

## U.S. FARMERS'/FISHERMEN'S QUESTIONNAIRE

### FROZEN WARMWATER SHRIMP FROM BRAZIL, CHINA, INDIA, THAILAND, AND VIETNAM

This questionnaire must be received by the Commission by **December 28, 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 reviews of the antidumping duty orders concerning frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam (Inv. Nos. 731-TA-1063, 1064, 1066-1068 (Second Review)). 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)).

<b>Name of firm</b> _____
<b>Address</b> _____
<b>City</b> _____ <b>State</b> _____ <b>Zip Code</b> _____
<b>Website</b> _____
Has your firm harvested warmwater shrimp (as defined on the next page) at any time since January 1, 2013?
<input type="checkbox"/> <b>NO</b> (Sign the certification below and promptly return only this page of the questionnaire to the Commission)
<input type="checkbox"/> <b>YES</b> (Complete all parts of the questionnaire, and return the entire questionnaire to the Commission)
<b>Return questionnaire via the Commission Drop Box by clicking on the following link:</b> <a href="https://dropbox.usitc.gov/oinv/">https://dropbox.usitc.gov/oinv/</a> (PIN: <b>SHRIMP</b> )

#### 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 or reviews conducted by the Commission on the same or similar merchandise.*

*I, the undersigned, acknowledge that information submitted in response to this request for information and throughout this investigation or other proceeding may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. I understand that all contract personnel will sign appropriate nondisclosure agreements.*

\_\_\_\_\_  
**Name of Authorized Official**

\_\_\_\_\_  
**Title of Authorized Official**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Phone:**

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Email address**

\_\_\_\_\_  
**Fax:**

**PART I.—GENERAL INFORMATION**

**Background.**-- On February 1, 2005, the Department of Commerce ("Commerce") issued antidumping duty orders on imports of frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam (70 FR 5143–5156). Following the five-year reviews by Commerce and the Commission, effective April 29, 2011, Commerce issued a continuation of the antidumping duty orders on imports of frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam (76 FR 23972). The Commission is now conducting second reviews pursuant to section 751(c) of the Act, as amended (19 USC 1675(c)), to determine whether revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time. If both the Commission and Commerce make affirmative determinations, the orders will remain in place. If either the Commission or Commerce makes negative determinations, Commerce will revoke the orders. Questionnaires and other information pertinent to this proceeding are available at [https://www.usitc.gov/investigations/701731/2016/frozen\\_warmwater\\_shrimp\\_brazil\\_china\\_india/second\\_review\\_full.htm](https://www.usitc.gov/investigations/701731/2016/frozen_warmwater_shrimp_brazil_china_india/second_review_full.htm).

**Frozen warmwater shrimp** covered by these investigations include certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,<sup>1</sup> deveined or not deveined, cooked or raw, or otherwise processed in frozen form.

The frozen warmwater shrimp and prawn products included in the *Orders*, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the *Penaeidae* family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of the *Orders*. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of the orders. Excluded from the *Orders* are: (1) Breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the *Pandalidae* family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) That is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and 10 percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen ("IQF") freezing immediately after application of the dusting layer. When dusted in accordance with the definition of

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<sup>1</sup> "Tails" in this context means the tail fan, which includes the *telson* and the *uropods*.

dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the *Orders* are currently classified under the following HTSUS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of the orders is dispositive.

***Warmwater shrimp and prawns (wild-caught/farm-raised).*** The product herein is fresh shrimp and prawns generally classified in, but not limited to, the Penaeidae family (e.g., Brown shrimp (*Penaeus aztecus*), White shrimp (*Penaeus setiferus*), and Pink shrimp (*Penaeus duorarum*)).

***Processor.***—Any firm or entity engaging in shrimp processing activities such as deheading, grading, machine peeling, deveining, and cooking, but not repackaging, marinating, or skewering.

***Reporting of information.***—If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates. If your firm is completing more than one questionnaire in connection with this proceeding (i.e., a producer, importer, and/or purchaser questionnaire), you need not respond to duplicated questions in the questionnaires.

***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 of your 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 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-2. **Establishments/Boats covered.**-- Please describe the establishments covered by this questionnaire response, including information on the number of boats your firm owns and operates. **Firms operating more than one boat should combine the data for all boats into a single report.**

I-3. **Position regarding continuation of order.**--Does your firm support or oppose continuation of the antidumping duty orders currently in place for frozen warmwater shrimp from the following countries?

Country	Support	Oppose	Take no position
Brazil	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
China	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
India	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Thailand	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vietnam	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I-4. **Ownership.**--Is your firm owned, in whole or in part, by any other firm?

No             Yes--List the following information.

<b>Firm name</b>	<b>Address</b>	<b>Extent of ownership (percent)</b>

I-5. **Related importers/exporters.**--Does your firm have any related firms, either domestic or foreign, that are engaged in importing frozen warmwater shrimp into the United States or that are engaged in exporting frozen warmwater shrimp to the United States?

No             Yes--List the following information.

<b>Firm name</b>	<b>Address</b>	<b>Affiliation</b>

I-6. **Related producers.**--Does your firm have any related firms, either domestic or foreign, that are engaged in the production of frozen warmwater shrimp?

