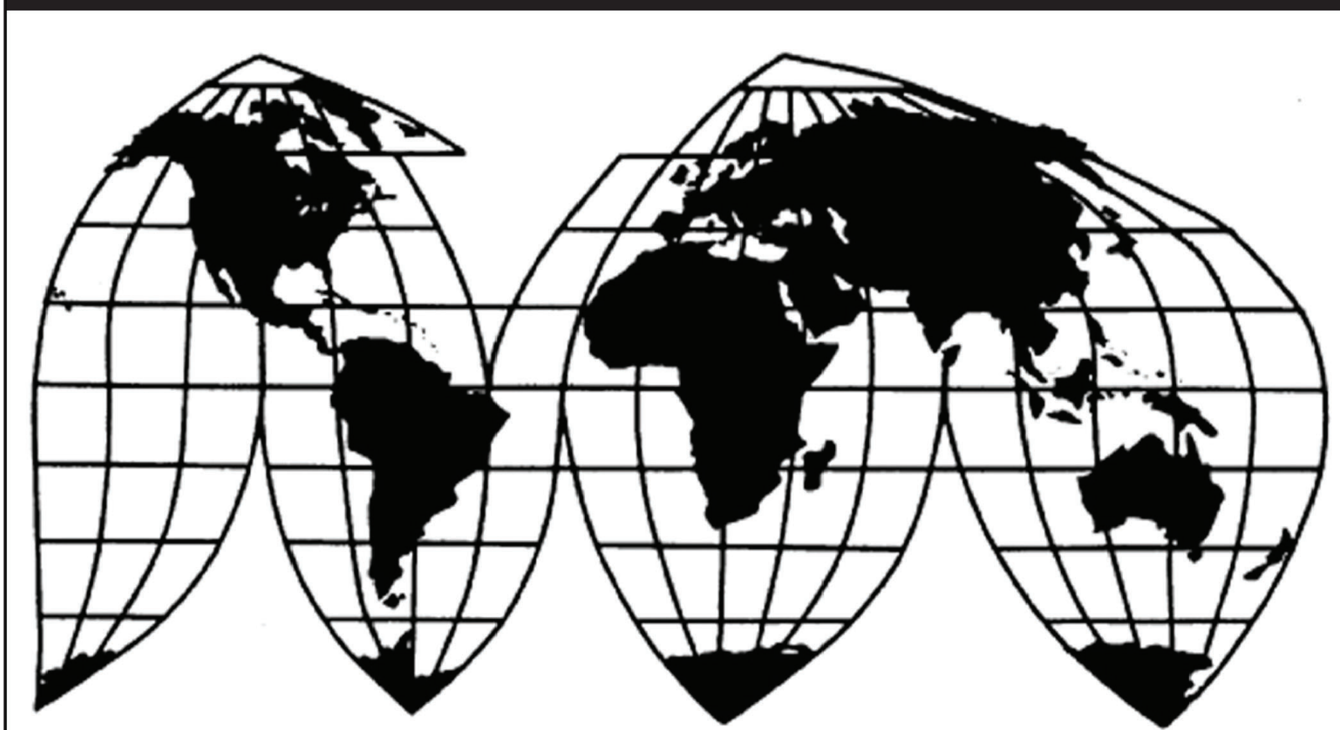
Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam

Investigation Nos. 731-TA-1064 and 1066-1068 (Third Review)

Publication 5432 **June 2023**

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

Catherine DeFilippo
Director of Operations

Staff assigned

Tyler Berard, Investigator
Keysha Martinez, Investigator
Renee Berry, Industry Analyst
Amelia Preece, Economist
Emily Kim, Accountant
Conor Hargrove, Statistician
Ravi Soopramanien, Attorney
Elizabeth Haines, Supervisory Investigator

With special assistance from

Zahra Bekkal, Accountant
Charles Yost, Accountant

Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436
www.usitc.gov

Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam

Investigation Nos. 731-TA-1064 and 1066-1068 (Third Review)

Publication 5432 **June 2023**

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

CONTENTS

Page

Appendixes

Note.—Information that would reveal confidential operations of individual concerns may not be published. Such information is identified by brackets in confidential reports and is deleted and replaced with asterisks (***) in public reports.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 731-TA-1064 and 1066-1068 (Third Review)

Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam

DETERMINATION

On the basis of the record[1] developed in the subject five-year reviews, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that revocation of the antidumping duty orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission instituted these reviews on May 2, 2022 (87 FR 25665) and determined on August 5, 2022 that it would conduct full reviews (87 FR 54260, September 2, 2022). Notice of the scheduling of the Commission's reviews and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* on November 18, 2022 (87 FR 69338). The Commission conducted its hearing on April 11, 2023. All persons who requested the opportunity were permitted to participate.

[1] The record is defined in § 207.2(f) of the Commission's Rules of Practice and Procedure (19 CFR 207.2(f)).

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended ("the Tariff Act"), that revocation of the antidumping duty orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

Original Investigations: The Ad Hoc Shrimp Trade Action Committee ("AHSTAC") filed petitions with the U.S. Department of Commerce ("Commerce") and the Commission on December 31, 2003. In January 2005, the Commission determined that an industry in the United States was materially injured by reason of less than fair value ("LTFV") imports of frozen warmwater shrimp from Brazil, China, Ecuador, India, Thailand, and Vietnam.[1] Commerce issued antidumping duty orders with respect to imports from the subject countries on February 1, 2005.[2] Commerce subsequently revoked in its entirety the order with respect to imports

---

[1] *Certain Frozen or Canned Warmwater Shrimp and Prawns from Brazil, China, Ecuador, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1063-1068 (Final), USITC Pub. 3748 (Jan. 2005) ("Original *Determinations*"). The Commission found canned shrimp to be a separate domestic like product, and made negative or negligible import determinations with respect to canned shrimp from each subject country. There was no litigation concerning the Commission's original determinations, its changed circumstances review determinations, or its determinations in the prior five-year reviews.

[2] Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Brazil, 70 FR 5143 (Feb. 1, 2005); Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the People's Republic of China, 70 FR 5149 (Feb. 1, 2005); Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Ecuador, 70 FR 5156 (Feb. 1, 2005); Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India, 70 FR 5147 (Feb. 1, 2005); Notice of Amended Final Determination of Sales at Less Than Fair Value (Continued…)

from Ecuador.[3] It also revoked the orders with respect to certain producers in China, India, Thailand, and Vietnam.[4]

In April 2005, the Commission instituted changed circumstances reviews with respect to the orders on subject imports from India and Thailand, arising from the December 2004 tsunami that struck India and Thailand. In November 2005, the Commission determined that revocation of the orders on subject imports from India and Thailand would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time.[5]

First Reviews: On January 4, 2010, the Commission instituted its first five-year reviews.[6] In March 2011, after conducting full reviews, the Commission found that revocation of the orders on frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States

---

and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Thailand, 70 FR 5145 (Feb. 1, 2005); and Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam, 70 FR 5152 (Feb. 1, 2005).

[3] Implementation of the Findings of the WTO Panel in United States Antidumping Measure on Shrimp from Ecuador: Notice of Determination Under section 129 of the Uruguay Round Agreements Act and Revocation of the Antidumping Duty Order on Frozen Warmwater Shrimp from Ecuador, 72 FR 48257 (Aug. 23, 2007).

[4] Confidential Report, Memorandum INV-VV-040 (May 8, 2023) ("CR"); Public Report, *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Pub. 5432 (June 2023) ("PR") at I-17-I-20.

[5] *Certain Frozen Warmwater Shrimp and Prawns from India and Thailand*, Inv. Nos. 751-TA-28-29 (Changed Circumstances Reviews), USITC Pub. 3813 (Nov. 2005).

[6] *Frozen Warmwater Shrimp From Brazil, China, India, Thailand, and Vietnam*, 75 FR 1078 (Jan. 4, 2010).

within a reasonably foreseeable time.[7] Commerce issued a notice continuing the orders on frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam, effective April 29, 2011.[8]

Second Reviews: On March 1, 2016, the Commission instituted its second five-year reviews.[9] In May 2017, after conducting full reviews, the Commission found that revocation of the orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. The Commission also found that revocation of the order on frozen warmwater shrimp from Brazil would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[10] Commerce issued a notice continuing the orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam, effective June 1, 2017, and revoking the order on frozen warmwater shrimp from Brazil, effective April 29, 2016.[11]

---

[7] Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063, 1064, 1066-1068 (Review), USITC Pub. 4221 (March 2011) ("First Reviews"); see also Frozen Warmwater Shrimp From Brazil, China, India, Thailand, and Vietnam, 76 FR 18782 (April 5, 2011).

[8] Certain Frozen Warmwater Shrimp From Brazil, India, the People's Republic of China, Thailand, and the Socialist Republic of Vietnam: Continuation of Antidumping Duty Orders, 76 FR 23972 (April 29, 2011).

[9] *Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam Institution of five-year reviews*, 81 FR 10659 (Mar. 1, 2016).

[10] *Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1063-1064 and 1066-1068 (Second Review), USITC Pub. 4688 (May 2017) ("*Second Reviews*"); *see also Frozen Warmwater Shrimp From Brazil, China, India, Thailand, and Vietnam; Determinations*, 82 FR 24144 (May 25, 2017).

[11] *Certain Frozen Warmwater Shrimp From Brazil, India, the People's Republic of China, Thailand, and the Socialist Republic of Vietnam: Continuation of Antidumping Duty Orders (India, the People's Republic of China, Thailand, and the Socialist Republic of Vietnam) and Revocation of Antidumping Duty Order (Brazil)*, 82 FR 25242 (June 1, 2017).

Current Reviews: On May 2, 2022, the Commission instituted these third five-year reviews.[12] The Commission received five submissions in response to its notice of institution filed on behalf of domestic interested parties, and producers and exporters of subject merchandise from India, Thailand, and Vietnam. On August 5, 2022, the Commission found that the domestic interested party group responses were adequate for all reviews, and that the respondent interested party group responses were adequate for the reviews of the orders concerning frozen warmwater shrimp from India, Thailand, and Vietnam. It therefore determined to conduct full reviews with respect to the orders concerning frozen warmwater shrimp from India, Thailand, and Vietnam. The Commission found that the respondent interested party group response with respect to China was inadequate. It nevertheless determined to conduct a full review of the order on frozen warmwater shrimp from China to promote administrative efficiency in light of its decision to conduct full reviews with respect to the orders concerning frozen warmwater shrimp from the other subject countries.[13]

Two sets of domestic interested parties have participated in these five-year reviews. One is AHSTAC, the petitioner in the original investigations, filing jointly with the Ad Hoc Shrimp Industry Committee ("AHSIC").[14] The other consists of the American Shrimp Processors

---

[12] *Frozen Warmwater Shrimp From China, India, Thailand, and Vietnam; Institution of Five-Year Reviews*, 87 FR 25665 (May 2, 2022).

[13] *Frozen Warmwater Shrimp From China, India, Thailand, and Vietnam; Notice of Commission Determination To Conduct Full Five-Year Reviews*, 87 FR 54260 (Sep. 2, 2022).

[14] AHSTAC's members include eight processors of fresh and/or frozen warmwater shrimp and the Southern Shrimp Alliance, an association of fishermen and processors of shrimp. AHSTAC/AHSIC Response to Notice of Institution at 2-4. AHSIC's members include 243 fishermen of shrimp, 11 associations of processors and wholesalers of shrimp, nine processors of shrimp, nine unloading docks, a shrimp farm, and a wholesaler of shrimp. *Id*., at 4, Exh. 1.

Association ("ASPA"), a U.S. trade association a majority of whose members are domestic producers of frozen warmwater shrimp.[15] AHSTAC/AHSIC and ASPA (jointly, "Domestic Parties") each participated at the Commission's hearing and filed separate prehearing and posthearing briefs.

Respondent entities from three of the four subject countries have also participated in these reviews.[16] The following groups of respondents participated in the Commission's hearing and filed separate prehearing and posthearing briefs: (1) the Seafood Exports Association of India ("SEAI"), an association whose members are producers and/or exporters of subject merchandise from India; (2) sixteen individual foreign producers and exporters of the subject merchandise from Thailand ("Thai Producers"); and (3) eight individual foreign producers and exporters of the subject merchandise from Vietnam ("Vietnamese Producers").

Data Coverage. U.S. industry data are based on the questionnaire responses of 19 U.S. processors of frozen warmwater shrimp that are believed to have accounted for approximately 55.0 percent of U.S. production of frozen warmwater shrimp based on live (head-on shell-on) weight, and 87.5 percent of domestic production of frozen warmwater shrimp based on headless shell-on weight in 2021.[17] In addition, U.S. industry data are based on the questionnaire responses of 329 U.S. farmers/fishermen that are believed to have accounted for approximately 21.3 percent of U.S. wild-caught and farmed frozen warmwater shrimp in 2021.[18]

---

[15] ASPA's members include 43 processors of shrimp. ASPA Response to Notice of Institution at 5, Exh. 1.

[16] No respondent entity from China participated in these reviews.

[17] CR/PR at I-14, III-1, Table I-9.

[18] CR/PR at I-30, III-1, App. E.

U.S. import data are based on official Commerce import statistics, and the responses of 46 U.S. importers of frozen warmwater shrimp that are believed to have accounted for *** percent of subject imports and *** percent of total U.S. imports in 2021.[19]

Foreign industry data are based on industry research data, public export data, and the questionnaire responses of 51 producers of frozen warmwater shrimp.[20] Data and related information concerning the frozen warmwater shrimp industry in India are based on industry research data, public export data, and the questionnaire responses of 23 firms, which accounted for *** percent of subject imports from India and 39.9 percent of frozen warmwater shrimp production in India in 2021.[21] Data and related information concerning the frozen warmwater shrimp industry in Thailand are based on industry research data, public export data, and the questionnaire responses of 19 firms, which accounted for *** percent of subject imports from Thailand and all known frozen warmwater shrimp production in Thailand in 2021.[22] Data and related information concerning the frozen warmwater shrimp industry in Vietnam are based on industry research data, public export data, and the questionnaire responses of nine firms, which accounted for *** percent of subject imports from Vietnam and

[19] CR/PR at I-14, IV-1. In light of the data coverage by the Commission's questionnaires, import data in this report are based on official import statistics for warmwater shrimp, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Subject imports presented in this report are likely overstated due to the inclusion of imports no longer subject to the orders in the official import data and the less than complete coverage in the questionnaire data used to adjust the official import data to account for those imports. No adjustments were made with respect to official import statistics from China and Vietnam because no responding firm reported imports no longer subject to those orders. *See id.*, at I-14 n.25, I-33 n.87, IV-1 n.4.

[20] CR/PR at I-14.

[21] CR/PR at IV-25-IV-37.

[22] CR/PR at IV-38-IV-48.

48.8 percent of frozen warmwater shrimp production in Vietnam in 2021.[23] In the absence of questionnaire responses from Chinese producers, data and related information concerning the frozen warmwater shrimp industry in China are based on industry research data and public export data.[24]

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the "domestic like product" and the "industry."[25] The Tariff Act defines "domestic like product" as "a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle."[26] The Commission's practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.[27]

---

[23] CR/PR at IV-49-IV-58.

[24] CR/PR at IV-22-IV-24, IV-64. No Chinese producers/exporters provided responses to the Commission's questionnaires in these reviews. *Id*., at IV-22.

[25] 19 U.S.C. § 1677(4)(A).

[26] 19 U.S.C. § 1677(10); *see*, *e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Department of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748-49 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90-91 (1979).

[27] *See*, *e.g.*, *Internal Combustion Industrial Forklift Trucks from Japan*, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8-9 (Dec. 2005); *Crawfish Tail Meat from China*, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (July 2003); *Steel Concrete Reinforcing Bar from Turkey*, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

1. The Subject Merchandise

Commerce has defined the imported merchandise within the scope of the orders under review as follows:

> … Certain frozen warmwater shrimp and prawns, whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form.
>
> The frozen warmwater shrimp and prawn products included in the Orders, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.
>
> The products described above may be processed from any species of frozen warmwater shrimp and prawns. Frozen warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (Penaeus vannemei), banana prawn (Penaeus merguiensis), fleshy prawn (Penaeus chinensis), giant river prawn (Macrobrachium rosenbergii), giant tiger prawn (Penaeus monodon), redspotted shrimp (Penaeus brasiliensis), southern brown shrimp (Penaeus subtilis), southern pink shrimp (Penaeus notialis), southern rough shrimp (Trachypenaeus curvirostris), southern white shrimp (Penaeus schmitti), blue shrimp (Penaeus stylirostris), western white shrimp (Penaeus occidentalis), and Indian white prawn (Penaeus indicus).
>
> Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of the Orders. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of the Orders.
>
> Excluded from the Orders are: (1) breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) Lee Kum Kee's shrimp

> sauce;[28] (7) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); and (8) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.
>
> . . .
>
> The products covered by these Orders are currently classified under the following HTSUS subheadings: 0306.17.00.03, 0306.17.00.06, 0306.17.00.09, 0306.17.00.12, 0306.17.00.15, 0306.17.00.18, 0306.17.00.21, 0306.17.00.24, 0306.17.00.27, 0306.17.00.40, 1605.21.10.30, and 1605.29.10.10. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope of these Orders is dispositive.[29]

Since the issuance of the antidumping duty orders in February 2005, Commerce issued amended orders clarifying that only frozen warmwater shrimp and prawns are subject to the scope of the antidumping duty orders.[30] Commerce also issued amended orders clarifying that dusted shrimp were included within the scope.[31] These amendments have been incorporated into the scope language.

---

[28] The specific exclusion for Lee Kum Kee's shrimp sauce applies only to the scope of the China order. *Certain Frozen Warmwater Shrimp From the People's Republic of China, India, Thailand, and the Socialist Republic of Vietnam: Final Results of Expedited Third Sunset Review of Antidumping Duty Orders*, 87 FR 54453, 54454 (Sep. 6, 2022).

[29] 87 FR 54453, 54454-54455 (Sep. 6, 2022).

[30] *Certain Frozen Warmwater Shrimp from Brazil, Ecuador, India, Thailand, the People's Republic of China and the Socialist Republic of Vietnam; Amended Orders*, 72 FR 2857 (Jan. 23, 2007).

[31] *Certain Frozen Warmwater Shrimp From Brazil, Ecuador, India, the People's Republic of China, Thailand, and the Socialist Republic of Vietnam: Notice of Court Decision Not in Harmony With the Final*
(Continued…)

2. Product Description

Warmwater shrimp are crustaceans that usually inhabit salt waters in coastal regions in the tropics and subtropics or freshwaters. The frozen warmwater shrimp subject to these reviews are either wild-caught or farm-raised in tropical or subtropical regions, are mostly classified in the *Penaeidae* family, and comprise shrimp of several genera and species.[32]

Imported frozen warmwater shrimp are often farm-raised in ponds. One advantage of producing frozen warmwater shrimp through aquaculture is that harvests of farm-raised shrimp are available year-round. Also, farmers can adjust production to respond to demand for different sizes and species. A downside of shrimp farming, however, is that shrimp ponds are periodically affected by diseases that can dramatically reduce harvest levels. While these diseases can also affect wild warmwater shrimp, they are more common in farming because shrimp populations in ponds are much denser.

In the United States, virtually all warmwater shrimp production is wild-caught. The catch is composed primarily of brown shrimp (*Penaeus aztecus*), white shrimp (*Penaeus setiferus*), and pink shrimp (*Penaeus duorarum*). Warmwater shrimp vary greatly in size, depending on age and species. They typically grow to a harvestable size within one year; their size largely depends on the time of year they are harvested.[33]

The market tendency is for large shrimp (less than 36 per pound, heads-off, shell-on basis) to be sold raw and frozen to restaurants, hotels, and other food institutions; for small to

---

Determinations and Amended Final Determinations of the Antidumping Duty Investigations, 75 FR 22370 (Apr. 28, 2010).

[32] CR/PR at I-23.

[33] CR/PR at I-23-I-24.

medium shrimp (36 to 60 per pound) to be breaded, canned, or sold at retail; and for extra small (61 to 70 per pound) and tiny shrimp (more than 70 per pound) to be used by canners, dryers, and producers of specialty products. In the original investigations it was estimated that 80 percent of frozen warmwater shrimp in the U.S. market are bought by restaurants. Since that time, U.S. individually quick frozen ("IQF") production as a share of total shipments has increased, suggesting that retail markets have become more important to U.S. processors.[34]

3. The Original Investigations

In the original investigations, the Commission addressed three issues pertinent to the definition of the domestic like product. First, the Commission determined that the domestic like product should be defined to include fresh frozen warmwater shrimp, an item excluded from the scope. Using the "semifinished products" analysis, the Commission found that fresh frozen warmwater shrimp should be included in the domestic like product because fresh frozen warmwater shrimp was overwhelmingly used as an input in the production of the frozen product, frozen warmwater shrimp was overwhelmingly sold in a processed form, and the initial stages of processing did not significantly change the physical characteristics and uses of the product and appeared to add at most moderate value to the product.[35] Second, the Commission rejected an argument that "shrimp scampi" should be defined as a separate domestic like product, observing that the proponent of this domestic like product failed to define it meaningfully and that there were no clear distinctions between "shrimp scampi" and

---

[34] CR/PR at I-24-I-25.

[35] *Original Determinations,* USITC Pub. 3748 at 6.

other domestically produced products described by the scope.[36] Third, the Commission found that canned shrimp, which was then within the scope definition, should be defined as a domestic like product separate from fresh and frozen warmwater shrimp.[37] The Commission made negative or negligible import determinations for canned shrimp from all subject countries. Consequently, the single domestic like product for which the Commission reached affirmative determinations consisted of fresh warmwater shrimp and those frozen warmwater shrimp products described in the scope.[38]

4. The Prior Reviews

In each of the prior five-year reviews, the Commission found that the record did not indicate any changes in product characteristics or uses since the original investigations and no party argued for a different definition for the domestic like product. Thus, the Commission defined a single domestic like product encompassing fresh warmwater shrimp and frozen warmwater shrimp as described by the scope definition.[39]

5. The Current Reviews

In these reviews, the Commission solicited comments from interested parties regarding the appropriate definition of the domestic like product.[40] Domestic Parties agreed with the Commission's definition of the domestic like product from the prior proceedings.[41]

---

[36] *Original Determinations,* USITC Pub. 3748 at 6-8.

[37] *Original Determinations,* USITC Pub. 3748 at 8-10. Commissioners Koplan and Lane did not define canned warmwater shrimp as a separate domestic like product.

[38] *Original Determinations,* USITC Pub. 3748 at 11.

[39] *First Reviews,* USITC Pub. 4221 at 6; *Second Reviews*, USITC Pub. 4688 at 9.

[40] 87 FR 25665, 25667 (May 2, 2022).

[41] AHSTAC/AHSIC Prehearing Br. at 2-3; ASPA Prehearing Br. at 9.

Respondents have not requested an alternative definition.[42] The record in these reviews does not indicate that there have been any changes in the characteristics or uses of either fresh or frozen warmwater shrimp since the prior proceedings.[43] Given this, and the lack of any contrary argument, we again define a single domestic like product encompassing fresh warmwater shrimp and the frozen warmwater shrimp described by the scope definition.

B. Domestic Industry

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."[44] In defining the domestic industry, the Commission's general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

1. The Prior Proceedings

The prior proceedings raised two sets of domestic industry issues. The first concerned what processing activities are sufficient to constitute domestic production. The second concerned whether appropriate circumstances existed to exclude any domestic producers from the domestic industry pursuant to the related parties provision.

---

[42] SEAI Prehearing Br. at 3. Moreover, no party requested that the Commission collect data concerning other possible domestic like products in the comments on the Commission's draft questionnaires. CR/PR at I-28-I-29.

[43] *See generally* CR/PR at I-23-I-27.

[44] 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. *See* 19 U.S.C. § 1677.

a) Sufficient Production-Related Activities

In deciding whether a firm qualifies as a domestic producer of the domestic like product, the Commission generally analyzes the overall nature of a firm's U.S. production-related activities, although production-related activity at minimum levels could be insufficient to constitute domestic production.[45]

In the prior proceedings, the Commission found that processing activities such as deheading, grading, machine peeling, deveining, and cooking were all sufficient activities to constitute domestic production because each of these operations typically required specialized equipment and added more value to the process than any preceding stage. The Commission also found that marinating and skewering do not constitute domestic production because they involved no specialized equipment and added relatively modest value to the processed shrimp product. Finally, the Commission found that breading could not constitute domestic production activity because breaded shrimp was not part of the domestic like product definition in the prior proceedings.[46] Based on these considerations, the Commission concluded in both the original investigations and first five-year reviews that *** whose domestic processing activities

---

[45] The Commission generally considers six factors: (1) source and extent of the firm's capital investment; (2) technical expertise involved in U.S. production activities; (3) value added to the product in the United States; (4) employment levels; (5) quantity and type of parts sourced in the United States; and (6) any other costs and activities in the United States directly leading to production of the like product. No single factor is determinative and the Commission may consider any other factors it deems relevant in light of the specific facts of any investigation. *Crystalline Silica Photovoltaic Cells and Modules from China*, Inv. Nos. 701-TA-481 and 731-TA-1190 (Final), USITC Pub. 4360 at 12-13 (Nov. 2012).

[46] *Original Determinations*, USITC Pub. 3748 at 12-14; *First Reviews*, USITC Pub. 4221 at 8-9; *Second Reviews*, USITC Pub. 4688 at 9 n.31.

were limited to *** did not perform sufficient production-related activities to be considered members of the domestic industry.[47]

b) Related Parties

Section 771(4)(B) of the Tariff Act allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.[48] Exclusion of such a producer is within the Commission's discretion based upon the facts presented in each investigation.[49]

In the prior proceedings, the Commission found that certain processors of frozen warmwater shrimp were subject to exclusion under the related parties provision because they imported subject merchandise during the pertinent periods examined. The Commission found

---

[47] *Original Determinations*, USITC Pub. 3748 at 12-14; *First Reviews*, USITC Pub. 4221 at 8-9. No party contested what activities do and do not constitute domestic production in the second reviews. *Second Reviews*, USITC Pub. 4688 at 9 n.31.

[48] *See Torrington Co v. United States*, 790 F. Supp. 1161, 1168 (Ct. Int'l Trade 1992), *aff'd without opinion*, 991 F.2d 809 (Fed. Cir. 1993); *Sandvik AB v. United States*, 721 F. Supp. 1322, 1331-32 (Ct. Int'l Trade 1989), *aff'd mem.,* 904 F.2d 46 (Fed. Cir. 1990); *Empire Plow Co. v. United States*, 675 F. Supp. 1348, 1352 (Ct. Int'l Trade 1987).

[49] The primary factors the Commission has examined in deciding whether appropriate circumstances exist to exclude a related party include the following:

(1) the percentage of domestic production attributable to the importing producer;

(2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);

(3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;

(4) the ratio of import shipments to U.S. production for the imported product; and

(5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31(Ct. Int'l. Trade 2015); see *also Torrington Co. v. United States*, 790 F. Supp. at 1168.

that appropriate circumstances existed to exclude *** processors from the domestic industry in the original investigations and *** processor in the first five-year reviews.[50]

2. The Current Reviews

There are no related party issues in these five-year reviews as no responding U.S. processor reported importing or purchasing frozen warmwater shrimp since January 1, 2016.[51] Further, the record does not indicate any change in the nature of frozen warmwater shrimp processing activities since the prior proceedings.[52] Nor does any party contest the Commission's findings from the prior proceedings concerning the frozen warmwater shrimp processing activities sufficient to constitute domestic production.[53] Thus, we find that each processor that submitted a response to the domestic producers' questionnaire engages in sufficient production-related activities to be considered a domestic producer. In light of this and our definition of the domestic like product, we define a single domestic industry consisting of all fishermen and processors of frozen warmwater shrimp.[54]

---

[50] The ***. *Original Determinations*, USITC Pub. 3748 at 15-17. The one excluded processor was ***. *First Reviews*, USITC Pub. 4221 at 9-10. The Commission found that appropriate circumstances did not exist to exclude processor Tampa Bay from the domestic industry in the second five-year reviews. *Second Reviews*, USITC Pub. 4688 at 10-11.

[51] CR/PR at I-31, III-15.

[52] CR/PR at I-26-I-27.

[53] AHSTAC/AHSIC Prehearing Br. at 4-5; ASPA Prehearing Br. at 9; SEAI Prehearing Br. at 3.

[54] We note that the definition of the domestic industry also includes U.S. shrimp farm producers, although reported farm-raised shrimp production accounted for only 2.2 percent of total domestic production in 2021, down from 4.5 percent in 2003. The decline in shrimp farming since then has reportedly been caused by price pressure, high feed costs, and environmental regulations. CR/PR at I-27. *See also id.*, at Table I-13.

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows:

> the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.[55]

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.[56] The Commission may exercise its discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that the subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

Original Investigations: No party contested the issue of cumulation, and the Commission found a reasonable overlap in competition among subject imports from these countries, and

---

[55] 19 U.S.C. § 1675a(a)(7).

[56] 19 U.S.C. § 1677(7)(G)(i); *see also*, *e.g.*, *Nucor Corp. v. United States*, 601 F.3d 1291, 1293 (Fed. Cir. 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); *Allegheny Ludlum Corp. v. United States*, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); *Nucor Corp. v. United States*, 569 F. Supp. 2d 1328, 1337-38 (Ct. Int'l Trade 2008).

between subject imports and the domestic like product.[57] Consequently, the Commission cumulated imports of frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam in its original determinations.[58]

Prior Reviews: In the first and second five-year reviews, the Commission did not find that imports from Brazil, China, India, Thailand, or Vietnam would be likely to have no discernible adverse impact on the domestic industry in the event of revocation.[59] It also found a likely reasonable overlap of competition among imports from these subject countries and between subject imports and the domestic like product.[60]

In the first reviews, the Commission did not find any likely differences in the conditions of competition among these five subject sources of frozen warmwater shrimp. On that basis, the Commission cumulated subject imports from Brazil, China, India, Thailand, and Vietnam.[61]

However, in the second reviews, the Commission found that subject imports from Brazil were likely to compete under different conditions of competition than subject imports from the other subject sources, due to the Brazilian industry's home market focus, its substantially lower export orientation, and its lower export capability. On those bases, the Commission exercised its discretion to not cumulate subject imports from Brazil with subject imports from the other countries.[62]

---

[57] *Original Determinations*, USITC Pub. 3748 at 19-21.

[58] *Original Determinations*, USITC Pub. 3748 at 19-21. The Commission also cumulated imports from Ecuador, but those imports are no longer subject to an order. *Id*.

[59] *First Reviews*, USITC Pub. 4221 at 12-15; *Second Reviews*, USITC Pub. 4688 at 14-21.

[60] *First Reviews*, USITC Pub. 4221 at 15-16; *Second Reviews*, USITC Pub. 4688 at 21-23.

[61] *First Reviews*, USITC Pub. 4221 at 17.

[62] *Second Reviews*, USITC Pub. 4688 at 24-26.

Current Reviews: The statutory threshold for cumulation is satisfied in these reviews, because all reviews were initiated on the same day: May 2, 2022.[63]

Domestic Parties argue that the Commission should cumulate imports from all four subject countries.[64] They contend that each of the factors that supported cumulation in the prior proceedings continues to apply in these reviews. Specifically, they maintain that the domestic like product and subject imports are fungible, are sold in the same geographic markets, are sold through the same channels of distribution, and were present in the U.S. market during the same months.[65] They also contend that the record in these reviews does not demonstrate any significant differences in the likely conditions of competition among imports from the subject countries.[66] In addition, they argue that imports from each subject country would have a discernible adverse impact if the orders are revoked. In particular, they contend that the industry in Thailand has growing excess capacity and is projected to increase its production, and that subject imports from Vietnam doubled during the period of review ("POR").[67] Accordingly, they urge the Commission to exercise its discretion to cumulate imports from each of the subject countries.[68]

---

[63]CR/PR at Table I-1.

[64] AHSTAC/AHSIC Prehearing Br. at 5-30; AHSTAC/AHSIC Posthearing Br. at 2-11; ASPA Prehearing Br. at 9-41; ASPA Prehearing Br. at 3-9.

[65] AHSTAC/AHSIC Prehearing Br. at 21-29; ASPA Prehearing Br. at 37-40.

[66] AHSTAC/AHSIC Prehearing Br. at 29-30; ASTAC/AHSIC Posthearing Br. at 10-11; ASPA Prehearing Br. at 41.

[67] AHSTAC/AHSIC Prehearing Br. at 8-20; AHSTAC/AHSIC Posthearing Br. at 2-11, App. B, Responses to Commissioner Kearns' Questions, at 1-12, App. C, Responses to Commissioner Stayin's Questions, at 6-9, App. D, Responses to Questions from Commissioner Karpel, at 7-16, App. E, Response to Additional Question from Staff, at 1-5; ASPA Prehearing Br. at 11-37; ASPA Posthearing Br. at 3-9, App., Answers to Commissioner and Staff Questions, at 6-9, 30-35.

[68] AHSTAC/AHSIC Prehearing Brief at 8-20; AHSTAC/AHSIC Posthearing Br. at 2-11; ASPA Prehearing Brief at 11-37; ASPA Prehearing Br. at 3-9.

Thai Producers argue that the Commission should not cumulate subject imports from Thailand with subject imports from the other subject countries because, in their view, subject imports from Thailand are receding from the U.S. and global shrimp markets, and are thus not likely to have a discernible adverse impact on the domestic industry.[69] They also argue that there would not likely be a reasonable overlap of competition between subject imports from Thailand and the domestic like product following revocation. They assert in this regard that there is a lack of interchangeability between subject imports from Thailand, which are IQF and cooked, and the domestic like product, which is block frozen and raw, and that imports from Thailand were mostly sold to retail/institutional buyers, whereas domestic producers sold mostly to distributors.[70] Last, they contend that subject imports from Thailand would likely compete under different conditions of competition than imports from the other subject sources, arguing that the subject industry has contracted since it experienced multiple disease outbreaks after 2010, and is more focused on its home and Asian markets, that imports from Thailand have continued to decline despite the exclusion of a number of Thai exporters from the order, and that Thai producers are focused more on certain out-of-scope product that are higher-value, such as breaded shrimp and shrimp scampi.[71]

Vietnamese Producers similarly argue that the Commission should not cumulate imports from Vietnam with imports from the other subject countries because subject imports from

[69] Thai Producers argue in their final comments that such imports are likely to have no discernible adverse impact on the domestic industry if the Thai order is revoked. Thai Producers' Final Comments at 1.

[70] Thai Producers Prehearing Br. at 11-16; Thai Producers Posthearing Br., App. at 5-8.

[71] Thai Producers Prehearing Br. at 17-29; Thai Producers Posthearing Br., App at 1-4 at 9-17; Thai Producers Final Comments at 1-8.

Vietnam, which have remained low and stable in terms of volume and market share in their view, are not likely to have a discernible adverse impact on the domestic industry.[72] They also argue that there would not likely be a reasonable overlap of competition between subject imports from Vietnam and the domestic like product following revocation. They assert in this regard that there is a lack of interchangeability between subject imports from Vietnam, which are larger, higher-value shrimp that are IQF and further processed through peeling, deveining, and cooking, and the domestic like product, which is block frozen; that Vietnamese imports were mostly sold to retailers, whereas domestic producers sold mostly to distributors; and that subject imports from Vietnamese were sold to regions other than those primarily supplied by domestic producers.[73] Last, they argue that subject imports from Vietnam would likely compete under different conditions of competition than imports from the other subject sources, arguing, among other things, that Vietnamese producers lack the ability and incentive to increase exports to the U.S. market following revocation.[74]

B. Likelihood of No Discernible Adverse Impact

The statute precludes cumulation if the Commission finds that subject imports from a country are likely to have no discernible adverse impact on the domestic industry.[75] Neither the statute nor the Uruguay Round Agreements Act ("URAA") Statement of Administrative Action ("SAA") provides specific guidance on what factors the Commission is to consider in

[72] Vietnamese Producers Prehearing Br. at 7-13; Vietnamese Producers Posthearing Br. at 1-2.
[73] Vietnamese Producers Prehearing Br. at 15-20; Vietnamese Producers Posthearing Br. at 4-5.
[74] Vietnamese Producers Prehearing Br. at 14-15; Vietnamese Producers Posthearing Br. at 2-3, Exh. 1, Answers to Commissioners' Questions, at 1.
[75] 19 U.S.C. § 1675a(a)(7).

determining that imports "are likely to have no discernible adverse impact" on the domestic industry.[76] With respect to this provision, the Commission generally considers the likely volume of subject imports and the likely impact of those imports on the domestic industry within a reasonably foreseeable time if the orders are revoked. Our analysis for each of the subject countries takes into account, among other things, the nature of the product and the behavior of subject imports in the original investigations.

Based on the record in these reviews, we do not find that imports from any of the subject countries would likely have no discernible adverse impact on the domestic industry in the event of revocation.

