U.S. PROCESSORS' QUESTIONNAIRE

RIPE OLIVES FROM SPAIN

This questionnaire must be received by the Commission by <u>July 6, 2017</u> 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)).

	firm
Address	
City	State Zip Code
Website _	
Has your fir	rm processed ripe olives (as defined on next page) at any time since January 1, 2013?
NO NO	(Sign the certification below and promptly return only this page of the questionnaire to the Commission)
YES	(Complete all parts of the questionnaire, and return the entire questionnaire to the Commission)
•	estionnaire via the U.S. International Trade Commission <i>Drop Box</i> by clicking on the link: <u>https://dropbox.usitc.gov/oinv/</u> . (PIN: RIPE)

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	
	Phone:		
Signature		Email address	
	Fax:		

PART I.—<u>GENERAL INFORMATION</u>

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://wwwadmin.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.

<u>Reporting of information</u>.--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.

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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.

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?



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 ripe olives, including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

Establishments covered ¹	City, State	Zip (5 digit)	Description
1			
2			
3			
4			
5			
6			
¹ Additional discuss	ion on establishments con	solidated in this questic	onnaire:

I-3. **Petition support**.--Does your firm support or oppose the petition?

Country	Support	Oppose	Take no position
Spain - AD			
Spain - CVD			

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

No

Yes--List the following information.

Firm name	Address	Extent of ownership (percent)

I-5. <u>**Related importers/exporters.**</u>--Does your firm have any related firms, either domestic or foreign, that are engaged in importing ripe olives from Spain into the United States or that are engaged in exporting ripe olives from Spain to the United States?

No Yes--List the following information.

Firm name	Country	Affiliation

I-6. **<u>Related producers</u>**.--Does your firm have any related firms, either domestic or foreign, that are engaged in the production of ripe olives?

No Yes--List the following information.

Firm name	Country	Affiliation

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **Jordan Harriman** (202-205-2610, <u>Jordan.Harriman@usitc.gov</u>). **Supply all data requested on a** <u>calendar-year</u> basis.

II-1. <u>Contact information</u>.--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 ripe olives since January 1, 2013.

(check as many as appropriate)	(If checked, please describe; leave blank if not applicable)
Plant openings	
Plant closings	
Relocations	
Expansions	
Acquisitions	
Consolidations	
Prolonged shutdowns or production curtailments	
Weather related disruptions	
Revised labor agreements	
Other (e.g., technology)	

II-3a. **Production using same machinery.--**Please report your firm's production of products made on the same equipment and machinery used to produce ripe olives, 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.

in short tons, dra	ained weight)		
Calendar years			
2013	2014	2015	2016
0	0	0	0
0	0	0	0
	2013 0	2013 2014 0 0 0	Calendar years 2013 2014 2015 0 0 0 0 0 0 0 0 0

- 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. Product shifting.-

(i) Is your firm able to switch production (capacity) between ripe olives and other products using the same equipment and/or labor?

No 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. **Tolling**.--Since January 1, 2013, has your firm been involved in a toll agreement regarding the production of ripe olives?

"Toll agreement"--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

No	Yes	If yes Please 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 ripe olives in and/or admit ripe olives into a foreign trade zone (FTZ)?

"Foreign trade zone" 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	Yes	If yes Describe the nature of your firms operations in FTZs and identify the specific FTZ site(s).

(b) **Other firms' FTZ operations**.--To your knowledge, do any firms in the United States import ripe olives into a foreign trade zone (FTZ) for use in distribution of ripe olives and/or the production of downstream articles?

No	Yes	If yesIdentify the firms and the FTZs.

II-6. Importer.--Since January 1, 2013, has your firm imported ripe olives?

"Importer" – The person or firm primarily liable for the payment of any duties on the merchandise, or an authorized agent acting on his behalf. The importer may be the consignee, or the importer of record.

