sup>2</sup>			
<sup>1</sup> P supplie	lease list the name of the importer(s) from whers differ by source, please identify the source lease list the name of the producer(s) or U.S. o	for each listed su	pplier:	
II-13.	Other explanationsIf your firm would that did not provide a narrative box, plet the space provided below. Please also uproviding the data in this section, includ questionnaire.	ase note the que use this space to	estion number and the highlight any issues	the explanation in syour firm had in

## PART III.--FINANCIAL INFORMATION

Address questions on this part of the	ne questionnaire to	David Boyland	i <b>(</b> 202-708-4725,
david.boyland@usitc.gov).			

Name	
Title	
Email	
Telephone	
Fax	
Accounting sy	vstemBriefly describe your firm's financial accounting system.
A.	When does your firm's fiscal year end (month and day)?
A.	If your firm's fiscal year changed during the data-collection period, explain below:
B.1.	Describe the lowest level of operations (e.g., plant, division, company-wide) which financial statements are prepared that include R-134a:
2.	Does your firm prepare profit/loss statements for R-134a:  Yes No
3.	How often did your firm (or parent company) prepare financial statements (including annual reports, 10Ks)? Please check relevant items below.  Audited, unaudited, annual reports, 10Ks, 10 Qs, Monthly, quarterly, semi-annually, annually
4.	Accounting basis: GAAP, cash, tax, or other compreher basis of accounting (specify)
used ii regara submit profit-	As requested in Part I of this questionnaire, please keep all supporting documents/reconnumber the preparation of the financial data, as Commission staff may contact your firm ding questions on the financial data. The Commission may also request that your comput copies of the supporting documents/records (financial statements, including internal and-loss statements for the division or product group that includes R-134a, as well as it is statements and worksheets) used to compile these data.
Cost accounti	<b>ng system</b> Briefly describe your firm's cost accounting system ( <i>e.g.</i> , standard r cost, <i>etc.</i> ).

III-4. <u>Allocation basis.</u>--Briefly describe your firm's allocation basis, if any, for COGS, SG&A, and interest expense and other income and expenses.

	ase list the products your firm pro	duced in the facilities in which your fire
•	nd provide the share of net sales a	counted for by these products in your
firm's most recent fi	scal year.	
Products		Share of sales
R-134a		%
		%
		%
		%
		70
production of R-1346 firms, divisions and/	a from any related suppliers (e.g., or other components within the sa	energy, or any services) used in the inclusive of transactions between relatime company)?
production of R-134a firms, divisions and/of YesContinue to Inputs from related your firm purchases total COGS" please recompleted fiscal year company's own accordiated supplier's active production of the company's own according to the company's	a from any related suppliers (e.g., or other components within the same question III-7.  SuppliersPlease identify the input from related suppliers and that are port this information by relevant r. For "Input valuation" please depunting system, of the purchase counting system, of the purchase continuation is system.	energy, or any services) used in the inclusive of transactions between relat
production of R-1346 firms, divisions and/offirms, divisions and/offirms, divisions and/offirms, divisions and/offirms, divisions and/offirms, divisions and/offirms, divisions are computed firms purchases total COGS" please recompleted fiscal year company's own accompany's own accompany's own accompany's and company's and company's and company's accompany's accompany's and company's accompany's accompany, accompany	a from any related suppliers (e.g., or other components within the same question III-7.  SuppliersPlease identify the input from related suppliers and that are port this information by relevant r. For "Input valuation" please depunting system, of the purchase counting system, of the purchase continuation is system.	energy, or any services) used in the inclusive of transactions between relatione company)?  The to question III-9a.  The transactions between relations of question III-9a.  The transactions between relations of question III-9a.  The transactions in the company is the production of R-134a the production of R-134a the production of R-134a the production of the basis of your most recent input on the basis, as recorded in your st from the related supplier; e.g., the

III-8.	<u>Inputs purchased from related suppliers</u> Please confirm that the inputs purchased from related suppliers, as identified in III-7, were reported in III-9a (financial results on R-134a) in a manner consistent with your firm's accounting books and records.
	Yes
	NoIn the space below, please report the valuation basis of inputs purchased from related suppliers as reported in table III-9a.