China. In the original investigations, the volume of subject imports from China increased from *** pounds in 2001 (or *** percent of apparent U.S. consumption) to *** pounds in 2002 (or *** percent of apparent U.S. consumption), and *** pounds in 2003 (or *** percent of apparent U.S. consumption), and was higher in interim 2004 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2003 (*** pounds or *** percent of apparent U.S. consumption).[77]

In the final phase of the original investigations, the Commission received questionnaire responses from 28 producers/exporters in China, which accounted for 54.9 percent of subject imports from China in 2003.[78] These producers reported that their production capacity was *** pounds in 2001, *** pounds in 2002, *** pounds in 2003, *** pounds in interim 2003, and ***

[76] SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).
[77] CR/PR at Table C-2 (Original Investigations).
[78] *Original Determinations*, USITC Pub. 3748 at VII-3; CR/PR at IV-22.

pounds in interim 2004.[79] Their reported production was *** pounds in 2001, *** pounds in 2002, *** pounds in 2003, *** pounds in interim 2003, and *** pounds in interim 2004.[80] From 2001 to 2003, their reported exports as a share of their total shipments of frozen warmwater shrimp ranged from *** percent to *** percent, while their exports to the United States as a share of total shipments ranged from *** percent to *** percent.[81]

During the first five-year reviews, subject imports from China fluctuated from a low of *** pounds in 2005 (or *** percent of apparent U.S. consumption) to a high of *** pounds in 2006 (or *** percent of apparent U.S. consumption, then declined for the remainder of the POR, from *** pounds in 2007 (or *** percent of apparent U.S. consumption) to *** pounds in 2008 (or *** percent of apparent U.S. consumption), and *** pounds in 2009 (or *** percent of apparent U.S. consumption; they were higher in interim 2010 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2009 (*** pounds or *** percent of apparent U.S. consumption).[82]

During the first five-year reviews, the Commission received questionnaire responses from 34 producers/exporters in China, which accounted for 6.2 percent of subject imports from China in 2009.[83] These producers reported that their production capacity was 157.7 million pounds in 2005, 193.9 million pounds in 2006, 202.5 million pounds in 2007, 222.0 million pounds in 2008, 251.2 million pounds in 2009, 182.7 million pounds in interim 2009, and 198.5

---

[79] Confidential Report from the Original Investigations, EDIS Doc. No. 774195 (Dec. 21, 2004) ("*Original Investigations CR*") at Table VII-2.

[80] Original Investigations CR at Table VII-2.

[81] Original Investigations CR at Table VII-2.

[82] CR/PR at Table C-1 (First Reviews).

[83] *First Reviews*, USITC Pub. 4221 at IV-24; CR/PR at IV-22.

million pounds in interim 2010.[84] Their reported production was 68.0 million pounds in 2005, 88.6 million pounds in 2006, 102.8 million pounds in 2007, 107.5 million pounds in 2008, 127.8 million pounds in 2009, 81.1 million pounds in interim 2009, and 103.5 million pounds in interim 2010.[85] From 2005 to 2009, their reported exports as a share of their total shipments of frozen warmwater shrimp ranged from 74.9 percent to 81.3 percent, while their exports to the United States as a share of total shipments ranged from 0.9 percent to 15.1 percent.[86] The Commission found that, although the quantity of subject imports from China had declined since issuance of the antidumping duty order, these imports retained an appreciable presence in the U.S. market. In light of this, and the export orientation and significant unused capacity of the Chinese industry, the Commission did not find that subject imports from China would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[87]

During the second five-year reviews, subject imports from China fluctuated from *** pounds in 2013 to *** pounds in 2014, and *** pounds in 2015; they were higher in interim 2016 (*** pounds) than in interim 2015 (*** pounds).[88] The share of apparent U.S. consumption accounted for by subject imports from China was *** percent in each year and interim period examined.[89]

---

[84] *First Reviews*, USITC Pub. 4221at Table IV-9.
[85] *First Reviews*, USITC Pub. 4221 at Table IV-9.
[86] *First Reviews*, USITC Pub. 4221 at Table IV-9.
[87] *First Reviews*, USITC Pub. 4221 at 13.
[88] CR/PR at Table C-1 (Second Reviews).
[89] CR/PR at Table C-1 (Second Reviews).

During the second five-year reviews, no subject Chinese producer reported data to the Commission on its frozen warmwater shrimp production operations.[90] Thus, the limited data in the record of the second five-year reviews regarding frozen warmwater shrimp production in China were derived from prior proceedings and other available industry sources. Based on its review of these data, the Commission did not find that subject imports from China would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[91]

In these reviews, there are limited data available concerning the industry in China because no subject producer in China submitted a questionnaire response.[92] During the current POR, the volume of subject imports from China declined from *** pounds in 2019 to *** pounds in 2020, and *** pounds in 2021, but was slightly higher in interim 2022 (*** pounds) than in interim 2021 (*** pounds).[93] The share of apparent U.S. consumption accounted for by subject imports from China was *** percent or less in each year and interim period examined.[94] Subject imports from China are subject to duty surcharges of 25 percent pursuant to section 301 of the Trade Act of 1974 ("Section 301 duties").[95]

---

[90] *Second Reviews*, USITC Pub. 4688 at IV-26; CR/PR at IV-24.

[91] *Second Reviews*, USITC Pub. 4688 at 15-17.

[92] CR/PR at IV-22. The Commission issued foreign producer/exporter questionnaires to 42 firms believed to produce and/or export shrimp in China. *Id*.

[93] CR/PR at Table C-1.

[94] CR/PR at Table C-1.

[95] 19 U.S.C. § 2411; CR/PR at I-23.

According to Domestic Parties, available data indicate that the Chinese industry remains export oriented, and that subject producers have continued to increase their capacity.[96] In their view, the more lax restrictions on antibiotic use in the United States relative to other major markets in Japan and Europe makes the U.S. market more attractive to Chinese producers.[97]

According to Global Trade Atlas ("GTA") data, exports of frozen warmwater shrimp from China increased from 117.5 million pounds in 2019 to 131.8 million pounds in 2020, and 133.2 million pounds in 2021.[98] China's largest export destinations in 2021 were Japan and Spain, accounting for 35.4 percent and 22.2 percent, respectively, of China's exports that year.[99] China's exports of frozen warmwater shrimp to the United States fluctuated during the POR, increasing from 6.9 million pounds in 2019 (or 5.8 percent of its total exports) to 15.0 million pounds in 2020 (or 11.4 percent of its total exports), then declining to 9.1 million pounds in 2021 (or 6.8 percent of its total exports).[100] GTA data indicate that China was the world's seventh largest exporter of frozen warmwater shrimp during this period, accounting for 2.3 percent of total global exports by quantity in 2021.[101] In addition, the GTA data for the Chinese industry's average unit values "("AUVs") indicate that, except for the Chinese industry's exports

[96] AHSTAC/AHSIC refer, at p. 9 of their prehearing brief, to CR at Table IV-8, which cites a U.N. Food and Agriculture Organization ("FAO") estimate that Chinese aquaculture production ranged between 5.03 billion to 5.54 billion pounds from 2016 to 2019.

[97] AHSTAC/AHSIC Prehearing Br. at 9-11, Exhs. 1-2; ASPA Prehearing Br. at 15-17, Exh. 2.

[98] CR/PR at Table IV-9. GTA data, virtually all of which are of in-scope frozen warmwater shrimp, include exports from producers in China not subject to the order.

[99] CR/PR at Table IV-9.

[100] CR/PR at Table IV-9.

[101] CR/PR at Table IV-39.

to Taiwan, South Korea, Russia, and Hong Kong, the industry's exports to the U.S. market generally average higher prices than its exports to other destination markets.[102]

In the original investigations, subject imports from China undersold the domestic like product in 68 of 100 quarterly comparisons.[103] In the first five-year reviews, subject imports from China undersold the domestic like product in 28 of 32 quarterly comparisons.[104] No product-specific pricing data were reported for China in either the second five-year reviews or the current reviews.[105]

In light of the foregoing, including the significant and increasing volume of subject imports from China in the original investigations, the continued presence of subject imports from China in the U.S. market, underselling by such imports in the original investigations and first reviews, and the large size and volume of exports of the subject industry in China, we find that revocation of the antidumping duty order on subject imports from China would not likely have no discernible adverse impact on the domestic industry.

India. In the original investigations, the volume of subject imports from India increased from *** pounds in 2001 (or *** percent of apparent U.S. consumption) to *** pounds in 2002 (or *** percent of apparent U.S. consumption), and *** pounds in 2003 (or *** percent of apparent U.S. consumption), but was lower in interim 2004 (*** pounds or *** percent of

---

[102] CR/PR at Table IV-9.

[103] *Original Investigations CR* at Tables V-2, G-1-G-10; CR/PR at V-16 n.12.

[104] Confidential Report from the First Five-Year Reviews, EDIS Doc. No. 774226 (Feb. 25, 2011) ("*First Reviews CR*") at Tables V-1-V-8 and V-10; CR/PR at V-16 n.12.

[105] Confidential Report from the Second Five-Year Reviews, EDIS Doc. No. 774235 (Apr. 12, 2017) ("*Second Reviews CR*") at V-7 n.14; CR/PR at V-6, V-16 n.12.

apparent U.S. consumption) than in interim 2003 (*** pounds or *** percent of apparent U.S. consumption).[106]

In the final phase of the original investigations, the Commission received questionnaire responses from 96 producers/exporters in India, which accounted for 81.7 percent of subject imports from India in 2003.[107] These producers reported that their production capacity was 553.5 million pounds in 2001, 581.7 million pounds in 2002, 560.7 million pounds in 2003, 320.3 million pounds in interim 2003, and 312.3 million pounds in interim 2004.[108] Their reported production was 187.6 million pounds in 2001, 208.4 million pounds in 2002, 213.7 million pounds in 2003, 96.7 million pounds in interim 2003, and 100.6 million pounds in interim 2004.[109] From 2001 to 2003, their reported exports as a share of total shipments of frozen warmwater shrimp ranged from 91.1 percent to 94.2 percent, while their exports to the United States as a share of total shipments ranged from 32.4 percent to 39.9 percent.[110]

During the first five-year reviews, subject imports from India fluctuated from a high of *** pounds in 2005 (or *** percent of apparent U.S. consumption) to *** pounds in 2006 (or *** percent of apparent U.S. consumption), *** pounds in 2007 (or *** percent of apparent U.S. consumption), a low of *** pounds in 2008 (or *** percent of apparent U.S. consumption), and *** pounds in 2009 (or *** percent of apparent U.S. consumption); they were higher in

[106] CR/PR at Table C-2 (Original Investigations).
[107] *Original Determinations*, USITC Pub. 3748 at VII-2, VII-7; CR/PR at IV-25.
[108] *Original Determinations*, USITC Pub. 3748 at Table VII-4.
[109] *Original Determinations*, USITC Pub. 3748 at Table VII-4.
[110] *Original Determinations*, USITC Pub. 3748 at Table VII-4.

interim 2010 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2009 (*** pounds or *** percent of apparent U.S. consumption).[111]

During the first five-year reviews, the Commission received questionnaire responses from 36 producers in India, which accounted for 75.9 percent of subject imports from India in 2009.[112] These producers reported that their production capacity was 553.1 million pounds in 2005, 588.4 million pounds in 2006, 610.7 million pounds in 2007, 605.3 million pounds in 2008, 630.7 million pounds in 2009, 457.2 million pounds in interim 2009, and 456.9 million pounds in interim 2010.[113] Their reported production was 121.1 million pounds in 2005, 125.2 million pounds in 2006, 125.9 million pounds in 2007, 112.3 million pounds in 2008, 110.8 million pounds in 2009, 80.6 million pounds in interim 2009, and 93.5 million pounds in interim 2010.[114] From 2005 to 2009, their reported exports as a share of total shipments ranged from 97.8 percent to 99.7 percent, while their exports to the United States as a share of total shipments ranged from 23.6 percent to 44.0 percent.[115] The Commission found that, although the quantity of subject imports from India had declined since the issuance of the antidumping duty order, these imports retained an appreciable presence in the U.S. market. In light of this, and the export orientation and significant unused capacity of the Indian industry, the Commission did not find that subject imports from India would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[116]

---

[111] CR/PR at Table C-1 (First Reviews).
[112] *First Reviews*, USITC Pub. 4221 at IV-28; CR/PR at IV-25.
[113] *First Reviews*, USITC Pub. 4221 at Table IV-11.
[114] *First Reviews*, USITC Pub. 4221 at Table IV-11
[115] *First Reviews*, USITC Pub. 4221 at Table IV-11.
[116] *First Reviews*, USITC Pub. 4221 at 13-14.

During the second five-year reviews, subject imports from India increased from *** pounds in 2013 (or *** percent of apparent U.S. consumption) to *** pounds in 2014 (or *** percent of apparent U.S. consumption), and *** pounds in 2015 (or *** percent of apparent U.S. consumption), and were higher in interim 2016 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2015 (*** pounds or *** percent of apparent U.S. consumption).[117]

During the second five-year reviews, the Commission received questionnaire responses from 20 producers/exporters in India, which accounted for *** percent of subject imports from India in 2015.[118] These producers reported that their production capacity was 561.8 million pounds in 2013, 583.6 million pounds in 2014, 578.0 million pounds in 2015, 425.4 million pounds in interim 2015, and 450.5 million pounds in interim 2016.[119] Their reported production was 233.9 million pounds in 2013, 265.8 million pounds in 2014, 303.1 million pounds in 2015, 227.6 million pounds in interim 2015, and 249.2 million pounds in interim 2016.[120] From 2013 to 2015, they reported exporting *** of their total shipments of frozen warmwater shrimp, while their exports to the United States as a share of total shipments ranged from *** percent to *** percent.[121] The Commission did not find that subject imports from India would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[122]

---

[117] CR/PR at Table C-1 (Second Reviews).
[118] *Second Reviews CR* at IV-30; CR/PR at IV-25.
[119] *Second Reviews*, USITC Pub. 4688 at Table IV-18.
[120] *Second Reviews*, USITC Pub. 4688 at Table IV-18.
[121] *Second Reviews CR* at Table IV-18.
[122] *Second Reviews*, USITC Pub. 4688 at 17-18.

During the current POR, the volume of subject imports from India declined from *** in 2019 (or *** percent of apparent U.S. consumption) to *** in 2020 (or *** percent of apparent U.S. consumption), then increased to *** pounds in 2021 (or *** percent of apparent U.S. consumption), but was lower in interim 2022 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2021 (*** pounds or *** percent of apparent U.S. consumption).[123]

In these reviews, the Commission received foreign producer/exporter questionnaires from 23 firms, which accounted for *** percent of subject imports from India and 39.9 percent of frozen warmwater shrimp production in India in 2021.[124] These producers reported that their production capacity increased from 915.3 million pounds in 2019 to 960.9 million pounds in 2020, and 1.03 billion pounds in 2021; it was higher in interim 2022 (777.1 million pounds) than in interim 2021 (772.3 million pounds).[125] Their reported production declined from 514.8 million pounds in 2019 to 456.9 million pounds in 2020, then increased to 553.2 million in 2021; it was higher in interim 2022 (443.6 million pounds) than in interim 2021 (415.8 million pounds).[126] Their reported capacity utilization declined from 56.2 percent in 2019 to 47.6 percent in 2020, then increased to 53.5 percent in 2021; it was higher in interim 2022 (57.1 percent) than in interim 2021 (53.8 percent). Thus, in 2021, Indian producers possessed excess

[123] CR/PR at Table C-1.
[124] CR/PR at IV-25.
[125] CR/PR at Table IV-13.
[126] CR/PR at Table IV-13.

capacity of 480.4 million pounds, equivalent to 24.8 percent of apparent U.S. consumption that year.[127]

While one Indian producer, ***, reported production of out-of-scope merchandise on the same equipment and machinery used to produce frozen warmwater shrimp, the production of frozen warmwater shrimp accounted for *** reported production on such machinery in each year of the POR.[128] From 2019 to 2021, Indian producers reported exporting *** of their total shipments of frozen warmwater shrimp, while their exports to the United States as a share of total exports ranged from 74.8 percent to 77.5 percent.[129]

According to GTA data, exports of frozen warmwater shrimp from India declined from 1.39 billion pounds in 2019 to 1.16 billion pounds in 2020, then increased to 1.49 billion pounds in 2021.[130] India's largest export destinations in 2021 were the United States and China, accounting for 44.2 percent and 18.1 percent, respectively, of India's exports that year.[131] India's exports of frozen warmwater shrimp to the United States fluctuated during the POR, declining from 556.4 million pounds in 2019 (or 40.0 percent of its total exports) to 481.3 million pounds in 2020 (or 41.6 percent of its total exports), then increasing to 657.5 million pounds in 2021.[132] GTA data indicate that India was the world's second largest exporter of

[127] CR/PR at Tables I-13, C-1.

[128] CR/PR at IV-35 and Table IV-17. As a share of total production, Indian producers reported that shrimp accounted for *** percent in 2019, *** percent in 2020, *** percent in 2021 and interim 2022, and *** percent in interim 2021. *Id*.

[129] CR/PR at Tables IV-13-IV-14. Indian producers reported that they exported *** percent of their total shipments in each year and interim period of the POR. *Id*.

[130] CR/PR at Table IV-18. GTA data includes exports from the producers in India not subject to the order.

[131] CR/PR at Table IV-18.

[132] CR/PR at Table IV-18.

frozen warmwater shrimp during this period, accounting for 26.2 percent of total global exports by quantity in 2021.[133] The responding Indian producers' average unit value data indicate that their exports to the U.S. market generally averaged higher prices than their home market shipments or exports to other destination markets.[134]

In the original investigations, subject imports from India undersold the domestic like product in 55 of 90 quarterly comparisons.[135] In the first five-year reviews, subject imports from India undersold the domestic like product in 70 of 154 quarterly comparisons.[136] In the second five-year reviews, subject imports from India undersold the domestic like product in 29 of 59 quarterly comparisons.[137] During these reviews, subject imports from India undersold the domestic like product in all 60 quarterly comparisons.[138]

In light of the foregoing, including the significant and increasing volume of subject imports from India in the original investigations, the substantial presence of subject imports from India in the U.S. market during the POR, underselling by such imports in the original investigations and subsequent reviews, and the large size, excess capacity, and volume of exports of the subject industry in India, we find that revocation of the antidumping duty order on subject imports from India would not likely have no discernible adverse impact on the domestic industry.

---

[133] CR/PR at Table IV-39.
[134] CR/PR at Table IV-14.
[135] *Original Investigations CR* at Tables V-2, G-1-G-10; CR/PR at V-16 n.12.
[136] *First Reviews CR* at Tables V-1-V-8 and V-10; CR/PR at V-16 n.12.
[137] *Second Reviews CR* at Table V-10; CR/PR at V-16 n.12.
[138] CR/PR at Table V-10.

Thailand. In the original investigations, the volume of subject imports from Thailand fluctuated, declining from *** pounds in 2001 (or *** percent of apparent U.S. consumption) to *** pounds in 2002 (or *** percent of apparent U.S. consumption), then increasing to *** pounds in 2003 (or *** percent of apparent U.S. consumption), and was higher in interim 2004 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2003 (*** pounds or *** percent of apparent U.S. consumption).[139]

In the final phase of the original investigations, the Commission received questionnaire responses from 37 producers/exporters in Thailand, which accounted for 95.4 percent of subject imports from Thailand in 2003.[140] These producers reported that their production capacity was 466.9 million pounds in 2001, 460.2 million pounds in 2002, 481.9 million pounds in 2003, 242.1 million pounds in interim 2003, and 210.1 million pounds in interim 2004.[141] Their reported production was 406.8 million pounds in 2001, 346.7 million pounds in 2002, 413.0 million pounds in 2003, 168.4 million pounds in interim 2003, and 135.7 million pounds in interim 2004.[142] From 2001 to 2003, their reported exports as a share of their total shipments of frozen warmwater shrimp ranged from 97.6 percent to 97.8 percent, while their exports to the United States as a share of total shipments ranged from 63.5 percent to 68.9 percent.[143]

During the first five-year reviews, subject imports from Thailand increased from *** pounds in 2005 (or *** percent of apparent U.S. consumption) to a high of *** pounds in 2006

---

[139] CR/PR at Table C-2 (Original Investigations).
[140] *Original Determinations*, USITC Pub. 3748 at VII-7; CR/PR at IV-38.
[141] *Original Determinations*, USITC Pub. 3748 at Table VII-5.
[142] *Original Determinations*, USITC Pub. 3748 at Table VII-5.
[143] *Original Determinations*, USITC Pub. 3748 at Table VII-5.

(or *** percent of apparent U.S. consumption), then declined the next three years, from *** pounds in 2007 (or *** percent of apparent U.S. consumption) to *** pounds in 2008 (or *** percent of apparent U.S. consumption), and a low of *** pounds in 2009 (or *** percent of apparent U.S. consumption), and were lower in interim 2010 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2009 (*** pounds or *** percent of apparent U.S. consumption).[144]

During the first five-year reviews, the Commission received questionnaire responses from 34 producers/exporters in Thailand, which accounted for 97.0 percent of subject imports from Thailand in 2009.[145] These producers reported that their production capacity was 637.0 million pounds in 2005, 663.8 million pounds in 2006, 698.1 million pounds in 2007, 718.1 million pounds in 2008, 761.1 million pounds in 2009, 574.1 million pounds in interim 2009, and 581.5 million pounds in interim 2010.[146] Their reported production was 464.3 million pounds in 2005, 542.5 million pounds in 2006, 581.3 million pounds in 2007, 587.1 million pounds in 2008, 659.7 million pounds in 2009, 470.1 million pounds in interim 2009, and 489.1 million pounds in interim 2010.[147] From 2005 to 2009, their reported exports as a share of total shipments of frozen warmwater shrimp ranged from 80.2 percent to 89.6 percent, while their exports to the United States as a share of total shipments ranged from 46.1 percent to 57.6 percent.[148] The Commission found that, even with the order in place, subject imports from Thailand maintained

---

[144] CR/PR at Table C-1 (First Reviews).
[145] *First Reviews*, USITC Pub. 4221 at IV-32; CR/PR at IV-38.
[146] *First Reviews*, USITC Pub. 4221 at Table IV-13.
[147] *First Reviews*, USITC Pub. 4221 at Table IV-13.
[148] *First Reviews*, USITC Pub. 4221 at Table IV-13.

a significant presence in the U.S. market. In light of this, and the export orientation of the Thai industry, the Commission did not find that subject imports from Thailand would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[149]

During the second five-year reviews, subject imports from Thailand were *** pounds in 2013 (or *** percent of apparent U.S. consumption), *** pounds in 2014 (or *** percent of apparent U.S. consumption), *** pounds in 2015 (or *** percent of apparent U.S. consumption), and higher in interim 2016 (*** pounds or *** of apparent U.S. consumption) than in interim 2015 (*** pounds or *** percent of apparent U.S. consumption).[150]

During the second five-year reviews, the Commission received questionnaire responses from 26 firms, which accounted for 94.9 percent of subject imports from Thailand in 2015.[151] These producers reported that their production capacity was *** pounds in 2013, *** pounds in 2014, *** pounds in 2015, *** pounds in interim 2015, and *** pounds in interim 2016.[152] Their reported production was *** pounds in 2013, *** pounds in 2014, *** pounds in 2015, *** pounds in interim 2015, and *** pounds in interim 2016.[153] From 2013 to 2015, their reported exports as a share of total shipments ranged from *** percent to *** percent, while their exports to the United States as a share of total shipments ranged from *** percent to ***

[149] *First Reviews*, USITC Pub. 4221 at 14.
[150] CR/PR at Table C-1 (Second Reviews).
[151] *Second Reviews*, USITC Pub. 4688 at IV-39; CR/PR at IV-38.
[152] *Second Reviews CR* at Table IV-24.
[153] *Second Reviews CR* at Table IV-24.

percent.[154] The Commission did not find that subject imports from Thailand would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[155]

During the current POR, the volume of subject imports from Thailand declined from *** pounds in 2019 (or *** percent of apparent U.S. consumption) to *** pounds in 2020 (or *** percent of apparent U.S. consumption), and *** pounds in 2021 (or *** percent of apparent U.S. consumption), but was higher in interim 2022 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2021 (*** pounds or (*** percent of apparent U.S. consumption).[156]

In these reviews, the Commission received questionnaire responses from 19 firms, which accounted for *** percent of subject imports from Thailand and virtually all the frozen warmwater shrimp production in Thailand in 2021.[157] These producers reported that their production capacity has fluctuated, from 264.6 million pounds in 2019 to 263.0 million pounds in 2020, and 264.7 million pounds in 2021; it was lower in interim 2022, at 195.5 million pounds, than in interim 2021, at 198.1 million pounds.[158] Their reported production declined from 163.5 million pounds in 2019 to 154.2 million pounds in 2020, and 143.4 million pounds in 2021, but was higher in interim 2022 (105.8 million pounds), than in interim 2021 (103.6 million pounds).[159] Their reported capacity utilization declined from 61.8 percent in 2019 to 58.6 percent in 2020, and 54.2 percent in 2021, but was higher in interim 2022 (54.1 percent) than in

---

[154] *Second Reviews CR* at Table IV-24.
[155] *Second Reviews*, USITC Pub. 4688 at 18-19.
[156] CR/PR at Table C-1.
[157] CR/PR at IV-38.
[158] CR/PR at Table IV-22.
[159] CR/PR at Table IV-22.

interim 2021 (52.3 percent).[160] Thus, Thai producers possessed excess capacity of 121.3 million pounds in 2021, equivalent to 6.3 percent of apparent U.S. consumption that year.[161]

Fifteen producers reported production of out-of-scope merchandise on the same equipment and machinery used to produce frozen warmwater shrimp, and six producers reported the ability to switch production from frozen warmwater shrimp to alternative products.[162] The production of frozen warmwater shrimp nevertheless accounted for a majority of reported production on such machinery in each year of the POR.[163] From 2019 to 2021, Thai producers' reported exports as a share of total shipments of frozen warmwater shrimp ranged from 75.4 percent to 80.0 percent, while their exports to the United States as a share of total exports ranged from 37.1 percent to 40.6 percent.[164]

According to GTA data, exports of frozen warmwater shrimp from Thailand declined from 148.2 million pounds in 2019 to 121.9 million pounds in 2020, then increased to 131.8 million pounds in 2021.[165] Thailand's largest export destinations in 2021 were the United States and China, which accounted for 26.9 percent and 25.0 percent, respectively, of Thailand's exports that year.[166] Thailand's exports of frozen warmwater shrimp to the United States declined during the POR, from 38.4 million pounds in 2019 (or 25.9 percent of total

---

[160] CR/PR at Table IV-26.

[161] CR/PR at Tables IV-22, C-1.

[162] CR/PR at IV-45.

[163] CR/PR at Table IV-26. As a share of total production, Thai producers reported that shrimp accounted for 68.5 percent in 2019, 67.4 percent in 2020, 64.8 percent in 2021, 62.9 percent in interim 2021, and 59.5 percent in interim 2022. *Id*.

[164] CR/PR at Tables IV-22-IV-23.

[165] CR/PR at Table IV-27. GTA data include exports from producers in Thailand not subject to the order.

[166] CR/PR at Table IV-27.

exports) to 36.9 million pounds in 2020 (or 30.2 percent of total exports), and 35.4 million pounds in 2021.[167] GTA data indicate that Thailand was the world's eighth largest exporter of frozen warmwater shrimp, accounting for 2.3 percent of total global exports by quantity in 2021.[168] Responding Thai producers' AUV data also indicate that their exports to the U.S. market average universally higher prices than their home market shipments or exports to other destination markets.[169]

In the original investigations, subject imports from Thailand undersold the domestic like product in 78 of 113 quarterly comparisons.[170] In the first five-year reviews, subject imports from Thailand undersold the domestic like product in 149 of 184 quarterly comparisons.[171] In the second five-year reviews, subject imports from Thailand undersold the domestic like product in 22 of 50 quarterly comparisons.[172] During the current reviews, subject imports from Thailand undersold the domestic like product in 16 of 35 quarterly comparisons.[173]

We are unpersuaded by the Thai Producers' arguments that subject imports from Thailand are likely to have no discernible adverse impact if the order were revoked. Specifically, Thai Producers argue that subject imports from Thailand have significantly declined since the prior proceedings in absolute terms and relative to apparent U.S. consumption, as Thai producers have experienced declines in production capacity, production volume, global

[167] CR/PR at Table IV-27.
[168] CR/PR at Table IV-39.
[169] CR/PR at Table IV-23.
[170] *Original Investigations CR* at Tables V-2, G-1-G-10; CR/PR at V-16 n.12.
[171] *First Reviews CR* at Tables V-1-V-8 and V-10; CR/PR at V-16 n.12.
[172] *Second Reviews CR* at Table V-10; CR/PR at V-16 n.12.
[173] CR/PR at Table V-10.

exports, and U.S. exports.[174] Nevertheless, subject imports from Thailand maintained an appreciable share of apparent U.S. consumption during the POR, and the United States was Thailand's largest export destination during the period, indicating that subject producers in Thailand remain interested in serving the U.S. market and maintain the means to do so.[175] Furthermore, subject producers in Thailand possess substantial levels of excess capacity with which they could increase exports to the U.S. market following revocation, notwithstanding any reduction in capacity relative to prior periods.[176] The record also shows that subject producers in Thailand would have an incentive to increase their exports to the U.S. market following revocation, given that Thai exports to the United States were at higher AUVs than exports to other markets during the POR.[177] [178] Although the Thai Producers emphasize the lower volume and market share of subject imports from Thailand during the POR relative to that in the prior proceedings, the volume and market share of the subject Thai imports during the POR were

---

[174] Thai Producers Prehearing Br. at 7-11.

[175] CR/PR at Tables IV-23, IV-27.

[176] CR/PR at Table IV-22.

[177] CR/PR at Table IV-23.

[178] Chairman Johanson notes that from 2001 through 2003, during the original POI, the U.S. market share of subject imports from Thailand decreased, while the market share of other subject imports increased, which could indicate that under conditions when U.S. import pricing falls below normal value and imports extensively undersell domestic products Thai producers found pricing in the U.S. market relatively unattractive and sought to exit the market. CR/PR Appx. C at Table C-2 (Original Investigations). Thai respondents' final comments also point to Thai producer questionnaire responses as evidence that unit values of Thai exports systematically overstate the relative value of exports to the United States due to differences in product mix. Thai Final Comments 6-7. He finds this evidence anecdotal, however, and insufficient to persuade him that Thai producers would find U.S. pricing too unattractive to constitute an incentive to export increased volumes to the United States if the order regarding Thailand were revoked.

substantial (with a high of *** pounds that amounted to *** percent of apparent U.S. consumption in 2019) and remained substantial throughout the POR.[179]

In light of the foregoing, including the significant and increasing volume of subject imports from Thailand in the original investigations, the continued presence of subject imports from Thailand in the U.S. market during the POR, underselling by such imports in the original investigations and subsequent reviews, and the large size, excess capacity, and volume of exports of the subject industry in Thailand, we find that revocation of the antidumping duty order on subject imports from Thailand would not likely have no discernible adverse impact on the domestic industry.

Vietnam. In the original investigations, the volume of subject imports from Vietnam increased from *** pounds in 2001 (or *** percent of apparent U.S. consumption) to *** pounds in 2002 (or *** percent of apparent U.S. consumption) and *** pounds in 2003 (or *** percent of apparent U.S. consumption), but was lower in interim 2004 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2003 (*** pounds or *** percent of apparent U.S. consumption).[180]

In the final phase of the original investigations, the Commission received questionnaire responses from 36 producers/exporters in Vietnam, which accounted for 97.1 percent of subject imports from Vietnam during 2003.[181] These producers reported that their production capacity was 186.1 million pounds in 2001, 241.1 million pounds in 2002, 283.1 million pounds

---

[179] CR/PR at Table C-1.
[180] CR/PR at Table C-2 (Original Investigations).
[181] *Original Determinations*, USITC Pub. 3748 at VII-7; CR/PR at IV-49.

in 2003, 141.3 million pounds in interim 2003, and 142.5 million pounds in interim 2004.[182] Their reported production was 163.4 million pounds in 2001, 207.2 million pounds in 2002, 264.1 million pounds in 2003, and 115.4 million pounds in interim 2004.[183] From 2001 to 2003, their reported exports as a share of their total shipments of frozen warmwater shrimp ranged from 82.6 percent to 86.8 percent, while their exports to the United States as a share of total shipments ranged from 36.6 percent to 45.1 percent.[184]

During the first five-year reviews, subject imports from Vietnam fluctuated from *** pounds in 2005 (or *** percent of apparent U.S. consumption) to a low of *** pounds in 2006 (or *** percent of apparent U.S. consumption), *** pounds in 2007 (or *** percent of apparent U.S. consumption), a high of *** pounds in 2008 (or *** percent of apparent U.S. consumption), and *** pounds imported in 2009 (or *** percent of apparent U.S. consumption); they were higher in interim 2010 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2009 (*** pounds or *** percent of apparent U.S. consumption).[185]

During the first five-year reviews, the Commission received questionnaire responses from 26 producers/exporters in Vietnam, which accounted for 95.8 percent of subject imports from Vietnam in 2009.[186] These producers reported that their production capacity was 281.2 million pounds in 2005, 282.4 million pounds in 2006, 326.8 million pounds in 2007, 343.1

[182] *Original Determinations*, USITC Pub. 3748 at Table VII-6.
[183] *Original Determinations*, USITC Pub. 3748 at Table VII-6.
[184] *Original Determinations*, USITC Pub. 3748 at Table VII-6.
[185] CR/PR at Table C-1 (First Reviews).
[186] *First Reviews*, USITC Pub. 4221 at IV-35, IV-37; CR/PR at IV-49.

million pounds in 2008, 343.9 million pounds in 2009, 258.7 million pounds in interim 2009, and 261.4 million pounds in interim 2010.[187] They reported production was 224.3 million pounds in 2005, 203.9 million pounds in 2006, 250.7 million pounds in 2007, 246.3 million pounds in 2008, 258.4 million pounds in 2009, 192.4 million pounds in interim 2009, and 202.7 million pounds in interim 2010.[188] From 2005 to 2009, their reported exports as a share of their total shipments of frozen warmwater shrimp ranged from 82.1 percent to 88.8 percent, while their exports to the United States as a share of total shipments ranged from 32.1 percent to 36.1 percent.[189] The Commission found that, even with the order in place, subject imports from Vietnam maintained a significant presence in the U.S. market. In light of this, and the export orientation of the Vietnamese industry, the Commission did not find that subject imports from Vietnam would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[190]

During the second five-year reviews, subject imports from Vietnam were *** pounds in 2013 (or *** of apparent U.S. consumption), *** pounds in 2014 (or *** percent of apparent U.S. consumption), and *** pounds in 2015 (or *** percent of apparent U.S. consumption); they were higher in interim 2016 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2015 (*** pounds in interim 2015 or *** percent of apparent U.S. consumption).[191]

[187] *First Reviews*, USITC Pub. 4221 at Table IV-15.
[188] *First Reviews*, USITC Pub. 4221 at Table IV-15.
[189] *First Reviews*, USITC Pub. 4221 at Table IV-15.
[190] *First Reviews*, USITC Pub. 4221 at 14-15.
[191] CR/PR at Table C-1 (Second Reviews).

During the second five-year reviews, the Commission received questionnaire responses from 19 firms, which accounted for *** percent of subject imports from Vietnam in 2015.[192] These producers reported that their production capacity was *** pounds in 2013, *** pounds in 2014, *** pounds in 2015, *** pounds in interim 2015, and *** pounds in interim 2016.[193] Their reported production was *** pounds in 2013, *** pounds in 2014, *** pounds in 2015, *** in interim 2015, and *** pounds in interim 2016.[194] From 2013 to 2015, their reported exports as a share of total shipments of frozen warmwater shrimp ranged from *** percent to *** percent, while their exports to the United States as a share of total shipments ranged from *** percent to *** percent.[195] Based on its review of these data, the Commission found that the Vietnamese industry was heavily export-oriented. It thus did not find that subject imports from Vietnam would be likely to have no discernible adverse impact on the domestic industry if the order were revoked.[196]

During the current POR, the volume of subject imports from Vietnam increased from *** pounds in 2019 (or *** percent of apparent U.S. consumption) to *** pounds in 2020 (or *** percent of apparent U.S. consumption), and *** pounds in 2021 (or *** percent of apparent U.S. consumption), but was lower in interim 2022 (*** pounds or *** percent of apparent U.S. consumption) than in interim 2021 (*** pounds or (*** percent of apparent U.S. consumption).[197]

---

[192] *Second Reviews CR* at IV-49; CR/PR at IV-49.
[193] *Second Reviews CR* at Table IV-30.
[194] *Second Reviews CR* at Table IV-30.
[195] *Second Reviews CR* at Table IV-30.
[196] *Second Reviews*, USITC Pub. 4688 at 19-21.
[197] CR/PR at Table C-1.