No	Yes	
		If yes <u>COMPLETE AND RETURN A U.S. IMPORTERS' QUESTIONNAIRE</u>

II-7. **Production, shipment, and inventory data**.--Report your firm's production capacity, production, shipments, and inventories related to the production of ripe olives 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.

"Commercial U.S. 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. Example of internal consumption this in industry include but are not limited to, (1) use of olives in the production of other processed food products such as in spaghetti sauces, (2) use olives that your firm ships to retail locations for use such as in the production pizzas or other food products; or (3) olives that your frim will resell to individual retail customers at a grocery or convenience location. Such transactions are valued at fair market value (and in the case of the third example not at the retail level mark-up).

"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.

"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. Production, shipment, and inventory data.--Continued

	Calendar years				
Item	2013	2014	2015	2016	
Average production capacity ¹ (quantity) (A)					
Beginning-of-period inventories (quantity) (B)					
Production (quantity) (C)					
U.S. shipments: Commercial shipments: Quantity (D)					
Value (E)					
Internal consumption: ² Quantity (F)					
Value ² (G)					
Transfers to related firms:² <i>Quantity</i> (H) <i>Value</i> ² (I)					
Export shipments: ³ Quantity (J)					
Value (K)					
End-of-period inventories (quantity) (L)					
¹ The production capacity reported is based on op the methodology used to calculate production capac ² Internal consumption and transfers to related fir uses a different basis for valuing these transactions, data using that basis for each of the periods noted al ³ Identify your firm's principal export markets:	ity, and explain ms must be valu please specify th bove:	any changes in rep ied at fair market v	oorted capacity value. In the event	 that your firm	

<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, and J). Please ensure that any differences are not due to data entry errors in completing this form, but rather reflect your firm's actual records; and, also provide explanations for any differences (e.g., theft, loss, damage, record systems issues, etc.) if they exist.

	Calendar years				
Reconciliation	2013	2014	2015	2016	
B + C - D - F - H - J - L = should equal zero ("0") or provide an explanation. ¹	0	0	0	0	
¹ Explanation if the calculated fields above are returning values other than zero (i.e., "0") but are nonetheless accurate:					

II-8a. **Growth cycle.--**Since January 1, 2013 has the availability of domestically grown table olives for use in processing by your firm been cyclical due to the two-year growth cycle of olives trees?

No	If yes—In aggregate what have been years of peak production / what have been the years of low production years since January 1, 2013

- II-8b. <u>Efforts by firm to manage cyclicality</u>.--Given the cyclical nature of olive production, what steps has your firm taken to manage this cyclicality (e.g., alternative sources of supply / storage of inventories of processed olives in peak year for sales in non-peak years / et cetera)?
- II-9. **Channels of distribution**.--Report your firm's commercial U.S. shipments by channel of distribution during the specified periods.

Quantity (in short tons, drained weight)					
	Calendar years				
Item	2013	2014	2015	2016	
Commercial U.S. shipments: To distributors (M)					
To retailers: branded (N)					
To retailers: private label (O)					
To institutional / food processors (P)					
To other firms (Q)					

<u>RECONCILIATION OF CHANNELS</u>.--Please ensure that the quantities reported for channels of distribution (i.e., lines M through Q) in each time period equal the quantity reported for commercial U.S. shipments (i.e., line D) in each time period. If the calculated fields below return values other than zero (i.e., "0"), the data reported must be revised prior to submission to the Commission.

	Calendar years			
Reconciliation	2013	2014	2015	2016
M + N + O + P + Q - D = zero ("0"), if not revise.	0	0	0	0

II-10. **Commercial U.S. shipments by olive variety and type of processing**.--Report your firm's commercial U.S. shipments by olive variety and type of processing in calendar year 2016.