III-9a. Operations on R-134a.-- Report the revenue and related cost information requested below on the R-134a operations of your firm's U.S. establishment(s). Do not report resales of products. Transfers to related firms, internal consumption, and swaps (from the perspective of relevant R-134a given up in exchange) must be valued at fair market value. Input purchases from related suppliers should be consistent with and based on information in the firm's accounting books and records. Provide data for your firm's three most recently completed fiscal years. If your firm was involved in R-134a tolling operations (either as the toller or as the tollee), please contact David Boyland at (202)708-4725 before completing this section of the questionnaire.

Quantity (in short tons) and value (in \$1,000)					
		Fiscal years ended			
Item	2013	2014	2015		
Net sales quantities: <sup>2</sup>					
Commercial sales ("CS")	0	0	0		
Transfers to related firms ("Transfers")	0	0	0		
Internal consumption ("IC")	0	0	0		
Swaps	0	0	0		
Total net sales quantities	0	0	0		
Net sales values: <sup>2</sup> Commercial sales	0	0	0		
Transfers to related firms	0	0	0		
Internal consumption	0	0	0		
Swaps	0	0	0		
Total net sales values	0	0	0		
Cost of goods sold (COGS): <sup>3</sup> Raw materials	0	0	0		
Direct labor	0	0	0		
Other factory costs <sup>4</sup>	0	0	0		
Total COGS	0	0	0		
Gross profit or (loss)	0	0	0		
Selling, general, and administrative (SG&A) expenses:					
Selling expenses	0	0	0		
General and administrative expenses	0	0	0		
Total SG&A expenses	0	0	0		
Operating income (loss)	0	0	0		
Other expenses and income: Interest expense	0	0	0		
All other expense items	0	0	0		
All other income items <sup>4</sup>	0	0	0		
Net income or (loss) before income taxes	0	0	0		
Depreciation/amortization included above	0	0	0		

<sup>&</sup>lt;sup>1</sup> Include only relevant revenue items (whether domestic or export) and costs related to your U.S. manufacturing operations.

Note -- The table above contains calculations that will appear when you have entered data in the MS Word form fields.

<sup>&</sup>lt;sup>2</sup> 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.

<sup>&</sup>lt;sup>3</sup> To the extent applicable (and whether associated with domestic or export revenue items), COGS should include costs associated with CS, Transfers, IC, and swaps (i.e., the relevant cost of R-134a given up in exchange and recognized in COGS).

<sup>&</sup>lt;sup>4</sup> Please report relevant by-product revenue related to R-134a component operations as an offset to other factory costs, as opposed to a component of other income.

III-9b.	quantitie have bee return th	<u>data reconciliation</u> The calculable line items from question III-9a ( <i>i.e.</i> , total net sales s and values, total COGS, gross profit (or loss), total SG&A, and net income (or loss)) n calculated from the data submitted in the other line items. Do the calculated fields e correct data according to your firm's financial records ignoring non-material es that may arise due to rounding?
	Yes	NoIf the calculated fields do not show the correct data, please double check the feeder data for data entry errors and revise.
		Also, check signs accorded to the post operating income line items; the two expense line items should report positive numbers ( <i>i.e.</i> , expenses are positive and incomes or reversals are negativeinstances of the latter should be rare in those lines) while the income line item also in most instances should have its value be a positive number ( <i>i.e.</i> , income is positive, expenses or reversals are negative).
		If after reviewing and potentially revising the feeder data your firm has provided, the differences between your records and the calculated fields persist please identify and discuss the differences in the space below.