In these reviews, the Commission received questionnaire responses from nine producers/exporters in Vietnam, which accounted for *** percent of subject imports from Vietnam and 48.4 percent of frozen warmwater shrimp production in Vietnam in 2021.[198] These producers reported that their production capacity increased from 266.5 million pounds in 2019 to 269.7 million pounds in 2020, and 306.6 million pounds in 2021, and was higher in interim 2022 (232.9 million pounds) than in interim 2021 (230.6 million pounds).[199] Their production also increased, from 187.7 million pounds in 2019 to 216.6 million pounds in 2020, and 232.3 million pounds in 2021, and was higher in interim 2022 (185.9 million pounds) than in interim 2021 (177.0 million pounds).[200] Their reported capacity utilization fluctuated from 70.5 percent in 2019 to 80.3 percent in 2020, and 75.8 percent in 2021, and was higher in interim 2022 (79.8 percent) than in interim 2021 (76.8 percent).[201] Thus, Vietnamese producers possessed excess capacity of 74.3 million pounds in 2021, equivalent to 3.8 percent of apparent U.S. consumption that year.[202]

While one Vietnamese producer, ***, reported production of out-of-scope merchandise on the same equipment and machinery used to produce frozen warmwater shrimp, the production of frozen warmwater shrimp accounted for the *** of reported production on such machinery in each year of the POR.[203] From 2019 to 2021, Vietnamese producers' reported

---

[198] CR/PR at IV-49.
[199] CR/PR at Table IV-31.
[200] CR/PR at Table IV-31.
[201] CR/PR at Table IV-35.
[202] CR/PR at Tables IV-31, C-1.
[203] CR/PR at IV-56 and Table IV-35. As a share of total production, Vietnamese producers reported that shrimp accounted for *** percent in 2019, *** percent in 2020, *** percent in 2021, *** percent in interim 2021, and *** percent in interim 2022. *Id*.

exports as a share of total shipments of frozen warmwater shrimp ranged from 79.7 percent to 85.4 percent, while their exports to the United States as a share of total exports ranged from 20.7 percent to 39.5 percent.[204]

According to GTA data, exports of frozen warmwater shrimp from Vietnam decreased from 415.3 million pounds in 2019 to 402.8 million pounds in 2020, then increased to 432.9 million pounds in 2021.[205] Vietnam's largest export destinations in 2021 were the United States, Japan, and South Korea, accounting for 19.1 percent, 14.0 percent, and 13.5 percent, respectively, of Vietnam's exports that year.[206] Vietnam's exports of frozen warmwater shrimp to the United States increased during the POR, from 26.4 million pounds in 2019 (or 6.4 percent of total exports) to 46.6 million pounds in 2020 (or 11.6 percent of total exports), and 82.6 million pounds in 2021.[207] GTA data indicate that Vietnam was the world's third largest exporter of frozen warmwater shrimp, accounting for 7.6 percent of total global exports by quantity in 2021.[208] The responding Vietnamese producers' AUV data indicate that their exports to the U.S. market average universally higher prices than their home-market shipments or exports to other destination markets.[209]

In the original investigations, subject imports from Vietnam undersold the domestic like product in 65 of 104 quarterly comparisons.[210] In the first five-year reviews, subject imports

---

[204] CR/PR at Tables IV-31-IV-32.
[205] CR/PR at Table IV-36. GTA data would include exports from the Vietnamese producer not currently subject to the order.
[206] CR/PR at Table IV-36.
[207] CR/PR at Table IV-36.
[208] CR/PR at Table IV-39.
[209] CR/PR at Table IV-46.
[210] *Original Investigations CR* at Tables V-2, G-1-G-10; CR at V-16 n.12.

from Vietnam undersold the domestic like product in 78 of 173 quarterly comparisons.[211] In the second five-year reviews, subject imports from Vietnam undersold the domestic like product in 13 of 57 quarterly comparisons.[212] During these reviews, subject imports from Vietnam undersold the domestic like product in 14 of 17 quarterly comparisons.[213]

We are unpersuaded by the Vietnamese Producers' arguments that subject imports from Vietnam are likely to have no discernible adverse impact if the order were revoked. Specifically, the Vietnamese Producers argue that subject imports from Vietnam have remained stable since issuance of the orders, and that Vietnamese producers are operating at high capacity utilization rates, face significant production constraints, are unable to shift production from out-of-scope products, and have strong third-country export markets and a rising home market.[214] Nevertheless, subject imports from Vietnam increased over the POR; even under the disciplining effects of the order, and responding subject producers' exports to the United States more than doubled from 2019 to 2021.[215] The United States was one of if not the largest export destination for subject producers in Vietnam throughout the POR, indicating that subject producers in Vietnam remain interested in serving the U.S. market.[216] Furthermore, subject producers in Vietnam possess excess capacity with which they could increase exports to the

[211] *First Reviews CR* at Tables V-1-V-8 and V-10; CR at V-16 n.12.
[212] *Second Reviews CR* at Table V-10.
[213] CR/PR at Table V-10.
[214] Vietnamese Producers Prehearing Br. at 7-13; Vietnamese Producers Posthearing Br. at 1-2.
[215] CR/PR at Tables IV-2, IV-32.
[216] CR/PR at Tables IV-32, IV-36. These data show that Vietnam's share of exports to the United States increased in each year; by 2021, the United States was Vietnam's largest export destination. *Id*., at Table IV-32.

U.S. market following revocation.[217] The record also shows that subject producers in Vietnam would have an incentive to increase their exports to the U.S. market after revocation, given that Vietnamese exports to the United States were at higher AUVs than exports to other markets during the POR.[218]

In light of the foregoing, including the significant and increasing volume of subject imports from Vietnam in the original investigations, the continued and increasing presence of subject imports from Vietnam in the U.S. market, and the attractiveness of the U.S. market, during the POR, underselling by such imports in the original investigations and subsequent reviews, and the large size, excess capacity, and volume of exports of the subject industry in Vietnam, we find that revocation of the antidumping duty order on subject imports from Vietnam would not likely have no discernible adverse impact on the domestic industry.

C. Likelihood of a Reasonable Overlap of Competition

The Commission generally has considered four factors intended to provide a framework for determining whether subject imports compete with each other and with the domestic like

[217] CR/PR at Table IV-31.
[218] CR/PR at Table IV-36.

product.[219] Only a "reasonable overlap" of competition is required.[220] In five-year reviews, the relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.[221]

Fungibility. In the original investigations and first five-year reviews, the Commission found that market participants perceived at least some degree of overlap in the applications for which the domestic like product and the subject imports were used.[222] In the second five-year reviews, the Commission found that the record concerning fungibility indicated that there was a moderate degree of substitutability between U.S. produced frozen warmwater shrimp and that imported from subject countries, with most purchasers reporting that U.S. product and frozen warmwater shrimp from subject sources (other than Brazil) were comparable with respect to at least 12 of 18 purchasing factors.[223]

---

[219] The four factors generally considered by the Commission in assessing whether imports compete with each other and with the domestic like product are as follows: (1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality-related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and (4) whether subject imports are simultaneously present in the market with one another and the domestic like product. *See, e.g., Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int'l Trade 1989).

[220] *See Mukand Ltd. v. United States*, 937 F. Supp. 910, 916 (Ct. Int'l Trade 1996); *Wieland Werke,* 718 F. Supp. at 52 ("Completely overlapping markets are not required."); *United States Steel Group v. United States,* 873 F. Supp. 673, 685 (Ct. Int'l Trade 1994), *aff'd*, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. *See, e.g.*, *Live Cattle from Canada and Mexico*, Inv. Nos. 701-TA-386 and 731-TA-812-13 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), *aff'd sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States*, 74 F. Supp. 2d 1353 (Ct. Int'l Trade 1999); *Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan*, Inv. Nos. 731-TA-761-62 (Final), USITC Pub. 3098 at 13-15 (Apr. 1998).

[221] *See generally*, *Chefline Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int'l Trade 2002).

[222] *Original Determinations*, USITC Pub. 3748 at 19-21; *First Reviews*, USITC Pub. 4221 at 15-16.

[223] *Second Reviews*, USITC Pub. 4688 at 21-22.

In the current reviews, Thai and Vietnamese Producers each contend that their frozen warmwater shrimp is not interchangeable with frozen warmwater shrimp from the domestic industry and other subject sources.[224] Contrary to their argument that subject imports from Thailand and Vietnam consist primarily of higher-value products that do not compete with the domestic like product, however, the record indicates that there is at least a moderate degree of substitutability between U.S. produced frozen warmwater shrimp and frozen warmwater shrimp from each subject country.[225] Most U.S. processors reported that frozen warmwater shrimp from all sources were always interchangeable.[226] Most importers reported that U.S. produced frozen warmwater shrimp and frozen warmwater shrimp from China, India, and Thailand were always or frequently interchangeable, whereas their responses concerning U.S. produced frozen warmwater shrimp and frozen warmwater shrimp from Vietnam were mixed.[227] Further, a majority of purchasers reported that frozen warmwater shrimp from each subject source is at least sometimes interchangeable with frozen warmwater shrimp from other subject sources and with the domestic like product.[228] Most purchasers also reported that U.S.

---

[224] *See* Section IV.C.2 above. Information on the record confirms their contention that the vast majority of subject imports were IQF. However, a substantial portion of U.S. processors' shipments were also IQF during the POR. CR/PR at Table IV-3.

[225] CR/PR at II-14-II-15.

[226] CR/PR at Table II-13.

[227] CR/PR at Table II-14. Ten importers reported that U.S. produced shrimp and subject imports from Vietnam were "never" interchangeable, eight importers reported that they were "always" interchangeable, three importers reported that they were "sometimes" interchangeable, and two reported that they were "frequently" interchangeable. *Id*.

[228] CR/PR at Table II-15. Two purchasers each reported that U.S. produced shrimp and shrimp from China were always, frequently, and never interchangeable and one reported they were sometimes interchangeable. With respect to U.S. produced shrimp and shrimp from India, Thailand, and Vietnam, three purchasers reported that they were never interchangeable, and two each reported that they were always, frequently, and sometimes interchangeable. *Id*.

produced frozen warmwater shrimp and imports from each subject country always or usually meet minimum quality specifications, and were comparable with respect to at least six of 21 purchasing factors.[229] Although most U.S. produced frozen warmwater shrimp was wild-caught, while most subject imports were farm-raised, nine of 14 responding purchasers reported purchasing both types of shrimp.[230]

Differences in size do not necessarily limit the fungibility of the domestic like product and subject imports from different sources. Witnesses for the domestic industry testified at the hearing that fishermen catch substantial volumes of larger-sized warmwater shrimp in U.S. territorial waters,[231] indicating that there was also some overlap in size between the domestic like product and larger-size shrimp from Vietnam. Furthermore, pricing product data show that the domestic like product overlapped with subject imports from one or more countries with respect to all sizes for which data were collected, including 26 to 30 count, 31 to 40 count, and 71 to 90 count.[232] Consistent with this evidence, most importers reported that U.S. produced frozen warmwater shrimp and subject imports were always or frequently interchangeable.[233]

Nor does the record support Thai and Vietnamese Producers' arguments that subject imports from Thailand and Vietnam are not interchangeable with the domestic like product

---

[229] CR/PR at Tables II-10, II-12.

[230] CR/PR at II-19.

[231] Tr. at 91-93 (Baumer; Antley; Pearson; Borsage).

[232] CR/PR at V-5, Table V-8.

[233] CR/PR at Tables II-14-II-15. An equal number of importers (ten) reported that U.S. produced shrimp were at least "frequently" (*i.e.*, "always" or "frequently") and "never" interchangeable with subject imports from Vietnam. *Id*., at Table II-14. A majority of purchasers reported that the domestic product and subject imports from each source were at least sometimes interchangeable. *Id*. at Table II-15.

because most subject imports from Thailand and Vietnam were IQF, while most domestic shrimp was block-frozen.[234] Contrary to these arguments, the record indicates that *** percent of U.S. processors' U.S. shipments of the domestic like product were in IQF form in 2021.[235] Accordingly, there was substantial overlap between the domestic like product in IQF form and subject imports in IQF form in the U.S. market.

For all of these reasons, we find that there is a sufficient degree of fungibility between and among subject imports from China, India, Thailand, and Vietnam, and the domestic like product, for purposes of cumulation.

Geographic Overlap. In the prior proceedings, the Commission found that both the domestic like product and imports from all subject sources were distributed either nationally or in multiple U.S. regions.[236]

In the current reviews, the record indicates that both U.S. producers and importers from each subject country other than China reported selling frozen warmwater shrimp to all regions in the contiguous United States.[237] Subject imports from India, Thailand, and Vietnam entered through ports of entry in the East, North, South, and West, while subject imports from China entered through ports of entry in the East and West.[238] Thus, the domestic industry and frozen warmwater shrimp from India, Thailand, and Vietnam served a nationwide market during the

---

[234] Thai Producers Prehearing Br. at 12-14; Thai Producers Posthearing Br., App. at 6-8; Vietnamese Producers Prehearing Br. at 16-17; Vietnamese Producers Posthearing Br. at 4, Exh. 1 at 1-3.

[235] CR/PR at Table IV-3.

[236] *Original Determinations*, USITC Pub. 3748 at 20; *First Reviews*, USITC Pub. 4221 at 16; *Second Reviews*, USITC Pub. 4688 at 22.

[237] CR/PR at Tables II-3, IV-3. No importer reported information concerning subject imports from China in these reviews. *Id*., at IV-1.

[238] CR/PR at Table IV-4.

period examined, and overlapped with frozen warmwater shrimp from China in the East and West.[239]

Channels of Distribution. In the original investigations, the Commission found that channels of distribution for the domestic like product and the subject imports overlapped and that numerous market participants purchased the domestic like product and imports from multiple subject countries.[240] In the first five-year reviews, the Commission found that over 90 percent of shipments of the domestic like product and a substantial proportion of the imports from each subject source were to distributors, with most remaining shipments directed to retailers or institutional buyers.[241] In the second five-year reviews, the Commission found that the domestic like product and imports from each subject source were sold primarily to distributors, although the share sold to institutional buyers/distributors and retailers/grocers differed among the subject countries and fluctuated annually.[242]

In the current reviews, domestically produced frozen warmwater shrimp and subject imports from India, Thailand, and Vietnam were sold mainly to distributors with most of their remaining sales going to retailers during the POR.[243] Thai and Vietnamese Producers contend that their IQF warmwater shrimp is sold to retailers, whereas the domestic like product is sold

---

[239] We observe, in this regard, that a substantial volume of subject imports from Vietnam were sold in the Gulf Coast/South Atlantic region where U.S. processors' sales were concentrated. Thus, the record does not support Vietnamese Producers' contention that their products are sold in geographical regions distinct from those supplied by domestic producers. CR/PR at Tables II-3, IV-4.

[240] *Original Determinations*, USITC Pub. 3748 at 20.

[241] *First Reviews*, USITC Pub. 4221 at 16.

[242] *Second Reviews*, USITC Pub. 4688 at 22-23.

[243] CR/PR at II-3 and Table II-2. Responding importers did not report shipments for subject imports from China.

primarily to distributors.[244] However, the record indicates that the domestic like product and frozen warmwater shrimp from India, Thailand, and Vietnam were sold predominantly to distributors, with most remaining shipments directed to retailers or institutional buyers.[245] There was also overlap between the domestic like product and subject imports from Thailand and Vietnam for sales to retailers, which accounted for *** percent of the domestic industry's U.S. shipments in 2021.[246] As discussed, a substantial portion of U.S. processors' shipments in 2021 were IQF, indicating a reasonable overlap of competition with subject imports.[247]

Simultaneous Presence in Market. In the original investigations, both the domestic like product and imports from each subject country were present in the U.S. market throughout the POI.[248] In the prior five-year reviews, the domestic like product and imports from each of the subject countries except Brazil were present throughout the periods of review.[249]

In the current reviews, frozen warmwater shrimp from all sources were simultaneously present in the U.S. market. Subject imports from India, Thailand, and Vietnam entered the United States in every month of the period examined, and subject imports from China entered the United States in 36 of 47 months.[250]

Conclusion. The record in these reviews indicates that, notwithstanding Thai and Vietnamese Producers' arguments to the contrary, there is a sufficient degree of fungibility

---

[244] *See* Section IV.C.2 above.
[245] CR/PR at Table II-2.
[246] CR/PR at Table II-2. By comparison, *** percent of subject imports from Thailand and *** percent of subject imports from Vietnam were shipped to retailers that year. *Id.*
[247] CR/PR at Table IV-3.
[248] *Original Determinations*, USITC Pub. 3748 at 20.
[249] *First Reviews*, USITC Pub. 4221 at 16; *Second Reviews*, USITC Pub. 4688 at 23.
[250] CR/PR at Table IV-5.

between the domestic like product and subject imports from each country for purposes of cumulation. As in the prior proceedings, most responding domestic producers, importers, and purchasers reported at least some degree of interchangeability between the domestic like product and subject imports from each source, and the record shows overlaps in the types of frozen warmwater shrimp from domestic and subject sources. The record also indicates that the domestic like product and imports from each subject country overlapped in terms of channels of distribution and geographic markets, and were simultaneously present in the U.S market, during the POR. In light of these considerations, we find that there would likely be a reasonable overlap of competition between the domestic like product and imports from each subject country and between imports from each subject country.

D. Likely Conditions of Competition

In determining whether to exercise our discretion to cumulate the subject imports, we assess whether subject imports from China, India, Thailand, and Vietnam would likely compete under similar conditions in the U.S. market in the event of revocation.

The record in these reviews does not indicate that there likely would be any significant difference in the conditions of competition between subject imports from each of the subject countries if the orders were revoked. The industry in each subject country has the ability and the incentive to increase exports to the U.S. market in the event of revocation of the orders, as discussed above.[251]

---

[251] Every subject country exported substantial volumes of frozen warmwater shrimp during the POR, and the subject industries in India, Thailand, and Vietnam remain heavily export oriented. In 2021, responding subject producers in India exported 543.0 million pounds of frozen warmwater shrimp (***
(Continued…)

We are unpersuaded by the Thai Producers' argument that the likely conditions of competition would differ with respect to subject imports from Thailand because the Thai industry, according to Thai Producers, has been decimated by shrimp aquaculture diseases since 2010, causing production and exports to decline, and prompting Thai producers to focus more on higher-value products that are further processed and incorporate additional flavoring, spices, and ingredients.[252] The record indicates that the subject Thai industry was a substantial producer and exporter of frozen warmwater shrimp during the POR. In 2021, responding Thai

---

percent of their total shipments); subject producers in Thailand exported 112.8 million pounds of frozen warmwater shrimp (75.4 percent of their total shipments); and subject producers in Vietnam exported 181.3 million pounds of frozen warmwater shrimp (79.7 percent of their total shipments); and GTA data show that China (including nonsubject producers) exported 133.2 million pounds of frozen warmwater shrimp in 2021. CR/PR at Tables IV-9, IV-13, IV-22, and IV-31. The U.S. market remained an important market for subject producers during the POR even under the discipline of the orders. Responding subject Indian processors reported between 74.8 and 77.5 percent of exports were to the United States in each year of the POR. CR/PR at Table IV-14. Responding subject Thai processors reported that between 37.1 and 40.6 percent of their total exports were to the United States in each year during the POR. CR/PR at Table IV-23. Responding Vietnamese processors reported that between 20.7 and 39.5 percent of total exports were to the United States in each year of the POR. CR/PR at Table IV-32.

[252] Thai Producers Prehearing Br. at 17-29; Thai Producers Posthearing Br., Exh. 1-4 at 9-17; Thai Producers Final Comments at 1-8. Regarding the Thai Producers' argument that there are parallels between the facts in this case and those in the second reviews that led the Commission to not cumulate subject imports from Brazil, (Thai Producers Posthearing Br., App. at 1-5), as an initial matter, we note that the Commission's determination in each five-year review is *sui generis,* based on the unique facts of each case. *See Ugine-Savoie Imphy v. United States*, 248 F. Supp. 2d 1208, 1215, n. 6 and at 1220 (Ct. Int'l Trade 2002) ("other sunset reviews are of limited precedential value, and the real question is whether the unique circumstances of this case constitute substantial evidence supporting the Commission's determination"). Nevertheless, in the second reviews, the Commission exercised its discretion to not cumulate imports from Brazil based on the home market orientation of the Brazilian industry, the low ratio of global demand that the Brazilian industry supplied, of 0.1 percent in 2015, the sporadic volume of subject imports from Brazil that entered the U.S. market after the antidumping duty order issued, and the Brazilian industry's production capacity, which was at least four times smaller than those reported by the other subject countries. *Second Reviews*, USITC Pub. 4688 at 24-26. In these reviews, by contrast, we have found that the Thai industry remains export oriented and supplied a substantial share of global demand, subject imports from Thailand continued to enter the U.S. market in appreciable quantities, and the Thai industry's production capacity remains substantial relative to those of the other subject countries. Thai Producers' attempts to draw parallels between the Thai industry in these reviews and the Brazilian industry in the prior reviews are thus unavailing.

producers reported capacity of 264.7 million pounds and production of 143.4 million pounds of frozen warmwater shrimp.[253] Responding Thai producers also reported end-of-period inventories of 23.2 million pounds in 2023.[254] While responding Thai producers' production and exports decreased from 2019 to 2021, they remained substantial, including export shipments of 112.8 million pounds in 2021.[255]

Thai Producers argue that production of frozen warmwater shrimp is necessarily capped by the volume of shrimp available and eligible for processing and dispute the conversion factor that should be used for the Thai industry to determine the volume of processed shrimp that can be produced from the volume of shrimp available and eligible for processing. Thai producers argue that the conversion ratio of whole shrimp to finished product of 0.629 applies only if the finished product is headless shrimp, and that a conversion factor between 0.35 and 0.40 would yield a more reliable way to estimate processed shrimp capacity for the Thai industry.[256] [257] However, information available indicates that Thailand produced over 617.3 million pounds of

---

[253] CR/PR at Table IV-22.

[254] CR/PR at Table IV-22.

[255] CR/PR at Table IV-22.

[256] Thai Producers Posthearing Br., App. at 12-13.

[257] Thai Producers also assert that less than half of subject imports from Thailand currently meet certifications for programs such as the Best Aquaculture Practices ("BAP"), such that the actual volume of Thai production suitable for export to the United States should be halved. Thai Producers Posthearing Br., App. at 13-17. However, while Thai Producers have provided limited evidence that certain purchasers identify BAP certifications in their purchases, they have not established that the inability by suppliers to meet these certifications has significantly limited their access to the U.S. market, given that the United States remains a large export market for subject producers in Thailand. Nor have they established that BAP certifications are widely used in the U.S. market. Only three of 14 responding purchasers reported that certification/food safety standards were a top purchasing factor. CR/PR at Table II-8. Moreover, Attachment 6 of Thai Producers' Posthearing Br., which purports to identify retailers that require BAP certification, is a document listing sponsors of BAP's National Seafood Month scheduled for October 2022.

raw shrimp in 2021; thus, even using the Thai respondents' preferred ratio, that would yield an estimate of nearly 216.1 million pounds of processed product, substantially more production than the 143.4 million pounds of frozen warmwater shrimp it produced in 2021.[258] [259]

Furthermore, while a significant number of Thai producers reported the production of out-of-scope products on the same machinery used to produce frozen warmwater shrimp, including higher-value products, the record indicates that between 64.8 percent and 68.5 percent of subject producers' overall production was dedicated to the production of frozen warmwater shrimp during the POR.[260]

We also disagree with the Thai Producers that the allegedly higher price of subject imports from Thailand represents a likely condition of competition that distinguishes such imports from imports from other subject sources.[261] Also, as discussed above, the pricing data and documents submitted by Thai producers suggesting that prices for subject imports from

---

[258] CR/PR at Table IV-22. Although Thai Producers did not provide data on raw shrimp production in Thailand to support their argument, AHSTAC has provided data estimates from the Thai Shrimp Association indicating that overall raw shrimp production in Thailand was 280,000 metric tons (or 617.3 million pounds) in 2021. AHSTAC Prehearing Br. at 62, Exh. 17. Applying a conversion ratio of 0.35 to 617.3 million pounds of shrimp production yields 216 million pounds of processed product.

[259] Moreover, regardless of the amount of raw shrimp available for harvest in Thailand, the Thai industry has substantial ability to divert frozen warmwater shrimp shipments from other markets if the order on Thailand is revoked. *See* CR/PR at Table IV-27.

[260] CR/PR at Table IV-26. In addition, Thai Producers contend that more than 99.7 percent of subject imports sold by subject producer Thai Union were IQF shrimp, of which 25 percent were marinated. Information provided by Thai Producers concerning Commerce's administrative review covering imports from Thailand from February 1, 2021 through January 31, 2022 indicates that 49.37 percent of Thai Union's U.S. sales of frozen warmwater shrimp during this period were uncooked, peeled IQF product. Thai Producers Posthearing Br., Exh. 1 at 6-8. Thai Union, in turn, accounted for approximately 60 percent of total shipments of subject imports from Thailand to the U.S. market in 2021. *Id*., at 6. This indicates that a substantial proportion of subject imports from Thailand were sold in raw IQF form.

[261] Thai Producers Prehearing Br. at 25-26; Thai Producers Final Comments at 4-5.

Thailand were higher than the domestic like product during the current POR reflect the disciplining effect of the order, and are not indicative of the prices that would prevail following revocation. Moreover, correspondence between Thai producers and U.S. purchasers demonstrates that imports from Thailand compete with imports from other subject countries in the U.S. market and that price is an important factor in such purchases.[262] Additionally, the record shows a likely reasonable overlap of competition between and among subject imports from Thailand, subject imports from other sources, and the domestic like product.

We are also unpersuaded by the Vietnamese Producers' argument that the likely conditions of competition would differ with respect to subject imports from Vietnam if the orders were revoked. Contrary to their argument that there is limited interchangeability between subject imports from Vietnam and the domestic like product, we have found that subject imports from Vietnam overlap with the domestic like product in terms of size and being sold in IQF form, while most responding U.S. processors and importers reported that subject imports from Vietnam and the domestic like product are always or frequently interchangeable notwithstanding any differences in product mix.[263] To the extent that the higher AUVs of subject imports from Vietnam reflects the larger average size of frozen warmwater shrimp from Vietnam, this does not distinguish subject imports from Vietnam from subject imports from Thailand, which also possess relatively higher AUVs.[264] As discussed above, subject imports

[262] Thai Producers Posthearing Br. at Att. 1.

[263] *See* Section III.C. above. *See also* CR/PR at Tables II-13, II-15. Most responding purchasers reported that subject imports from Vietnam and the domestic like product are always, frequently, or sometimes interchangeable. *Id*., at Table II-15.

[264] CR/PR at Table C-1.

from Vietnam overlap with the domestic like product in terms of channels of distribution and geographic markets, contrary to the Vietnamese Producers' arguments that subject imports from Vietnam differ in terms of these factors.[265]

Last, we are unpersuaded by the Thai and Vietnamese Producers' arguments that the behavior of Thai and Vietnamese producers excluded from the orders somehow establishes that subject imports from Thailand and Vietnam are unlikely to increase following revocation, and are thus subject to different likely conditions of competition.[266] The behavior of foreign producers that were excluded from the order is not necessarily reflective of the behavior of subject producers subsequent to revocation of the orders, whereas the number of producers from Thailand and Vietnam that are currently subject to zero percent dumping rates also reflect the disciplining effect of the orders.

In sum, the record shows that subject imports from China, India, Thailand, and Vietnam are likely to compete under similar conditions of competition if the orders were revoked.

E. Conclusion

Based on the foregoing, we find that subject imports from China, India, Thailand, and Vietnam, considered individually, likely would not have no discernible adverse impact on the domestic industry following revocation and that there would likely be a reasonable overlap of competition between and among the subject imports from each subject country and the domestic like product. We also find that imports from China, India, Thailand, and Vietnam are likely to compete in the U.S. market under similar conditions of competition should the orders

[265] *Compare* CR/PR at Table III-5, *with* Table IV-22.
[266] Thai Producers Posthearing Br. at 11-13; Vietnamese Producers Posthearing Br. at 11-12.

be revoked. We therefore exercise our discretion to cumulate subject imports from China, India, Thailand, and Vietnam.

IV. Revocation of the Antidumping Duty Orders Would Likely Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless: (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order "would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time."[267] The SAA states that "under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports."[268] Thus, the likelihood standard is prospective in nature.[269] The U.S. Court of International Trade has found that

---

[267] 19 U.S.C. § 1675a(a).

[268] SAA at 883-84. The SAA states that "{t}he likelihood of injury standard applies regardless of the nature of the Commission's original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed." *Id*. at 883.

[269] While the SAA states that "a separate determination regarding current material injury is not necessary," it indicates that "the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked." SAA at 884.

"likely," as used in the five-year review provisions of the Act, means "probable," and the Commission applies that standard in five-year reviews.[270]

The statute states that "the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time."[271] According to the SAA, a "'reasonably foreseeable time' will vary from case-to-case, but normally will exceed the 'imminent' timeframe applicable in a threat of injury analysis in original investigations."[272]

Although the standard in a five-year review is not the same as the standard applied in an original investigation, it contains some of the same fundamental elements. The statute provides that the Commission is to "consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated."[273] It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or

---

[270] *See NMB Singapore Ltd. v. United States*, 288 F. Supp. 2d 1306, 1352 (Ct. Int'l Trade 2003) ("'likely' means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)"), *aff'd mem.*, 140 Fed. Appx. 268 (Fed. Cir. 2005); *Nippon Steel Corp. v. United States*, 26 CIT 1416, 1419 (2002) (same); *Usinor Industeel, S.A. v. United States*, 26 CIT 1402, 1404 nn.3, 6 (2002) ("more likely than not" standard is "consistent with the court's opinion;" "the court has not interpreted 'likely' to imply any particular degree of 'certainty'"); *Indorama Chemicals (Thailand) Ltd. v. United States*, 26 CIT 1059, 1070 (2002) ("standard is based on a likelihood of continuation or recurrence of injury, not a certainty"); *Usinor v. United States*, 26 CIT 767, 794 (2002) ("'likely' is tantamount to 'probable,' not merely 'possible'").

[271] 19 U.S.C. § 1675a(a)(5).

[272] SAA at 887. Among the factors that the Commission should consider in this regard are "the fungibility or differentiation within the product in question, the level of substitutability between the imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities." *Id*.

[273] 19 U.S.C. § 1675a(a)(1).

the suspension agreement under review, whether the industry is vulnerable to material injury if an order is revoked or a suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).[274] The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission's determination.[275]

In evaluating the likely volume of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms or relative to production or consumption in the United States.[276] In doing so, the Commission must consider "all relevant economic factors," including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.[277]

---

[274] 19 U.S.C. § 1675a(a)(1). Commerce found duty absorption in its third administrative review of the antidumping duty order on subject imports from Thailand; two of the three exporters that Commerce found absorbed duties are ones as to which Commerce subsequently revoked the order. There have been no affirmative duty absorption findings concerning frozen warmwater shrimp from China, India, or Vietnam. CR/PR at I-15, n.27.

[275] 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

[276] 19 U.S.C. § 1675a(a)(2).

[277] 19 U.S.C. § 1675a(a)(2)(A-D).

In evaluating the likely price effects of subject imports if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether there is likely to be significant underselling by the subject imports as compared to the domestic like product and whether the subject imports are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.[278]

In evaluating the likely impact of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.[279] All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry. As instructed by the statute, we have considered the extent to

---

[278] *See* 19 U.S.C. § 1675a(a)(3). The SAA states that "{c}onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices." SAA at 886.

[279] 19 U.S.C. § 1675a(a)(4).

which any improvement in the state of the domestic industry is related to the orders under review and whether the industry is vulnerable to material injury upon revocation.[280]

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry if an order is revoked, the statute directs the Commission to consider all relevant economic factors "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[281] The following conditions of competition inform our determinations.

1. Demand Conditions

Frozen warmwater shrimp continues to be used principally in meal preparations.[282] Demand for the product comes primarily from retail sellers of prepared and unprepared frozen warmwater shrimp, such as grocers, and restaurants.[283] There is some seasonality in U.S. demand for shrimp, which typically is higher around the Easter, Christmas, and New Year's holidays.[284]

Apparent U.S. consumption of frozen warmwater shrimp increased over the POR. Apparent U.S. consumption was 1.55 billion pounds in 2019, 1.65 billion pounds in 2020, and 1.94 billion pounds in 2021; it was slightly lower in interim 2022, at 1.35 billion pounds, than in

---

[280] The SAA states that in assessing whether the domestic industry is vulnerable to injury if the order is revoked, the Commission "considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the domestic industry, they may also demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports." SAA at 885.

[281] 19 U.S.C. § 1675a(a)(4).

[282] CR/PR at II-12.

[283] CR/PR at II-12.

[284] CR/PR at II-1-II-12.

interim 2021, at 1.36 billion pounds.[285] These levels of apparent U.S. consumption are higher than those observed in the prior proceedings.[286]

Domestic processors reported that demand for shrimp declined in the early months of the COVID-19 pandemic, as orders from restaurants and foodservice distributors declined, but then recovered as customers began eating more shrimp at home.[287] Several U.S. fishermen reported that the pandemic caused demand to decline.[288] Four of six responding retailers reported that consumption of shrimp increased during the POR; two of the six retailers attributed the increased consumption to the COVID-19 pandemic.[289]

Domestic processors' perceptions of whether demand changed during the POR differed from those of the other market participants. A plurality of domestic processors reported that they perceived demand for frozen warmwater shrimp to have declined since January 2016, whereas most U.S. importers, and pluralities of purchasers and foreign producers reported that they perceived demand to have increased during this period.[290] Similarly, domestic processors reported anticipating that demand would either decrease or fluctuate over the next two years,

[285] CR/PR at Table I-13.

[286] See Second Reviews, USITC Pub. 4688 at Table I-11; First Reviews, USITC Pub. 4221 at Table I-15; Original Determinations, USITC Pub. 3748 at Table IV-4. See also Frozen Warmwater Shrimp from China, Ecuador, India, Malaysia, and Vietnam, USITC Pub. 4429 (Oct. 2013) ("CVD Determinations") at Table IV-6.

[287] CR/PR at Tables III-1, III-3.

[288] CR/PR at Table E-4.

[289] CR/PR at IV-3.

[290] CR/PR at Table II-5.

whereas a majority of importers, and a plurality of purchasers and half of foreign producers reported anticipating that demand would increase over this period.[291] [292]

2. Supply Conditions

During the current POR, the domestic industry's share of apparent U.S. consumption by quantity declined from 8.9 percent in 2019 to 8.1 percent in 2020, and 6.3 percent in 2021, which is lower than in any of the prior proceedings.[293] The domestic industry's market share was higher in interim 2022, at 4.9 percent, than in interim 2021, at 4.4 percent [294]

Domestically processed shrimp is overwhelmingly wild-caught (ocean harvested).[295] Harvesting takes place in the waters of the Gulf of Mexico and off the Atlantic Coast from the Carolinas to Florida.[296] In the United States, the main fishing season is from May to December, although different times of the year are better for particular species and sizes.[297] During the off-season, which occurs roughly from January through April, some U.S. fishermen make repairs and upgrades, and domestic processors make sales from inventory as prices are historically higher in this period as the supply of fresh and frozen warmwater shrimp is lower.[298]

---

[291] CR/PR at Table II-5.

[292] The substitutes for frozen warmwater shrimp are limited, and most participants reported no change in substitutes since the prior proceedings. CR/PR at II-14.

[293] *Compare* CR/PR at Table I-13, with *Second Reviews*, USITC Pub. 4688 at Table IV-11; *First Reviews*, USITC Pub. 4221 at Table I-16; *Original Determinations*, USITC Pub. 4221 at Table IV-5. *See also CVD Determinations*, USITC Pub. 4429 at Table IV-6

[294] CR/PR at Table I-13.

[295] U.S. shrimp farm producers are also included in the domestic industry. Reported farm-raised shrimp production as a share of total domestic production increased from 2.2 percent in 2019 to 2.3 percent in 2020, then declined to 2.2 percent in 2021; it was lower in interim 2022, at 2.9 percent, than in interim 2021, at 3.7 percent. *Derived from* CR/PR at Table I-13.

[296] CR/PR at I-25-I-26, I-30 n.84, I-40 n.92, II-4.

[297] CR/PR at I-12.

[298] CR/PR at I-11-I-12.