Quantity (in short tons, drained weight)					
	Olive variety				
Item	Manzanilla	Sevillano	Mission	Other	
2016: Commercial U.S. shipments: Whole with pit (R)					
Whole pitted (S)					
Segmented (T)					
Sliced (U)					
Chopped (V)					
Other (W)					
Subtotals	0	0	0	C	

<u>RECONCILIATION OF CHANNELS</u>.--Please ensure that the quantities reported for olive variety and type of processing (i.e., lines R through W) for 2016 (all rows and columns in this question) equal the quantity reported for commercial U.S. shipments (i.e., line D) in 2016 in question II-7. If the calculated fields below return values other than zero (i.e., "0"), the data reported must be revised prior to submission to the Commission.

Reconciliation	Calendar year 2016
R + S + T +U +V +W (for all varieties/ columns) – D = zero ("0"), if	
not revise.	0

Optional: Describe any issues and/or assumptions in how your firm classified its 2016 commercial U.S. shipments above.

II-11. <u>Employment data</u>.--Report your firm's employment-related data related to the production of ripe olives and provide an explanation for any trends in these data.

"Production and 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			
Item	2013	2014	2015	2016
Average number of PRWs (number)				
Hours worked by PRWs (1,000 hours)				
Wages paid to PRWs (\$1,000)				

Explanation of trends:

II-12. **<u>Related firms</u>**.--If your firm reported transfers to related firms in question II-7, 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-13. **Purchases**.--Other than direct imports, has your firm otherwise purchased ripe olives since January 1, 2013?

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

"Direct import" –A transaction to buy from a foreign supplier where your firm is the importer of record or consignee.

🗌 No

Yes--Report such purchases below and explain the reasons for your firms' purchases:

Quantity (in s	hort tons, drai	ined weight)			
	Calendar years				
Item	2013	2014	2015	2016	
Purchases from U.S. importers ¹ of ripe olives					
from					
Spain					
Morocco					
All other sources					
Purchases from domestic producers ²					
Purchases from other sources ²					

differ by source, please identify the source for each listed supplier: _____.

² Please list the name of the producer(s) or U.S. distributor(s) from which your firm purchased this product:

II-14. <u>Other explanations</u>.--If your firm would like to further explain a response to a question in Part II that did not provide a narrative box, please note the question number and the explanation in the space provided below. Please also use this space to highlight any issues your firm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

PART III.--FINANCIAL INFORMATION

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

III-1. <u>Contact information</u>.--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in part III.

Name	
Title	
Email	
Telephone	
Fax	

- III-2. <u>Accounting system</u>.--Briefly describe your firm's financial accounting system.
 - A. When does your firm's fiscal year end (month and day)? ______
 If your firm's fiscal year changed during the data-collection period, explain below:

Note.--Please note that we are requesting that processors report their financial data on a calendar year basis.

- B.1. Describe the lowest level of operations (e.g., plant, division, company-wide) for which financial statements are prepared that include ripe olives:
 - Does your firm prepare profit/loss statements for ripe olives:
 Yes
 No
 - 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, 10Qs,
 - 4. Accounting basis: GAAP, cash, tax, or other comprehensive basis of accounting (specify)

Note: As requested in Part I of this questionnaire, please keep all supporting documents/records used in the preparation of the financial data, as Commission staff may contact your firm regarding questions on the financial data. The Commission may also request that your company submit copies of the supporting documents/records (financial statements, including internal profit-and-loss statements for the division or product group that includes ripe olives, as well as specific statements and worksheets) used to compile these data.

- III-3. <u>**Cost accounting system**</u>.--Briefly describe your firm's cost accounting system (e.g., standard cost, job order cost, *etc.*).
- 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.
- III-5. <u>Product listing</u>.--Please list the products your firm produced in the facilities in which your firm produced ripe olives, and provide the share of net sales accounted for by these products in 2016.

Products	Share of sales in 2016
Ripe olives	%
	/0
	%
	%
	%
	%

III-6. Does your firm purchase **inputs** (raw materials, labor, energy, or any services) used in the processing of ripe olives from any related suppliers (e.g., inclusive of transactions between related firms, divisions and/or other components within the same company)?

Yes--Continue to question III-7.

No--Continue to question III-9a.

