

LOST SALES AND LOST REVENUE SURVEY

Ripe Olives from Spain

This survey must be received by the Commission by **July 6, 2017**
See last page for filing instructions.

The information called for in this survey 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 survey 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 possession (19 U.S.C. § 1333(a)). Further information on this survey can be obtained from Amelia Preece (202-205-3250, amelia.preece@usitc.gov).

<p>Name of firm _____</p> <p>Address _____</p> <p>City _____ State _____ Zip Code _____</p> <p>Website _____</p> <p>Has your firm purchased ripe olives (as defined on next page) at any time since January 1, 2013?</p> <p><input type="checkbox"/> NO (Sign the certification below and promptly return only this page of the survey to the Commission)</p> <p><input type="checkbox"/> YES (Complete all parts of the survey, and return the entire survey to the Commission)</p> <p>Return questionnaire via the U.S. International Trade Commission <i>Drop Box</i> by clicking on the following link: https://dropbox.usitc.gov/oinv/. (PIN: RIPE)</p>

CERTIFICATION

I certify that the information herein supplied in this survey 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 submitting this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this survey 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 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*

Signature *Phone* *Email address*

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. U.S. producers of ripe olives have provided the USITC with allegations about sales or revenue that they have lost due to competition from imports of ripe olives from Spain. One or more domestic producer(s) have named your firm in such an allegation.

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.

Reporting of information.-- If information is not readily available from your records, provide carefully prepared estimates.

Confidentiality.--The data furnished in response to this survey 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.

Release of information.--The information provided by your firm in response to this survey, 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. Please also retain a copy of the final document that you submit.

Contact information.--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in this survey. This may or may not be the person whose signature is at the bottom of page 1.

Name	
Title	
Email	
Telephone	

PURCHASE INFORMATION

II-1. **Purchases.**--Report your firm’s total U.S. purchases of ripe olives. Please report separately for your purchases from U.S. producers and importers, and your purchases for which your firm was the importer of record.

“Purchase” – A transaction to buy product from a U.S. corporate entity such as a U.S. producer, a U.S. distributor, or a U.S. firm that has imported the product.

“Import” – A transaction to buy from a foreign supplier in which your firm is the importer of record.

Item	2013	2014	2015	2016
	Quantity (in short tons, drained weight)			
Purchases of ripe olives produced in— United States				
Spain				
All other countries ¹				
Sources unknown				
Total purchases	0	0	0	0
Imports of ripe olives from— Spain				
All other countries ¹				
Total imports	0	0	0	0
¹ Please identify these countries:				

2. **Changes in purchasing patterns.**--Please indicate how the shares of your firm's purchases of ripe olives from different sources have changed since January 1, 2013.

Source of purchases	Did not purchase	Decreased	Increased	Constant	Fluctuated	Explanation for trend
United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Spain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
All other countries	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Sources unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3. **Major purchasing factors.**--Please list, in order of their importance, the main factors your firm considers in deciding from whom to purchase ripe olives.

1.	
2.	
3.	
Please list any other factors that are very important in your purchase decisions:	

4. Purchasing subject imports rather than domestic products.—

(a) Since January 2013, did your firm purchase imports of ripe olives from Spain instead of U.S.-produced ripe olives?

Source	Yes (also respond to parts (b) and (c))	No (If “No”, skip to next question)
Spain	<input type="checkbox"/>	<input type="checkbox"/>

(b) If you responded “Yes” to part (a), was the imported product priced lower than the domestic product?

Source	Yes	No
Spain	<input type="checkbox"/>	<input type="checkbox"/>

(c) If you responded “Yes” to part (a), was price a primary reason for purchasing subject imports rather than domestic product?

Source	Yes	If Yes, estimate the quantity of imports purchased instead of domestic product since January 2013 (in short tons, drained weight)	No	If No, please indicate the reason your firm purchased imports instead of domestic product
Spain	<input type="checkbox"/>		<input type="checkbox"/>	

5. U.S. producers and import competition.—

(a) Since January 1, 2013, in connection with a sale or offer to sell ripe olives to your firm, did U.S. producers reduce their prices of domestically produced ripe olives in order to compete with lower-priced imports of ripe olives from the subject countries?

Source	Yes (also respond to question part (b))	No (If “No”, skip to next question)	Don’t know
Spain	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- (b) If your firm responded “yes”, please provide an estimate of the reduction in U.S. producers’ prices, and any additional explanations, such as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors.

Source	Estimated reduction in U.S. prices (percent)	Additional explanation, including such information as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors
Spain	%	

6. **Method of purchase**--Please provide a general description of your firm’s method(s) of purchase (e.g., individual purchase, contract, bids, Internet purchases, etc.) for ripe olives.

7. **Other explanations**--Please provide any additional comments in this box.

OMB INFORMATION

8. **OMB statistics.**--Please report the actual number of hours required and the cost to your firm of completing this survey.

Hours	Dollars

The questions in this survey 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 survey is estimated to average 4 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the survey.

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

HOW TO FILE YOUR SURVEY RESPONSE

Please do not attempt to modify the format or permissions of the survey document.

Please submit the completed survey using one of the methods noted below. If your firm is unable to complete the MS Word survey 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 survey 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/>
- **Enter Investigation:** Select “**Ripe Olives from Spain**” in the drop down menu
- **Pin:** **RIPE**

- **E-mail.**—E-mail the MS Word survey to amelia.preece@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 did not purchase this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.