The domestic industry's ability to supply the market is affected by certain biological and ecological factors that limit the amount of frozen warmwater shrimp that can be caught from territorial U.S. waters.[299] In addition, the incentive for fishermen to engage in shrimping activities is a function of their ability to cover costs such as fuel and maintenance.[300] Diesel prices in the Gulf Coast region increased irregularly by 131 percent from January 2016 to September 2022.[301] Information on the record indicates that number of shrimp licenses issued to fishermen by state and federal agencies declined during the POR, supportive of reporting by domestic producers that rising fuel costs and low prices created a disincentive for fishermen to take their boats out to harvest shrimp.[302]

Subject imports supplied the largest share of the U.S. market from 2019 to 2021. During the POR, subject imports' share of the market fluctuated, declining from *** percent in 2019 to *** percent in 2020, then increasing to *** percent in 2021; subject imports supplied less of the market in interim 2022 at *** percent, than in interim 2021, at *** percent.[303] Imported frozen warmwater shrimp is overwhelmingly farm-raised (produced by aquaculture).[304] Farm-raised shrimp are generally available year-round, such that imports are less impacted by seasonality.[305] However, farmed shrimp are more prone than wild shrimp to exposure to

---

[299] CR/PR at II-1, II-7 II-11. *See also id*., at Tables III-1, E-4.

[300] CR/PR at II-1, II-7, II-11. *See also id*., at Tables III-1, E-3, E-5.

[301] CR/PR at V-1 and Table V-1.

[302] AHSTAC/AHSIC Prehearing Br., Exh. 19; AHSTAC/AHSIC Response to Notice of Institution at 17, Exh. 4. Domestic Parties argue that a significant number of fishermen exited the harvesting segment of the market during this period. *See*, *e.g*., AHSTAC/AHSIC Prehearing Br. at 79-80; *see also* CR/PR at Table E-5.

[303] CR/PR at Table I-13.

[304] CR/PR at IV-22. Subject imports are primarily farm-raised, although the extent of wild-caught shrimp production varied considerably in the subject countries. *Id*., at Table IV-5.

[305] CR/PR at I-24.

diseases that may significantly impact harvest levels due to the density of shrimp harvested in ponds.[306] While the outbreak of a disease called Early Mortality Syndrome ("EMS") that began in China in 2009, spread to Southeast Asia between 2010 and 2012 and curtailed production in some of the subject countries for only a few years, Thai Producers claim to continue to be impacted by this issue during the POR. Further, the subject industry in Thailand is also combating reports of forced labor practices in its seafood supply chain.[307] Subject imports from China have been subject to Section 301 duties of 25 percent *ad valorem* since May 10, 2019.[308]

Nonsubject imports were the second largest source of supply in the U.S. market from 2019 to 2021. During the POR, nonsubject imports' share of apparent U.S. consumption fluctuated, increasing from *** percent in 2019 to *** percent in 2020, then declining to *** percent of the market in 2021.[309] They became the largest source of supply in interim 2022, supplying *** percent of the market, compared with *** percent in interim 2021.[310] The largest sources of nonsubject imports during the POR were Ecuador, Indonesia, and Mexico, which accounted for a majority of subject imports in 2021.[311]

There were several revocations or partial revocations of the antidumping duty orders in the prior five-year reviews.[312] However, there were no additional revocations or partial

---

[306] CR/PR at I-24.

[307] CR/PR at I-24, IV-39. *See also* Thai Producers Prehearing Br., Exh. 4 (translation of a report indicating that the EMS outbreak started disrupting Thai production facilities in 2012, and that Thailand was downgraded in the U.S. Department of State's Trafficking in Persons Report in 2015).

[308] CR/PR at I-23. From September 24, 2018 to May 10, 2019, subject imports from China were subject to 10 percent *ad valorem* duties. *Id*.

[309] CR/PR at Table I-13.

[310] CR/PR at Table I-13.

[311] CR/PR at II-11.

[312] CR/PR at I-17-I-20.

revocations during the POR.[313] The parties disagree on the significance of data concerning the Minh Phu Group ("MPG"). Vietnamese Producers contend that official statistics do not reflect that the order on Vietnam was revoked with respect to MPG, such that subject imports from Vietnam may be overstated.[314] Domestic Parties contend that litigation concerning U.S. Customs and Border Protection's reversal of its determination that MPG had transshipped subject imports from India from January 2020 through February 2021 is ongoing at the U.S. Court of International Trade, and may lead to an affirmative determination that will increase subject imports from India.[315] We recognize that subject imports from Vietnam likely include nonsubject data as we did not receive any questionnaires from firms reporting nonsubject imports from Vietnam, allowing us to adjust official import statistics. For the purposes of these reviews, however, we rely on the information available on this record and changes to the import data for Vietnam, as proposed by Vietnamese producers, would not lead us to a different conclusion regarding the likelihood of the likelihood of continuation or recurrence of material injury if the orders were revoked as discussed in detail below.

3. Substitutability and Other Conditions

In these reviews, we find at least a moderate degree of substitutability between domestically processed frozen warmwater shrimp and subject imports. As discussed in section III.C above, all domestic processors reported that frozen warmwater shrimp from all sources were always interchangeable.[316] Most importers reported that U.S. produced frozen

---

[313] CR/PR at I-17-I-20.
[314] Vietnamese Producers Prehearing Br. at 9-10; Vietnamese Producers Final Comments at 3-4.
[315] AHSTAC/AHSIC Posthearing Br., App. D at 1-5; ASOA Posthearing Br., App. At 21-22.
[316] CR/PR at Table II-13.

warmwater shrimp and frozen warmwater shrimp from China, India, and Thailand were always interchangeable, whereas their responses concerning U.S. produced frozen warmwater shrimp and frozen warmwater shrimp from Vietnam were mixed.[317] A majority of purchasers reported that frozen warmwater shrimp from each subject source is at least sometimes interchangeable with frozen warmwater shrimp from other subject sources and with the domestic like product.[318] Most purchasers also reported that U.S. produced frozen warmwater shrimp and imports from each subject country always or usually meet minimum quality specifications, and were comparable with respect to at least six of 21 purchasing factors.[319]

Respondents argue that competition between the domestic like product and subject imports is attenuated by a number of factors. They contend that domestic processors cannot produce sufficient quantities of particular products that are widely available from importers, have limited ability to supply large volume customers, and concentrate their sales efforts in limited areas near their facilities.[320] They also claim that domestic processors have limited production times throughout the year, due to the seasonal availability of wild-caught shrimp, and are adversely impacted by sales of out-of-scope breaded shrimp, which affect their sales to domestic purchasers that engage in breading.[321] Finally, they assert that wild-caught shrimp from the subject countries cannot be exported to the United States.[322]

---

[317] CR/PR at Table II-14.
[318] CR/PR at Table II-15.
[319] CR/PR at Tables II-10, II-12.
[320] SEAI Prehearing Br. at 4-7, 12-13; Thai Producers Prehearing Br. at 38-44.
[321] Thai Producers Prehearing Br. at 44-45.
[322] SEAI Prehearing Br. 45.

We find that the factors argued by respondents do not significantly attenuate competition between subject imports and the domestic like product. The record indicates that domestic processors produced frozen warmwater shrimp in all major forms.[323] Although a majority of domestic production remains block-frozen, we have found that domestic processors produced a substantial proportion of IQF shrimp that they sell nationwide through the same channels of distribution as subject imports.[324] In addition, certain domestic industry witnesses reported that they source large shrimp from harvesters, and have the ability to cook frozen warmwater shrimp.[325] Last, the pricing data show direct competition between domestic frozen warmwater shrimp and subject imports that have been processed into peeled, deveined, and IQF form, across all sizes for which data were collected.[326] Even if imports of out-of-scope breaded shrimp competed indirectly with domestic frozen warmwater shrimp, as respondents claim, such imports did not prevent apparent U.S. consumption of frozen warmwater shrimp from increasing during the POR and thus would have had a limited impact on domestic producers.[327]

We recognize that the domestic like product is overwhelmingly wild-caught during the May to December main fishing season, while subject imports are overwhelmingly farm-raised.[328] The record does not indicate that this distinction, taken alone, significantly limits substitutability between the domestic like product and subject imports, however. While most

[323] SEAI Posthearing Br., Exh. 1 at 6-7.
[324] *See* Section III.C. above.
[325] *See*, *e.g.*, Tr. at 17 (Baumer), 23 (Avery), 92 (Antley).
[326] CR/PR at Table V-7.
[327] CR/PR at Table I-13.
[328] CR/PR at II-6, IV-22.

purchasers reported that they or their customers always distinguish between wild-caught and farm-raised shrimp, only four of 14 responding purchasers reported purchasing only wild-caught shrimp and only one reported purchasing only farm-raised shrimp.[329] Accordingly, most purchasers purchased both wild-caught and farm-raised shrimp. Moreover, as previously discussed in section III.C, the domestic like product and subject imports were sold in overlapping forms in all regions of the United States, and through similar channels of distribution.[330] The seasonality of domestic wild-caught frozen warmwater shrimp is also tempered somewhat by inventories of such shrimp maintained by U.S. processors for sale in the off season, when prices are historically higher.[331]

We find that price is an important factor in purchasing decisions. Price, followed by quality and availability, were listed as top three factors considered by firms in their purchasing decisions.[332] When asked whether differences other than price were significant to purchasers in choosing between shrimp from subject countries and the domestic like product, a majority of domestic processors reported "never."[333] Most importers reported that differences other than price were always significant comparing the domestic like product to subject imports from each source.[334] A majority of purchasers reported that there are always or frequently differences other than price between the domestic like product and subject imports from each source.[335]

---

[329] CR/PR at II-19.
[330] *See* Section III.C above.
[331] CR/PR at II-11-12.
[332] CR/PR at Table II-8.
[333] CR/PR at Table II-16.
[334] CR/PR at Table II-17.
[335] CR/PR at Table II-18.

U.S. processors and importers reported selling the vast majority of frozen warmwater shrimp in the spot market, with most of the remaining sales sold pursuant to short term contracts.[336] Domestic processors sell shrimp from inventory, with lead times of three to 14 days; importers primarily sell on a produced-to-order basis, with lead times of 14-20 days.[337] Five of fourteen purchasers require their suppliers to become certified or qualified to sell shrimp to their firm.[338]

C. Likely Volume of Subject Imports

Cumulated subject imports of frozen warmwater shrimp from China, India, Thailand, and Vietnam have remained in the U.S. market in substantial volumes even with the orders in place. In the current reviews, cumulated subject imports overtook nonsubject imports as the largest source of supply in the U.S. market. They increased in each year of the POR, from *** pounds in 2019 to *** pounds in 2020, and *** pounds in 2021, a *** percent increase, but were lower in interim 2022, at *** pounds, than in interim 2021, at *** pounds.[339] These quantities represent a near *** of the volume of subject imports reported in the prior reviews.[340] Cumulative subject import market share declined from *** percent in 2019 to *** percent in 2020, then increased to *** percent in 2021; it was lower in interim 2022, at *** percent than in interim 2021, at *** percent.[341]

---

[336] CR/PR at Table V-3.
[337] CR/PR at II-20.
[338] CR/PR at II-20. The time to qualify a new supplier ranged from seven to 270 days. *Id*.
[339] CR/PR at Table IV-1.
[340] *Compare* CR/PR at Table IV-1 *with Second Reviews CR* at Table I-10.
[341] CR/PR at Table I-13.

The record also indicates that subject producers remain export oriented. The subject industries reported exporting 837.1 million pounds, or *** percent, of their total shipments of *** pounds of shrimp in 2021.[342] Their exports to the United States totaled 537.2 million pounds that year, equivalent to *** percent of total shipments.[343] Moreover, GTA data indicate that each of the subject countries ranked among the eight largest exporters of warmwater shrimp during the POR.[344]

The record indicates that the subject industries have the ability and incentive to increase their exports to the United States to significant levels if the orders were revoked. On a cumulated basis, responding subject producers in India, Thailand, and Vietnam reported that their production capacity and production increased between 2019 and 2021, and were higher in interim 2022 than in interim 2021.[345] On a cumulated basis, the subject industries reported

---

[342] CR/PR at Table IV-37. On a cumulated basis, the subject industries exported 805.9 million pounds of their total shipments of *** pounds of subject shrimp in 2019 (*** percent), 723.5 million pounds of their total shipments of *** pounds of shrimp in 2020 (*** percent), and 837.1 million pounds of their total shipments of *** pounds of shrimp in 2021 (*** percent); they exported 640.3 million pounds of their total shipments of *** pounds of shrimp in interim 2022 (*** percent), compared with 608.7 million pounds of their total shipments of *** pounds of shrimp in interim 2021 (*** percent). *Id*.

[343] CR/PR at Table IV-38. On a cumulated basis, the subject industries exported subject shrimp to the United States totaling 462.0 million pounds in 2019 (equivalent to *** percent of their total shipments), 429.8 million pounds in 2020 (equivalent to *** percent of their total shipments), and 537.2 million pounds in 2021 (equivalent to *** percent of their total shipments); they totaled 335.1 million pounds in interim 2022 (equivalent to *** percent of their total shipments), compared with 394.6 million pounds in interim 2021 (equivalent to *** percent of their total shipments). *Id*.

[344] CR/PR at Table IV-39.

[345] Production capacity of the subject industries increased from 1.4 billion pounds in 2019, to 1.5 billion pounds in 2020, and 1.6 billion pounds in 2021, and was 1.201 million pounds in interim 2021 and 1.206 million pounds in interim 2022. CR/PR at Table IV-37.

Production of the subject industries declined from 866.0 million pounds in 2019 to 827.7 million pounds in 2020 before increasing to 929.0 million pounds in 2021, and was 696.4 million pounds in interim 2021 and 735.3 million pounds in interim 2022. *Id*.

unused production capacity that increased from 580.4 million pounds in 2019 to 676.0 million pounds in 2021, equivalent to 34.9 percent of apparent U.S. consumption that year.[346] Available data from the United Nations Food and Agriculture Organization indicate that Chinese shrimp aquaculture increased from 2.3 million metric tons in 2016 to 2.5 million metric tons in 2019, the last year for which data were available.[347]

Subject producers and U.S. importers maintained substantial end-of-period inventories that could be used to increase shipments of frozen warmwater shrimp to the U.S. market should the orders under review be revoked.[348] Subject producer end-of-period inventories totaled 169.5 million pounds in 2021, equivalent to 8.7 percent of apparent U.S. consumption, while U.S. importers maintained end-of-period inventories of 22.5 million pounds in 2021, equivalent to *** percent of their U.S. shipments that year.[349]

The U.S. remains an attractive export market for cumulated subject producers, providing them with the incentive to export significant volumes of subject merchandise to the United States in the event of revocation. Cumulated subject imports maintained a significant

---

[346] Unused capacity in the subject industries totaled 580.4 million pounds in 2019, 665.9 million pounds in 2020, and 676.0 million pounds in 2021; it was lower in interim 2022, at 470.2 million pounds, than in interim 2021, at 504.7 million pounds. *Derived from* CR/PR at Tables I-13, IV-37.

[347] CR/PR at II-8 n.16.

[348] Total end-of-period inventories for responding producers in the cumulated subject countries increased from 121.8 million pounds in 2019 to 161.5 million pounds in 2020 and 169.5 million pounds in 2021 (equivalent to 8.7 percent of apparent U.S. consumption that year); they were higher in interim 2022, at 198.3 million pounds, than in interim 2021, at 197.3 million pounds. CR/PR at Table IV-37.

U.S. importers' end-of-period inventories of subject merchandise more than doubled from 2019 to 2021, from *** pounds in 2019 to *** million pounds in 2020 and *** pounds in 2021; they were higher in interim 2022, at *** million pounds, than in interim 2021, at *** pounds. *Id.*, at Table IV-6. As a share of U.S. shipments of subject imports, importers' inventories increased from *** percent in 2019 to *** percent in 2020 and *** percent in 2021, and were higher in interim 2022, at *** percent, than in interim 2021, at *** percent. *Id*.

[349] CR/PR at Tables I-13, IV-37.

presence in the U.S. market throughout the POR, indicating that subject producers maintained customers and distribution networks. Notwithstanding the discipline of the orders, GTA data show that the United States remained the largest single export market for the industries in India, Thailand, and Vietnam during the POR, and an important market for producers in China notwithstanding the imposition of section 301 duties.[350] The record also indicates that subject producers realized higher AUVs on their exports to the United States than on exports to third country markets during the POR, making the U.S. market relatively more attractive.[351] Moreover, information on the record indicates that the U.S. market is generally more lenient in respect of the importation of shrimp treated with certain antibiotics which further increases the U.S. market's attractiveness to subject producers.[352] Reflecting the attractiveness of the U.S. market to subject producers, importers reported a substantial volume of arranged imports, totaling *** pounds, from the fourth quarter of 2022 through the third quarter of 2023.[353]

Respondents argue that subject imports were pulled into the U.S. market to supplement the finite supply of domestic wild-caught shrimp throughout the POR.[354] We disagree. While wild catch landings have never come close to meeting total apparent U.S. consumption in these reviews and the prior proceedings, respondents' arguments overlook our finding above that the

---

[350] CR/PR at Tables IV-9, IV-18, IV-27, and IV-36.

[351] CR/PR at Tables IV-9, IV-18, IV-27, and IV-36. We note that, while producers in China sold frozen warmwater shrimp to other export markets that exceeded U.S. AUVs during the POR, U.S. AUVs exceeded those reported for Japan and Spain, which were the leading export markets for frozen warmwater shrimp from China. *Id*., at Table IV-9.

[352] ASPA Prehearing Br. at 16 and Exh. 2. *See also* Tr. At 115-116 (Rickard).

[353] CR/PR at Table IV-7.

[354] *See* SEAI Prehearing Br. at 13-15; SEAI Posthearing Br. at 9-11; Thai Producers Prehearing Br. at 30-33; Vietnamese Producers Final Comments at 5-7.

overall domestic supply of shrimp also turns on the economic incentive for fishermen to harvest shrimp, such that high fuel costs and low dockside prices can also disincentivize fishermen from engaging in shrimping activities.[355] We also observe that the domestic processors' increased production during the POR was accompanied by declining U.S. shipments and increasing inventories, indicating that supplies of domestic wild-caught shrimp were not the limiting constraint on their U.S. shipments.[356]

Accordingly, given the large and export oriented subject industries, the continued presence of cumulated subject imports in the U.S. market in spite of the orders, and the attractiveness of the U.S. market, we find that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to consumption in the United States, if the orders were revoked.[357]

---

[355] *See* Section IV.B.2 above.

[356] CR/PR at Tables III-5, III-10.

[357] Eight of 51 responding foreign producers reported the ability to product shift. CR/PR at Table II-4. One producer in India reported producing out-of-scope products on the same equipment and machinery used to produce in-scope frozen warmwater shrimp totaling *** pounds (equivalent to *** percent of total production) in 2019, *** pounds (equivalent to *** percent of total production) in 2020, and *** pounds (equivalent to *** percent of total production) in 2021; it produced more out-of-scope product in interim 2022, at *** pounds (equivalent to *** percent of total production), than in interim 2021, at *** pounds (equivalent to *** percent of total production). CR/PR at Table IV-17. Firms in Thailand reported producing out-of-scope product on the same equipment and machinery used to produce in-scope frozen warmwater shrimp totaling 75.2 million pounds in 2019 (equivalent to 31.5 percent of total production), 74.5 million pounds in 2020 (equivalent to 32.6 percent of total production), and 77.9 million pounds in 2021 (equivalent to 35.2 percent of total production); they produced more out-of-scope product in interim 2022, at 72.2 million pounds (equivalent to 40.5 percent of total production), than in interim 2021, at 61.0 million pounds (equivalent to 37.1 percent of total production). CR/PR at Table IV-26. Firms in Vietnam reported producing out-of-scope product on the same equipment and machinery used to produce in-scope frozen warmwater shrimp totaling *** pounds in 2019 (equivalent to *** percent of total production), *** pounds in 2020 (equivalent to *** percent of total production), and *** pounds in 2021 (equivalent to *** percent of total production); they produced less out-of-scope product in interim 2022, at *** pounds (equivalent to *** percent of (Continued…)

D. Likely Price Effects

As discussed in section IV.B.3 above, there is at least a moderate degree of substitutability between domestically processed frozen warmwater shrimp and subject imports, and price is an important factor in purchasing decisions.[358]

The Commission collected pricing data for four pricing products in these reviews.[359] Ten domestic processors and 23 importers provided usable data for sales of the requested products, although not all firms reported data for all products for all quarters. Data reported by these firms accounted for approximately *** percent of domestic processors' commercial U.S. shipments of frozen warmwater shrimp, and *** percent of U.S. shipments of subject imports from India, *** percent of subject imports from Thailand, and *** percent of subject imports from Vietnam; no pricing data were reported for subject imports from China.[360]

The pricing data indicate that cumulated subject imports undersold the domestic like product in 90 of 112 quarterly comparisons (or 80.3 percent of the time), corresponding to

---

total production), than in interim 2021, at *** pounds (equivalent to *** percent of total production). CR/PR at Table IV-35.

We have also examined whether there are barriers to the importation of subject merchandise in countries other than the United States. In the current reviews, there are no known antidumping or countervailing duty orders of frozen warmwater shrimp in third country markets. CR/PR at IV-61.

[358] *See* Section IV.B.3. above.

[359] The Commission requested pricing data on the following products:

Product 1.-- Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, peeled and deveined (P&D), tail-off, block frozen (cut or not cut);

Product 2.-- Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, shell-on, block frozen;

Product 3.-- Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen and

Product 4.— Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D, headless, tail-on or-tail off, individually quick frozen (IQF). CR/PR at V-5.

[360] CR/PR at V-6.

reported sales of 86.5 million pounds of subject product (or 94.5 percent of volume), with margins of underselling that ranged from 0.3 percent to 43.3 percent and averaged 22.5 percent during the POR.[361] Subject imports oversold the domestic like product in the remaining 22 quarterly comparisons, corresponding to reported sales of 5.0 million pounds of subject product, at margins that ranged from 0.1 percent to 61.3 percent and averaged 20.9 percent.[362] Thus, notwithstanding the discipline of the orders, cumulated subject imports predominantly undersold the domestic like product throughout the POR.

Prices for the domestic like product and subject imports generally increased during the POR, though they generally declined between the second and third quarters of 2022.[363] We find that domestic and subject prices moved relatively in concert, with domestic prices increasing when subject prices increased, and declining when prices on subject imports from at least one source also declined.[364]

Respondents argue that the domestic industry's loss of market share despite its ability to raise prices is indicative of attenuated competition between the domestic like product and subject imports.[365] We disagree. As discussed in section IV.B.3, we have found that the factors

---

[361] CR/PR at Tables V-4-V-10.

[362] CR/PR at Tables V-4-V-10.

[363] Prices for all pricing products, save pricing product *** from Thailand, ended the third quarter of 2022 at prices than were higher than in the first quarter of 2019. CR/PR at Table V-8. Domestic processor's prices for pricing products 1 and 3 declined after peaking in the fourth quarter of 2021, but increased 30.5 percent and 2.0 percent, respectively, over the POR. Processors' prices for pricing products 2 and 4 peaked during the second quarter of 2022, then declined in the third quarter of 2022, but increased *** percent and *** percent, respectively, over the POR. These declines occurred as subject import prices fell in 2021 through 2022. *Id*., at Tables V-4-V-7.

[364] CR/PR at Tables V-4-V-8.

[365] SEAI Prehearing Br. at 16-21; SEAI Posthearing Br. at 11-13; Thai Producers Prehearing Br. at 49-50; Vietnamese Producers Prehearing Br. at 30-31; Vietnamese Producers Posthearing Br. at 9-10.

argued by respondents did not significantly attenuate subject import competition. Furthermore, the record shows that there was a correlation between subject import competition and prices for the domestic like product.[366] Although domestic and subject import prices increased in tandem through 2021, the declines in domestic prices that occurred towards the end of the POR occurred after the domestic industry had lost *** percentage points of market share to subject imports between 2020 and 2021.[367] By lowering its prices in 2022, the domestic industry was able to gain a small amount of market share in interim 2022 relative to interim 2021.[368] Information on the record indicates that subject import prices for certain types of shrimp imported from Asia have continued to decline through April 2023, and revocation of the orders would enable subject import price competition to intensify further.[369]

Given the significant subject import underselling even under the disciplining effect of the orders, the at least moderate degree of substitutability between subject imports and the domestic like product, the importance of price in purchasing decisions, and the attractiveness of the U.S. market to subject producers, we find that if the orders were revoked, significant

[366] We are unpersuaded by respondents' argument that the pricing data show attenuated competition between the domestic like product and subject imports of IQF shrimp. *See*, *e.g*., SEIA Posthearing Br. at 12-13. The pricing data show direct competition between domestic product processed into IQF warmwater shrimp, and subject imports sold as IQF shrimp with respect to pricing product 4. Insofar as imported IQF products are further processed, as SEIA argues, we observe that subject imports undersold the domestic like product in 30 of 45 quarterly comparisons for this product (or 66.6 percent of the time), implicating *** pounds of subject product, at margins that ranged from *** percent to *** percent and averaged *** percent. CR/PR at Tables V-7, V-9. Subject imports oversold the domestic like product in the remaining 15 quarterly comparisons, implicating *** pounds of subject product, at margins that ranged from *** to *** percent and averaged *** percent. Subject imports thus predominantly undersold the domestic like product for this pricing product.

[367] CR/PR at Tables I-13, V-4-V-7.

[368] CR/PR at Tables I-13, V-4-V-7.

[369] ASPA Posthearing Br., Exh. 4 (containing URNER Berry COMTELL Index data through 2023). *See also* Tr. At 96 (Antley) (testifying that shrimp prices hit record lows in April 2023).

volumes of subject imports would likely undersell the domestic like product to a significant degree, as a means of gaining market share. Absent the discipline of the orders, the significant volumes of low-priced subject imports would likely force domestic producers to reduce their prices, forego needed price increases, or risk losing sales and market share to subject imports, as they did in the original investigations. Accordingly, we find that cumulated subject imports would cause significant price effects within a reasonably foreseeable time if the orders were revoked.

E. Likely Impact

We examine the data pertaining to industry performance separately for the two primary segments of the domestic industry, fishermen and processors, as the Commission did in the prior proceedings.[370] These data show that, while strong demand growth during the POR caused U.S. fishermen's performance to improve by most measures and the processors' performance to improve according to many measures, the processors' employment declined and their financial performance remained weak.

Public data indicate that fishermen's wild-catch landings fluctuated during the POR, decreasing from 229.9 million pounds in 2019 to 218.6 million pounds in 2020, then increasing to 225.9 million pounds in 2021; landings were 129.8 million pounds in interim 2022, up from 100.4 million pounds in interim 2021.[371] We recognize that landings historically have fluctuated

[370] As previously discussed, shrimp aquaculture in the United States was estimated to account for 2.2 percent of domestic production in 2019 and 2021, 2.3 percent of domestic production in 2020, 3.7 percent of domestic production in interim 2021, and 2.9 percent of domestic production in interim 2022, down from its peak in 2003 at about 4.5 percent of domestic production. CR/PR at I-27, Table I-13.

[371] CR/PR at Table I-13.

from year to year, and annual fluctuations that occurred during the prior reviews were comparable to those observed during the POR.[372] Responding fishermen reported a 17.7 percent increase in their sales volume of frozen warmwater shrimp during the 2019-2021 period, from 41.9 million pounds in 2019 to 46.5 million pounds in 2020 and 49.3 million pounds in 2021.[373]

The financial results of responding fishermen improved throughout the POR, driven by the increase in sales volumes and a 12.3 percent increase in the AUVs of their sales. They reported that their sales value increased from $113.5 million in 2019 to $120.8 million in 2020 and $150.0 million in 2021.[374] Their operating income[375] and net income[376] both increased throughout the POR. Fishermen reported an operating income to net sales ratio that increased from 3.6 percent in 2019 to 8.1 percent in 2020, then declined to 6.6 percent in 2021.[377] They reported a net income as a ratio to net sales that increased from 4.9 percent in 2019 to 7.8 percent in 2020, then declined to 6.5 percent in 2021.[378] Information on the record indicates that the number of shrimp licenses issued to fishermen by state and federal agencies declined

---

[372] In the first five-year reviews, landings ranged from a low of 211.3 million pounds to a high of 294.8 million pounds. *First Reviews*, USITC Pub. 4221 at Table I-15. In the second five-year reviews, landings ranged from a low of 201.8 million pounds to a high of 221.1 million pounds. *Second Reviews*, USITC Pub. 4688 at Table I-10.

[373] CR/PR at Table E-6.

[374] CR/PR at Table E-6.

[375] Responding fishermen reported operating income totaling $4.1 million in 2019, $9.8 million in 2020, and $9.9 million in 2021. CR/PR at Table E-6.

[376] Responding fishermen reported net income totaling $5.6 million in 2019, $9.4 million in 2020, and $9.7 million in 2021. CR/PR at Table E-6. Because of non-operating income received from sources such as the BP oil spill settlement, distributions pursuant to the Continued Dumping and Subsidies Offset Act of 2000 ("CDSOA"), PPP loans, local disaster relief, and other revenue, responding fishermen reported net income that exceeded operating income in 2019. CR/PR at E-64 and Table E-6.

[377] CR/PR at Table E-6.

[378] CR/PR at Table E-6.

during the POR, which indicates that a number of fishermen exited the harvesting segment of the market during this period.[379]

Domestic processors' capacity was 220.0 million pounds from 2019 to 2021; it was higher in interim 2022, at 168.4 million pounds, than in interim 2021, at 161.5 million pounds.[380] Domestic processors' production increased by 18.1 percent from 2019 to 2021, from 107.6 million pounds in 2019 to 111.3 million pounds in 2020, and 127.1 million pounds in 2021; it was lower in interim 2022, at 80.9 million pounds, than in interim 2021, at 83.7 million pounds.[381] Domestic processors' capacity utilization increased by 8.9 percentage points from 2019 to 2021, from 48.9 percent in 2019 to 50.6 percent in 2020 and 57.8 percent in 2021; it was lower in interim 2022, at 50.4 percent, than in interim 2021, at 57.6 percent.[382]

A number of domestic processors' employment-related indicators declined during the POR. The number of production and related workers ("PRWs") declined by 24.4 percent from 2019 to 2021, but was higher in interim 2022 than in interim 2021.[383] Total hours worked declined by 12.9 percent from 2019 to 2021, and were 9.9 percent lower in interim 2022 than in interim 2021.[384] Wages paid declined by 8.0 percent from 2019 to 2021, and were 14.3 percent higher in interim 2022 than in interim 2021.[385] Hourly wages increased irregularly from

---

[379] *See* Section IV.B.2 above.

[380] CR/PR at Table III-6.

[381] CR/PR at Table III-6.

[382] CR/PR at Table III-6.

[383] The number of PRWs declined from 1,211 in 2019 to 912 in 2020, then increased to 916 in 2021; it was higher in interim 2022, at 894, than in interim 2021, at 871. CR/PR at Table III-11.

[384] Total hours worked totaled 1.9 million in 2019, 1.7 million in 2020 and 2021, 1.3 million in interim 2021, and 1.2 million in interim 2022. CR/PR at Table III-11.

[385] Wages paid declined from $30.4 million in 2019 to $29.2 million in 2020 and $27.9 million pounds in 2021; they totaled $19.9 million in interim 2021 and $22.8 million in interim 2022. CR/PR at Table III-11.

2019 to 2021, and were higher in interim 2022 than in interim 2021.[386] Productivity increased throughout the POR.[387]

Domestic processors' U.S. shipments increased by 13.0 percent from 2019 to 2021, from 109.2 million pounds in 2019 to 112.9 million in 2020, and 123.4 million pounds in 2021; they were 11.3 percent lower in interim 2022, at 77.7 million pounds, than in interim 2021, at 87.6 million pounds.[388] Domestic processors' share of apparent U.S. consumption declined from 8.9 percent in 2019 to 8.1 percent in 2020, and 6.3 percent in 2021; it was higher in interim 2022, at 4.9 percent, than in interim 2021, at 4.4 percent[389]

Domestic processors' end-of-period inventories increased irregularly by 15.2 percent from 2019 to 2021, declining from 16.1 million pounds in 2019 to 15.2 million pounds in 2020, then increasing to 18.5 million pounds in 2021; they were 30.3 percent higher in interim 2022, at 23.9 million pounds, than in interim 2021, at 18.4 million.[390]

Domestic processors' net sales revenues increased from 2019 to 2021, but were lower in interim 2022 than in interim 2021.[391] Their gross profits,[392] operating income,[393] net

---

[386] Hourly wages increased from $15.78 in 2019 to $17.41 in 2020, then declined to $16.66; they were $14.91 in interim 2021 and $18.92 in interim 2022. CR/PR at Table III-11.

[387] Productivity, in pounds per hour, increased from 55.9 in 2019 to 66.4 in 2020, and 75.8 in 2021; it was 69.6 in interim 2021, and 70.5 in interim 2022. CR/PR at Table III-11.

[388] CR/PR at Table III-9.

[389] CR/PR at Table I-13.

[390] CR/PR at Table III-10.

[391] Domestic processors reported net sales revenues totaling $437.9 million in 2019, $488.3 million in 2020, $546.9 million in 2021, $394.0 million in interim 2021, and $339.8 million in interim 2021. CR/PR at Table III-12.

[392] Gross profits were $40.6 million in 2019, $51.4 million in 2020, $48.2 million in 2021, $37.7 million in interim 2021, and $39.5 million in interim 2022. CR/PR at Table III-12.

[393] Operating income was $3.8 million in 2019, $14.0 million in 2020, and $8.6 million in 2021; it was $11.4 million in interim 2021, and $10.2 million in interim 2022. CR/PR at Table III-12.

income[394] operating income margin,[395] and net income margin[396] increased from 2019 to 2020, then declined in 2021 to levels that remained above those in 2019. Processors' gross profits, operating income margin, and net income margin were higher in interim 2022 than in interim 2021, whereas their operating income and net income were lower in interim 2022 than in interim 2021.[397] Although most measures of the processors' financial performance improved irregularly from 2019 to 2021, processors' operating and net income margins remained weak in 2021, at 1.6 percent and 3.7 percent, respectively.[398] Three firms reported operating losses during the POR.[399] Processors' capital expenditures increased from 2019 to 2021, but were lower in interim 2022 than in interim 2021.[400] One firm reported research and development ("R&D") expenditures during certain periods of the POR.[401] Domestic processors' total net asset increased from 2019 to 2021, whereas their return on assets increased irregularly, increasing from 2019 to 2020, then declining in 2021.[402]

[394] Net income was $5.5 million in 2019, $20.5 million in 2020, $20.2 million in 2021, $12.7 million in interim 2021, and $11.2 million in interim 2022. CR/PR at Table III-12.

[395] Operating income as a ratio to net sales was 0.9 percent in 2019, 2.9 percent in 2020, 1.6 percent in 2021, 2.9 percent in interim 2021, and 3.0 percent in interim 2022. CR/PR at Table III-12.

[396] Net income as a ratio to net sales was 1.3 percent in 2019, 4.2 percent in 2020, 3.7 percent in 2021, 3.2 percent in interim 2021, and 3.3 percent in interim 2022. CR/PR at Table III-12.

[397] CR/PR at Table III-12.

[398] CR/PR at Table III-12.

[399] CR/PR at Table III-14.

[400] Capital expenditures declined from $4.1 million in 2019 to $4.0 million in 2020, then increased to $9.1 million in 2021; they were higher in interim 2022, at $5.0 million, than in interim 2021, at $7.9 million. CR/PR at Table III-18.

[401] *** reported R&D expenditures totaling $2,000 in 2019, $3,00 in 2021, and $2,000 in interim 2022. CR/PR at Table III-20.

[402] Total net assets increased from $192.7 million in 2019 to $196.4 million in 2020, and $235.6 million in 2021. CR/PR at Table III-21.

Domestic processors reported returns on assets averaging 2.0 percent in 2019, 7.1 percent in 2020, and 3.7 percent in 2021. CR/PR at Table III-22.

In light of the domestic processors' loss of market share, resulting in a market share lower in 2021 than in any of the prior proceedings, low rate of capacity utilization despite historically low capacity levels, declining employment, weak financial performance, and declining prices towards the end of the POR,[403] we find that the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the orders.[404]

We find that revocation of the orders would likely lead to a significant volume of subject imports that would likely significantly undersell the domestic like product to gain market share. Given the at least moderate degree of substitutability between the domestic like product and subject imports and the importance of price to purchasers, the likely significant volume of low-priced subject imports would likely capture sales and market share from the domestic industry and/or force domestic producers to lower their prices to defend their sales, thereby depressing or suppressing prices for the domestic like product to a significant degree. Consequently, subject imports would likely have a significant impact on the production, shipments, sales, market share, and revenue of the domestic industry. These declines would likely impact the domestic industry's profitability and employment, and its ability to raise capital and to make and maintain capital investments. Consequently, we conclude that if the orders were revoked,

---

[403] *See* ASPA Posthearing Br., Exh. 4; Tr. At 96 (Antley).

[404] We disagree with respondents' suggestion that there has been no sustained improvement in the domestic industry's performance that would suggest that the orders have had a disciplining effect. *See*, *e.g.*, SEIA Posthearing Br. at 21-23. Although many measures of the domestic industry's performance have declined since imposition of the orders, the industry's operating income and operating income margin were higher, and its ratio of inventories to total shipments lower, in 2021 than in 2003, 2009, or 2015. CR/PR at Table I-3.

cumulated subject imports from China, India, Thailand, and Vietnam would likely have a significant impact on the domestic industry within a reasonably foreseeable time.