III-7. Inputs from related suppliers.--Please identify the inputs used in the production of ripe olives that your firm purchases from related suppliers and that are reflected in question III-9a. For "Share of total COGS" please report this information by relevant input on the basis of your most recently completed calendar year. For "Input valuation" please describe the basis, as recorded in your company's own accounting system, of the purchase cost from the related supplier; e.g., the related supplier's actual cost, cost plus, negotiated transfer price to approximate fair market value.

Input	Related supplier	Share of total COGS
Input valuation as re	corded in the firm's accounting books	and records

III-8. **Inputs purchased from related suppliers at cost.--**Please confirm that the inputs purchased from related suppliers, as identified in III-7, were reported in III-9a (financial results on ripe olives) in a manner consistent with your firm's accounting books and records.

Yes

No--In the space below, please report the valuation basis of inputs purchased from related suppliers as reported in table III-9a.

III-9a. Processing operations on ripe olives.--Report the revenue and related cost information requested below on the ripe olives operations of your firm's U.S. establishment(s).¹ Do not report resales of ripe olives that you purchased and then resold in the same condition. Report data only as it relates to your firm's processing operations on ripe olives, including curing and packaging operations. Note that internal consumption and transfers to related firms 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 four most recently completed calendar years. If your firm was involved in tolling operations (either as the toller or as the tollee), please contact Joanna Lo at (202) 205-1888 before completing this section of the questionnaire.

	Calendar years			
Item	2013	2014	2015	2016
Net sales quantities: ²				
Commercial sales ("CS")				
Internal consumption ("IC")				
Transfers to related firms ("Transfers")				
Total net sales quantities	0	0	0	0
Net sales values: ² Commercial sales				
Internal consumption				
Transfers to related firms				
Total net sales values	0	0	0	0
Cost of goods sold (COGS): ³ Olive costs				
All other raw materials				
Direct labor				
Other factory costs				
Total COGS	0	0	0	0
Gross profit or (loss)	0	0	0	0
Selling, general, and administrative (SG&A) expenses: Selling expenses				
General and administrative expenses				
Total SG&A expenses	0	0	0	0
Operating income (loss)	0	0	0	0
Other expenses and income: Interest expense				
All other expense items				
All other income items				
Net income or (loss) before income taxes	0	0	0	0
Depreciation/amortization included above				

² 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. ³ COGS (whether for domestic or export sales) should include <u>costs associated with CS, IC, and Transfers.</u>

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

III-9b. <u>Quantification and classification of certain costs</u>.--Please indicate the dollar value (in 1,000s of dollars) of the following select costs in 2016 and indicate where in the income statement in question III-9a these costs are classified.

Cost	Classified in	Value (1,000 dollars)
Curing agents		
Stuffing additives		
Packaging costs for preservation (e.g. cans, glass, metal, plastic, and multi-layered airtight containers)		
Packaging costs for shipping (e.g. cardboard, filler, strapping)		

III-9c. **Source of purchased olives**.--Please indicate the share of your firm's sales of ripe olives in 2016 that were made from purchases of each of the following sources of table olives .

Source	Share of total in 2016 (percent)
Californian grown olives	
Other domestically grown olives	
Imported olives ¹	
Total (should sum to 100.0%)	0.0
¹ Please indicate the source and reason for these purchases.	

III-9d. <u>Financial data reconciliation</u>.--The calculable line items from question III-9a (i.e., total net sales quantities and values, total COGS, gross profit (or loss), total SG&A, and net income (or loss)) have been calculated from the data submitted in the other line items. Do the calculated fields return the correct data according to your firm's financial records ignoring non-material differences that may arise due to rounding?

No--If 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.e., expenses are positive and incomes or reversals are negative--instances 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.e., 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 processing of ripe olives.--For each annual and interim 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 question 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 question III-9a; i.e., if an aggregate nonrecurring item has been allocated to question III-9a, only the allocated value amount included in question 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 reported in question III-9a.