No             Yes--List the following information.

<b>Firm name</b>	<b>Address</b>	<b>Affiliation</b>

I-7. **Business plan.**--In Part II 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 market conditions for frozen warmwater shrimp?

<b>No</b>	<b>Yes</b>	<b>If yes, please provide the requested documents. If you are not providing the requested documents, please explain why not.</b>
<input type="checkbox"/>	<input type="checkbox"/>	



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

Further information on this part of the questionnaire can be obtained from Keysha Martinez (202-205-2136, [keysha.martinez@usitc.gov](mailto:keysha.martinez@usitc.gov)).

II-1. **Limitations.**--Please describe any state and federal limitations on shrimp fishing activities, e.g., limitations on areas where it is permissible to fish, limitations on length of season, use of specified gear (TED's and by-catch reduction devices, etc.). Describe expected enforcement time of such limitations.

II-2. **Relationships.**--Please describe any contracts or other legal relationships your firm has with processors of frozen warmwater shrimp.

II-3. **Transfers to related firms.**—Do you have any related firms that you transfer shipments to?

- No       Yes-- 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.

II-4. **Gulf oil spill.**—Since January 1, 2013, has the Gulf Oil Spill affected your supply of warmwater shrimp?

- No       Yes-- Please describe. Also, please indicate when you expect that supply will come back to pre-oil spill levels.

II-5. **Gulf oil spill.**—Since January 1, 2013, has the Gulf Oil Spill affected demand for warmwater shrimp?

- No       Yes-- Please describe. Also, please indicate when you expect that demand will come back to pre-oil spill levels.

II-6. **Gulf oil spill clean up.**—Since January 1, 2013, have your boats been used for the BP oil spill clean up?

- No       Yes—Please describe.

II-7. **Natural disasters and/or diseases (supply).**—Since January 1, 2013, have any other natural disasters or diseases affected the supply of warmwater shrimp?

- No       Yes—Please describe.

II-8. **Natural disasters and/or diseases (demand).**—Since January 1, 2013, have any other natural disasters or diseases affected demand for warmwater shrimp?

- No       Yes—Please describe.



II-9. **Other factors (supply).**—Since January 1, 2013, have any other factors affected supply for warmwater shrimp?

No       Yes—Please describe.

II-10. **Other factors (demand).**—Since January 1, 2013, have any other factors affected demand for warmwater shrimp?

No       Yes—Please describe.

**PART III.--FINANCIAL INFORMATION**

Address questions on this part of the questionnaire to Mary Klir (202-205-3247, [mary.klir@usitc.gov](mailto:mary.klir@usitc.gov)).

III-1. **Operations on warmwater shrimp (fresh or brine frozen).**--Report the revenue and related cost information requested below on the warmwater shrimp and prawn operations of your U.S. establishment(s).<sup>1</sup> Provide data for the identified calendar-year periods and for the specified interim periods. **Quantities reported should be headless, shell on, using the National Marine Fisheries conversion factor of 0.629.**

Item	Quantity (in pounds) and value (in dollars)				
	Calendar years			January-September	
	2013	2014	2015	2015	2016
<b>Net sales quantities</b> <sup>1</sup>					
<b>Net sales values</b> <sup>1</sup>					
<b>Operating expenses:</b>					
Corporation officers' and partners' salaries/bonuses					
All other operating expenses <sup>2</sup>					
<b>Operating income or (loss)</b>	0	0	0	0	0
<b>Other income and expenses.</b> <sup>3--</sup>					
CDSOA receipts <sup>4</sup>					
Gulf oil spill compensation from BP					
Payments received for oil spill cleanup services <sup>5</sup>					
All other revenue					
All additional post-operating revenues	0	0	0	0	0
All other expenses					
<b>Net income or (loss) before income taxes</b>	0	0	0	0	0

<sup>1</sup> Include sales related to warmwater shrimp and prawn operations only.  
<sup>2</sup> Report total operating expenses related to warmwater shrimp and prawn operations only: labor (i.e., crew share), fuel and oil, groceries and ice, fishing gear, taxes and licenses (other than federal and state income taxes), insurance, vessel repairs and maintenance (include labor costs incurred specifically for maintenance and repairs), interest, depreciation, and all other expenses. Please list in order of importance the largest costs included in this list:  
<sup>3</sup> Report all post operating revenues and expenses as positive numbers.  
<sup>4</sup> Payments received pursuant to the Continued Dumping and Subsidy Offset Act (CDSOA) of 2000.  
<sup>5</sup> Payments received for oil spill cleanup services should be net of relevant expenses not already included in "total operating expenses." Report receipts as positive numbers.  
<sup>6</sup> Please provide the number of days fished for each year and interim period -- 2013:                    2014:                    2015:  
January-September 2015:                    January-September 2016:

## 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/frozen\\_warmwater\\_shrimp\\_brazil\\_china\\_india/second\\_review\\_full.htm](https://www.usitc.gov/investigations/701731/2016/frozen_warmwater_shrimp_brazil_china_india/second_review_full.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:** **SHRIMP**

- **E-mail.**—E-mail the MS Word questionnaire to [keysha.martinez@usitc.gov](mailto:keysha.martinez@usitc.gov); 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.

**Parties to this proceeding.**—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.