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports. Respondents' argue that nonsubject imports would have a greater impact on the domestic industry than subject imports upon revocation.[405] Although nonsubject imports accounted for *** percent of apparent U.S. consumption in 2021, subject imports accounted for a greater, *** percent, share.[406] The record provides no indication that the presence of nonsubject imports would prevent subject imports from entering the U.S. market in significant quantities following revocation of the orders, given the subject producers' substantial excess capacity and export orientation, and the attractiveness of the U.S. market. Indeed, the substantial presence of nonsubject imports during the original investigations did not prevent subject imports from capturing market share from both the domestic industry and nonsubject imports.[407] Given the at least moderate degree of substitutability between the subject imports and the domestic like product and the importance of price in purchasing decisions, among other factors, we find that the significant volume of low-priced subject imports that is likely after revocation would come at least in part at the expense of the domestic industry and/or depress or suppress prices for the domestic like product. For these reasons, we find that any effects of nonsubject imports would be distinct from the likely effects attributable to the subject imports.

---

[405] SEAI Posthearing Br. at 10; Thai Producers Prehearing Br. at 33-34; Vietnamese Producers Posthearing Br. at 6-7.

[406] CR/PR at Table I-13.

[407] CR/PR at Table I-13.

We are also unpersuaded by respondents' argument that the performance of U.S. fishermen and domestic processors would be dictated by biological and ecological limits on shrimping, and adverse weather events rather than by subject imports upon revocation.[408] Even to the extent biological or ecological limits on shrimping or adverse weather events constrain domestic production, the significant volume of subject imports that is likely in the event of revocation would only exacerbate any challenges posed by such limits or events, as subject imports undersell the domestic like product to a significant degree causing lost sales and market share and/or price suppression or depression for the domestic industry. Further, we have found above that the overall domestic supply of shrimp also turns in large part on the incentive for fishermen to harvest shrimp, such that high fuel costs and low dockside prices can also disincentivize fishermen from engaging in shrimping activities.[409] Accordingly, the price depression or suppression by reason of subject imports that we have found likely following revocation would result in lower dockside prices and a reduced supply of domestic wild-caught frozen warmwater shrimp, exacerbating the effects of the 131 percent increase in fuel costs during the POR.[410]

In sum, we find that if the orders were revoked, cumulated subject imports from China, India, Thailand, and Vietnam would likely have a significant impact on the domestic industry within a reasonably foreseeable time.

---

[408] SEAI Prehearing Br. at 21-23; SEAI Posthearing Br. at 9-11, Thai Producers Prehearing Br. at 51-60; Vietnamese Producers Prehearing Br. at 25-27, 35-41; Vietnamese Producers Posthearing Br. at 12-15.

[409] *See* Section IV.B.2 above.

[410] CR/PR at V-1 and Table V-1.

V. Conclusion

For the foregoing reasons, we determine that revocation of the antidumping duty orders on frozen warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

Part I: Introduction

Background

On May 2, 2022, the U.S. International Trade Commission ("Commission" or "USITC") gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended ("the Act"),[1] that it had instituted reviews to determine whether revocation of the antidumping duty orders on frozen warmwater shrimp ("warmwater shrimp") from China, India, Thailand, and Vietnam would likely lead to the continuation or recurrence of material injury to a domestic industry.[2] [3] On August 5, 2022, the Commission determined that it would conduct full reviews pursuant to section 751(c)(5) of the Act.[4] Table I-1 presents information relating to the background and schedule of this proceeding.[5]

---

[1] 19 U.S.C. 1675(c).

[2] 87 FR 25665, May 2, 2022. All interested parties were requested to respond to this notice by submitting the information requested by the Commission.

[3] In accordance with section 751(c) of the Act, the U.S. Department of Commerce ("Commerce") published a notice of initiation of five-year reviews of the subject antidumping duty orders. 87 FR 25617, May 2, 2022.

[4] 87 FR 54260, September 2, 2022. The Commission found that the domestic interested party group response and the respondent interested party group responses from India, Thailand, and Vietnam to its notice of institution were adequate and that the respondent interested party group response from China was inadequate.

[5] The Commission's notice of institution, notice to conduct full reviews, and scheduling notice are referenced in appendix A and may also be found at the Commission's web site (internet address *www.usitc.gov*). Commissioners' votes on whether to conduct expedited or full reviews may also be found at the web site. Appendix B presents the witnesses who appeared at the Commission's hearing.

Table I-1
Warmwater shrimp: Information relating to the background and schedule of this proceeding

Effective date	Action
February 1, 2005	Commerce's antidumping duty orders on warmwater shrimp from Brazil, China, Ecuador, India, Thailand, and Vietnam (70 FR 5143, 5145, 5147, 5149, 5152, and 5156, February 1, 2005)
August 15, 2007	Commerce's revocation of the antidumping duty order on warmwater shrimp from Ecuador (72 FR 48257, August 23, 2007)
April 29, 2011	Commerce's first continuation of the antidumping duty orders on warmwater shrimp from Brazil, China, India, Thailand, and Vietnam (76 FR 23972, April 29, 2011)
April 29, 2016	Commerce's revocation of the antidumping duty order on warmwater shrimp from Brazil (82 FR 25242, June 1, 2017)
June 1, 2017	Commerce's second continuation of the antidumping duty orders on warmwater shrimp from China, India, Thailand, and Vietnam (82 FR 25242, June 1, 2017)
May 2, 2022	Commission's institution of five-year reviews (87 FR 25665, May 2, 2022)
May 2, 2022	Commerce's initiation of five-year reviews (87 FR 25617, May 2, 2022)
August 5, 2022	Commission's determinations to conduct full five-year reviews (87 FR 54260, September 2, 2022)
September 6, 2022	Commerce's final results of expedited five-year reviews of the antidumping duty orders (87 FR 54453, September 6, 2022)
November 14, 2022	Commission's scheduling of the reviews (87 FR 69338, November 18, 2022)
April 11, 2023	Commission's hearing
June 1, 2023	Commission's vote
June 20, 2023	Commission's determinations and views

The original investigations

The original investigations resulted from petitions filed on December 31, 2003, with Commerce and the Commission by Ad Hoc Shrimp Trade Action Committee ("AHSTAC"), Washington, DC.[6] On December 8, 2004, Commerce determined that imports of warmwater shrimp from China and Vietnam were being sold at less than fair value ("LTFV").[7] On December 23, 2004, Commerce determined that imports of warmwater shrimp from Brazil, Ecuador, India, and Thailand were being sold at less than fair value.[8] The Commission determined on January 21, 2005, that the domestic industry was materially injured by reason of LTFV imports from Brazil, China, Ecuador, India, Thailand, and Vietnam of certain non-canned warmwater shrimp

[6] Certain Frozen or Canned Warmwater Shrimp and Prawns from Brazil, China, Ecuador, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063-1068 (Final), USITC Publication 3748, January 2005 ("Original publication"), p. I-1.
[7] 69 FR 70997 and 71005, December 8, 2004.
[8] 69 FR 76910, 76913, 76916, and 76918, December 23, 2004.

and prawns.[9] On February 1, 2005, Commerce issued its antidumping duty orders on warmwater shrimp from Brazil, China, Ecuador, India, Thailand, and Vietnam.[10] On May 21, 2007, Commerce initiated a proceeding under section 129 of the Uruguay Round Agreements Act ("URAA") to issue a determination to implement the findings of a World Trade Organization ("WTO") dispute settlement report.[11] Effective August 15, 2007, Commerce revoked in its entirety the antidumping duty order with respect to imports of warmwater shrimp from Ecuador.[12]

The first five-year reviews

On April 9, 2010, the Commission determined that it would conduct full reviews of the antidumping duty orders on warmwater shrimp from Brazil, China, India, Thailand, and Vietnam.[13] On May 10, 2010, Commerce determined that revocation of the antidumping duty orders on warmwater shrimp from Brazil, China, India, and Thailand would be likely to lead to continuation or recurrence of dumping.[14] On December 7, 2010, Commerce determined that revocation of the antidumping duty order on warmwater shrimp from Vietnam would be likely to lead to continuation or recurrence of dumping.[15] On March 30, 2011, the Commission determined that material injury would be likely to continue or recur within a reasonably

---

[9] The Commission further determined that the domestic industry was neither materially injured nor threatened by reason of LTFV imports from China, Thailand, and Vietnam of canned warmwater shrimp and prawns. The Commission also determined that LTFV imports from Brazil, Ecuador, and India of canned warmwater shrimp and prawns were negligible. 70 FR 3943, January 27, 2005.

On January 6, 2005, when the Commission conducted its vote in the original investigations, it stated that it was concerned about the possible impact of the December 26, 2004, tsunami on the shrimp industries of India and Thailand that occurred prior to the closing of the record in those investigations. On February 8, 2005, the Commission published a notice inviting comments from the public on whether changed circumstances existed sufficient to warrant instituting changed circumstances reviews of its final determinations regarding subject imports from India and Thailand. The Commission determined that good cause existed to institute such reviews. Based on the record in the changed circumstances reviews, the Commission determined that revoking the antidumping duty orders on certain frozen warmwater shrimp and prawns from India and Thailand was likely to lead to continuation or recurrence of material injury to the domestic industry within the reasonably foreseeable future. Certain Frozen Warmwater Shrimp and Prawns from India and Thailand, Inv. Nos. 751-TA-28-29 (Changed Circumstances Reviews), USITC Publication 3813, November 2005, pp. 1 and 3.

[10] 70 FR 5143, 5145, 5147, 5149, 5152, and 5156, February 1, 2005.

[11] 72 FR 48257, August 23, 2007.

[12] Ibid.

[13] 75 FR 22424, April 28, 2010.

[14] 75 FR 27299, May 14, 2010.

[15] 75 FR 75965, December 7, 2010.

foreseeable time.[16] Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective April 29, 2011, Commerce issued a notice of continuation of the antidumping duty orders on imports of warmwater shrimp from Brazil, China, India, Thailand, and Vietnam.[17]

The second five-year reviews

On June 6, 2016, the Commission determined that it would conduct full reviews of the antidumping duty orders on warmwater shrimp from Brazil, China, India, Thailand, and Vietnam.[18] On June 28, 2016, Commerce determined that revocation of the antidumping duty orders on warmwater shrimp from Brazil, China, India, and Thailand would be likely to lead to continuation or recurrence of dumping.[19] On January 30, 2017, Commerce determined that revocation of the antidumping duty order on warmwater shrimp from Vietnam would be likely to lead to continuation or recurrence of dumping.[20] On May 25, 2017, the Commission determined that revocation of the antidumping duty orders on warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[21] The Commission further determined that revocation of the antidumping duty order on warmwater shrimp from Brazil would not be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[22] Following the determinations in the five-year reviews by Commerce and the Commission, Commerce issued a notice of continuation of the antidumping duty orders on imports of warmwater shrimp from China, India, Thailand, and Vietnam (effective June 1, 2017), as well as a notice of revocation of the antidumping duty order on imports of warmwater shrimp from Brazil (effective April 29, 2016).[23]

---

[16] 76 FR 18782, April 5, 2011.
[17] 76 FR 23972, April 29, 2011.
[18] 81 FR 39711, June 17, 2016.
[19] 81 FR 44275, July 7, 2016.
[20] 82 FR 8724, January 30, 2017.
[21] 82 FR 24144, May 25, 2017.
[22] Ibid.
[23] 82 FR 25242, June 1, 2017.

Previous and related investigations

The Commission has conducted previous import relief investigations on warmwater shrimp. Table I-2 presents information on previous and related investigations.

Table I-2
Warmwater shrimp: Previous and related Commission proceedings and status of orders

Date	Number	Country	Determination	Current Status of Order
2012	701-TA-491	China	Negative (Commission)	---
2012	701-TA-492	Ecuador	Negative (Commission)	---
2012	701-TA-493	India	Negative (Commission)	---
2012	701-TA-494	Indonesia	Negative (Commerce)	---
2012	701-TA-495	Malaysia	Negative (Commission)	---
2012	701-TA-496	Thailand	Negative (Commerce)	---
2012	701-TA-497	Vietnam	Negative (Commission)	---

Source: U.S. International Trade Commission publications and Federal Register notices.

Note: “Date” refers to the year in which the investigation was instituted by the Commission.

Summary data

Table I-3 presents a summary of data from the original investigations, prior reviews, and the current full five-year reviews.[24] As previously discussed, Commerce revoked the antidumping duty orders with respect to Ecuador (effective August 15, 2007) and Brazil (effective April 29, 2016). Moreover, as discussed in greater detail in the section titled “Company revocations,” Commerce has revoked the antidumping duty orders with respect to certain producers/exporters in China, India, Thailand, and Vietnam. Apparent U.S. consumption was 49.8 percent higher in 2021 than in 2015 by quantity and 41.6 percent higher by value. Both U.S. processors’ market share and nonsubject import market share based on quantity was lower in 2021 than in 2015, while subject import market share was higher. U.S. processors’ capacity and production were lower in 2021 than in 2015; however, capacity utilization was markedly higher. Except for productivity and hourly wages, U.S. processors’ employment indicators were lower in 2021 than in 2015.

[24] For a detailed discussion of data coverage in each proceeding, see “U.S. producers” and “U.S. importers” sections.

Table I-3
Warmwater shrimp: Comparative data from the original investigations and subsequent reviews to-date, by terminal year

Quantity in 1,000 pounds; value in 1,000 dollars; shares in percent

Item	Measure	2003	2009	2015	2021
Apparent consumption	Quantity	1,205,729	1,259,986	1,293,595	1,938,094
U.S. processors market share	Share of quantity	11.9	11.9	9.7	6.3
Brazil market share, subject	Share of quantity	4.0	0.0	---	NA
China market share, subject	Share of quantity	***	***	***	***
Ecuador market share, subject	Share of quantity	6.1	NA	NA	NA
India market share, subject	Share of quantity	8.2	***	***	***
Thailand market share, subject	Share of quantity	23.1	***	***	***
Vietnam market share, subject	Share of quantity	10.3	7.0	***	***
Subject market share	Share of quantity	***	***	***	***
China market share, nonsubject	Share of quantity	***	***	***	***
India market share, nonsubject	Share of quantity	NA	***	***	***
Thailand market share, nonsubject	Share of quantity	NA	***	***	***
Vietnam market share, nonsubject	Share of quantity	NA	NA	***	***
Nonsubject market share	Share of quantity	***	***	***	***
Import market share	Share of quantity	88.1	88.1	90.3	93.7
Apparent consumption	Value	4,410,398	4,239,648	5,902,995	8,357,483
U.S. processors market share	Share of value	15.3	14.0	12.3	6.5
Brazil market share, subject	Share of value	2.3	0.0	---	NA
China market share, subject	Share of value	***	***	***	***
Ecuador market share, subject	Share of value	4.9	NA	NA	NA
India market share, subject	Share of value	9.3	***	***	***
Thailand market share, subject	Share of value	22.5	***	***	***
Vietnam market share, subject	Share of value	13.7	9.0	***	***
Subject market share	Share of value	***	***	***	***
China market share, nonsubject	Share of value	***	***	***	***
India market share, nonsubject	Share of value	NA	***	***	***
Thailand market share, nonsubject	Share of value	NA	***	***	***
Vietnam market share, nonsubject	Share of value	NA	NA	***	***
Nonsubject market share	Share of value	***	***	***	***
Import market share	Share of value	84.7	86.0	87.7	93.5

Table continued.

Table I-3 Continued
Warmwater shrimp: Comparative data from the original investigations and subsequent reviews to-date, by terminal year

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound

Item	Measure	2003	2009	2015	2021
Brazil, subject	Quantity	48,023	37	---	NA
Brazil, subject	Value	103,100	86	---	NA
Brazil, subject	Unit value	$2.15	$2.32	---	NA
China, subject	Quantity	***	***	***	***
China, subject	Value	***	***	***	***
China, subject	Unit value	***	***	***	***
Ecuador, subject	Quantity	73,112	NA	NA	NA
Ecuador, subject	Value	214,873	NA	NA	NA
Ecuador, subject	Unit value	$2.94	NA	NA	NA
India, subject	Quantity	99,140	***	***	***
India, subject	Value	412,027	***	***	***
India, subject	Unit value	$4.16	***	***	***
Thailand, subject	Quantity	278,632	***	***	***
Thailand, subject	Value	991,425	***	***	***
Thailand, subject	Unit value	$3.56	***	***	***
Vietnam, subject	Quantity	124,152	88,489	***	***
Vietnam, subject	Value	602,235	379,595	***	***
Vietnam, subject	Unit value	$4.85	$4.29	***	***
Subject sources	Quantity	***	***	***	***
Subject sources	Value	***	***	***	***
Subject sources	Unit value	***	***	***	***

Table continued.

Table I-3 Continued
Warmwater shrimp: Comparative data from the original investigations and subsequent reviews to-date, by terminal year

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound

Item	Measure	2003	2009	2015	2021
China, nonsubject	Quantity	***	***	***	***
China, nonsubject	Value	***	***	***	***
China, nonsubject	Unit value	***	***	***	***
India, nonsubject	Quantity	NA	***	***	***
India, nonsubject	Value	NA	***	***	***
India, nonsubject	Unit value	NA	***	***	***
Thailand, nonsubject	Quantity	NA	***	***	***
Thailand, nonsubject	Value	NA	***	***	***
Thailand, nonsubject	Unit value	NA	***	***	***
Vietnam, nonsubject	Quantity	NA	NA	***	***
Vietnam, nonsubject	Value	NA	NA	***	***
Vietnam, nonsubject	Unit value	NA	NA	***	***
All other sources	Quantity	270,163	401,163	600,388	849,081
All other sources	Value	976,375	1,295,902	2,510,377	3,467,246
All other sources	Unit value	$3.61	$3.23	$4.18	$4.08
Nonsubject sources	Quantity	***	***	***	***
Nonsubject sources	Value	***	***	***	***
Nonsubject sources	Unit value	***	***	***	***
All import sources	Quantity	1,062,282	1,110,013	1,168,585	1,815,253
All import sources	Value	3,737,315	3,646,368	5,178,162	7,811,954
All import sources	Unit value	$3.52	$3.28	$4.43	$4.30

Table continued.

Table I-3 Continued
Warmwater shrimp: Comparative data from the original investigations and subsequent reviews to-date, by terminal year

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; ratios in percent

Item	Measure	2003	2009	2015	2021
Processors' U.S. shipments (based on NMFS data):	Quantity	143,447	149,973	125,011	122,841
Processors' U.S. shipments (based on NMFS data):	Value	673,063	593,281	724,833	545,529
Processors' U.S. shipments (based on NMFS data):	Unit value	$4.69	$3.96	$5.80	$4.44
Capacity	Quantity	***	***	404,655	220,040
Production	Quantity	***	***	144,547	127,099
Capacity utilization	Ratio	***	***	35.7	57.8
Processor U.S. shipments	Quantity	***	***	146,159	123,412
Processor U.S. shipments	Value	***	***	587,497	548,065
Processor U.S. shipments	Unit value	***	***	$4.02	$4.44
Processor inventories	Quantity	***	***	27,886	18,496
Processor inventory ratio to total shipments	Ratio	***	***	***	15.0

Table continued.

Table I-3 Continued
Warmwater shrimp: Comparative data from the original investigations and subsequent reviews to-date, by terminal year

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; ratios in percent

Item	Measure	2003	2009	2015	2021
Production workers (number)	Noted in label	***	***	1,308	916
Hours worked (in 1,000 hours)	Noted in label	***	***	2,315	1,677
Wages paid (1,000 dollars)	Value	***	***	32,210	27,946
Hourly wages (dollars per hour)	Value	***	***	$13.91	$16.66
Productivity (pounds per hour)	Noted in label	***	***	62.4	75.8
Net sales	Quantity	***	***	145,786	124,802
Net sales	Value	***	***	591,210	546,888
Net sales	Unit value	***	***	$4.06	$4.38
Cost of goods sold	Value	***	***	529,920	498,698
Gross profit or (loss)	Value	***	***	61,290	48,190
SG&A expense	Value	***	***	57,227	39,589
Operating income or (loss)	Value	***	***	4,063	8,601
Unit COGS	Unit value	***	***	$3.63	$4.00
Unit operating income	Unit value	***	***	$0.03	$0.07
COGS/sales	Ratio	***	***	89.6	91.2
Operating income or (loss)/sales	Ratio	***	***	0.7	1.6

Source: For 2003, 2009, and 2015, data are compiled from confidential staff reports from the original investigations (memorandum INV-BB-156), first five-year reviews (memorandum INV-JJ-016), and second five-year reviews (memorandum INV-PP-050), respectively. For 2021, data are compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; official U.S. exports statistics of the U.S. Department of Commerce using HS subheadings 0306.17, 1605.21, and 1605.29, accessed March 6, 2023; data submitted in response to Commission questionnaires; the National Marine Fisheries Services' commercial landings database; Howell, "A Quick Introduction to Indoor Shrimp Farming," The Fish Site, December 26, 2022; Texas Aquaculture Alliance, "2018 Texas Shrimp Farm Production," accessed March 3, 2023; and Gulf American Shrimp LLC, "Our Story," accessed March 3, 2023.

Note: For 2021, imports are based on official import statistics, adjusted with questionnaire data to reclassify certain imports from China, India, Thailand, and Vietnam that are no longer subject to the orders.

Note: In the original investigations and prior reviews, the value of U.S. shipments was constructed using an average of Urner Barry price series for 6 intermediate sizes of brown and white shrimp. In the current reviews, Commission staff do not have access to these data. Accordingly, the value of U.S. shipments for the current reviews is constructed using the average unit values of U.S. shipments as reported in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure I-1
Warmwater shrimp: Apparent U.S. consumption based on quantity, by period and source

* * * * * * *

Source: Compiled from confidential staff reports from the original investigations for 2003 (memorandum INV-BB-156), first five-year reviews for 2009 (memorandum INV-JJ-016), and second five-year reviews for 2015 (memorandum INV-PP-050); official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; official U.S. exports statistics of the U.S. Department of Commerce using HS subheadings 0306.17, 1605.21, and 1605.29, accessed March 6, 2023; data submitted in response to Commission questionnaires; wild catch landings data using the National Marine Fisheries Services' commercial landings database; and farmed production data estimated using the following sources: Howell, "A Quick Introduction to Indoor Shrimp Farming," The Fish Site, December 26, 2022; Texas Aquaculture Alliance, "2018 Texas Shrimp Farm Production," accessed March 3, 2023; and Gulf American Shrimp LLC, "Our Story," accessed March 3, 2023.

Statutory criteria

Section 751(c) of the Act requires Commerce and the Commission to conduct a review no later than five years after the issuance of an antidumping or countervailing duty order or the suspension of an investigation to determine whether revocation of the order or termination of the suspended investigation "would be likely to lead to continuation or recurrence of dumping or a countervailable subsidy (as the case may be) and of material injury."

Section 752(a) of the Act provides that in making its determination of likelihood of continuation or recurrence of material injury--

> *(1) IN GENERAL.-- . . . the Commission shall determine whether revocation of an order, or termination of a suspended investigation, would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. The Commission shall consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the order is revoked or the suspended investigation is terminated. The Commission shall take into account--*
>
> *(A) its prior injury determinations, including the volume, price effect, and impact of imports of the subject merchandise on the industry before the order was issued or the suspension agreement was accepted,*
>
> *(B) whether any improvement in the state of the industry is related to the order or the suspension agreement,*
>
> *(C) whether the industry is vulnerable to material injury if the order is revoked or the suspension agreement is terminated, and*
>
> *(D) in an antidumping proceeding . . ., (Commerce's findings) regarding duty absorption . . ..*
>
> *(2) VOLUME.--In evaluating the likely volume of imports of the subject merchandise if the order is revoked or the suspended investigation is terminated, the Commission shall consider whether the likely volume of imports of the subject merchandise would be significant if the order is revoked or the suspended investigation is terminated, either in absolute terms or relative to production or consumption in the United States. In so doing, the Commission shall consider all relevant economic factors, including--*
>
> *(A) any likely increase in production capacity or existing unused production capacity in the exporting country,*

(B) existing inventories of the subject merchandise, or likely increases in inventories,

(C) the existence of barriers to the importation of such merchandise into countries other than the United States, and

(D) the potential for product-shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products.

(3) PRICE.--In evaluating the likely price effects of imports of the subject merchandise if the order is revoked or the suspended investigation is terminated, the Commission shall consider whether--

(A) there is likely to be significant price underselling by imports of the subject merchandise as compared to domestic like products, and

(B) imports of the subject merchandise are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of domestic like products.

(4) IMPACT ON THE INDUSTRY.--In evaluating the likely impact of imports of the subject merchandise on the industry if the order is revoked or the suspended investigation is terminated, the Commission shall consider all relevant economic factors which are likely to have a bearing on the state of the industry in the United States, including, but not limited to–

(A) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity,

(B) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment, and

(C) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.

The Commission shall evaluate all such relevant economic factors . . . within the context of the business cycle and the conditions of competition that are distinctive to the affected industry.

Section 752(a)(6) of the Act states further that in making its determination, “the Commission may consider the magnitude of the margin of dumping or the magnitude of the net countervailable subsidy. If a countervailable subsidy is involved, the Commission shall consider information regarding the nature of the countervailable subsidy and whether the subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement."

Organization of report

Information obtained during the course of the reviews that relates to the statutory criteria is presented throughout this report. A summary of trade and financial data for warmwater shrimp as collected in the reviews is presented in appendix C. U.S. industry data are based on the questionnaire responses of nineteen U.S. processors of warmwater shrimp that are believed to have accounted for approximately 55.0 percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight, and 87.5 percent of U.S. production of warmwater shrimp based on headless, shell-on weight during 2021. U.S. import data and related information are based on Commerce's official import statistics and the questionnaire responses of 46 U.S. importers of warmwater shrimp that are believed to have accounted for approximately *** percent of subject U.S. imports during 2021.[25] Foreign industry data and related information are based on the questionnaire responses of 51 producers of warmwater shrimp. Twenty-three producers in India accounted for approximately 39.9 percent of total production in 2021, 19 producers in Thailand accounted for virtually all total production, and 9 producers in Vietnam accounted for approximately 48.8 percent of total production. No producers in China submitted a response to the Commission's questionnaire. Responses by U.S. producers, importers, purchasers, and foreign producers of warmwater shrimp to a series of questions concerning the significance of the existing antidumping and countervailing duty orders and the likely effects of revocation of such orders are presented in appendix D. Data for U.S. farmers/fishermen, based on the questionnaire responses of 329 U.S. farmers/fishermen, are presented in appendix E.

[25] Import data in this report are based on official import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Due to less than complete questionnaire coverage, subject imports are likely overstated.

For companies that are no longer subject to the orders, see section titled "Company revocations" in Part I of this report.

Commerce's reviews[26]

Administrative reviews[27]

Since the last five-year reviews, Commerce has completed three administrative reviews of the order with respect to China, six administrative reviews of the order with respect to India, two administrative reviews of the order with respect to Thailand, and four administrative reviews of the order with respect to Vietnam. The results of the administrative reviews are shown in tables I-4 through I-7.[28]

Table I-4
Warmwater shrimp: Administrative reviews of the antidumping duty order for China

Date results published	Period of review	Number of producers/exporters covered	Margin (percent)
85 FR 83891, December 23, 2020	February 1, 2018 through January 31, 2019	1	58.96 percent
86 FR 31278, June 11, 2021	February 1, 2019 through January 31, 2020	125	112.81 percent
88 FR 11893, February 24, 2023	February 1, 2021 through January 31, 2022	134	112.81 percent

Source: Cited Federal Register notices.

[26] Commerce has not conducted any new shipper reviews since the completion of the last five-year reviews. In addition, Commerce has not issued any anti-circumvention findings since the imposition of the orders.

[27] Commerce has issued two duty absorption findings with respect to warmwater shrimp from Thailand. 73 FR 50933, August 29, 2008; 75 FR 12188, March 15, 2010; and 75 FR 54847, September 9, 2010. There have been no affirmative duty absorption findings concerning warmwater shrimp from China, India, or Vietnam.

[28] For previously reviewed or investigated companies not included in an administrative review, the cash deposit rate continues to be the company-specific rate published for the most recent period.

Table I-5
Warmwater shrimp: Administrative reviews of the antidumping duty order for India

Date results published	Period of review	Number of producers/exporters covered	Margin (percent)
82 FR 43517, September 18, 2017	February 1, 2015 through January 31, 2016	231	0.00 to 0.84 percent
83 FR 32835, July 16, 2018	February 1, 2016 through January 31, 2017	231	0.00 to 1.35 percent
84 FR 57847, October 29, 2019	February 1, 2017 through January 31, 2018	6	1.87 to 110.90 percent
85 FR 855585, December 29, 2020	February 1, 2018 through January 31, 2019	183	3.06 percent
86 FR 67440, November 26, 2021	February 1, 2019 through January 31, 2020	154	4.73 to 10.39 percent
87 FR 40503, July 7, 2022	February 1, 2020 through January 31, 2021	163	0.00 to 3.01 percent

Source: Cited Federal Register notices.

Table I-6
Frozen warmwater shrimp: Administrative reviews of the antidumping duty order for Thailand

Date results published	Period of review	Number of producers/exporters covered	Margin (percent)
82 FR 30836, July 3, 2017	February 1, 2015 through January 31, 2016	160	0.51 to 1.23 percent
87 FR 69, January 3, 2022	February 1, 2019 through January 31, 2020	1	0.57 percent

Source: Cited Federal Register notices.

Table I-7
Frozen warmwater shrimp: Administrative reviews of the antidumping duty order for Vietnam

Date results published	Period of review	Number of producers/exporters covered	Margin (percent)
82 FR 11431, February 23, 2017	February 1, 2015 through January 31, 2016	12	4.78 to 25.76 percent
83 FR 46704, September 14, 2018	February 1, 2016 through February 31, 2017	63	4.58 to 25.76 percent
84 FR 44859, August 27, 2019	February 1, 2017 through January 31, 2018	67	0.00 to 25.76 percent
84 FR 64457, November 22, 2019	February 1, 2018 through January 31, 2019	73	25.76 percent

Source: Cited Federal Register notices.

Changed circumstances reviews

Since the last five-year reviews, Commerce has conducted eight changed circumstances reviews with respect to warmwater shrimp from China, India, Thailand, and Vietnam.

With respect to India, Commerce determined that Avanti Frozen Foods Private Limited is the successor-in-interest to Avanti Feeds Limited,[29] that Coastal Aqua Private Limited is the successor-in-interest to Coastal Aqua,[30] that Sunrise Seafoods India Private Limited is the successor-in-interest to Sunrise Aqua Food Exports,[31] that Hyson Exports Private Limited is the successor-in-interest to Hyson Logistics and Marine Exports Private Limited,[32] that LNSK Greenhouse Agro Products LLP is the successor-in-interest to Green House Agro Products,[33] and that Kader Exports Private Limited is the successor-in-interest to the Liberty Group.[34]

With respect to Thailand, Commerce determined that Thai Union Group is the successor-in-interest to Thai Union Frozen.[35]

With respect to Vietnam, Commerce determined that Camimex Group Joint Stock Company is the successor-in-interest to Camau Frozen Seafood Processing Import Export Corporation.[36]

Scope rulings

On March 14, 2019, in response to a request by ACC Food LLC, Commerce issued a final scope ruling that ACC Food LLC's Chinese-style prepackaged shrimp dumplings and shrimp Chinese chive dumplings are not covered by the scope under the exclusion for prepared meals.[37]

Company revocations

Commerce has revoked the orders with respect to certain producers/exporters in China, India, Thailand, and Vietnam, as discussed below.

---

[29] 81 FR 90774, December 15, 2016.
[30] 83 FR 49909, October 3, 2018.
[31] 84 FR 51114, September 27, 2019
[32] 85 FR 70584, November 5, 2020.
[33] 86 FR 16184, March 26, 2021.
[34] 87 FR 78941, December 23, 2022.
[35] 81 FR 222, January 5, 2016.
[36] 86 FR 47617, August 26, 2021.
[37] 84 FR 9295, March 14, 2019.

China

Zhanjiang Guolian Aquatic Products Co., Ltd. received a *de minimis* margin (0.07 percent) from Commerce and was thus excluded from the original antidumping duty order on imports from China.[38]

On March 4, 2013, in response to a challenge by the Government of China before the WTO, Commerce issued a determination under section 129 of the URAA regarding the offsetting of dumped comparisons with non-dumped comparisons when making average-to-average comparisons of export price and normal value in connection with its investigations of shrimp and sawblades from China. The U.S. Trade Representative ("USTR") subsequently instructed Commerce to implement its determination. Based on recalculated margins that were zero, effective March 22, 2013, Commerce revoked the antidumping duty order with respect to Allied Pacific Group; Yelin Enterprise Co. Hong Kong; and Shantou Red Garden Foodstuff Co., Ltd.[39]

Following an administrative review, effective February 1, 2012, Commerce revoked the antidumping duty order with respect to Zhanjiang Regal Integrated Marine Resources Co., Ltd.[40]

Following an administrative review, effective December 23, 2020, Commerce found that Shantou Red Garden Food Processing Co., Ltd. is not the successor in interest to Red Garden Food Processing Co., Ltd. Moreover, Commerce determined that Shantou Red Garden Food Processing Co., Ltd. and Shantou Red Garden Foodstuff Co., Ltd. made sales of warmwater

---

[38] 70 FR 5149, February 1, 2005.

[39] 78 FR 18958, March 28, 2013. These revocations are specific to the following producer/exporter combinations:

(1) Revocation for Allied Pacific Group is specific to merchandise manufactured by: Allied Pacific Aquatic Products (Zhanjiang) Co., Ltd., or Allied Pacific Aquatic Products (Zhongshan) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd., and exported by Allied Pacific (HK) Co., Ltd., or Allied Pacific Food (Dalian) Co., Ltd.

(2) Revocation for Shantou Red Garden Foodstuff Co., Ltd. is specific to merchandise manufactured by: Red Garden Food Processing Co., Ltd., or Chaoyang Jindu Hengchang Aquatic Products Enterprise Co., Ltd., or Raoping County Longfa Seafoods Co., Ltd., or Meizhou Aquatic Products Quick-Frozen Industry Co., Ltd., or Shantou Jinyuan District Mingfeng Quick-Frozen Factory, or Shantou Long Feng Foodstuffs Co., Ltd., and exported by Shantou Red Garden Foodstuff Co., Ltd. or Red Garden Food Processing Co., Ltd.

(3) Revocation for Yelin Enterprise Co. Hong Kong is specific to merchandise manufactured by: Shantou Yelin Frozen Seafood Co., Ltd., or Yangjiang City Yelin Hoi Tat Quick Frozen Seafood Co., Ltd., or Fuqing Yihua Aquatic Food Co., Ltd., or Shantou Jinyuan District Mingfeng Quick-Frozen Factory and exported by Yelin Enterprise Co. Hong Kong or Shantou Yelin Frozen Seafood Co., Ltd.

[40] 78 FR 56209, September 12, 2013.

shrimp from China at less than normal value during the period of February 1, 2018 through January 31, 2019 and calculated a 58.96 percent weighted-average dumping margin for these firms.[41] Accordingly, Shantou Red Garden Food Processing Co., Ltd. and Shantou Red Garden Foodstuff Co., Ltd. are no longer excluded from the antidumping duty order.

India

Following an administrative review, effective February 1, 2009, Commerce revoked the antidumping duty order with respect to Devi Sea Foods Limited.[42]

Thailand

On January 12, 2009, Commerce issued a determination under section 129 of the URAA regarding the offsetting of dumped sales with non-dumped sales when making average-to-average comparisons of export price and normal value in connection with its investigation of shrimp from Thailand. The USTR subsequently instructed Commerce to implement its determination. Based on recalculated margins that were *de minimis*, effective January 16, 2009, Commerce revoked the antidumping duty order with respect to the Rubicon Group and Thai I-Mei Frozen Foods Co., Ltd.[43]

Following an administrative review, effective February 1, 2012, Commerce revoked the antidumping duty order with respect to Marine Gold Products Limited.[44]

Vietnam

On July 18, 2016, Commerce issued a determination under section 129 of the URAA in connection with dumping margins calculated for the Minh Phu Group following its fourth administrative review of the antidumping duty order on warmwater shrimp from Vietnam. The USTR subsequently instructed Commerce to implement its determination. Based on

[41] 85 FR 83891, December 23, 2020.

[42] 75 FR 41813, July 19, 2010.

[43] 74 FR 5638, January 30, 2009. The revocation with respect to the Rubicon Group is specific to merchandise manufactured and exported by one or more members of the Rubicon Group. The Rubicon Group includes Andaman Seafood Co., Ltd.; Chanthaburi Frozen Food Co., Ltd.; Chanthaburi Seafoods Co., Ltd.; Intersia Foods Co., Ltd.; Phatthana Seafood Co., Ltd.; S.C.C. Frozen Seafood Co., Ltd.; Thailand Fishery Cold Storage Public Co., Ltd.; Thai International Seafoods Co., Ltd.; and Wales & Co. Universe Limited.