III-10. Nonrecurring items (charges and gains) included in the subject product financial results.--For each annual period for which financial results are reported in question III-9a, please specify all material (significant) nonrecurring items (charges and gains) in the schedule below, the specific table III-9a line item where the nonrecurring items are included, a brief description of the relevant nonrecurring items, and the associated values (in \$1,000), as reflected in table III-9a; i.e., if an aggregate nonrecurring item has been allocated to table III-9a, only the allocated value amount included in table III-9a should be reported in the schedule below. Note: The Commission's objective here is to gather information only on material (significant) nonrecurring items which impacted the reported financial results of the subject product in table III-9a.

		Fiscal years ended	
	2013	2014	2015
<b>Nonrecurring item:</b> In this column please provide a brief description of each nonrecurring item and indicate the specific line item in table III-9a where the nonrecurring item is	<b>Nonrecurring item:</b> In these columns please report the amount of the relevant nonrecurring item reported in table III-9a.		
classified.		Value ( <i>\$1,000</i> )	
1. , classified as			
2. , classified as			
3. , classified as			
4. , classified as			
5. , classified as			
6. , classified as			
7. , classified as			

III-11.	Classification of identified nonrecurring items (charges and gains) in the accounting books and
records	of the companyIf non-recurring items were reported in table III-10 above, please identify
where y	your company recorded these items in your accounting books and records in the normal course
of busir	ness; i.e., just as responses to question III-10 identify where these items are reported in table III-
9a.	

III-12. <u>Asset values</u>.--Report the <u>total</u> assets (i.e., both current and long-term assets) associated with the production, warehousing, and sale of R-134a. If your firm does not maintain some or all of the specific asset information necessary to calculate total assets for R-134a in the normal course of business, please estimate this information based upon a method (such as production, sales, or costs) that is consistent with relevant cost allocations in table III-9a. Provide data as of the end of your firm's three most recently completed fiscal years.

Note: Total assets should reflect <u>net assets</u> after any accumulated depreciation and allowances deducted.

Total assets should be allocated to the subject products if these assets are also related to other products. Please provide a brief explanation if there are any substantial changes in total asset value during the period; e.g., due to asset write-offs, revaluation, and major purchases.

Value (in \$1,000)					
	Fiscal years ended				
Item	2013	2014	2015		
Total assets (net) 1					
<sup>1</sup> Describe	•	· ·			

III-13. <u>Capital expenditures and research and development expenses</u>.--Report your firm's capital expenditures and research and development expenses for R-134a. Provide data for your firm's three most recently completed fiscal years.

Value (in \$1,000)					
		Fiscal years ended			
Item	2013	2014	2015		
Capital expenditures					
Research and development expenses					

<sup>&</sup>lt;sup>1</sup> Please describe the nature, focus, and significance of your firm's capital expenditures on the subject product.

<sup>&</sup>lt;sup>2</sup> Please describe the nature, focus, and significance of your firm's R&D expenses related to subject product.

Calenda	ar year	Fiscal year S	pecify fiscal ye	ear			
reported calendar	in quest year bas		g export shipm	ients) as lo	ng as they		
Do these Yes	data in	If no, please ex		ata in ques	tion II-7?		
	INO	ii iio, piease ex	фіані.				
negative	effects	s on investment. on its return on ir a from China?  YesMy firm h	nvestment or t	he scale of	capital inv	vestments ects as fol	s as a result
negative imports o	effects of R-134	on its return on in a from China?  YesMy firm has many as appro	nvestment or to nas experience opriate)	he scale of	capital inv	vestments	s as a result
negative imports o	check of Can	on its return on in a from China?	nvestment or to nas experience opriate) nement,	he scale of	capital inv	vestments ects as fol	s as a result
negative imports o	check (check of Can or reproj	on its return on in a from China?  YesMy firm has many as approceellation, postpoelejection of expansion	nvestment or the nas experience oppriate) nement, sion	he scale of	capital inv	vestments ects as fol	s as a result
negative imports o	(check of R-134)  (check of Can or reproj	on its return on in a from China?  YesMy firm has many as approceediation, postposed ejection of expansion or rejection or	nas experience  opriate)  nement, sion	he scale of	capital inv	vestments ects as fol	s as a result
negative imports o	(check of R-134)  (check of Proj	on its return on in a from China?  YesMy firm has many as approacellation, postpoejection of expandents  ial or rejection of extending of the company of t	nas experience opriate) nement, asion  f	he scale of	capital inv	vestments ects as fol	s as a result

