

## U.S. GROWERS' QUESTIONNAIRE

### RIPE OLIVES FROM SPAIN

This questionnaire must be received by the Commission by **July 6, 2017**

*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 duty and antidumping investigations concerning ripe olives from Spain (Inv. Nos. 701-TA-582 and 731-TA-1377 (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)).

<b>Name of firm</b> _____
<b>Address</b> _____
<b>City</b> _____ <b>State</b> _____ <b>Zip Code</b> _____
<b>Website</b> _____
Has your firm grown table olives at any time since August 1, 2012?
<input type="checkbox"/> <b>NO</b> (Sign the certification below and promptly return <b>only</b> 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 U.S. International Trade Commission Drop Box by clicking on the following link: <a href="https://dropbox.usitc.gov/oinv/">https://dropbox.usitc.gov/oinv/</a>. (PIN: <b>RIPE</b>)</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 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 proceeding or other proceedings 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*

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

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

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

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

**PART I.—GENERAL INFORMATION**

**Background.** --This proceeding was instituted in response to a petition instituted on June 22, 2017, by the Coalition for Fair Trade in Ripe Olives, consisting of Bell-Carter Foods, Walnut Creek, CA, and Musco Family Olive Company, Tracy, CA. Countervailing and/or 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 ("Commerce") makes an affirmative determination of subsidization and/or dumping. Questionnaires and other information pertinent to this proceeding are available at [http://www.admin.usitc.gov/investigations/701731/2017/ripe\\_olives\\_spain/preliminary.htm](http://www.admin.usitc.gov/investigations/701731/2017/ripe_olives_spain/preliminary.htm).

**Ripe olives** covered by these investigations are certain processed olives, usually referred to as "ripe olives." The subject merchandise includes all colors of olives; all shapes and sizes of olives, whether pitted or not pitted, and whether whole, sliced, chopped, minced, wedged, broken, or otherwise reduced in size; all types of packaging, whether for consumer (retail) or institutional (food service) sale, and whether canned or packaged in glass, metal, plastic, multi-layered airtight containers (including pouches), or otherwise; and all manners of preparation and preservation, whether low acid or acidified, stuffed or not stuffed, with or without flavoring and/or saline solution, and including in ambient, refrigerated, or frozen conditions.

Included are all ripe olives processed in Spain, regardless of the origin of the olives or the location of packaging. Excluded from the scope are: (1) "Spanish-style" and other similar olives that have been processed by being both fermented and briefly cured in an alkaline solution; (2) olives that have been processed by fermentation only; and (3) provisionally prepared olives unsuitable for immediate consumption (currently classifiable in subheading 0711.20 of the Harmonized Tariff Schedule of the United States (HTSUS)).

The merchandise subject to this petition is currently classifiable under statistical reporting numbers 2005.70.0230, 2005.70.0260, 2005.70.0430, 2005.70.0460, 2005.70.5030, 2005.70.5060, 2005.70.6020, 2005.70.6030, 2005.70.6050, 2005.70.6060, 2005.70.6070, 2005.70.7000, 2005.70.7510, 2005.70.7515, 2005.70.7520, and 2005.70.7525 HTSUS.

Subject merchandise may also be imported under statistical reporting numbers 2005.70.0600, 2005.70.0800, 2005.70.1200, 2005.70.1600, 2005.70.1800, 2005.70.2300, 2005.70.2510, 2005.70.2520, 2005.70.2530, 2005.70.2540, 2005.70.2550, 2005.70.2560, 2005.70.9100, 2005.70.9300, and 2005.70.9700.

The HTSUS provisions are for convenience and Customs purposes; the written description of the scope is dispositive.

**Table olives** are olives in an unprocessed, raw (or "fresh") state intended for processing into "ripe olives".

**Crop year.**--For the purposes of this questionnaire, a crop year is defined as the period from August one year through July the following year (e.g., 2015-16 represents August 2015 through July 2016).

**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.

**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. In addition, if your firm is a U.S. producer, the information you provide on your production and imports of ripe olives 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. **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.

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

II-1. **Total acreage.**--Please report your farm's acreage of bearing and non-bearing olive trees as well as acreage used for other crops in each specified crop year.