[44] 78 FR 42497, July 16, 2013.

recalculated margins that were zero, effective July 18, 2016, Commerce revoked the antidumping duty order with respect to the Minh Phu Group.[45]

Five-year reviews

In the original investigations, Commerce issued antidumping duty orders with the final weighted-average dumping margins ranging from 0.07 to 112.81 percent for China, 4.94 to 15.36 percent for India, 5.29 to 6.82 percent for Thailand, and 4.30 to 25.76 percent for Vietnam.[46] In the first five-year reviews, Commerce determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at weighted-average dumping margins ranging from 27.89 to 112.81 percent for China, 4.94 to 15.36 percent for India, 5.34 percent for Thailand, and 4.30 to 25.76 percent for Vietnam.[47] In both its second and third five-year reviews, Commerce determined that revocation of the antidumping duty orders would be likely to lead to continuation or recurrence of dumping at weighted-average dumping margins of up to 112.81 percent for China, up to 110.90 percent for India, up to 5.34 percent for Thailand, and up to 25.76 percent for Vietnam.[48]

Table I-8 presents the countrywide dumping margins calculated by Commerce in its original investigations and subsequent five-year reviews.

[45] 81 FR 47756, July 22, 2016. The revocation with respect to the Minh Phu Group is specific to merchandise manufactured and exported by one or more members of the Minh Phu Group. The Minh Phu Group includes Minh Phu Seafood Export Import Corporation (and affiliates Minh Qui Seafood Co., Ltd. and Minh Phat Seafood Co., Ltd.); Minh Phu Seafood Corp.; Minh Phu Seafood Corporation; Minh Phu Seafood Pte; Minh Qui Seafood; Minh Qui Seafood Co., Ltd.; Minh Qui; Minh Phat Seafood Co., Ltd.; Minh Phat; Minh Phat Seafood; Minh Phat Seafood Corp.; Minh Phu Hau Giang Seafood Joint Stock Company; Minh Phu Hau Giang Seafood Co., Ltd.; Minh Phu Hau Giang Seafood Corp.; and Minh Phu Hau Giang Seafood Processing Co., Ltd.

[46] 70 FR 5145, 5147, 5149, and 5152, February 1, 2005.

[47] 75 FR 27299, May 14, 2010; and 75 FR 75965, December 7, 2010.

[48] 81 FR 44275, July 7, 2016; 82 FR 8724, January 30, 2017; and 87 FR 54453, September 6, 2022.

Table I-8
Warmwater shrimp: Commerce's original and subsequent five-year review countrywide dumping margins, by country

Country	Original margins (*percent*)	First five-year review margins (*percent*)	Second five-year review margins (*percent*)	Third five-year review margins (*percent*)
China	112.81	112.81	Up to 112.81	Up to 112.81
India	10.17	10.17	Up to 110.90	Up to 110.90
Thailand	5.95	5.34	Up to 5.34	Up to 5.34
Vietnam	25.76	25.76	Up to 25.76	Up to 25.76

Source: 70 FR 5145, 5147, 5149, and 5152, February 1, 2005; 75 FR 27299, May 14, 2010; 75 FR 75965, December 7, 2010; 81 FR 44275, July 7, 2016; 82 FR 8724, January 30, 2017; and 87 FR 54453, September 6, 2022.

Note: In its expedited second and third five-year reviews, Commerce determined that revocation of the antidumping duty orders on warmwater shrimp from China, India, Thailand, and Vietnam would be likely to lead to continuation or recurrence of dumping at weighted-average margins of up to 112.81 percent for China, up to 110.90 percent for India, up to 5.34 percent for Thailand, and up to 25.76 percent for Vietnam. Commerce did not present weighted-average dumping margins for individual companies or countrywide dumping margins.

The subject merchandise

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:

> *The products covered by the orders include certain frozen warmwater shrimp and prawns, whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,*[49] *deveined or not deveined, cooked or raw, or otherwise processed in frozen form.*
>
> *The frozen warmwater shrimp and prawn products included in the orders, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.*
>
> *The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (Penaeus vannemei), banana prawn (Penaeus merguiensis), fleshy prawn (Penaeus chinensis), giant river prawn (Macrobrachium rosenbergii), giant tiger prawn (Penaeus*

[49] "Tails" in this context means the tail fan, which includes the telson and the uropods.

monodon), redspotted shrimp (Penaeus brasiliensis), southern brown shrimp (Penaeus subtilis), southern pink shrimp (Penaeus notialis), southern rough shrimp (Trachypenaeus curvirostris), southern white shrimp (Penaeus schmitti), blue shrimp (Penaeus stylirostris), western white shrimp (Penaeus occidentalis), and Indian white prawn (Penaeus indicus).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope of the Orders. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope of the orders.

Excluded from the orders are: (1) breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.23.00.20 and 0306.23.00.40); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) Lee Kum Kee's shrimp sauce;[50] (7) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); and (8) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.[51]

---

[50] The specific exclusion for Lee Kum Kee's shrimp sauce applies only to the scope of the China order.

[51] 87 FR 54453, September 6, 2022. On February 1, 2005, Commerce excluded canned warmwater shrimp and prawns from the scope of the orders pertaining to India, China, Thailand, and Vietnam to reflect the Commission's determinations that a domestic industry in the United States was not materially injured or threatened with material injury by reason of imports of canned warmwater shrimp and prawns from India, China, Thailand, or Vietnam. On January 23, 2007, Commerce issued amended orders clarifying that only frozen warmwater shrimp and prawns are subject to the orders. On July 1, 2009, Commerce filed the Final Results of Redetermination Pursuant to Court Remand with the Court of International Trade in which Commerce determined that "dusted" shrimp is included within the scope of the investigations.

Tariff treatment

Warmwater shrimp is classifiable in the Harmonized Tariff Schedule of the United States ("HTS") under subheadings 0306.17.00 (frozen warmwater shrimps and prawns, whether or not farmed, whether or not in shell), 1605.21.10 (prepared or preserved shrimps and prawns, not in airtight containers), and 1605.29.10 (other prepared or preserved shrimps and prawns). Such shrimp are currently imported under the following HTS statistical reporting numbers: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. Warmwater shrimp imported from the subject countries enter the U.S. market at a column 1-general duty rate of "free" under all three HTS subheadings. As of September 24, 2018, warmwater shrimp originating in China were subject to an additional 10 percent ad valorem duty under Section 301 of the Trade Act of 1974.[52] On May 10, 2019, the additional duty on such warmwater shrimp from China was raised to 25 percent, and the 25 percent additional duty remains in effect.[53] Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

The product

Description and applications[54]

The imported products subject to these investigations are warmwater shrimp. The subject product can be any species of warmwater shrimp and includes both shrimp that were harvested from the ocean (wild-caught) and those produced by aquaculture (farm-raised). The shrimp can be in a wide variety of processed forms including head-on or head-off, tail-on or tail-off, shell-on or peeled, and deveined or not deveined. They may be raw or further processed by cooking, skewering, or processing with marinades, spices, or sauces. Food preparations containing more than 20 percent by weight of shrimp are included in the subject product, as are dusted shrimp. Fresh shrimp (never frozen) in any form are excluded from Commerce's

---

[52] 83 FR 47974, September 21, 2018.

[53] 84 FR 20459, May 9, 2019.

[54] Unless otherwise noted, this information is based on Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Nos. 731-TA-1063, 1064, 1066-1068 (Review) USITC Publication 4221, March 2011 ("First review publication"), pp. I-22 through I-23.

scope definition. Likewise, coldwater shrimp in any form, shrimp in prepared meals, breaded shrimp, and dried shrimp are excluded from the subject product.

Warmwater shrimp are crustaceans that usually inhabit salt waters in coastal regions in the tropics and subtropics. There are also freshwater species of shrimp. The warmwater shrimp subject to these investigations are either wild-caught or farm-raised in tropical or subtropical regions, are mostly classified in the Penaeidae family, and comprise shrimp of several genera and species.[55]

Imported shrimp are often farm-raised in ponds. One advantage of producing shrimp through aquaculture is that harvests of farm-raised shrimp are available year-round. Also, farmers can adjust production to respond to demand for different sizes and species. A downside of shrimp farming, however, is that shrimp ponds are periodically affected by diseases that can dramatically reduce harvest levels. While these diseases can also affect wild shrimp, they are more common in farming because shrimp populations in ponds are much denser. For example, an outbreak of a disease called Early Mortality Syndrome ("EMS") began in China in 2009 and spread to shrimp farms in Southeast Asia between 2010 and 2012. The outbreak severely curtailed production in some of the subject countries for several years thereafter. Management and prevention of this disease and others that affect farmed shrimp is an ongoing process, and the losses and costs associated with outbreaks have been known to force smaller producers out of business.[56]

In the United States, virtually all warmwater shrimp production is wild-caught. The catch is composed primarily of brown shrimp (*Penaeus aztecus*), white shrimp (*Penaeus setiferus*), and pink shrimp (*Penaeus duorarum*). Shrimp vary greatly in size, depending on age and species. They typically grow to a harvestable size within one year; their size largely depends on the time of year they are harvested.[57]

---

[55] In the original investigations, it was noted that subject imports included, but were not limited to, shrimp from the following species: whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguiensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Machrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*). Petition, Exhibit I-1, Scope of investigation.

[56] Alune, "Everything You Need to Know about EMS in Shrimp Farming," *The Fish Site*, November 30, 2020.

[57] U.S. shrimp fisheries in both the South Atlantic and the Gulf of Mexico are seasonal, and seasonal peaks vary by species.

Warmwater shrimp are used principally for human consumption and are sold primarily on the basis of size. Because the tail section is the edible portion and spoilage is more rapid with the head on, most shrimp are marketed raw and frozen with the heads off. The market tendency is for large shrimp (less than 36 per pound, heads-off, shell-on basis) to be sold raw and frozen to restaurants, hotels, and other food institutions; for small to medium shrimp (36 to 60 per pound) to be breaded, canned, or sold at retail; and for extra small (61 to 70 per pound) and tiny shrimp (more than 70 per pound) to be used by canners, dryers, and producers of specialty products. In the original investigations it was estimated that 80 percent of shrimp in the U.S. market are bought by restaurants.[58] Since that time, U.S. IQF production as a share of total shipments has increased, suggesting that retail markets have become more important to U.S. processors (see the next section for a description of IQF freezing, and Part IV for data on shipments by product type).

Manufacturing processes

Harvesting

The U.S. Gulf and South Atlantic warmwater shrimp fleet[59] is composed of thousands of vessels and is spread across about two dozen port communities. The vessels fall into one of three broad categories: recreational shrimpers, commercial bait shrimpers, and commercial shrimpers. Commercial shrimpers account for the bulk of all U.S. Gulf and South Atlantic warmwater shrimp landings; the catch of recreational shrimpers and commercial bait shrimpers is relatively small. There are two categories of commercial shrimpers. Inshore shrimpers operate small boats typically manned by one person on day-long trips in bays, estuaries, and shallow near-shore waters. Offshore shrimpers operate larger vessels typically manned by a crew of three in deeper waters up to the 200-mile U.S. territorial limit.[60] Some offshore vessels can freeze their catch and thus make trips lasting several weeks. Most vessels are individually owned, often by the skipper. While horizontal and vertical integration is limited, some shrimpers also process shrimp and/or own multiple vessels.

Offshore shrimpers use vessels that are typically 56 to 85 feet long, constructed of steel, and diesel-powered. Such vessels are often equipped with sophisticated electronic gear for navigating, communicating, and locating shrimp. Major costs of operating a vessel include crew

[58] Original publication, p. I-6.

[59] Shrimp harvested off the Pacific and Northern Atlantic coasts is coldwater shrimp.

[60] In 2019, shrimp caught within 3 miles of shore accounted for approximately 46 percent of total commercial shrimp landings. *NMFS, Fisheries of the United States, 2019*, May 2021, p. 18.

share (wages) and fuel as well as depreciation, mortgage payments, insurance, and maintenance on the vessel. Vessels catch shrimp by towing one or more large, funnel-shaped nets. The U.S. fleet, particularly that portion in the Gulf, is relatively mobile and migrates with the seasonal warmwater shrimp populations, or away from areas of poor fishing. As a result, vessels may land shrimp at different ports in different states. Some shrimp vessels are equipped to perform simple processing steps (e.g., deheading, washing, grading, icing, or freezing) while at sea.[61] Shrimp may be placed in mesh bags prior to freezing. Thus, warmwater shrimp can be landed either whole or headed (heads-off) and either fresh or frozen, and shrimp in different forms can be landed from the same trip. Upon unloading, shrimp are generally sold at dockside to dealers or processors. The vessel's crew typically are paid a percentage of the revenue generated by the catch. Because of the differing feeding habits, migration patterns, and habitats of the different species, Gulf and South Atlantic shrimp vessels usually land one species at a time. Likewise, harvesting activities and hence, landings in the U.S. Gulf and South Atlantic, exhibit seasonal patterns that are influenced by the natural patterns of development of the different species of warmwater shrimp.

Processing

While some processors own their boats, most have buying arrangements with several shrimp vessels. After unloading, shrimp are transferred to processing facilities, which are often located dockside. The shrimp may be held frozen in storage for later processing or may immediately undergo initial processing such as separating shrimp from ice, weighing, washing, sizing, and grading. At this stage, shrimp may either be frozen in whole form (head-on, shell-on) or may undergo a number of further steps such as deheading, peeling, deveining, and cooking. Resulting from these steps are shrimp in a variety of forms (e.g., head-on, shell-on; headless, shell-on; raw, peeled; and cooked, peeled). Regardless of their specific processed form, shrimp then are typically frozen with the exception that cooked, peeled shrimp may be canned rather than frozen. Shrimp may be frozen either in block form or individually quick frozen ("IQF"). Block frozen shrimp is typically sold to foodservice or restaurant buyers because the entire block must be thawed at one time. IQF shrimp are typically sold to grocery retailers for the consumer market, since they offer the convenience of thawing only as many shrimp as needed.

[61] Original publication, p. I-7.

An IQF line is relatively expensive to install, as it requires either a tunnel or spiral freezer built for this purpose.[62]

Many of the processing steps (e.g., washing, grading, peeling, deveining, and cooking) may be performed manually or mechanically using purpose-built machinery, but much of the process is performed mechanically in most U.S. processing facilities. Shrimp grading or sorting machines are available from approximately five companies[63] and can be installed onboard shrimp vessels, but they are more often found in shrimp processing facilities. Peeling can be done by one of two types of machines – the Laitram machine that operates by pushing the shrimp out of its shell, or the Jonsson machine that must be fed manually and that peels the shrimp with cutting equipment.

Processing of warmwater shrimp is conducted by a variety of types of operations. Dealers (a.k.a. shrimp houses or fish houses) and packing houses perform minimal processing steps (e.g., weighing, washing, sorting, and packing) for other processors or distributors. Various types of processors produce the range of processed forms of shrimp noted previously and perform additional steps such as breading, cutting, and preparing specialty items.

Aquaculture

A small share of U.S. domestic production of warmwater shrimp is produced by aquaculture (i.e., farm-raised). In 2021, an estimated 2.2 percent of U.S. production of warmwater shrimp was farm-raised. The major producing state is Texas.[64] U.S. aquaculture of shrimp reached a maximum of 13 million pounds (approximately 4.5 percent of total production) in 2003 prior to the imposition of antidumping duties. The decline in shrimp farming since then has reportedly been because of price pressure, high feed costs, and environmental regulations.[65] While outdoor shrimp aquaculture remains the dominant model in the United States, shrimp are occasionally grown in indoor aquaculture facilities, and the production capacity of these facilities has increased in recent years.[66] However, this type of

[62] Advanced Equipment webpage, "IQF Spiral and Tunnel Freezers for the Seafood Industry," https://advancedfreezer.com/seafood-industry-tunnel-freezers-spiral-freezers/, retrieved March 20, 2023.

[63] Such companies include those that specialize only in sorting or grading, such as Tomra, and those that offer machinery for all stages of shrimp processing, such as Laitram. North Carolina State University, "Feasibility Study for a Shrimp Processing Line," 2013.

[64] Texas Aquaculture Association, "2018 Texas Shrimp Farm Production," accessed March 3, 2023.

[65] Treece, "The Rise and Decline in U.S. Shrimp Farming," Texas Aquaculture Association, 2017.

[66] Howell, "A Quick Introduction to Indoor Shrimp Farming," *The Fish Site*, December 26, 2022.

production (which faces a somewhat different cost structure from outdoor aquaculture) still accounts for a small share of even the minor total U.S. shrimp aquaculture production.

Domestic like product issues

In its original determinations, the Commission defined the domestic like product as non-canned fresh warmwater shrimp and prawns and those frozen warmwater shrimp and prawn products described in Commerce's scope definition.[67] In its full first five-year review determinations, the Commission defined a single domestic like product encompassing fresh warmwater shrimp and frozen warmwater shrimp as described by the scope definition.[68] In its full second five-year review determinations, the Commission also defined a single domestic like product encompassing fresh warmwater shrimp and frozen warmwater shrimp as described by the scope definition.[69]

In its notice of institution in these current five-year reviews, the Commission solicited comments from interested parties regarding the appropriate definitions of the domestic like product and domestic industry.[70] According to their responses to the notice of institution, domestic interested parties American Shrimp Processors Association ("ASPA"), AHSTAC, and Ad Hoc Shrimp Industry Committee ("AHSIC") agree with the definitions as provided in the notice.[71] The Indian respondent interested parties did not contest the definitions but reserved the right to do so at a later stage in the proceeding.[72] No other interested party provided further comment on the domestic like product.[73] No party requested that the Commission

[67] Original publication, p. 11. The Commission found canned shrimp to be a separate domestic like product and made negative or negligible import determinations with respect to canned shrimp from each subject country.

[68] First review publication, p. 6. The Commission also found during the first full five-year reviews that because the scope definition included dusted shrimp, and the record provided no basis for treating dusted shrimp as a distinct like product, the domestic like product included dusted shrimp.

[69] Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063-1064 and 1066-1068 (Second Review), USITC Publication 4688, May 2017 ("Second review publication"), p. 9.

[70] 87 FR 25665, May 2, 2022.

[71] Domestic interested party ASPA's response to the notice of institution, June 1, 2022, p. 36; and domestic interested parties AHSTAC and AHSIC's response to the notice of institution, June 1, 2022, pp. 45-46.

[72] Indian respondent interested parties' response to the notice of institution, June 1, 2022, p. 9.

[73] *See generally* Thai respondent interested parties' response to the notice of institution, June 1, 2022; and Vietnamese respondent interested parties' response to the notice of institution, June 1, 2022.

collect data concerning other possible domestic like products in their comments on the Commission's draft questionnaires.[74]

In their prehearing briefs, domestic interested parties ASPA and AHSTAC and domestic interested party ASPA stated that the Commission should continue to define a single domestic like product comprised of fresh warmwater shrimp and frozen warmwater shrimp as defined in Commerce's scope.[75] The Indian respondent interested parties did not contest the definition of the domestic like product.[76] No other interested party provided further comment on the domestic like product.[77]

U.S. market participants

U.S. producers

During the final phase of the original investigations, the Commission received usable questionnaire responses from 37 U.S. processors, which accounted for approximately *** percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight or *** percent of U.S. production of warmwater shrimp based on headless, shell-on weight during 2003.[78] The Commission also received usable questionnaire responses from 130 fishermen, which were believed to have accounted for approximately 6.5 percent of U.S. wild-caught landings of warmwater shrimp during 2003.[79]

During the first full five-year reviews, the Commission received usable questionnaire responses from 31 U.S. processors, which accounted for *** percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight or *** percent of U.S. production

[74] *See generally* domestic interested party ASPA's comments on draft questionnaires, December 12, 2022; domestic interested parties AHSTAC and AHSIC's comments on draft questionnaires, December 12, 2022; and Indian, Thai, and Vietnamese respondent interested parties' joint comments on draft questionnaires, December 12, 2022.

[75] Domestic interested parties AHTAC and AHSIC's prehearing brief, pp. 2-3; and domestic interested party ASPA's prehearing brief, p. 9.

[76] Indian respondent interested parties' prehearing brief, p. 3.

[77] *See generally* Thai respondent interested parties' prehearing brief and Vietnamese respondent interested parties' prehearing brief.

[78] Investigation Nos. 731-TA-1063-1068 (Final): Certain Frozen or Canned Warmwater Shrimp and Prawns from Brazil, China, Ecuador, India, Thailand, and Vietnam, Confidential Report, INV-BB-156, December 21, 2004, as supplemented in INV-CC-002, January 6, 2005 ("Original confidential report"), pp. III-1-III-2.

[79] Original publication, p. III-1.

of warmwater shrimp based on headless, shell-on weight during 2009.[80] The Commission also received usable questionnaire responses from 156 U.S. fishermen, which were believed to account for approximately 4.3 percent of U.S. wild-caught warmwater shrimp during 2009.[81]

During the second full five-year reviews, the Commission received usable questionnaire responses from 28 U.S. processors, which accounted for 64.3 percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight, and virtually all U.S. production of warmwater shrimp based on headless, shell-on weight in 2015.[82] The Commission also received usable questionnaire responses from 182 U.S. farmers/fishermen, which were believed to account for approximately 11.9 percent of U.S. wild-caught and farmed warmwater shrimp during 2015.[83]

In these current five-year reviews, the Commission received usable questionnaire responses from 19 U.S. processors, which accounted for 55.0 percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight, and 87.5 percent of U.S. production of warmwater shrimp based on headless, shell-on weight during 2021.[84] The Commission also received usable questionnaire responses from 329 U.S. farmers/fishermen, which are believed to have accounted for approximately 21.3 percent of U.S. wild-caught and farmed warmwater shrimp during 2021.[85] Table I-9 presents a list of current U.S. processors of warmwater shrimp and each company's position on continuation of the orders, production location(s), and share of reported production of warmwater shrimp in 2021.

[80] Investigation Nos. 731-TA-1063-1064 and 1066-1068 (Review): Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Confidential Report, INV-JJ-016, February 25, 2011, as revised in INV-JJ-019, March 7, 2011, and INV-JJ-020, March 11, 2011 ("First review confidential report"), p. III-1.

[81] First review publication, p. III-1.

[82] Second review publication, pp. I-26 and III-1.

[83] Ibid.

[84] Staff's coverage estimate is based on a comparison of data compiled from Commission questionnaires to official NMFS statistics for wild-caught and farmed warmwater shrimp for the Gulf and Southern Atlantic regions.

[85] Data for the U.S. farmers/fishermen are presented in appendix E.

Table I-9
Warmwater shrimp: U.S. processors, positions on orders, U.S. production locations, and shares of reported U.S. production, 2021

Share in percent

Firm	Position on orders	Production location(s)	Share of production
Bayou	***	Delcambre, LA	***
Bowers	***	Palacios, TX	***
CF Gollott	***	D'Iberville, MS	***
Deep Sea	***	Bayou La Batre, AL	***
Delcambre	***	Delcambre, LA	***
Dominicks	***	Bayou La Batre, AL	***
Gulf Crown	***	Delcambre, LA	***
Gulf Island	***	Dulac, LA Independence, LA	***
Gulf Pride	***	Biloxi, MS	***
JBS	***	Port Arthur, TX	***
Lafitte	***	Lafitte, LA Violet, LA	***
Palmer Foods	***	Bayou La Batre, AL	***
Piazza & Son	***	New Orleans, LA	***
Sea Pearl	***	Bayou La Batre, AL	***
Seabrook	***	Kemah, TX	***
Texas Pack	***	Port Isabel, TX	***
Tidelands	***	Dulac, LA	***
Tommys	***	New Orleans, LA	***
Woods	***	Port St. Joe, FL	***
All firms	Various	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

Table I-10 presents U.S. processors’ ownership, related, and/or affiliated firms. No U.S. processor reported being related to foreign producers of the subject merchandise or U.S. importers of the subject merchandise. Additionally, no U.S. processor reported that they directly import the subject merchandise or purchase the subject merchandise from U.S. importers.

Table I-10
Warmwater shrimp: U.S. producers' ownership, related and/or affiliated firms

Reporting firm	Relationship type and related firm	Details of relationship
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. importers

During the final phase of the original investigations, the Commission received U.S. importer questionnaire responses from 47 firms, which were believed to account for the following shares of subject U.S. imports during 2003—China, 62.4 percent; India, 51.4 percent; Thailand, 73.7 percent; and Vietnam, 68.4 percent.[86] Import data presented in the original investigations were based on official Commerce statistics, adjusted to reclassify imports from a firm that was not subject to the orders.

During the full first five-year reviews, the Commission received U.S. importer questionnaire responses from 56 firms, which accounted for the following shares of subject U.S. imports during 2009—China, *** percent; India, *** percent; Thailand, *** percent; and Vietnam, *** percent.[87] Import data presented in the first reviews were based on official Commerce statistics, adjusted to reclassify imports from firms that were not subject to the orders.

During the second first five-year reviews, the Commission received U.S. importer questionnaire responses from 26 firms, which accounted for the following shares of subject U.S. imports during 2015—China, *** percent; India, *** percent; Thailand, *** percent; and Vietnam, *** percent.[88] Import data presented in the second reviews were based on official Commerce statistics, adjusted to reclassify imports from firms that were not subject to the orders.

[86] Original publication, p. IV-1.
[87] First review confidential report, p. IV-1.
[88] Investigation Nos. 731-TA-1063-1064 and 1066-1068 (Second Review): Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Confidential Report, INV-PP-050, April 12, 2017 ("Second review confidential report"), p. IV-1.

In the current proceeding, the Commission issued U.S. importers' questionnaires to 55 firms believed to be importers of warmwater shrimp, as well as to all U.S. producers of warmwater shrimp. Usable questionnaire responses were received from 46 firms, representing approximately *** percent of subject imports and *** percent of total U.S. imports in 2021.[89] Table I-11 lists all responding U.S. importers of warmwater shrimp from China, India, Thailand, Vietnam, and other sources, their locations, and their shares of reported U.S. imports in 2021.

[89] Import data in this report are based on official import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Due to less than complete questionnaire coverage, subject imports are likely overstated. For more information on companies that are no longer subject to the orders, see section titled "Company revocations" in Part I of this report.

Table I-11
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	China, subject	India, subject	Thailand, subject	Vietnam, subject	Subject sources
Ananda Enterprises	Bhimavaram, IND	***	***	***	***	***
Ananda Group	Bhimavaram, IND	***	***	***	***	***
Apex	Kakinada, IND	***	***	***	***	***
Aqua Star	Seattle, WA	***	***	***	***	***
Arista Industries	Wilton, CT	***	***	***	***	***
Asvini	Chennai, IND	***	***	***	***	***
Avanti	Hyderabad, IND	***	***	***	***	***
Beaver Street	Jacksonville, FL	***	***	***	***	***
BMR	Nellore, IND	***	***	***	***	***
C.P. Food	Columbia, MD	***	***	***	***	***
CenSea	Northbrook, IL	***	***	***	***	***
Coastal Aqua	Kakinada, IND	***	***	***	***	***
Coastal Corporation	Visakhapatnam, IND	***	***	***	***	***
Devi Fisheries	Visakhapatnam, IND	***	***	***	***	***
Devi Seafoods	Houston, TX	***	***	***	***	***
Eastern Fish	Teaneck, NJ	***	***	***	***	***
Falcon Marine	Bhubaneswar, IND	***	***	***	***	***
Godavari Mega Aqua	Bhimavaram Mandal, IND	***	***	***	***	***
H&N Group	Vernon, CA	***	***	***	***	***
Jaya Lakshmi	Visakhapatnam, IND	***	***	***	***	***
Jensen Tuna	Houma, LA	***	***	***	***	***
Kader	Mumbai, IND	***	***	***	***	***
LNSK	Nellore, IND	***	***	***	***	***

Table continued.

Table I-11 Continued
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	China, subject	India, subject	Thailand, subject	Vietnam, subject	Subject sources
Mangala	Alappuzha, IND	***	***	***	***	***
Mangala Marine Exim	Kochi, IND	***	***	***	***	***
Mazzetta	Highland Park, IL	***	***	***	***	***
Nekkanti	Visakhapatnam, IND	***	***	***	***	***
Ngoc Tri	Bac Lieu, VNM	***	***	***	***	***
Okeanos	Bangkok, THA	***	***	***	***	***
Ore-Cal	Los Angeles, CA	***	***	***	***	***
Performance Food Group	Richmond, VA	***	***	***	***	***
Royale Marine Impex	Kavurivaripalem, IND	***	***	***	***	***
Sagar Grandhi	Chennai, IND	***	***	***	***	***
Sai Marine	Visakhapatnam, IND	***	***	***	***	***
Sandhya Marines	Visakhapatnam, IND	***	***	***	***	***
Sao Ta	Soc Trang, VNM	***	***	***	***	***
Sea Port	Kirkland, WA	***	***	***	***	***
Southwind	Carson, CA	***	***	***	***	***
TB Fisheries	Dover, FL	***	***	***	***	***
Thai Union Group	Samut Sakhon, THA	***	***	***	***	***
Thai Union Seafood	Songkhla, THA	***	***	***	***	***
Thuan Phuoc	Danang, VNM	***	***	***	***	***
Trang Khanh	Bac Lieu, VNM	***	***	***	***	***
Tri-Union	El Segundo, CA	***	***	***	***	***
Vietnam Clean	Soc Trang, VNM	***	***	***	***	***
Wellcome Fisheries	Chennai, IND	***	***	***	***	***
All firms	Various	***	***	***	***	***

Table continued.

Table I-11 Continued
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	China, nonsubject	India, nonsubject	Thailand, nonsubject	Vietnam, nonsubject
Ananda Enterprises	Bhimavaram, IND	***	***	***	***
Ananda Group	Bhimavaram, IND	***	***	***	***
Apex	Kakinada, IND	***	***	***	***
Aqua Star	Seattle, WA	***	***	***	***
Arista Industries	Wilton, CT	***	***	***	***
Asvini	Chennai, IND	***	***	***	***
Avanti	Hyderabad, IND	***	***	***	***
Beaver Street	Jacksonville, FL	***	***	***	***
BMR	Nellore, IND	***	***	***	***
C.P. Food	Columbia, MD	***	***	***	***
CenSea	Northbrook, IL	***	***	***	***
Coastal Aqua	Kakinada, IND	***	***	***	***
Coastal Corporation	Visakhapatnam, IND	***	***	***	***
Devi Fisheries	Visakhapatnam, IND	***	***	***	***
Devi Seafoods	Houston, TX	***	***	***	***
Eastern Fish	Teaneck, NJ	***	***	***	***
Falcon Marine	Bhubaneswar, IND	***	***	***	***
Godavari Mega Aqua	Bhimavaram Mandal, IND	***	***	***	***
H&N Group	Vernon, CA	***	***	***	***
Jaya Lakshmi	Visakhapatnam, IND	***	***	***	***
Jensen Tuna	Houma, LA	***	***	***	***
Kader	Mumbai, IND	***	***	***	***
LNSK	Nellore, IND	***	***	***	***

Table continued.

Table I-11 Continued
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	China, nonsubject	India, nonsubject	Thailand, nonsubject	Vietnam, nonsubject
Mangala	Alappuzha, IND	***	***	***	***
Mangala Marine Exim	Kochi, IND	***	***	***	***
Mazzetta	Highland Park, IL	***	***	***	***
Nekkanti	Visakhapatnam, IND	***	***	***	***
Ngoc Tri	Bac Lieu, VNM	***	***	***	***
Okeanos	Bangkok, THA	***	***	***	***
Ore-Cal	Los Angeles, CA	***	***	***	***
Performance Food Group	Richmond, VA	***	***	***	***
Royale Marine Impex	Kavurivaripalem, IND	***	***	***	***
Sagar Grandhi	Chennai, IND	***	***	***	***
Sai Marine	Visakhapatnam, IND	***	***	***	***
Sandhya Marines	Visakhapatnam, IND	***	***	***	***
Sao Ta	Soc Trang, VNM	***	***	***	***
Sea Port	Kirkland, WA	***	***	***	***
Southwind	Carson, CA	***	***	***	***
TB Fisheries	Dover, FL	***	***	***	***
Thai Union Group	Samut Sakhon, THA	***	***	***	***
Thai Union Seafood	Songkhla, THA	***	***	***	***
Thuan Phuoc	Danang, VNM	***	***	***	***
Trang Khanh	Bac Lieu, VNM	***	***	***	***
Tri-Union	El Segundo, CA	***	***	***	***
Vietnam Clean	Soc Trang, VNM	***	***	***	***
Wellcome Fisheries	Chennai, IND	***	***	***	***
All firms	Various	***	***	***	***

Table continued.

Table I-11 Continued
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	All other, nonsubject	Nonsubject sources	All import sources
Ananda Enterprises	Bhimavaram, IND	***	***	***
Ananda Group	Bhimavaram, IND	***	***	***
Apex	Kakinada, IND	***	***	***
Aqua Star	Seattle, WA	***	***	***
Arista Industries	Wilton, CT	***	***	***
Asvini	Chennai, IND	***	***	***
Avanti	Hyderabad, IND	***	***	***
Beaver Street	Jacksonville, FL	***	***	***
BMR	Nellore, IND	***	***	***
C.P. Food	Columbia, MD	***	***	***
CenSea	Northbrook, IL	***	***	***
Coastal Aqua	Kakinada, IND	***	***	***
Coastal Corporation	Visakhapatnam, IND	***	***	***
Devi Fisheries	Visakhapatnam, IND	***	***	***
Devi Seafoods	Houston, TX	***	***	***
Eastern Fish	Teaneck, NJ	***	***	***
Falcon Marine	Bhubaneswar, IND	***	***	***
Godavari Mega Aqua	Bhimavaram Mandal, IND	***	***	***
H&N Group	Vernon, CA	***	***	***
Jaya Lakshmi	Visakhapatnam, IND	***	***	***
Jensen Tuna	Houma, LA	***	***	***
Kader	Mumbai, IND	***	***	***
LNSK	Nellore, IND	***	***	***

Table continued.

Table I-11 Continued
Warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2021

Share in percent

Firm	Headquarters	All other, nonsubject	Nonsubject sources	All import sources
Mangala	Alappuzha, IND	***	***	***
Mangala Marine Exim	Kochi, IND	***	***	***
Mazzetta	Highland Park, IL	***	***	***
Nekkanti	Visakhapatnam, IND	***	***	***
Ngoc Tri	Bac Lieu, VNM	***	***	***
Okeanos	Bangkok, THA	***	***	***
Ore-Cal	Los Angeles, CA	***	***	***
Performance Food Group	Richmond, VA	***	***	***
Royale Marine Impex	Kavurivaripalem, IND	***	***	***
Sagar Grandhi	Chennai, IND	***	***	***
Sai Marine	Visakhapatnam, IND	***	***	***
Sandhya Marines	Visakhapatnam, IND	***	***	***
Sao Ta	Soc Trang, VNM	***	***	***
Sea Port	Kirkland, WA	***	***	***
Southwind	Carson, CA	***	***	***
TB Fisheries	Dover, FL	***	***	***
Thai Union Group	Samut Sakhon, THA	***	***	***
Thai Union Seafood	Songkhla, THA	***	***	***
Thuan Phuoc	Danang, VNM	***	***	***
Trang Khanh	Bac Lieu, VNM	***	***	***
Tri-Union	El Segundo, CA	***	***	***
Vietnam Clean	Soc Trang, VNM	***	***	***
Wellcome Fisheries	Chennai, IND	***	***	***
All firms	Various	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as “0.0” represent values greater than zero, but less than “0.05” percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

U.S. purchasers

The Commission received 15 usable questionnaire responses from firms that bought warmwater shrimp since January 2016.[90] [91] Nine responding purchasers are distributors/wholesalers (other than food service), six are retailers, two are end user food processors, and three are food service distributors. Nine of the 15 responding U.S. purchasers were headquartered in Gulf Coast and South Atlantic region.[92] Large purchasers of warmwater shrimp include (in order of size) *** these purchasers represent the majority (*** percent) of purchases reported by the responding purchasers. Table I-12 presents all responding U.S. purchasers, their headquarter locations, and their share of total reported purchases by source in 2021.

[90] Of the 15 responding purchasers, in 2021, 14 purchased the domestic product, 1 purchased imports of the subject merchandise from subject processors in China, 10 purchased imports of the subject merchandise from subject processors in India, 6 purchased imports of the subject merchandise from subject processors in Thailand, 9 purchased imports of the subject merchandise from subject processors in Vietnam, 8 purchased imports of warmwater shrimp from other sources including nonsubject processors in subject countries, and two reported purchases from unknown sources. Purchaser questionnaires were sent out to the 27 purchasers that ASPA provided contact information. In addition, purchaser questionnaires were sent to the 10 largest purchasers from the previous review. No purchaser contacts were provided by the respondent interested parties in spite of substantial imports from some of these sources. Thus, most of the purchasers contacted purchase U.S. produced warmwater shrimp and purchaser responses overall will be those of firms that typically purchase more U.S. produced warmwater shrimp than the average U.S. purchaser.