III-16.	experie develo <sub>l</sub>	Effects of imports on growth and development Since January 1, 2013, has your firm experienced any actual negative effects on its growth, ability to raise capital, or existing development and production efforts (including efforts to develop a derivative or more advanced version of the product) as a result of imports of R-134a from China?						
	☐ No			YesMy firm has experi	enced actual negative effects as follows:			
		(ch	eck as r	nany as appropriate)	(please describe)			
			Rejecti	on of bank loans				
			Loweri	ng of credit rating				
				m related to the issue ks or bonds				
			Ability	to service debt				
			Other					
III-17.	Anticipated effects of importsDoes your firm anticipate any negative effects due to imports of R-134a from China?							
	No		Yes	If yes, my firm anticipa	ates negative effects as follows:			
III-18.	that did	d not ce pr	provide ovided l e data ir	a narrative box, please pelow. Please also use	e to further explain a response to a question in Part III note the question number and the explanation in this space to highlight any issues your firm had in but not limited to technical issues with the MS Word			

### PART IV.-- PRICING AND MARKET FACTORS

Further information on this part of the questionnaire can be obtained from Lauren Gamache (lauren.gamache@usitc.gov, 202-205-3489).

IV-1. <u>Contact information</u>.--Please identify the individual that Commission staff may contact regarding the confidential information submitted in part IV.

Name	
Title	
Email	
Telephone	
Fax	

### PRICE DATA

- IV-2. This question requests quarterly quantity and value data for your firm's commercial shipments to unrelated U.S. customers since January 1, 2013 of the following products produced by your firm.
  - **Product 1.--** R-134a in bulk sold to repackers and distributors
  - **Product 2**.-- R-134a in 30-pound containers with an automotive valve sold to distributors
  - <u>Product 3</u>.-- R-134a in 30-pound containers with an HVAC valve <u>sold to distributors or wholesalers</u>
  - Product 4.-- R-134a in 30-pound containers with an automotive valve sold to retailers
  - **Product 5.--** R-134a in 12-ounce containers sold to distributors

Please note that values should be <u>f.o.b.</u>, <u>U.S.</u> <u>point of shipment</u> and should not include U.S.-inland transportation costs. Values should reflect the *final net* amount paid to your firm (i.e., should be net of all deductions for discounts or rebates).

During January 2013-December 2015, did your firm produce and sell to unrelated U.S. customers any of the above listed products (or any products that were competitive with these products)?

YesPlease complete the following pricing data table as appropriate.
NoSkip to question IV-3.

Product 2: Product 3: Product 4: Product 5:

IV-2. **Price data**.--Report below the quarterly price data<sup>1</sup> for pricing products<sup>2</sup> produced and sold by your firm.

Report data in actual pounds (not short tons) and actual dollars (not 1,000s).

		(Quantity in )	pounds, value in do	ollars)		
	Produ	uct 1	Prod	luct 2	Produ	ict 3
Period of shipment	Quantity	Value	Quantity	Value	Quantity	Value
2013:						
January-March						
April-June						
July-September						
October-December						
2014:						
January-March						
April-June						
July-September						
October-December						
2015:						
January-March						
April-June						
July-September						
October-December						
	Produ	uct 4	Prod	luct 5		
Period of shipment	Quantity	Value	Quantity	Value		
2013:						
January-March						
April-June						
July-September						
October-December						
2014:						
January-March						
April-June						
July-September						
October-December						
2015:						
January-March						
April-June						
July-September						
October-December						
<sup>1</sup> Net values ( <i>i.e.</i> , gros your firm's U.S. point of sh <sup>2</sup> Pricing product defi	nipment.			repaid freight, and	the value of return	ed goods), f.
NoteIf your firm's product description of your firm's						duct, provido