	Calendar years			
	2013	2014	2015	2016
Nonrecurring item: 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 classified.	If Nonrecurring item: In these columns please report the amount the relevant nonrecurring item reported in question III-9a. Value (\$1,000)			
1. , classified as			<i>,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,</i>	
2. , classified as				
3. , classified as				
4. , classified as				
5. , classified as				
6. , classified as				
7. , classified as				

III-11. <u>Classification of identified nonrecurring items (charges and gains) in the accounting books and records of the company</u>.--If non-recurring items were reported in question III-10 above, please identify where your company recorded these items in your accounting books and records in the normal course of business; i.e., just as responses to question III-10 identify where these items are reported in question 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 ripe olives. If your firm does not maintain some or all of the specific asset information necessary to calculate total assets for ripe olives 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 question III-9a. Provide data as of the end of your firm's four most recently completed calendar 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 (<i>in \$1,000</i>)					
	Calendar years				
Item	2013 2014 2015 2016				
Total assets (net) ¹					
¹ Describe					

III-13. **Capital expenditures and research and development expenses**.--Report your firm's capital expenditures and research and development expenses for ripe olives. Provide data for your firm's four most recently completed calendar years.

Value (<i>in \$1,000</i>)					
	Calendar years				
ltem	2013 2014 2015 2016				
Capital expenditures ¹					
Research and development expenses ²					

¹ Please describe the nature, focus, and significance of your firm's capital expenditures on the subject product.

² Please describe the nature, focus, and significance of your firm's R&D expenses related to subject product. _____

III-14. **Data consistency and reconciliation**.--Please note the quantities and values reported in question III-9a should reconcile with the data reported in question II-7 (including export shipments) as long as they are reported on the same calendar year basis.

<u>RECONCILIATION OF TRADE VS FINANCIAL DATA</u>.--Please ensure that the quantities and values reported for total shipments in part II equal the quantities and values reported total net sales in part III of this questionnaire in each time period unless the financial data from part III are reported on a fiscal year basis, in which case only the interim periods must reconcile. If the calculated fields below return values other than zero (i.e., "0") and both are being reported on a calendar basis, please explain the discrepancy below.

	Calendar years			
Reconciliation	2013	2014	2015	2016
Quantity: Trade data from part II less financial data from part III, = zero ("0") except as noted above.	0	0	0	0
Value: Trade data from part II less financial data from part III, = zero ("0") except as noted above.	0	0	0	0

Do these data in question III-9a reconcile with data in question II-7?

Yes	No	If no, please explain.

III-15. <u>Effects of imports on investment</u>.--Since January 1, 2013, has your firm experienced any actual negative effects on its return on investment or the scale of capital investments as a result of imports of ripe olives from Spain?

No

Yes--My firm has experienced actual negative effects as follows:

(check as many as appropriate)	(please describe)
	Cancellation, postponement, or rejection of expansion projects	
	Denial or rejection of investment proposal	
	Reduction in the size of capital investments	
	Return on specific investments negatively impacted	
	Other	

- III-16. 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 ripe olives from Spain?
 - No

Yes--My firm has experienced actual negative effects as follows:

(ch	eck as many as appropriate)	(please describe)
	Rejection of bank loans	
	Lowering of credit rating	
	Problem related to the issue of stocks or bonds	
	Ability to service debt	
	Other	

III-17. <u>Anticipated effects of imports</u>.--Does your firm anticipate any negative effects due to imports of ripe olives from Spain?

No	Yes	If yes, my firm anticipates negative effects as follows:

III-18. <u>Other explanations</u>.--If your firm 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 firm 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 IV.--PRICING AND MARKET FACTORS

Further information on this part of the questionnaire can be obtained from Amelia Preece (202-205-3250, <u>amelia.preece@usitc.gov</u>).