[91] Responding purchasers include ***.

[92] Gulf Coast/South Atlantic region includes Alabama, Florida, Georgia, Louisiana, Mississippi, North Carolina, South Carolina, and Texas. These are states from which warm water shrimp is fished. Of the eight purchasers headquartered in this region, half reported purchasing only domestic warmwater shrimp, with the other four purchasing between 90 and 2 percent domestic. Purchasers not headquartered in the Gulf Coast/South Atlantic region purchased 0 to 6 percent domestic warmwater shrimp.

Table I-12
Warmwater shrimp: U.S. purchasers' share of total purchases by source in 2021, by firm

Firm	Headquarters	United States	China, subject	India, subject	Thailand, subject	Vietnam, subject
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
***	***	***	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0	100.0

Table continued.

Table I-12 Continued
Warmwater shrimp: U.S. purchasers' share of total purchases by source in 2021, by firm

Firm	Headquarters	Subject sources	Nonsubject sources	All other sources	All sources
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Apparent U.S. consumption and market shares

Quantity

Table I-13 and figure I-2 present data on apparent U.S. consumption and U.S. market shares by quantity for warmwater shrimp. The quantity of apparent U.S. consumption increased by 25.1 percent during 2019-21, increasing from 1.5 billion pounds in 2019 to 1.6 billion pounds in 2020 then increasing to 1.9 billion pounds in 2021. Apparent U.S. consumption was 0.7 percent lower in January-September 2022 than in January-September 2021. U.S. processors' market share based on quantity ranged from 4.4 to 8.9 percent during the period for which data were collected, while subject import market share ranged from *** to *** percent. U.S. processors' market share decreased in each year during 2019-21, while subject import market share decreased irregularly and nonsubject import market share increased irregularly. U.S. processors' market share decreased from 8.9 percent in 2019 to 8.1 percent in 2020 then decreased to 6.3 percent in 2021, ending 2.6 percentage points lower in 2021 than in 2019. U.S. processors' market share was 0.5 percentage points higher in January-September 2022 (4.9 percent) than in January-September 2021 (4.4 percent). Subject import market share decreased from *** percent in 2019 to *** percent in 2020 then increased to *** percent in 2021, ending *** percentage points lower in 2021 than in 2019. Subject import market share was *** percentage points lower in January-September 2022 (*** percent) than in January-September 2021 (*** percent). Nonsubject import market share increased from *** percent in 2019 to *** percent in 2020 then decreased to *** percent in 2021, increasing by *** percentage points during 2019-21. Following a similar trend, nonsubject import market share was higher in January-September 2022 (*** percent) than in January-September 2021 (*** percent).

Table I-13
Warmwater shrimp: Apparent U.S. consumption and market shares based on quantity, by source and period

Quantity in 1,000 pounds

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Wild catch landings (gross weight)	Quantity	229,935	218,634	225,864	100,355	129,833
Farmed production (gross weight)	Quantity	5,185	5,185	5,185	3,889	3,889
Domestic production (gross weight)	Quantity	235,120	223,819	231,049	104,244	133,722
Domestic production (processed weight)	Quantity	147,891	140,782	145,330	65,569	84,111
U.S. Exports	Quantity	10,181	7,842	22,489	5,876	18,632
Calculated U.S. shipments	Quantity	137,710	132,940	122,841	59,694	65,479
China, subject	Quantity	***	***	***	***	***
India, subject	Quantity	***	***	***	***	***
Thailand, subject	Quantity	***	***	***	***	***
Vietnam, subject	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
China, nonsubject	Quantity	***	***	***	***	***
India, nonsubject	Quantity	***	***	***	***	***
Thailand, nonsubject	Quantity	***	***	***	***	***
Vietnam, nonsubject	Quantity	***	***	***	***	***
All other sources	Quantity	611,001	733,888	849,081	618,050	645,867
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	1,411,504	1,515,039	1,815,253	1,297,731	1,282,493
All sources	Quantity	1,549,214	1,647,979	1,938,094	1,357,425	1,347,972

Table continued.

Table I-13 Continued
Warmwater shrimp: Apparent U.S. consumption and market shares based on quantity, by source and period

Share in percent

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
U.S. processors	Share	8.9	8.1	6.3	4.4	4.9
China, subject	Share	***	***	***	***	***
India, subject	Share	***	***	***	***	***
Thailand, subject	Share	***	***	***	***	***
Vietnam, subject	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
China, nonsubject	Share	***	***	***	***	***
India, nonsubject	Share	***	***	***	***	***
Thailand, nonsubject	Share	***	***	***	***	***
Vietnam, nonsubject	Share	***	***	***	***	***
All other sources	Share	39.4	44.5	43.8	45.5	47.9
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	91.1	91.9	93.7	95.6	95.1
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; official U.S. exports statistics of the U.S. Department of Commerce using HS subheadings 0306.17, 1605.21, and 1605.29, accessed March 6, 2023; data submitted in response to Commission questionnaires; wild catch landings data using the National Marine Fisheries Services' commercial landings database; and farmed production data estimated using the following sources: Howell, "A Quick Introduction to Indoor Shrimp Farming," The Fish Site, December 26, 2022; Texas Aquaculture Alliance, "2018 Texas Shrimp Farm Production," accessed March 3, 2023; and Gulf American Shrimp LLC, "Our Story," accessed March 3, 2023.

Note: Import data in this report are based on official import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Due to less than complete questionnaire coverage, subject imports are likely overstated.

Note: Wild catch landings quantities are for the Gulf and South Atlantic regions as collected by the National Marine Fisheries Service (NMFS). For January-September 2021 and January-September 2022, wild catch landings are NMFS data as reported by the Southern Shrimp Alliance.

Note: U.S. production quantities have been converted to headless, shell-on weight using a conversion factor of 0.629.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure I-2
Warmwater shrimp: Apparent U.S. consumption based on quantity, by source and period

*   *   *   *   *   *   *

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; official U.S. exports statistics of the U.S. Department of Commerce using HS subheadings 0306.17, 1605.21, and 1605.29, accessed March 6, 2023; data submitted in response to Commission questionnaires; wild catch landings data using the National Marine Fisheries Services' commercial landings database; and farmed production data estimated using the following sources: Howell, "A Quick Introduction to Indoor Shrimp Farming," The Fish Site, December 26, 2022; Texas Aquaculture Alliance, "2018 Texas Shrimp Farm Production," accessed March 3, 2023; and Gulf American Shrimp LLC, "Our Story," accessed March 3, 2023.

Value

Table I-14 and figure I-3 present data on apparent U.S. consumption and U.S. market shares by value for warmwater shrimp. Apparent U.S. consumption by value increased by 33.0 percent during 2019-21 and was 10.2 percent higher in January-September 2022 than in January-September 2021.

Table I-14
Warmwater shrimp: Apparent U.S. consumption and market shares based on value, by source and period

Value in 1,000 dollars; share in percent

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Calculated U.S. shipments	Value	544,771	568,033	545,529	267,144	283,873
China, subject	Value	***	***	***	***	***
India, subject	Value	***	***	***	***	***
Thailand, subject	Value	***	***	***	***	***
Vietnam, subject	Value	***	***	***	***	***
Subject sources	Value	***	***	***	***	***
China, nonsubject	Value	***	***	***	***	***
India, nonsubject	Value	***	***	***	***	***
Thailand, nonsubject	Value	***	***	***	***	***
Vietnam, nonsubject	Value	***	***	***	***	***
All other sources	Value	2,353,138	2,787,116	3,467,246	2,420,056	2,850,859
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	5,741,263	6,168,742	7,811,954	5,375,744	5,935,635
All sources	Value	6,286,034	6,736,775	8,357,483	5,642,889	6,219,509

Table continued.

Table I-14 Continued
Warmwater shrimp: Apparent U.S. consumption and market shares based on value, by source and period

Value in 1,000 dollars; share in percent

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
U.S. processors	Share	8.7	8.4	6.5	4.7	4.6
China, subject	Share	***	***	***	***	***
India, subject	Share	***	***	***	***	***
Thailand, subject	Share	***	***	***	***	***
Vietnam, subject	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
China, nonsubject	Share	***	***	***	***	***
India, nonsubject	Share	***	***	***	***	***
Thailand, nonsubject	Share	***	***	***	***	***
Vietnam, nonsubject	Share	***	***	***	***	***
All other sources	Share	37.4	41.4	41.5	42.9	45.8
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	91.3	91.6	93.5	95.3	95.4
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; and data submitted in response to Commission questionnaires.

Note: Import data in this report are based on official import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Due to less than complete questionnaire coverage, subject imports are likely overstated.

Note: The value of U.S. shipments for use in apparent U.S. consumption is constructed using the average unit values of U.S. shipments as reported in response to Commission questionnaires.

Note: Shares and ratios shown as “0.0” represent values greater than zero, but less than “0.05” percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

Figure I-3
Warmwater shrimp: Apparent U.S. consumption based on value, by source and period

*   *   *   *   *   *   *

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; and data submitted in response to Commission questionnaires.

Part II: Conditions of competition in the U.S. market

U.S. market characteristics

Warmwater shrimp are intended for human consumption, may be farm-raised or wild-caught, and may be processed to varying levels (e.g., peeled, deveined, shell-off, tail-off, marinated, skewered, or sauced). There are also multiple species of shrimp that are both farm-raised and wild-caught, and they exist in a range of sizes.[1]

For U.S.-processed warmwater shrimp, fresh shrimp are harvested (generally wild) and brought to dock by fishermen. Some deheading, sorting, and freezing may take place on the fishing boats. U.S. processors buy the fresh or frozen shrimp at the dock, and then may inspect, weigh, count, devein, peel, and cook it before freezing (refreezing) it. Some of the processed shrimp is put into inventory for later sale. U.S. processors sell the warmwater shrimp to distributors, directly to retail customers, or have their sales handled by brokers.[2] The market is similar for importers of warmwater shrimp; however, importers sometimes import the warmwater shrimp and then process it themselves, either into another form of subject warmwater shrimp (e.g., marinated or sauced) or into a nonsubject product (e.g., breaded shrimp). Some processors process both U.S. and imported shrimp.[3]

Five of 16 responding U.S. processors, 2 of 44 importers, and 3 of 15 purchasers indicated that the market was subject to distinctive conditions of competition.[4] Conditions they reported included: wild-caught shrimp is inherently more expensive than farmed shrimp; the supply (of wild-caught shrimp) is subject to weather events and fuel prices; new suppliers are entering the marked from Ecuador and Indonesia; demand is influenced by the price of other competing sources of proteins; and prices and supply are determined globally.

Apparent U.S. consumption of warmwater shrimp quantity increased by 25.1 percent during 2019-21.

[1] Second review publication, p. II-1.
[2] Ibid. Relatively little is sold to end users (table II-2).
[3] Ibid.
[4] In sections II and V, the number of responding firms refers to the number that responded to the specific question and excludes any firm that skipped the question.

Impact of section 301 tariffs

U.S. processors, importers, and purchasers were asked to report the impact of section 301 tariffs on overall demand, supply, prices, or raw material costs. Most responding processors (6 of 7) reported that the section 301 tariffs had an impact (table II-1). In contrast, almost all (26 of 27) responding importers, and all 5 responding purchasers reported that the section 301 tariffs had no impact.[5] Similarly, all 51 responding foreign producers reported that the section 301 tariffs had no impact on their exports to the United States. [6] Customs reported that subject Chinese imports increased from 2016 through 2018 but decreased sharply from 2018 to 2019 and then continued to decline through 2021. In contrast overall imports from subject sources increase steadily between 2016 and 2021.

Table II-1
Warmwater shrimp: Count of processors' and importers' responses regarding the impact of the section 301 tariffs on Chinese origin products

Impact on	Firm type	Increase	No change	Decrease	Fluctuate
Domestic supply in market	Processors	0	2	1	2
Domestic supply in market	Importers	0	0	0	1
China supply in market	Processors	0	1	2	1
China supply in market	Importers	0	0	1	0
Other than China supply in market	Processors	3	0	2	1
Other than China supply in market	Importers	1	0	0	0
Market price for frozen warmwater shrimp	Processors	3	1	2	0
Market price for frozen warmwater shrimp	Importers	1	0	0	0
Overall demand in market	Processors	2	1	1	1
Overall demand in market	Importers	0	1	0	0
Raw material cost of frozen warmwater shrimp	Processors	4	1	1	0
Raw material cost of frozen warmwater shrimp	Importers	1	0	0	0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Responses of firms reporting that the section 301 tariffs had no impact or that they did not know the impact are not included in this table.

---

[5] In addition to the firms counted above (those answering either yes or no), 11 processors, 17 importers, and 9 purchasers reported that they did not know the impact of the section 301 tariffs.

[6] No Chinese foreign producers/exporters responded to the Commission's questionnaires in these reviews.

Channels of distribution

U.S. processors and importers from China, India, Thailand, and Vietnam sold mainly to distributors with most of their remaining sales going to retailers as shown in table II-2. Importers from nonsubject sources sold mainly to retailers with most of their remaining sales going to distributors. Respondents stated that retail sales are "almost exclusively IQF product."[7] Respondents also claimed that some higher end restaurants want only block shrimp, while "casual dining and middle-price restaurants" tend to want more processed shrimp, and more restaurants are accepting IQF.[8] U.S. producers stated that a growing share of their production is IQF.[9]

---

[7] Hearing transcript p. 190 (Bloom).
[8] Hearing transcript pp. 207-208 (Bloom).
[9] Hearing transcript p. 62 (Gollott).

Table II-2
Warmwater shrimp: Share of U.S. shipments by source, channel of distribution, and period

Shares in percent

Source	Channel	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
United States	Distributors	***	***	***	***	***
United States	Retailers	***	***	***	***	***
United States	End users	***	***	***	***	***
China	Distributors	***	***	***	***	***
China	Retailers	***	***	***	***	***
China	End users	***	***	***	***	***
India	Distributors	***	***	***	***	***
India	Retailers	***	***	***	***	***
India	End users	***	***	***	***	***
Thailand	Distributors	***	***	***	***	***
Thailand	Retailers	***	***	***	***	***
Thailand	End users	***	***	***	***	***
Vietnam	Distributors	***	***	***	***	***
Vietnam	Retailers	***	***	***	***	***
Vietnam	End users	***	***	***	***	***
Subject sources	Distributors	***	***	***	***	***
Subject sources	Retailers	***	***	***	***	***
Subject sources	End users	***	***	***	***	***
Nonsubject sources	Distributors	***	***	***	***	***
Nonsubject sources	Retailers	***	***	***	***	***
Nonsubject sources	End users	***	***	***	***	***
All import sources	Distributors	***	***	***	***	***
All import sources	Retailers	***	***	***	***	***
All import sources	End users	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent.

Geographic distribution

U.S. processors and U.S. importers reported selling warmwater shrimp to all regions in the contiguous United States (table II-3). The overlap of competition is greatest in the Gulf Coast/South Atlantic region where all 16 responding processors and 36 of 38 responding importers reported sales. Processors and importers were also asked to report the share of their 2021 sales of warmwater shrimp that went to the Gulf Coast/South Atlantic region and the share of their sales to other regions. U.S. processors reported selling 74.7 percent of 2021 shipments to the Gulf Coast/South Atlantic region while importers reported selling 32.3 percent of 2021 shipment to that region.

Table II-3
Warmwater shrimp: Count of U.S. processors' and U.S. importers' (from subject sources) geographic markets

Region	U.S. processors	China, subject	India, subject	Thailand, subject	Vietnam, subject	Subject sources
Northeast.–CT, MA, ME, NH, NJ, NY, PA, RI, and VT.	13	0	27	8	12	38
Midwest.–IA, IL, IN, KS, MI, MN, MO, ND, NE, OH, SD, and WI.	11	0	20	8	11	29
Gulf Coast/South Atlantic.–AL, FL, GA, LA, MS, SC, TX, and NC.	16	0	27	8	11	36
South (not coastal).–AR, DC, DE, KY, MD, OK, TN, VA, and WV.	11	0	14	5	8	18
Mountains.–AZ, CO, ID, MT, NM, NV, UT, and WY.	6	0	7	4	6	10
Pacific Coast.–CA, OR, and WA.	8	0	24	8	10	32
Other.–All other markets in the United States not previously listed, including AK, HI, PR, and VI.	2	0	6	2	3	9
All regions (except Other)	5	0	7	4	5	9
Reporting firms	16	0	28	8	13	39

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors reported that 16.8 percent of sales were within 100 miles of their production facility, 41.7 percent were between 101 and 250 miles, 16.1 percent were between 251 and 500 miles, and 25.4 percent were over 500 miles.[10] Importers sold 54.2 percent within 100 miles of their U.S. point of shipment, 21.1 percent were between 101 and 250 miles, 23.4 percent were between 251 and 500 miles, and 1.2 percent were over 500 miles.

[10] These distances were used in the second review publication, table II-3.

Supply and demand considerations

U.S. supply

Table II-4 provides a summary of the supply factors regarding warmwater shrimp from U.S. processors and from subject countries. Most U.S. warmwater shrimp are wild harvested while most imported shrimp are farm-raised. Wild-caught shrimp are typically available seasonally, although the period of availability may differ by location. Thus U.S. processing facilities' capacity availability may reflect the needs of peak fishing seasons and may be underutilized for much of the year. The processing facilities for farm-raised shrimp also need to be adequate to cover peak harvesting season, thus processing capacity utilization rate may normally be relatively low.

Table II-4
Warmwater shrimp: Supply factors that affect the ability to increase shipments from subject processors to the U.S. market, by country

Quantity in 1,000 pounds; ratio and share in percent.

Factor	Measure	United States	India	Thailand	Vietnam	Subject sources
Capacity 2019	Quantity	***	***	***	***	***
Capacity 2021	Quantity	220,040	***	***	***	***
Capacity utilization 2019	Ratio	***	***	***	***	***
Capacity utilization 2021	Ratio	57.8	***	***	***	***
Inventories to total shipments 2019	Ratio	***	***	***	***	***
Inventories to total shipments 2021	Ratio	15.0	***	***	***	***
Home market shipments 2021	Share	100.0	***	***	***	***
Non-US export market shipments 2021	Share	---	***	***	***	***
Ability to shift production (firms reporting “yes”)	Count	5 of 18	2 of 23	6 of 19	0 of 9	8 of 51

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Responding U.S. processors are believed to have accounted for more than 75 percent of U.S. production of warmwater shrimp in 2021. No foreign producer/exporter from China responded to the questionnaire, as a result, Chinese data is not presented in this table. Publicly available data is used below to analyze the Chinese industry. Responding foreign producer/exporter firms accounted for over half of U.S. imports of warmwater shrimp from India during 2021. Responding foreign producer/exporter firms accounted for virtually all of U.S. imports of warmwater shrimp from Thailand during 2021. Responding foreign producer/exporter firms accounted for less than half of U.S. imports of warmwater shrimp from Vietnam during 2021. For additional data on the number of responding firms and their share of U.S. production and of U.S. imports from each subject country, please refer to Part I, “Summary Data and Data Sources.”

Note: Since no Chinese producers or exporters responded, the Chinese column has been dropped.

Domestic production

U. S. supply of fresh shrimp and natural cycle

U.S. shrimp fishermen generally harvest white, pink, and brown shrimp from the Gulf of Mexico, and white and pink shrimp from the Carolina and Florida Atlantic coasts, respectively. U.S. shrimp fishermen typically harvest only shrimp. Shifting to harvesting other types of seafood would be expensive since their equipment (trawlers, nets, etc.) are not appropriate for catching other forms of seafood.[11] Fishermen's decisions on whether or not to shrimp depend on fixed costs, including the cost of the boat, boat maintenance, insurance, and debt-servicing costs, and variable costs, including most importantly fuel, as well as equipment repair and replacement, and labor.[12]

U.S. processors' supply

Based on available information, U.S. warmwater shrimp processors have the ability to respond to changes in demand with low-to-moderate changes in their quantity of shipments to the U.S. market. The main contributing factors increasing supply responsiveness are some available inventories, and a large unused processing capacity. U.S. processors' ability to increase their U.S. sales are limited because they do not export, have limited production alternatives, and wild shrimp are only available seasonally.

The availability of shrimp also limits processors' ability to increase production. Since farm-raised shrimp was less than 3% of the raw U.S. shrimp market in each year during 2019-21 (table I-13), the supply of wild-caught shrimp is the main determinant of overall U.S. shrimp available for processing. Supply responsiveness is limited most importantly by the biological/environmental limits on the amount of fresh shrimp that can be fished from U.S. waters. In addition, the size, success, and activeness of the shrimp fishing fleet determine how much of the shrimp that could be harvested is available for processing.

Production increased while capacity was unchanged between 2019 and 2021, increasing capacity utilization. No exports were reported. None of the processors reported producing other product on the same equipment. Fourteen U.S. processors reported barriers to meeting their production capacity including: hiring and training new workers, the low price of shrimp makes more fishing unprofitable, processing equipment requires frequent cleaning and maintenance, and shrimp not being available during the off-season. Factors affecting U.S.

---

[11] Second review publication, p. II-5.
[12] Ibid.

processors' ability to shift production include the equipment is set up to process shrimp and shrimp processing facilities are located near the docks where shrimp are landed but typically fish are not landed at these locations.

Thai respondents stated that "Domestic (and foreign) processors maintain even higher levels of capacity – even though that capacity might remain unused for much of the year – because they require sufficient equipment to process large volumes during the peak harvesting periods. For this reason, processor capacity utilization does not indicate vulnerability to material injury or a likely adverse impact on domestic processors in the future if the Commission revokes the orders. Rather, it reflects an inherent characteristic of the global shrimp processing industry."[13]

Domestic interested party ASPA indicated that "despite having historically low capacity levels, the domestic industry was still operating at a capacity utilization rate of less than 60 percent."[14]

Subject imports from China

Based on publicly available information, processors of warmwater shrimp from China have the ability to respond to changes in demand with relatively large changes in the quantity of shipments of warmwater shrimp to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the small share of all Chinese exports of shrimp product that went to the United States in 2021[15] and the steadily growth of shrimp aquaculture in China.[16] Factors limiting the Chinese industry's ability to ship to the United States include the growing consumption of shrimp within China and the falling Chinese exports of shrimp.

---

[13] Thai respondents' prehearing brief, p. 53.

[14] ASPA's posthearing brief, pp. 14-15.

[15] Since no Chinese producers provided usable questionnaires, publicly available data is used to analyze Chinese availability. The HTS codes do not match the subject product. There are two possible indicators of shrimp exports, HS 0306.17 alone (which does not include all subject product and thus is too narrow) and HS headings 0306.17, 1605.21 and 1605.29 combined (which also includes breaded shrimp and thus is too broad). Use of either of these measures shows U.S. exports are a small share of total Chinese exports. In 2021, the U.S. share of all Chinese exports for HS 0306.17 was 6.8 percent and that for 0306.17, 1605.21 and 1605.29 was 9.9 percent. Source: Global Trade Atlas data for China's exports (accessed February 24, 2023).

[16] Chinese shrimp aquaculture increased from 2.3 million metric tons in 2016 to 2.5 million metric tons in 2019, the last year for which data were available. FAO Aquaculture Production Statistics, https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/navigation/index_content_aquaculture_e.htm#C (accessed February 24, 2023).

Subject imports from India

Based on available information, processors of warmwater shrimp from India have the ability to respond to changes in demand with large changes in the quantity of shipments of warmwater shrimp to the U.S. market. The main contributing factors indicating Indian sales may be able to increase is low reported capacity utilization, growing capacity, some ability to shift shipments from alternate markets, and relatively large inventories of the Indian industry. Factors mitigating responsiveness of supply include limited home market shipments and limited ability to shift production to or from alternate products.

Indian processors' capacity and production increased between 2019 and 2021, however, production increased less than capacity. Most other exports reported are destined for other Asian countries including China and Japan. Other products that responding foreign producers reportedly can process on the same equipment as warmwater shrimp are cephalopods (a phylum including squid, cuttlefish, and octopus). Supply constraints that the foreign producers reported included the supply of live shrimp, the COVID-19 lockdown, availability of energy, and machinery breakdowns. Twenty-three Indian processors reported why they could not reach installed capacity, the most common reason was the need for daily cleaning of equipment for hygiene and quality; other reasons include: maintenance, repair, and replacements; not running night shifts; labor shortages; and availability of raw material. Only 2 of 32 responding Indian processors reported difficulties shifting between the United States and alternative markets.

Subject imports from Thailand

Based on available information, processors of warmwater shrimp from Thailand have the ability to respond to changes in demand with large changes in the quantity of shipments of warmwater shrimp to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the availability of unused capacity, the availability of some inventories, the ability to shift shipments from alternate markets, some ability to shift production to or from alternate products. Factors mitigating responsiveness of supply include limited availability of fresh shrimp for processing.

Capacity utilization fell as production decreased while capacity increased ***. Thailand's principal export markets were China, Japan, and Taiwan. Thai processors sold more warmwater shrimp to Asia than the United States. Other products that responding foreign producers reportedly can produce on the same equipment as warmwater shrimp are breaded shrimp, other types of seafood (fish, squid, octopus, cuttlefish, crab, cold water shrimp, clams, and scallops); prepared foods (dim sum, prepared meals, soup, and Thai deserts); fruit; and vegetables. Eleven of the 19 responding Thai processors[17] reported difficulties shifting between markets reasons, including: the long time it takes to develop new markets for a non-commodity product; different markets purchasing different products; and the difficulty shift to a new market since the firm has no experience selling in any other market. Seventeen Thai processors reported reasons they could not reach installed capacity.[18] Labor problems and limited supplies of shrimp were reported most frequently reported as reasons why the firms did not reach installed capacity. In addition, some processors reported that Thai prices are not competitive.

Subject imports from Vietnam

Based on available information, processors of warmwater shrimp from Vietnam have the ability to respond to changes in demand with large changes in the quantity of shipments of warmwater shrimp to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the availability of unused capacity and inventories, ability to shift shipments from alternate markets. Factors mitigating responsiveness of supply include limits on the availability of fresh shrimp and no reported ability to shift production to or from alternate product.

Both Vietnamese production and capacity increased between 2019 and 2021, with production increasing more. Major export markets include China, Japan, Taiwan, Singapore, South Korea, the EU, and the UK. Other products that responding foreign producers reportedly can produce on the same equipment as warmwater shrimp are breaded shrimp and shrimp other than frozen warmwater shrimp. Factors limiting the firms' ability to reach installed capacity included required maintenance, limited orders, competition for labor, availability of fresh shrimp, and cuts in water and electricity. All nine Vietnamese processors reported that it would be difficult to shift sales between the U.S. and other markets due to differing market requirements, difficulty finding new buyers, differing regulatory requirements, long term contracts with Korean customers, and certain Asian sales (to Korea, China, and Japan) being more profitable than sales to the U.S. market. All nine Vietnamese processors reported reasons they could not produce at full capacity, the most common being the difficulty of getting adequate labor. Other reasons include: lack of shrimp availability, year-to-year difference in

[17] Of the remaining 8 Thai processors, 2 reported that they were no longer in business; 1 reported only selling to the U.S. market; 1 reported that if there were a trade agreement with the EU, it could divert sales from the United States to the EU; 1 reported developing new products for other markets; and 3 responded "no".

[18] Two of these reported that they were currently "not in operation."

shrimp availability, time required for maintenance, power and water supply uncertainty, and old machinery.

Imports from nonsubject sources

Nonsubject imports (included those from excluded processors in the subject countries as well as processors in other countries) accounted for *** percent of total U.S. imports in 2021 (table I-13). The largest sources of nonsubject imports during 2016-21 were Ecuador, Indonesia, and Mexico. Combined, these countries accounted for a majority of nonsubject imports in 2021.

Supply constraints

Most U.S. processors (12 of 18), importers (41 of 44), and purchasers (11 of 15) reported that they had not experienced supply constraints since January 1, 2016. Processors reported that the main constraint was the low price of frozen warmwater shrimp, which prevented firms from being able to profitably purchase and process shrimp. Other constraints included a lack of cold storage space, and increased fuel costs for the shrimpers. One importer (***) reported supply chain constraints in 2021, one (***) reported delayed orders because of raw material constraints, and one (***) reported allocations, declining to accept new customer or renew existing customers, deliveries of less than quantity promised, and the inability to meet timely shipment commitments. Purchasers reported shortages due to the COVID-19 pandemic, labor, and container shortages; delays in orders; and supply chain issues in 2021.

Seasonality

The U.S. supply of wild-caught fresh shrimp varies by season. The main fishing season is May to December, although different times of the year are better for particular species and sizes. In the offseason (roughly January through April), some fishermen take time to maintain and upgrade their ships and equipment while others continue fishing. U.S. processors may be able to maintain some supply of warmwater shrimp during the offseason by keeping part of their in-season inventory for later sale, as prices have been historically higher in the offseason since the supply of both fresh and frozen shrimp is lower. U.S. processors and fishermen have described this seasonal supply characteristic as a necessary cycle for shrimp fishermen and U.S.

processors to make money (through higher offseason prices) and to make needed repairs and upgrades.[19]

New suppliers

Two of 15 purchasers indicated that new suppliers entered the U.S. market since January 1, 2016, and 6 expect additional entrants. Firms cited increasing imports from Ecuador (***), the advent of recirculating aquaculture systems[20] leading to new entrants (***), that new suppliers frequently enter the market (***), that the market was growing, thus enticing new entrants (***), that the market was too big not to enter (***), and that firms are always looking for new markets (***).

U.S. demand

Demand for warmwater shrimp comes primarily from retail sellers of both prepared and unprepared warmwater shrimp (e.g., grocery stores) and restaurants. There is some seasonality in U.S. shrimp demand, which is typically higher around the Easter, Christmas, and New Year's holidays.[21] Based on available information, the overall demand for warmwater shrimp is likely to experience moderate changes in response to changes in price. The main factors limiting the responsiveness of demand to changes in price are the limited types of substitute products and the difference between frozen warmwater shrimp and available substitutes, which limits responsiveness to price. On the other hand, the price responsiveness relatively is increased by high cost-share of shrimp in a meal.

End uses and cost share

U.S. demand for warmwater shrimp depends on the demand for shrimp as food, either as a standalone item or as an ingredient with other food. Downstream products include breaded shrimp, frozen meals, and skillet meals.

Business cycles

Six of 16 responding U.S. processors, 6 of 44 responding importers, and 6 of 15 responding purchasers indicated that the market was subject to business cycles. Processors and

---

[19] Second review publication, p. II-7.

[20] Recirculating aquaculture systems "allows commercial fish (or shrimp) production in areas with limited water resources." retrieved May 3, 2023 https://www.csmonitor.com/Environment/2010/0224/Recirculating-aquaculture-systems-The-future-of-fish-farming.

[21] Second review publication, p. II-20.

importers frequently reported that demand for shrimp is stronger during the third and fourth quarter holiday season, the Lenten period, and during spring and summer in beach areas. Domestic shrimp harvests were also seasonal, fishing is mainly between May and December, in contrast imports tended to be available year-round.

Demand trends

A plurality of U.S. processors reported a decrease in U.S. demand for warmwater shrimp since January 1, 2016 (table II-5). In contrast, most importers, a plurality of the responding purchasers, and a plurality of foreign producers reported an increase in U.S. demand for warmwater shrimp since January 1, 2016.[22] Most processors expected that U.S. demand would either decrease or fluctuate over the next two years (table II-6). A majority of importers and a plurality of purchasers expect U.S. demand to increase over the next two years, and an equal number of foreign producers expected U.S. demand would increase and would decrease over the next two years.

Table II-5
Warmwater shrimp: Count of firms' responses regarding overall domestic and foreign demand since January 1, 2016, by firm type

Market	Firm type	Increase	No change	Decrease	Fluctuate
U.S. demand	U.S. processors	3	2	7	5
U.S. demand	Importers	25	4	5	9
U.S. demand	Purchasers	6	3	2	2
U.S. demand	Foreign producers	21	6	17	7
Foreign demand	U.S. processors	3	0	0	3
Foreign demand	Importers	24	6	4	6
Foreign demand	Purchasers	5	2	2	1
Demand in subject country	Foreign producers	11	30	2	2
Demand in other export markets	Foreign producers	33	4	6	6
Demand for end use products	Purchasers	3	4	2	2

Source: Compiled from data submitted in response to Commission questionnaires.

[22] Four of the six responding retailers (***) reported that demand had increased, one of these explained that the COVID-19 pandemic led to increased retail sales. Another retailer (***) reported demand had fluctuated but that customer purchased had increased because of the COVID-19 pandemic, and one retailer (***) reported demand had decreased because of the COVID-19 pandemic.

Table II-6
Warmwater shrimp: Count of firms' responses regarding anticipated overall domestic and foreign demand, by firm type

Market	Firm type	Increase	No change	Decrease	Fluctuate
U.S. demand	U.S. processors	3	2	5	6
U.S. demand	Importers	22	4	7	8
U.S. demand	Purchasers	5	3	1	4
U.S. demand	Foreign producers	17	10	17	7
Foreign demand	U.S. processors	3	1	0	3
Foreign demand	Importers	23	7	1	7
Foreign demand	Purchasers	4	4	0	2
Demand in subject country	Foreign producers	15	28	2	2
Demand in other export markets	Foreign producers	32	7	4	6

Source: Compiled from data submitted in response to Commission questionnaires.

Substitute products

Substitutes for warmwater shrimp are limited.[23] Most processors (14 of 18 responding), all importers (45 responding), all purchasers (15 responding), and almost all foreign producers (50 of 51 responding) reported that there had been no change in substitutes for warmwater shrimp and no changes were expected. U.S. processors that reported substitutes reported that imported shrimp was the substitute. The sole foreign producer reporting that it expected substitutes reported that it expected increased farming of cephalopods.

Substitutability issues

This section assesses the degree to which U.S.-produced warmwater shrimp and imports of warmwater shrimp from subject countries can be substituted for one another by examining the importance of certain purchasing factors and the comparability of warmwater shrimp from domestic and imported sources based on those factors. Based on available data, staff believes that there is a moderate degree of substitutability between domestically produced warmwater shrimp and warmwater shrimp imported from subject sources.[24] Factors increasing the level of

[23] In the second reviews, 30 of 31 processors, 24 of 26 importers, 35 of 37 purchasers, and 71 of 74 foreign producers reported that there were no substitutes for warmwater shrimp. Second review publication, p. II-23.

[24] The degree of substitution between domestic and imported warmwater shrimp depends upon the extent of product differentiation between the domestic and imported products and reflects how easily purchasers can switch from domestically produced warmwater shrimp to the warmwater shrimp imported from subject countries (or vice versa) when prices change. The degree of substitution between (*continued*...)

substitutability include: limited preference for particular country(ies) of origin or producers (particularly by the larger purchasers), limited domestic content requirements, and interchangeability between domestic and subject sources. Factors reducing substitutability include: availability, quality differences, different lead times from domestic and subject sources, differences between domestically produced warmwater shrimp and warmwater shrimp imported from subject countries across multiple purchase factors particularly those related to the U.S. warmwater shrimp typically being wild-caught while the imports typically being farm-raised.

Factors affecting purchasing decisions[25]

Purchaser decisions based on source

As shown in table II-7, most purchasers reported that they always make purchasing decisions based on the producer. They reported that most of their customers sometimes or never make purchasing decisions based on the producer. Most purchasers and their customers sometimes or never make purchasing decisions based on the country of origin. Ten purchasers that reported that they always make decisions based on the producer, citing reasons including: quality, diversity of supply, brand, relationship, purchase only from approved plants, prefer third party quality assurance and safety certificates, and suppliers must meet the purchaser's sustainability standards. Four of the six purchasers that reported that they always purchase based on the country of origin purchased only U.S. warmwater shrimp. The other two (***) reported that domestically produced warmwater shrimp were only ***, respectively, of their total warmwater shrimp purchases.

---

domestic and imported warmwater shrimp depends upon such factors as quality (e.g., species characteristics, consistency, flavor profile, grade standards, and defect rates etc.), and conditions of sale (e.g., availability, payment terms, product services, reliability of supply, lead times between order and delivery dates etc.). Based on available data, staff believes that there is a moderate degree of substitutability between U.S.-produced warmwater shrimp and that imported from subject countries.

[25] Twelve purchasers indicated they had marketing/pricing knowledge of domestic product, 5 of China, 10 of India, 9 of Thailand, 10 of Vietnam, and 9 of warmwater shrimp from nonsubject sources. Other sources reported included: Argentina, Bangladesh, Burma (Myanmar), Ecuador, Indonesia, Mexico, Philippines, Saudi Arabia, and Sri Lanka.