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<u>Pricing data methodology</u> .—Please describe the method and the kinds of documents/records that were used to compile your price data.							
: As requested in Part I of this questionnaire, please keep all supporting documents/records used in reparation of the price data, as Commission staff may contact your firm regarding questions on the data. The Commission may also request that your company submit copies of the supporting ments/records (such as sales journal, invoices, etc.) used to compile these data.  Price setting How does your firm determine the prices that it charges for sales of R-134a (check all that apply)? If your firm issues price lists, please submit sample pages of a recent list.							
Transaction by		Set price	Other	If other describe			
			Other	If other, describe			
by transaction	Contracts	price lists		If other, describe  your firm's discount policies (check all that			
transaction  Discount policy	Contracts	price lists					

IV-5.	Pricing	terms
10-5.	FILCHIE	tell113

(a) What are your firm's typical sales terms for its U.S.-produced R-134a?

Net 30 days	Net 60 days	2/10 net 30 days	Other	Other (specify)

(b) On what basis are your firm's prices of domestic R-134a usually quoted (check one)?

Delivered	F.o.b.	If f.o.b., specify point

IV-6. <u>Contract versus spot.</u>--Approximately what share of your firm's sales of its U.S.-produced R-134a in 2015 was on a (1) long-term contract basis, (2) annual contract basis, (3) short-term contract basis, and (4) spot sales basis?

	Type of sale					
	Long-term contracts (multiple deliveries for more than 12 months)	Annual contracts (multiple deliveries for 12 months)	Short-term contracts (multiple deliveries for less than 12 months)	<b>Spot sales</b> (for a single delivery)	Total (shoul sum to 100.0%	d o
Share of 2015 sales	%	%	%	%	0.0	%

IV-7. <u>Contract provisions.</u>--Please fill out the table regarding your firm's typical sales contracts for U.S.-produced R-134a (or check "not applicable" if your firm does not sell on a long-term, short-term and/or annual contract basis).

Typical sales contract provisions	Item	Short-term contracts (multiple deliveries for less than 12 months)	Annual contracts (multiple deliveries for 12 months)	Long-term contracts (multiple deliveries for more than 12 months)
Average contract duration	No. of days		365	
Price renegotiation	Yes			
(during contract period)	No			
	Quantity			
Fixed quantity and/or price	Price			
ana, or price	Both			
Meet or release	Yes			
provision	No			
Not applicable				

IV-8. <u>Lead times.</u>—What is your firm's share of sales from inventory and produced to order and what is the typical lead time between a customer's order and the date of delivery for your firm's sales of its U.S.-produced R-134a?

Source	Share of 2015 sales	Lead time (average number of days)
From inventory	%	
Produced to order	%	
Total (should sum to 100.0%)	0.0 %	

IV-9.	Shipping	informatio	n

(a)	What is the approximate percentage of the total delivered cost of U.Sproduced R-134a
	that is accounted for by U.S. inland transportation costs? percent
(b)	Who generally arranges the transportation to your firm's customers' locations?
	Your firm Purchaser (check one)

(c) Indicate the approximate percentage of your firm's sales of R-134a that are delivered the following distances from its production facility.

Distance from production facility	Share
Within 100 miles	%
101 to 1,000 miles	%
Over 1,000 miles	%
Total (should sum to 100.0%)	0.0 %

IV-10. <u>Geographical shipments.--</u> In which U.S. geographic market area(s) has your firm sold its U.S.-produced R-134a since January 1, 2013 (check all that apply)?

Geographic area	√ if applicable
NortheastCT, ME, MA, NH, NJ, NY, PA, RI, and VT.	
MidwestIL, IN, IA, KS, MI, MN, MO, NE, ND, OH, SD, and WI.	
Southeast.—AL, DE, DC, FL, GA, KY, MD, MS, NC, SC, TN, VA, and WV.	
Central Southwest.—AR, LA, OK, and TX.	
Mountains.—AZ, CO, ID, MT, NV, NM, UT, and WY.	
Pacific Coast.—CA, OR, and WA.	
Other.—All other markets in the United States not previously listed, including AK, HI, PR, and VI.	