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.
- <u>Product 1</u>.—(Retail Branded).--Medium pitted black ripe olives in 300 cans, 24 cans per case. Report BRANDED sales only. Can size is 300 x 407. Drain weight is 6 oz. per can, 144 oz. (4.08 kg) per case.
- <u>Product 2</u>.—(Retail Private Label).--Medium pitted black ripe olives in 300 cans, 24 cans per case. Report PRIVATE LABEL sales only. Can size is 300 x 407. Drain weight is 6 oz. per can, 144 oz. (4.08 kg) per case.
- <u>Product 3</u>.--(Retail Private Label).--Sliced black ripe olives in 211 cans, 24 cans per case. Report PRIVATE LABEL sales only. Can size is 211 x 200. Drain weight is 2.25 oz. per can, 54 oz. (1.53 kg) per case.
- <u>Product 4</u>.--(Institutional).--Sliced black ripe olives in #10 cans, 6 cans per case. Can size is 603 x 700. Drain weight is 55 oz. per can, 330 oz. (9.36 kg) per case.

Please note that values should be <u>f.o.b., U.S. 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 2016, 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)?

 Yes.--Please complete the following pricing data table as appropriate.

 No.--Skip to question IV-3.

IV-2. **<u>Price data</u>**.--Report below the quarterly price data¹ for pricing products² produced and sold by your firm.

Report data in actual cases and actual dollars (not 1,000s).

	(Quantity <i>in actual cases,</i> value <i>in dollars</i>) Product 1 Product 2 Product 3 Product 4						uct 4	
Period of shipment	Quantity	Value	Quantity	Value	Quantity	Value	Quantity	Value
2013:	Quantal		,		Quanta		2	
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								
2016:								
January-March								
April-June								
July-September								
October-December								

² Pricing product definitions are provided on the first page of Part IV.

Note.--If your firm's product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your firm's product. Also, please explain any anomalies in your firm's reported pricing data.

Product 1:

Product 2:

Product 3:

Product 4:

<u>Pricing data methodology</u>.--Please describe the method and the kinds of documents/records that were used to compile your price data.

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

IV-3. **Price setting.--**How does your firm determine the prices that it charges for sales of ripe olives (*check all that apply*)? If your firm issues price lists, please submit sample pages of a recent list.

Transaction by transaction	Contracts	Set price lists	Other	If other, describe

IV-4. **Discount policy.--**Please indicate and describe your firm's discount policies (*check all that apply*).

Quantity discounts	Annual total volume discounts	No discount policy	Other	Describe

IV-5. Pricing terms.--

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

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 ripe olives 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 ripe olives in 2016 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					
Item	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)	Spot sales (for a single delivery)	Tota (shoul sum t 100.0%	d o
Share of 2016 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 ripe olives (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	ltem	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			
	Both			
Meet or release	Yes			
provision	No			
Not applicab	le			

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 ripe olives?

Source	Share of 2016 sales	Lead time (average number of days)
From inventory	%	
Produced to order	%	
Total (should sum to 100.0%)	0.0 %	

IV-9. Shipping information.--

- (a) What is the approximate percentage of the cost of U.S.-produced ripe olives 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 ripe olives 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 ripe olives since January 1, 2013 (check all that apply)?

Geographic area	v if applicable
Northeast.–CT, ME, MA, NH, NJ, NY, PA, RI, and VT.	
MidwestIL, IN, IA, KS, MI, MN, MO, NE, ND, OH, SD, and WI.	
SoutheastAL, 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. **End uses.--**List the end uses of the ripe olives that your firm manufactures. For each end-use product, what percentage of the <u>total cost</u> is accounted for by ripe olives and other inputs?

	Share of total cost account	Total	
			(should sum to
End use product	Ripe olives	Other inputs	100.0% across)
	%	%	0.0 %
	%	%	0.0 %
	%	%	0.0 %

IV-12. <u>Substitutes</u>.--Can other products be substituted for ripe olives?

🗌 No

Yes--Please fill out the table.

		End use in which this substitute is used		Have changes in the price of this substitute affected the price for ripe olives?		
	Substitute			Yes	Explanation	
1.						
2.						
3.						