Item	Crop years			
	2012-13	2013-14	2014-15	2015-16
<b>Olive land/acreage:</b>				
<b>Table oil varieties:</b>				
Bearing (acres)				
Non-bearing (acres)				
Total	0	0	0	0
<b>Olive oil varieties:</b>				
Bearing (acres)				
Non-bearing (acres)				
Total	0	0	0	0
<b>Acres dedicated to other crops<sup>1</sup> (acres)</b>				
<sup>1</sup> Please list in order of importance these other crops:				

II-2a. **Yield per acre.**--Please report your farm's overall olive yield per acre achieved in each specified crop year.

Item	Crop years			
	2012-13	2013-14	2014-15	2015-16
<b>Yield per acre (short tons per acre)</b>				

Describe what factors have impacted your farm's olive yield per acre report above.

II-2b. **Growth cycle.**--Describe your firm/orchard crop cycle for olives (e.g., what years are peak production years / what years are low production years) and efforts you have made (e.g., plant management techniques employed) to even out the growth cycle and any impact these efforts have had on your production numbers.

II-3a. **Total olive harvest.**--Please report your farm's olive harvest by intended use and olive variety in each specified crop year.

Item	Crop years			
	2012-13	2013-14	2014-15	2015-16
	<b>Quantity (short tons)</b>			
<b>Olive harvest:</b>				
<b>For table olives:</b>				
Manzanilla				
Sevillano				
Mission				
Other <sup>1</sup>				
Total for table	0	0	0	0
<b>For olive oil:</b>				
Arbequina				
Arbosana				
Koroneiki				
Other <sup>2</sup>				
Total for oil	0	0	0	0
<b>Total olive harvest</b>	0	0	0	0
<sup>1</sup> Please list in order or importance the other olive varieties your firm harvests for sale to processors to create ripe olives: <sup>2</sup> Please list in order or importance the other olive varieties your firm harvests for sale to processors to create olive oil:				

(b) **Drought impact.**--Did drought conditions in California impact your farm's overall olive harvest?

No	Yes	If yes, describe.
<input type="checkbox"/>	<input type="checkbox"/>	

II-4. **Production constraints.**--Please describe the constraint(s) that set the limit(s) on your growing/harvesting capabilities for table olives.

II-5. **Product shifting.**--Does your farm grow/harvest other products on the same land used to grow table olives?

No                       Yes-- (i.e., have produced other products or are able to produce other products).  
Please identify other actual or potential products: .

II-6. **Product shifting factors.**--Please describe the factors that affect your farm's ability to shift growing/harvesting capacity between table olives and other products (e.g., time, cost, relative price change, etc.), and the degree to which these factors enhance or constrain such shifts.

II-7a. **Employment data.**--Report your farm's employment related data relating to table olive production.

**"Production Related Workers" (PRWs)** includes working supervisors and all nonsupervisory workers (including group leaders and trainees) and seasonal and/or contracted employees engaged in growing, harvesting, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for farm'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.

Item	Crop years			
	2012-13	2013-14	2014-15	2015-16
<b>Average number of PRWs (number)</b>				

II-7b. **Family employment.**--Do your employment data include work performed by grower's own family?

No	Yes	If yes, Please explain how this is accounted for in the above employment data.
<input type="checkbox"/>	<input type="checkbox"/>	

II-7c. **Seasonal employment.**--Do your employment data include work performed by seasonal workers? If yes, please describe the seasonal nature of your farm's employment and how that has impacted the data reported in question II-7a.

No	Yes	If yes, Please explain how this is accounted for in the above employment data.
<input type="checkbox"/>	<input type="checkbox"/>	

II-8. **Other explanations.**--If your farm 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 farm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

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**PART III.--FINANCIAL INFORMATION**

Address questions on this part of the questionnaire to **Joanna Lo** (202-205-1888, [joanna.lo@usitc.gov](mailto:joanna.lo@usitc.gov)).

III-1. **Accounting system.**--Briefly describe your farm's financial accounting system. Fiscal year is defined as the 12-month period between settlement of your farm's financial accounts.