IV-11. <u>End uses.--</u>List the end uses of the R-134a that your firm manufactures. For each end-use product, what percentage of the <u>total cost</u> is accounted for by R-134a and other inputs?

		t of end use product ted for by	Total
End use product	R-134a	(should sum to 100.0% across)	
	%	%	0.0 %
	%	%	0.0 %
	%	%	0.0 %

	End use in which this		На	Have changes in the price of this substitut affected the price for R-134a?		
Substitute		substitute is used		No	Yes	Explanation
						States and outside of the United 013. Explain any trends and describe
States (if kn		.34a has ch	nanged since	e Januar	ry 1, 2	013. Explain any trends and describe
States (if kn the principa	own) for R-1	.34a has ch t have affe No	nanged since ected these Overall	e Januar changes Fluctu with	ry 1, 2 s in de uate no	013. Explain any trends and describe
States (if kn	Own) for R-1 I factors tha Overall increase	.34a has ch t have affe	nanged since	e Januar changes Fluctu	ry 1, 2 s in de uate no	013. Explain any trends and describe

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U.S. Pro	oducers' Qu	ıestionnai	re - R-134a	Page 31				
IV-14.		_	Have there been any si 34a since January 1, 20	gnificant changes in the product range, product mix, 013?				
	No	Yes	If yes, please describ	e and quantify if possible.				
IV-15.	Condition	s of comp	etition					
		(a) Is the R-134a market subject to business cycles (other than general economy-wide conditions) and/or other conditions of competition distinctive to R-134a? If yes, describe.						
	Check all	that apply	y.	Please describe.				
	□ No			Skip to question IV-16.				
	Yes-Business cycles (e.g. seasonal business)		-					
	Yes-Other distinctive conditions of competition							
	_	(b) If yes, have there been any changes in the business cycles or conditions of competition for R-134a since January 1, 2013?						
	No	Yes	If yes, describe.					
IV-16.	Supply constraints							
	(a) Has your firm refused, declined, or been unable to supply R-134a since January 1, 2013 (examples include placing customers on allocation or "controlled order entry," declining to accept new customers or renew existing customers, delivering less than the quantity promised, been unable to meet timely shipment commitments, etc.)?							
	No	Yes	If yes, please describ	e.				
	(b) Has yo	(b) Has your firm refused, declined, or been unable to supply R-134a in bulk form since January 1, 2013?						
	No	Yes	If yes, please describ	e.				

(c) Since January 1, 20	.013, has your firm	produced R-134a in 3	12-ounce containers?
-------------------------	---------------------	----------------------	----------------------

If <u>no</u> , was your firm able to arrange for the supply of 12-ounce contained distributors by having them package bulk R-134a into 12-ounce cans for customers?					• • •		
No	Yes	No	Yes	If yes, plea	f yes, please describe.		
(d) Has your firm refused, declined, or with the customer's label since Januar					unable to supply R-134a in 12-ounce containers 13?		
	No	Yes	If yes, plea	ase describe.			
		January		-	able of supplying, either directly or through a il customers with the customer's label?		
		Able	to supply				
No	Yes -	Directly	Yes - Repack	cager Please	describe.		
		-	-		ally supply, either directly or through a repackager, mers with the customer's label?		
		Actual	ly supplied				
No	Yes -	Directly	Yes - Repack	kager Please	describe.		
IV-18. <u>I</u>	Raw mat	<b>erials</b> H	ow have R-13	34a raw mate	rials prices changed since January 1, 2013?		
	Overal	_	Overall decrease	Fluctuate with no clear trend	Explain, noting how raw material price changes have affected your firm's selling prices for R-134a.		

IV-19. <u>Interchangeability.--</u>Is R-134a produced in the United States and in other countries interchangeable (*i.e.*, can they physically be used in the same applications)?