IV-13. <u>Demand trends</u>.--Indicate how demand within the United States and outside of the United States (if known) for ripe olives has changed since January 1, 2013. Explain any trends and describe the principal factors that have affected these changes in demand.

Market	Overall increase	No change	Overall decrease	Fluctuate with no clear trend	Explanation and factors
Within the United States					
Outside the United States					

IV-14. **Product changes.--**Have there been any significant changes in the product range, product mix, or marketing of ripe olives since January 1, 2013?

No	Yes	If yes, please describe and quantify if possible.

IV-15. Conditions of competition.--

(a) Is the ripe olives market subject to business cycles (other than general economy-wide conditions) and/or other conditions of competition distinctive to ripe olives? If yes, describe.

Check all that apply.		Please describe.
	Νο	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 ripe olives since January 1, 2013?

No	Yes	If yes, describe.

(c) Did the California drought affect the availability and/or prices of ripe olives in the United States?

No	Yes	If yes, describe.

(d) Did drought conditions in the Mediterranean area affect the availability and/or prices of ripe olives in the United States?

No	Yes	If yes, describe.

IV-16. <u>Supply constraints</u>.--Has your firm refused, declined, or been unable to supply ripe olives 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 describe.

IV-17. Raw materials.--How have ripe olives raw material prices changed since January 1, 2013?

Overall increase	No change	Overall decrease	Fluctuate with no clear trend	Explain, noting how raw material price changes have affected your firm's selling prices for ripe olives.

IV-18. <u>Interchangeability</u>.--Are ripe olives 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	Spain	Other countries
United States		
Spain		
For any country-pair producing ripe olives that is <i>sometimes</i> or <i>never</i> interchangeable, identify		

the country-pair and explain the factors that limit or preclude interchangeable use:

IV-19. Factors other than price.--Are differences other than price (e.g., quality, availability, transportation network, product range, technical support, etc.) between ripe olives 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	Spain	Other countries	
United States			
Spain			
For any country-pair for which factors other than price <i>always</i> or <i>frequently</i> are a significant factor in your firm's sales of ripe olives, identify the country-pair and report the advantages or			

disadvantages imparted by such factors:

IV-20. <u>Customer identification</u>.--List the names and contact information for your firm's 10 largest U.S. customers for ripe olives since January 1, 2013. Indicate the share of the quantity of your firm's total shipments of ripe olives that each of these customers accounted for in 2016.

(Customer's name	Contact person	Email	Telephone	City	State	Share of 2016 sales (%)
1							
2							
3							
4							
5							
6							
7							
8							
9							
10							

IV-21. Competition from imports

(a) <u>Lost revenue</u>.--Since January 1, 2013: To avoid losing sales to competitors selling ripe olives from Spain, did your firm:

Item	No	Yes
Reduce prices		
Roll back announced price increases		

(b) Lost sales.--Since January 1, 2013: Did your firm lose sales of ripe olives to imports of this product from Spain?

No	Yes

(c) The submission of lost sales/lost revenue allegations is to be completed only by NON-PETITIONERS.

If your firm indicated "yes" to any of the above, your firm can provide the Commission with additional information by downloading and completing the lost sales/lost revenues worksheet at http://usitc.gov/trade_remedy/question.htm. Note that the Commission may contact the firms named to verify the allegations reported.

Is your firm submitting the lost sales/lost revenues worksheet?

No—Please explain.
Yes—Please complete the worksheet and submit via the Commission dropbox. <u>https://dropbox.usitc.gov/oinv/</u> . (PIN: RIPE)

IV-22. <u>Other explanations</u>.--If your firm would like to further explain a response to a question in Part IV that did not provide a narrative response box, please note the question number and the explanation in the space provided below. Please also use this space to highlight any issues your firm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

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.

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: https://dropbox.usitc.gov/oinv/ Pin: RIPE

• E-mail.—E-mail the MS Word questionnaire to 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 <u>does not</u> 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.