A. When does your farm's fiscal year end (month and day)? \_\_\_\_\_  
If your firm's fiscal year changed during the data-collection period, explain below:

\_\_\_\_\_

B.1. Accounting basis:  accrual basis (GAAP) basis,  cash basis,  tax basis, or  other basis (comprehensive basis of accounting) (specify) \_\_\_\_\_

B.2. Does your farm submit a Schedule F to the IRS that is solely or substantially related to your table olives growing operations? Yes  No

If you answered "Yes," then you may use the figures from your IRS Schedule F as the basis for the data reported in Question III-2a.

*Note: The Commission may request that your farm submit copies of its schedule F, financial statements, and worksheets used to compile your farm's questionnaire response regarding operations on table olives.*

III-2a. **Growing operations on table olives.**--Report the revenue and related total growing and operating expenses information requested below on the table olives operations of your farm's U.S. operations. Please report data only on table olives.

Item	Crop years			
	2012-13	2013-14	2014-15	2015-16
	<b>Quantity (short tons)</b>			
<b>Total net sales quantity<sup>1</sup></b>				
	<b>Value (1,000 dollars)</b>			
<b>Total net sales value<sup>1</sup></b>				
<b>Growing and operating expenses:</b>				
Salaries and labor costs				
All other operating expenses <sup>2</sup>				
Total, operating expenses	0	0	0	0
<b>Operating income and/or (loss)</b>	0	0	0	0
<b>All other expense and income:</b>				
All other expenses				
TAP revenue and other government programs <sup>3</sup>				
All other revenues				
<b>Net income and/or (loss)</b>	0	0	0	0

<sup>1</sup> Include all relevant revenue related to sale of table variety olives from your farm's U.S. operations.  
<sup>2</sup> Please describe in order of importance these expenses:  
<sup>3</sup> Government programs, including (as applicable) Tree Assistance Program (TAP), crop insurance proceeds, federal crop disaster payments, CCC loans forfeited, and agricultural program payments.

III-2b. **Basic assumptions.**--Please describe the basic assumptions your farm used in completing the above income statement, including how these data related to data submitted in any Schedule F submission to the IRS.

III-3. **Effects of imports on investment in table olives.**--Since August 1, 2012, has your farm experienced any actual negative effects on its return on investment or the scale of capital investments in table olives as a result of imports of ripe olives from Spain?

No             Yes--My farm has experienced actual negative effects as follows:

<i>(check as many as appropriate)</i>		<i>(please describe)</i>
<input type="checkbox"/>	Cancellation, postponement, or rejection of expansion projects	
<input type="checkbox"/>	Denial or rejection of investment proposal	
<input type="checkbox"/>	Reduction in the size of capital investments	
<input type="checkbox"/>	Return on specific investments negatively impacted	
<input type="checkbox"/>	Other	

III-4. **Effects of imports on growth and development in table olives.**--Since August 1, 2012, has your farm experienced any actual negative effects on its growth, ability to raise capital, or existing development and growing efforts (including efforts to develop a derivative or more advanced version of table olives) as a result of imports of ripe olives from Spain?

No             Yes--My firm has experienced actual negative effects as follows:

<i>(check as many as appropriate)</i>		<i>(please describe)</i>
<input type="checkbox"/>	Rejection of bank loans	
<input type="checkbox"/>	Lowering of credit rating	
<input type="checkbox"/>	Problem related to the issue of stocks or bonds	
<input type="checkbox"/>	Ability to service debt	
<input type="checkbox"/>	Other	

III-5. **Anticipated effects of imports on table olives.**--Does your farm anticipate any negative effects on growing table olives due to imports of ripe olives from Spain?

No	Yes	If yes, my firm anticipates negative effects as follows:
<input type="checkbox"/>	<input type="checkbox"/>	

III-6. **Other explanations.**--If your farm would like to further explain a response to a question in Part III 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 farm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

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## 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://wwwadmin.usitc.gov/investigations/701731/2017/ripe\\_olives\\_spain/preliminary.htm](http://wwwadmin.usitc.gov/investigations/701731/2017/ripe_olives_spain/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.

- **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:** **RIPE**

- **E-mail.**—E-mail the MS Word questionnaire to [jordan.harriman@usitc.gov](mailto:jordan.harriman@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.