Please indicate A, F, S, N, or 0 in the table below:

- A = the products from a specified country-pair are *always* interchangeable
- F = the products are *frequently* interchangeable
- S = the products are *sometimes* interchangeable
- N = the products are *never* interchangeable
- 0 = no familiarity with products from a specified country-pair

Country-pair	China	Germany	Other countries	
United States				
China				
Germany				

For any country-pair producing R-134a that is *sometimes* or *never* interchangeable, identify the country-pair and explain the factors that limit or preclude interchangeable use:

IV-20. <u>Factors other than price</u>.--Are differences other than price (*e.g.*, quality, availability, transportation network, product range, technical support, *etc.*) between R-134a produced in the United States and in other countries a significant factor in your firm's sales of the products?

Please indicate A, F, S, N, or 0 in the table below:

A = such differences are *always* significant

F = such differences are *frequently* significant

S = such differences are *sometimes* significant

N = such differences are *never* significant

0 = no familiarity with products from a specified country-pair

Country-pair	China	Germany	Other countries
United States			
China			
Germany			

For any country-pair for which factors other than price *always* or *frequently* are a significant factor in your firm's sales of R-134a, identify the country-pair and report the advantages or disadvantages imparted by such factors:

IV-21. <u>Customer identification</u>.--List the names and contact information for your firm's 10 largest U.S. customers for R-134a since January 1, 2013. Indicate the share of the quantity of your firm's total shipments of R-134a that each of these customers accounted for in 2015.

C	Customer's name	Contact person	Email	Telephone	City	State	Share of 2015 sales (%)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

### IV-22.

IV-23.

the MS Word questionnaire.

Comp	etition from imports			
(a)	<u>Lost revenue</u> Since January 1, 2013: To a 134a from China, did your firm:	avoid losing sales	to competitors selli	ing R-
	,	No	Yes	
	Reduce prices			
	Roll back announced price increases			
(b)	Lost salesSince January 1, 2013: Did you product from China?	ur firm lose sales (	of R-134a to import	s of this
	No Yes			
(c)	The submission of lost sales/lost revenue PETITIONERS.	allegations is to	be completed only	by NON-
	If your firm indicated "yes" to any of the a with additional information by downloading worksheet at <a href="http://usitc.gov/trade_reme">http://usitc.gov/trade_reme</a> may contact the firms named to verify the	ng and completing dy/question.htm.	g the lost sales/lost . Note that the Com	revenues
	Is your firm submitting the lost sales/lost i	evenues workshe	et?	
	No—Please explain.			
	Yes—Please complete the wo <a href="https://dropbox.usitc.gov/oin">https://dropbox.usitc.gov/oin</a>		it via the Commissi	on dropbox.
	explanationsIf your firm would like to fur t did not provide a narrative response box, p	· ·	•	

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

# **HOW TO FILE YOUR QUESTIONNAIRE RESPONSE**

This questionnaire is available as a "fillable" form in MS Word format on the Commission's website at:

https://www.usitc.gov/investigations/701731/2016/1112 tetrafluoroethane r 134a china/preliminary.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.

• <u>Upload via Secure Drop Box</u>.—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: <a href="https://dropbox.usitc.gov/oinv/">https://dropbox.usitc.gov/oinv/</a> Pin: R134A

• E-mail.—E-mail the MS Word questionnaire to <a href="mailto:amy.sherman@usitc.gov">amy.sherman@usitc.gov</a>; include a scanned copy of the signed certification page (page 1). Submitters are strongly encouraged to encrypt nonpublic documents that are electronically transmitted to the Commission to protect your sensitive information from unauthorized disclosure. The USITC secure drop-box system and the Electronic Document Information System (EDIS) use Federal Information Processing Standards (FIPS) 140-2 cryptographic algorithms to encrypt data in transit. Submitting your nonpublic documents by a means that does not use these encryption algorithms (such as by email) may subject your firm's nonpublic information to unauthorized disclosure during transmission. If you choose a non-encrypted method of electronic transmission, the Commission warns you that the risk of such possible unauthorized disclosure is assumed by you and not by the Commission.

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

<u>Parties to this proceeding</u>.—If your firm is a party to this proceeding, it is 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.