Table II-7
Warmwater shrimp: Count of purchasers' responses regarding frequency of purchasing decisions based on producer and country of origin

Firm making decision	Decision based on	Always	Usually	Sometimes	Never
Purchaser	Producer	10	1	4	0
Customer	Producer	5	1	5	3
Purchaser	Country	6	1	7	1
Customer	Country	3	2	7	2

Source: Compiled from data submitted in response to Commission questionnaires.

Importance of purchasing domestic product

Nine of 14 responding purchasers reported that over 90 percent of their purchases did not require purchasing U.S.-produced product.[26] Four reported that domestic product was required by law (for 1 to 100 percent of their purchases), five reported it was required by their customers (for 5 to 100 percent of their purchases), and three reported other preferences for domestic product. Reasons cited for preferring domestic product included: meeting customer demand and providing customer options.

Most important purchase factors

The most often cited top three factors that firms consider in their purchasing decisions for warmwater shrimp were price (13 firms), quality (12 firms), and availability (6 firms), as shown in table II-8. Quality was the most frequently cited first-most important factor (cited by 8 firms), followed by price (2 firms); availability was the most frequently reported second-most important factor (4 firms); and price was the most frequently reported third-most important factor (8 firms).

[26] Larger purchasers tended to report less domestic requirement, as a result overall 95.5 percent of reported purchases (by quantity) had no reported domestic requirement.

Table II-8
Warmwater shrimp: Count of ranking of factors used in purchasing decisions as reported by purchasers, by factor

Factor	First	Second	Third	Total
Price	2	3	8	13
Quality	8	2	2	12
Availability/delivery	1	4	1	6
Certification/food safety standards	1	1	1	3
Traditional supplier/supplier's past performance	0	2	0	2
All other factors	2	2	2	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other factors include for first factor meeting customer's requirements and standards and U.S. origin, for second factor consistency and inventories, and for third factor size and payment terms.

The majority of purchasers (8 of 14) reported that they sometimes purchase the lowest-priced product. Five usually purchase the lowest-priced product, and one never purchase the lowest-priced product.

Importance of specified purchase factors

Purchasers were asked to rate the importance of 21 factors in their purchasing decisions (table II-9). The factors rated as very important by more than half of the responding purchasers were product consistency (13 firms); reliability of supply and price (12 firms each); availability, delivery terms, and delivery time, (11 firms each); quality meets industry standards and raw shrimp availability (10 firms each); peeled shrimp availability and quality exceeds industry standards (9 firms each); farm-raised shrimp availability, packaging, and wild-caught shrimp (7 firms each).[27] Purchasers identified minimum quantity requirement (8 firms) as a factor rated as not important by a majority of purchasers.

[27] In the second review, additional factors were listed. Factors reported to be very important by most purchasers that were not included in these reviews include (in order of number of purchasers reporting they were very important): taste/flavor profile; consistency from one shipment to another; and proper cutting, handling, and packing techniques. Second review publication, table II-9. These factors are captured in product consistency and quality with purchasers reporting that quality includes flavor/taste and workmanship on cleaned shrimp. Since no parties requested the inclusion of these factors, they were not included in these reviews.

Table II-9
Warmwater shrimp: Count of purchasers' responses regarding importance of purchase factors, by factor

Factor	Very important	Somewhat important	Not important
Availability	11	3	0
Cooked shrimp availability	7	2	5
Delivery terms	11	2	1
Delivery time	11	3	0
Discounts offered	3	6	5
Farm-raised shrimp availability	8	2	4
Minimum quantity requirements	2	4	8
Packaging	8	5	1
Payment terms	6	5	3
Peeled Shrimp availability	9	3	2
Price	12	2	0
Product consistency	13	1	0
Product range	4	10	0
Quality meets industry standards	10	4	0
Quality exceeds industry standards	9	5	0
Raw shrimp availability	10	3	0
Reliability of supply	12	2	0
Technical support/service	7	6	1
U.S. transportation costs	5	5	4
Unpeeled shrimp availability	6	8	0
Wild-caught shrimp availability	8	3	2

Source: Compiled from data submitted in response to Commission questionnaires.

Wild vs farm-raised

Purchasers were asked how frequently they or their customers distinguished between wild-caught and farm-raised shrimp. Most responding purchasers (7 of 13) reported that they or their customers always distinguished between wild-caught and farm-raised shrimp. Reasons they provided for always distinguishing included: specializing in domestic shrimp; *** requires domestic product, and there are practically no domestic farm-raised shrimp; *** reported that some customers will only purchase wild seafood so it always stocks domestic (wild) shrimp; *** reported that it believes domestic and imported shrimp are not interchangeable and that their prices do not move in tandem but independently based on supply and demand in the markets; *** reported that they were different markets; and *** reported that it always distinguished between shrimp from different country sources because shrimp must have country of origin labeling. The four firms that reported that they usually distinguish between wild-caught and farm-raised also provided reasons including: *** prefers farm-raised because of consistency, quality, and availability; *** reported its customers often try farm-raised imports mainly because of the low price; and *** reported that customers have personal preferences between farmed and wild warmwater shrimp. Two firms (***)

reported that they sometimes make a distinction between wild-caught and farm-raised warmwater shrimp. *** also reported that it offered both based on customer preferences.

Thirteen of 14 responding purchasers reported purchasing some wild-caught shrimp. Four of these (***) purchased only wild-caught shrimp, purchasing a total of *** pounds of wild shrimp. Two purchasers purchased mainly wild-caught shrimp (***), purchasing *** pounds of wild-caught shrimp and *** pounds of farm-raised shrimp. Seven purchasers (***) reported that between 3 and 6 percent of their purchases were of wild-caught shrimp, purchasing *** pounds of wild-caught shrimp and *** pounds of farm-raised shrimp.

Purchasers were asked if they purchased only wild-caught or only farm-raised shrimp. Four purchasers that reported purchasing only wild-caught shrimp stated that it was superior, it was the type of domestic product that was available, and its customers only accepted wild-caught shrimp. One purchaser (***) reported that it only purchasing farm-raised shrimp in 2021, however, it reported that it occasionally purchased small amounts of domestic wild-caught shrimp for one customer.

Respondents stated that farmed and wild-caught shrimp "do not compete directly with one another."[28] According to respondents, consumers are increasingly interested in wild-caught shrimp.[29]

Domestic interested parties reported that the industry has made "significant investments trying to differentiate our wild-caught domestic shrimp" including working to "get our domestic shrimp fishery certified by the Marine Stewardship Council and the Certified Seafood Collaborative Responsible Fisheries Management Program."[30] However, domestic interested parties maintain that "import prices are the main driver" of the price of domestic shrimp.[31]

[28] Hearing transcript, p. 12 (Almond).
[29] Hearing transcript, pp. 205-206 (Bloom).
[30] Hearing transcript, p. 18 (Baumer).
[31] Hearing transcript, p. 20 (Antley).

Lead times

U.S. processors primarily sell warmwater shrimp from inventory while importers primarily sell it produced-to-order. U.S. processors reported that 63.3 percent of their commercial shipments were from inventories, with lead times of 3 to 14 days. The remaining 36.7 percent of their commercial shipments were produced-to-order, with lead times of 5 to 14 days. Importers reported that 88.7 percent of their commercial shipments were produced-to-order, with lead times of 14 to 120 days. The remaining 11.3 percent of their commercial shipments were from U.S. inventories, with lead times ranging from 5 to 90 days.

Supplier certification

Five of 14 responding purchasers require their suppliers to become certified or qualified to sell warmwater shrimp to their firm.[32] Purchasers reported that the time to qualify a new supplier ranged from 7 to 270 days. Certification requirements included quality; meeting standards (food safety, meeting regulatory requirements); reliability; and sustainability.

Two purchasers reported that at least one domestic or foreign supplier had failed in its attempt to qualify warmwater shrimp or had lost its approved status since 2016. *** reported that Avanti Foods (India) had lost its qualification because of antibiotic residual and *** reported that any supplier not able to meet FDA regulatory requirements would be temporally or permanently disqualified.

Minimum quality specifications

As can be seen from table II-10, most responding purchasers reported that domestically produced and imported product always or usually met minimum quality specifications.

---

[32] All seven purchasers that reported the share of shrimp requiring certification reported that it was required for all their purchases.

Table II-10
Warmwater shrimp: Count of purchasers' responses regarding suppliers' ability to meet minimum quality specifications, by source

Source of purchases	Always	Usually	Sometimes	Rarely or never	Don't Know
United States	5	4	1	1	3
China, subject	1	1	0	1	11
India, subject	3	7	0	0	4
Thailand, subject	3	4	0	1	6
Vietnam, subject	3	7	0	0	4
Nonsubject sources	2	2	1	0	4

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Purchasers were asked how often domestically produced or imported warmwater shrimp meets minimum quality specifications for their own or their customers' uses.

Note: Product from excluded processors in subject countries are included in the nonsubject sources.

Thirteen purchasers reported factors that determined quality, including: aesthetic qualities of the shrimp, (i.e., flavor/taste, appearance, color, and texture); wholesomeness (freshness, microbiological, chemical free, condition, and meet customer standards, QA, and QC standards); traceability; workmanship on cleaned shrimp; consistency; makes weight and makes count; wild-caught; and meets specifications.

Changes in purchasing patterns

Most purchasers (10 of 15) reported that they had changed suppliers since January 1, 2016. Purchasers reported adding Dominick's Seafood and CSJ (domestic producers); Songa and Pacific Coral (imports from Ecuador); Tandels, Costal Aqua, Sai Marine, Jayalakshmi, Asvini, Sharat Industries (imports from Indian); AZ Gems and Fishin' Company (imports from multiple sources); and Sea Farms (source unknown).[33] Sources that were reported to be dropped include Nekkanti Seafoods (India), Rubicon Resources (Thailand), and Sunnyvale and Triunion (imports from multiple sources).

[33] There is a firm called TransparentSea Farm that farm raises warmwater shrimp and sells in the Los Angeles area; it freezes some of these. Other "Sea Farms" include kelp farm "Atlantic Sea Farm" and an oyster farm "Sea Farm". https://www.transparentseafarm.com/, https://atlanticseafarms.com/pages/where-to-buy?gclid=EAIaIQobChMIwfe9p5LZ_QIVD87ICh3qXgaqEAAYASAAEgLq-_D_BwE, and https://seafarmsva.com/ retrieved February 10, 2023.

Purchasers were also asked about changes in their purchasing patterns from different countries since January 1, 2016 (table II-11). All three firms that reported increasing consumption of U.S. produced warmwater shrimp (***) attributed this to increased demand, one of these (***) attributed the increased demand to the COVID-19 pandemic. Three purchasers reported reduced purchases from U.S. processors, one (***) attributed it to ***, one (***) attributed it to high price, and one (***) did not explain the change but reported its purchases had dropped by 36 percent.[34]

Table II-11
Warmwater shrimp: Count of purchasers' responses regarding changes in purchase patterns from U.S., subject, and nonsubject countries

Source of purchases	Decreased	Increased	Constant	Fluctuated	Did not purchase
United States	3	3	6	1	2
China, subject	0	0	2	0	10
India, subject	0	6	4	1	3
Thailand, subject	4	0	2	1	5
Vietnam, subject	2	4	3	1	3
Nonsubject sources	0	6	4	1	3
Sources unknown	0	0	2	0	6

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded processors in subject countries are included in the nonsubject sources.

No purchasers reported either increasing or decreasing their purchase from China, no firms reported decreasing their purchased from India or nonsubject countries, no firm reported increasing their purchases from Thailand. Six purchasers reported increased purchases from India because of increased overall demand; four of these explained why, *** reported that demand had increased overall, *** reported it had shifted its purchase from Thailand to India, *** reported that some customers perceived Indian product to be high quality and fresh, and *** increased purchases from India because of the pandemic. Four purchasers (***) reported decreasing demand from Thailand, three of these reported reasons (high price, and low availability). Four purchasers (***) reported increased purchase of product from Vietnam,

[34] ***.

two of these explained why (increased consumer demand). Two purchasers (***) reported demand for product from Vietnam declined, one explained why (high prices). Six purchasers (***) reported increased purchases from nonsubject countries, reasons included availability and increased demand.

Purchase factor comparisons of domestic products, subject imports, and nonsubject imports

Purchasers were asked a number of questions comparing warmwater shrimp produced in the United States, subject countries, and nonsubject countries. First, purchasers were asked for a country-by-country comparison on the same 21 factors (table II-9) which they were asked to rate by relative importance (table II-12). Because of the large number of country pairs, this writeup highlights the responses for the eight factors rated by at least three quarters of responding purchasers as very important (availability, delivery terms, delivery time, price, product consistency, quality meets industry standards, raw shrimp availability, and reliability of supply).[35] Purchaser responses comparing U.S. product to each subject import source and to nonsubject imports for these eight factors are summarized below (listed in order of number of firms reporting the factor as very important):

- Product consistency (13 of 14 firms rated very important): A plurality of purchasers reported that the U.S. product was inferior to product from India, Thailand, and nonsubject sources. (Two firms each rated U.S. product superior and U.S. product inferior to product from China. Two firms each rated U.S. and Vietnam comparable and U.S. product inferior).
- Price (12 of 14 firms): Most purchasers reported that the U.S. product was inferior to imports from all sources.
- Reliability of supply (12 of 14 firms): Most purchasers reported that the U.S. product was inferior to imports from all sources except China. (Most firms reported U.S. and Chinese product were comparable).
- Availability (11 of 14 firms): A plurality of purchasers reported that the U.S. product was inferior to product from all import sources except China. (Two firms each rated U.S. and China comparable and U.S. product inferior).

[35] Other factors that were rated as very important by a majority of purchasers, but less than three quarters of firms, were peeled shrimp availability, quality exceeds industry standards, farm-raised shrimp availability, packaging, and wild-caught shrimp availability.

- Delivery terms (11 of 14 firms): A plurality reported that the U.S. product was comparable to all import sources except India. (Three firms each reported that U.S. product was comparable and inferior to India).
- Delivery time (11 of 14 firms): A plurality of purchasers reported that the U.S. product was comparable to product from Vietnam and nonsubject sources. A plurality of purchasers reported that the U.S. product was superior to product from China and Thailand. Three purchasers each reported that the U.S. product was superior and comparable to product from India.
- Quality meets industry standards (10 of 14 firms): Most purchasers reported that the U.S. product was comparable to imports from all sources.
- Raw shrimp availability (10 of 14 firms): Most purchasers (or a plurality with respect to China) reported that the U.S. product was inferior to imports from all sources.

In comparing U.S. product to that from India, by far the largest subject import source, most purchasers reported that the U.S. product was inferior for availability, price, product consistency, raw shrimp availability, and reliability of supply. Most firms reported that U.S. and Indian product were comparable for quality meets industry standards. Three firms each reported that U.S. product was comparable and inferior to Indian product for delivery terms; and three each reported that U.S. product was superior and comparable on delivery time.

At least half of purchasers reported that shrimp from pairs of subject countries were comparable on all of the 8 very important factors. The only exception to this was that a majority of purchasers reported shrimp from Thailand was inferior to shrimp from Vietnam in terms of raw shrimp availability.

Table II-12
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	US v. China	1	2	2
Cooked shrimp availability	US v. China	0	1	4
Delivery terms	US v. China	1	3	1
Delivery time	US v. China	3	2	0
Discounts offered	US v. China	0	3	2
Farm-raised shrimp availability	US v. China	0	1	4
Minimum quantity requirements	US v. China	3	1	1
Packaging	US v. China	1	3	1
Payment terms	US v. China	1	3	1
Peeled shrimp availability	US v. China	1	2	2
Price	US v. China	0	1	4
Product consistency	US v. China	2	1	2
Product range	US v. China	0	2	3
Quality meets industry standards	US v. China	1	3	1
Quality exceeds industry standards	US v. China	1	3	1
Raw shrimp availability	US v. China	1	2	3
Reliability of supply	US v. China	0	3	2
Technical support/service	US v. China	0	4	1
U.S. transportation costs	US v. China	3	2	0
Unpeeled shrimp availability	US v. China	0	4	1
Wild-caught shrimp availability	US v. China	2	1	2

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	US v. India	1	1	5
Cooked shrimp availability	US v. India	0	1	6
Delivery terms	US v. India	1	3	3
Delivery time	US v. India	3	3	1
Discounts offered	US v. India	0	4	3
Farm-raised shrimp availability	US v. India	0	1	6
Minimum quantity requirements	US v. India	3	3	1
Packaging	US v. India	1	4	2
Payment terms	US v. India	1	5	1
Peeled shrimp availability	US v. India	1	2	4
Price	US v. India	0	1	6
Product consistency	US v. India	1	2	4
Product range	US v. India	0	2	5
Quality meets industry standards	US v. India	0	4	3
Quality exceeds industry standards	US v. India	0	3	3
Raw shrimp availability	US v. India	0	1	6
Reliability of supply	US v. India	0	2	5
Technical support/service	US v. India	0	4	3
U.S. transportation costs	US v. India	3	4	0
Unpeeled shrimp availability	US v. India	0	3	4
Wild-caught shrimp availability	US v. India	2	2	3

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	US v. Thailand	1	1	2
Cooked shrimp availability	US v. Thailand	0	1	3
Delivery terms	US v. Thailand	1	3	0
Delivery time	US v. Thailand	3	2	0
Discounts offered	US v. Thailand	0	3	1
Farm-raised shrimp availability	US v. Thailand	0	1	3
Minimum quantity requirements	US v. Thailand	3	1	0
Packaging	US v. Thailand	1	3	0
Payment terms	US v. Thailand	1	2	1
Peeled shrimp availability	US v. Thailand	1	2	1
Price	US v. Thailand	0	1	4
Product consistency	US v. Thailand	1	1	2
Product range	US v. Thailand	0	2	3
Quality meets industry standards	US v. Thailand	0	4	1
Quality exceeds industry standards	US v. Thailand	0	3	1
Raw shrimp availability	US v. Thailand	0	1	4
Reliability of supply	US v. Thailand	0	2	3
Technical support/service	US v. Thailand	0	4	1
U.S. transportation costs	US v. Thailand	3	2	0
Unpeeled shrimp availability	US v. Thailand	0	3	2
Wild-caught shrimp availability	US v. Thailand	2	1	2

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	US v. Vietnam	0	2	4
Cooked shrimp availability	US v. Vietnam	0	1	4
Delivery terms	US v. Vietnam	1	3	1
Delivery time	US v. Vietnam	2	3	0
Discounts offered	US v. Vietnam	1	4	0
Farm-raised shrimp availability	US v. Vietnam	0	1	4
Minimum quantity requirements	US v. Vietnam	1	4	0
Packaging	US v. Vietnam	0	4	1
Payment terms	US v. Vietnam	0	4	1
Peeled shrimp availability	US v. Vietnam	1	1	3
Price	US v. Vietnam	0	1	4
Product consistency	US v. Vietnam	1	2	2
Product range	US v. Vietnam	0	2	3
Quality meets industry standards	US v. Vietnam	0	4	1
Quality exceeds industry standards	US v. Vietnam	0	4	1
Raw shrimp availability	US v. Vietnam	1	1	3
Reliability of supply	US v. Vietnam	1	1	3
Technical support/service	US v. Vietnam	1	3	1
U.S. transportation costs	US v. Vietnam	2	4	0
Unpeeled shrimp availability	US v. Vietnam	0	3	3
Wild-caught shrimp availability	US v. Vietnam	2	2	2

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	China v. India	0	3	1
Cooked shrimp availability	China v. India	0	2	2
Delivery terms	China v. India	0	3	1
Delivery time	China v. India	0	3	1
Discounts offered	China v. India	1	2	1
Farm-raised shrimp availability	China v. India	0	2	2
Minimum quantity requirements	China v. India	0	2	1
Packaging	China v. India	0	3	1
Payment terms	China v. India	0	3	1
Peeled shrimp availability	China v. India	1	2	1
Price	China v. India	0	2	2
Product consistency	China v. India	1	2	1
Product range	China v. India	0	3	1
Quality meets industry standards	China v. India	0	3	1
Quality exceeds industry standards	China v. India	0	2	1
Raw shrimp availability	China v. India	1	2	1
Reliability of supply	China v. India	1	2	1
Technical support/service	China v. India	0	2	1
U.S. transportation costs	China v. India	0	3	1
Unpeeled shrimp availability	China v. India	0	3	1
Wild-caught shrimp availability	China v. India	1	2	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	China v. Thailand	0	2	1
Cooked shrimp availability	China v. Thailand	0	2	1
Delivery terms	China v. Thailand	0	2	1
Delivery time	China v. Thailand	0	2	1
Discounts offered	China v. Thailand	0	2	1
Farm-raised shrimp availability	China v. Thailand	0	2	1
Minimum quantity requirements	China v. Thailand	0	2	1
Packaging	China v. Thailand	0	2	1
Payment terms	China v. Thailand	0	2	1
Peeled shrimp availability	China v. Thailand	0	2	1
Price	China v. Thailand	0	2	1
Product consistency	China v. Thailand	0	2	1
Product range	China v. Thailand	0	2	1
Quality meets industry standards	China v. Thailand	0	2	1
Quality exceeds industry standards	China v. Thailand	0	2	1
Raw shrimp availability	China v. Thailand	0	2	1
Reliability of supply	China v. Thailand	0	2	1
Technical support/service	China v. Thailand	0	2	1
U.S. transportation costs	China v. Thailand	0	2	1
Unpeeled shrimp availability	China v. Thailand	0	2	1
Wild-caught shrimp availability	China v. Thailand	0	2	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	China v. Vietnam	0	2	1
Cooked shrimp availability	China v. Vietnam	0	2	1
Delivery terms	China v. Vietnam	0	2	1
Delivery time	China v. Vietnam	0	2	1
Discounts offered	China v. Vietnam	0	2	1
Farm-raised shrimp availability	China v. Vietnam	0	2	1
Minimum quantity requirements	China v. Vietnam	0	2	1
Packaging	China v. Vietnam	0	2	1
Payment terms	China v. Vietnam	0	2	1
Peeled shrimp availability	China v. Vietnam	0	2	1
Price	China v. Vietnam	0	2	1
Product consistency	China v. Vietnam	0	2	1
Product range	China v. Vietnam	0	2	1
Quality meets industry standards	China v. Vietnam	0	2	1
Quality exceeds industry standards	China v. Vietnam	0	2	1
Raw shrimp availability	China v. Vietnam	0	2	1
Reliability of supply	China v. Vietnam	0	2	1
Technical support/service	China v. Vietnam	0	2	1
U.S. transportation costs	China v. Vietnam	0	2	1
Unpeeled shrimp availability	China v. Vietnam	0	2	1
Wild-caught shrimp availability	China v. Vietnam	0	1	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	India v. Thailand	3	4	0
Cooked shrimp availability	India v. Thailand	3	4	0
Delivery terms	India v. Thailand	1	6	0
Delivery time	India v. Thailand	1	6	0
Discounts offered	India v. Thailand	2	4	0
Farm-raised shrimp availability	India v. Thailand	3	4	0
Minimum quantity requirements	India v. Thailand	1	6	0
Packaging	India v. Thailand	0	6	1
Payment terms	India v. Thailand	0	6	0
Peeled shrimp availability	India v. Thailand	3	4	0
Price	India v. Thailand	3	4	0
Product consistency	India v. Thailand	0	6	1
Product range	India v. Thailand	1	6	0
Quality meets industry standards	India v. Thailand	1	6	0
Quality exceeds industry standards	India v. Thailand	1	6	0
Raw shrimp availability	India v. Thailand	3	4	0
Reliability of supply	India v. Thailand	2	5	0
Technical support/service	India v. Thailand	1	5	0
U.S. transportation costs	India v. Thailand	1	5	0
Unpeeled shrimp availability	India v. Thailand	3	4	0
Wild-caught shrimp availability	India v. Thailand	1	5	0

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	India v. Vietnam	1	7	0
Cooked shrimp availability	India v. Vietnam	0	8	0
Delivery terms	India v. Vietnam	0	8	0
Delivery time	India v. Vietnam	0	7	1
Discounts offered	India v. Vietnam	0	7	0
Farm-raised shrimp availability	India v. Vietnam	1	7	0
Minimum quantity requirements	India v. Vietnam	0	8	0
Packaging	India v. Vietnam	0	8	0
Payment terms	India v. Vietnam	0	7	0
Peeled shrimp availability	India v. Vietnam	1	7	0
Price	India v. Vietnam	1	6	0
Product consistency	India v. Vietnam	0	8	0
Product range	India v. Vietnam	0	8	0
Quality meets industry standards	India v. Vietnam	0	8	0
Quality exceeds industry standards	India v. Vietnam	0	8	0
Raw shrimp availability	India v. Vietnam	1	7	0
Reliability of supply	India v. Vietnam	1	7	0
Technical support/service	India v. Vietnam	0	7	0
U.S. transportation costs	India v. Vietnam	0	7	0
Unpeeled shrimp availability	India v. Vietnam	1	7	0
Wild-caught shrimp availability	India v. Vietnam	0	5	0

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	Thailand v. Vietnam	0	4	3
Cooked shrimp availability	Thailand v. Vietnam	0	5	2
Delivery terms	Thailand v. Vietnam	0	7	0
Delivery time	Thailand v. Vietnam	0	7	0
Discounts offered	Thailand v. Vietnam	0	5	1
Farm-raised shrimp availability	Thailand v. Vietnam	0	4	3
Minimum quantity requirements	Thailand v. Vietnam	0	7	0
Packaging	Thailand v. Vietnam	1	6	0
Payment terms	Thailand v. Vietnam	0	6	0
Peeled shrimp availability	Thailand v. Vietnam	1	3	2
Price	Thailand v. Vietnam	0	3	3
Product consistency	Thailand v. Vietnam	0	7	0
Product range	Thailand v. Vietnam	0	7	0
Quality meets industry standards	Thailand v. Vietnam	1	4	0
Quality exceeds industry standards	Thailand v. Vietnam	1	6	0
Raw shrimp availability	Thailand v. Vietnam	0	3	4
Reliability of supply	Thailand v. Vietnam	0	6	1
Technical support/service	Thailand v. Vietnam	1	5	0
U.S. transportation costs	Thailand v. Vietnam	0	6	0
Unpeeled shrimp availability	Thailand v. Vietnam	0	4	3
Wild-caught shrimp availability	Thailand v. Vietnam	0	5	0

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	US v. Nonsubject	0	2	4
Cooked shrimp availability	US v. Nonsubject	0	1	5
Delivery terms	US v. Nonsubject	1	3	2
Delivery time	US v. Nonsubject	2	3	1
Discounts offered	US v. Nonsubject	1	4	1
Farm-raised shrimp availability	US v. Nonsubject	0	1	5
Minimum quantity requirements	US v. Nonsubject	2	3	2
Packaging	US v. Nonsubject	0	4	2
Payment terms	US v. Nonsubject	0	4	2
Peeled shrimp availability	US v. Nonsubject	1	1	4
Price	US v. Nonsubject	0	1	5
Product consistency	US v. Nonsubject	0	2	3
Product range	US v. Nonsubject	0	2	4
Quality meets industry standards	US v. Nonsubject	0	4	2
Quality exceeds industry standards	US v. Nonsubject	0	4	2
Raw shrimp availability	US v. Nonsubject	1	1	4
Reliability of supply	US v. Nonsubject	1	1	4
Technical support/service	US v. Nonsubject	1	3	2
U.S. transportation costs	US v. Nonsubject	2	4	0
Unpeeled shrimp availability	US v. Nonsubject	0	3	3
Wild-caught shrimp availability	US v. Nonsubject	2	1	2

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	China v. Nonsubject	0	2	1
Cooked shrimp availability	China v. Nonsubject	0	2	1
Delivery terms	China v. Nonsubject	0	2	1
Delivery time	China v. Nonsubject	0	2	1
Discounts offered	China v. Nonsubject	0	2	1
Farm-raised shrimp availability	China v. Nonsubject	0	2	1
Minimum quantity requirements	China v. Nonsubject	0	2	1
Packaging	China v. Nonsubject	0	2	1
Payment terms	China v. Nonsubject	0	2	1
Peeled shrimp availability	China v. Nonsubject	0	2	1
Price	China v. Nonsubject	0	2	1
Product consistency	China v. Nonsubject	0	2	1
Product range	China v. Nonsubject	0	2	1
Quality meets industry standards	China v. Nonsubject	0	2	1
Quality exceeds industry standards	China v. Nonsubject	0	2	1
Raw shrimp availability	China v. Nonsubject	0	2	1
Reliability of supply	China v. Nonsubject	0	2	1
Technical support/service	China v. Nonsubject	0	2	1
U.S. transportation costs	China v. Nonsubject	0	2	1
Unpeeled shrimp availability	China v. Nonsubject	0	2	1
Wild-caught shrimp availability	China v. Nonsubject	0	1	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	India v. Nonsubject	0	7	0
Cooked shrimp availability	India v. Nonsubject	0	7	0
Delivery terms	India v. Nonsubject	0	7	0
Delivery time	India v. Nonsubject	0	7	0
Discounts offered	India v. Nonsubject	0	7	0
Farm-raised shrimp availability	India v. Nonsubject	0	7	0
Minimum quantity requirements	India v. Nonsubject	0	7	0
Packaging	India v. Nonsubject	0	7	0
Payment terms	India v. Nonsubject	0	7	0
Peeled shrimp availability	India v. Nonsubject	0	7	0
Price	India v. Nonsubject	0	7	0
Product consistency	India v. Nonsubject	0	7	0
Product range	India v. Nonsubject	0	7	0
Quality meets industry standards	India v. Nonsubject	0	7	0
Quality exceeds industry standards	India v. Nonsubject	0	7	0
Raw shrimp availability	India v. Nonsubject	0	7	0
Reliability of supply	India v. Nonsubject	0	7	0
Technical support/service	India v. Nonsubject	0	7	0
U.S. transportation costs	India v. Nonsubject	0	7	0
Unpeeled shrimp availability	India v. Nonsubject	0	7	0
Wild-caught shrimp availability	India v. Nonsubject	0	4	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	Thailand v. Nonsubject	0	5	1
Cooked shrimp availability	Thailand v. Nonsubject	0	5	1
Delivery terms	Thailand v. Nonsubject	0	6	0
Delivery time	Thailand v. Nonsubject	0	6	0
Discounts offered	Thailand v. Nonsubject	0	6	0
Farm-raised shrimp availability	Thailand v. Nonsubject	0	5	1
Minimum quantity requirements	Thailand v. Nonsubject	0	6	0
Packaging	Thailand v. Nonsubject	0	6	0
Payment terms	Thailand v. Nonsubject	0	6	0
Peeled shrimp availability	Thailand v. Nonsubject	0	5	1
Price	Thailand v. Nonsubject	0	5	1
Product consistency	Thailand v. Nonsubject	0	6	0
Product range	Thailand v. Nonsubject	0	6	0
Quality meets industry standards	Thailand v. Nonsubject	0	6	0
Quality exceeds industry standards	Thailand v. Nonsubject	0	6	0
Raw shrimp availability	Thailand v. Nonsubject	0	6	0
Reliability of supply	Thailand v. Nonsubject	0	6	0
Technical support/service	Thailand v. Nonsubject	0	6	0
U.S. transportation costs	Thailand v. Nonsubject	0	5	0
Unpeeled shrimp availability	Thailand v. Nonsubject	0	5	1
Wild-caught shrimp availability	Thailand v. Nonsubject	0	4	1

Table continued.

Table II-12 Continued
Warmwater shrimp: Count of purchasers' responses comparing country sources, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	Vietnam v. Nonsubject	0	7	0
Cooked shrimp availability	Vietnam v. Nonsubject	0	6	0
Delivery terms	Vietnam v. Nonsubject	0	7	0
Delivery time	Vietnam v. Nonsubject	0	7	0
Discounts offered	Vietnam v. Nonsubject	0	7	0
Farm-raised shrimp availability	Vietnam v. Nonsubject	0	7	0
Minimum quantity requirements	Vietnam v. Nonsubject	0	7	0
Packaging	Vietnam v. Nonsubject	0	7	0
Payment terms	Vietnam v. Nonsubject	0	7	0
Peeled shrimp availability	Vietnam v. Nonsubject	0	7	0
Price	Vietnam v. Nonsubject	0	7	0
Product consistency	Vietnam v. Nonsubject	0	7	0
Product range	Vietnam v. Nonsubject	0	7	0
Quality meets industry standards	Vietnam v. Nonsubject	0	7	0
Quality exceeds industry standards	Vietnam v. Nonsubject	0	7	0
Raw shrimp availability	Vietnam v. Nonsubject	0	7	0
Reliability of supply	Vietnam v. Nonsubject	0	7	0
Technical support/service	Vietnam v. Nonsubject	0	7	0
U.S. transportation costs	Vietnam v. Nonsubject	0	7	0
Unpeeled shrimp availability	Vietnam v. Nonsubject	0	7	0
Wild-caught shrimp availability	Vietnam v. Nonsubject	0	5	1

Source: Compiled from data submitted in response to Commission questionnaires.

Note: A rating of superior means that price/U.S. transportation cost is generally lower. For example, if a firm reported "U.S. superior," it meant that the U.S. product was generally priced lower than the imported product.

Note: Product from listed subject countries included only subject producers in these countries. Product from excluded producer/exporters in subject countries are included in the nonsubject category.

Comparison of U.S.-produced and imported warmwater shrimp

In order to determine whether U.S.-produced warmwater shrimp can generally be used in the same applications as imports from China, India, Thailand, and Vietnam, U.S. processors, importers, and purchasers were asked whether the products can always, frequently, sometimes, or never be used interchangeably. As shown in table II-13, most processors reported that warmwater shrimp from all sources were always interchangeable. Most processors and importers reported that warmwater shrimp from China and India were always interchangeable with product from the United States, most importers reported product from Thailand and the United States were either always or frequently interchangeable, and most importers reported product from the United States and Vietnam were never or sometimes interchangeable (table II-14). Purchaser responses, however, were mixed (table II-15). Two purchasers each reported U.S. and Chinese product were always, frequently and never interchangeable. When comparing U.S. with subject Indian, Thai, and Vietnamese product, purchaser responses were identical, with three reporting that they were never interchangeable, and two each reporting that they were always, frequently, and sometimes interchangeable. Purchasers reported that interchangeability was limited by the different sizes of shrimp available from different countries, differences in species, and differences between wild-caught and farm-raised shrimp. Importers reported differences including: U.S. and Asian warmwater shrimp differing as U.S. product is wild-caught and Asian product is farmed, which causes them to have different tastes and different applications; imported warmwater shrimp are typically processed more than U.S. shrimp and have more end-uses; differences in species and size; and that the U.S. warmwater shrimp are lower quality in terms of consistency and have less year-round availability. U.S. processors reported that because imported shrimp tended to be farm-raised they typically had higher antibiotic levels, as a result of which U.S. wild-caught shrimp represents better value and higher quality.

Table II-13
Warmwater shrimp: Count of U.S. processors reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	9	3	0	2
United States vs. India, subject	9	3	1	2
United States vs. Thailand, subject	9	3	1	2
United States vs. Vietnam, subject	9	3	1	2
China, subject vs. India, subject	9	3	0	1
China, subject vs. Thailand, subject	8	4	0	1
China, subject vs. Vietnam, subject	8	4	0	1
India, subject vs. Thailand, subject	8	4	0	1
India, subject vs. Vietnam, subject	8	4	0	1
Thailand, subject vs. Vietnam, subject	8	4	0	1
United States vs. Other	8	3	0	2
China, subject vs. Other	7	3	0	1
India, subject vs. Other	7	3	0	1
Thailand, subject vs. Other	7	3	0	1
Vietnam, subject vs. Other	7	3	0	1

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded producer/exporters in subject countries are included in the “other” category.

Table II-14
Warmwater shrimp: Count of U.S. importers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	9	1	2	5
United States vs. India, subject	24	1	2	7
United States vs. Thailand, subject	9	1	3	6
United States vs. Vietnam, subject	8	2	3	10
China, subject vs. India, subject	17	4	2	1
China, subject vs. Thailand, subject	10	1	4	2
China, subject vs. Vietnam, subject	9	5	4	3
India, subject vs. Thailand, subject	16	3	6	2
India, subject vs. Vietnam, subject	15	8	4	3
Thailand, subject vs. Vietnam, subject	9	5	7	3
United States vs. Other	9	1	3	5
China, subject vs. Other	10	4	2	0
India, subject vs. Other	16	5	4	0
Thailand, subject vs. Other	10	2	6	1
Vietnam, subject vs. Other	10	5	4	0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded producers/exporters in subject countries are included in the “other” category.

Table II-15
Warmwater shrimp: Count of purchasers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	2	2	1	2
United States vs. India, subject	2	2	2	3
United States vs. Thailand, subject	2	2	2	3
United States vs. Vietnam, subject	2	2	2	3
China, subject vs. India, subject	4	1	1	1
China, subject vs. Thailand, subject	4	1	1	1
China, subject vs. Vietnam, subject	4	1	1	1
India, subject vs. Thailand, subject	4	1	5	0
India, subject vs. Vietnam, subject	4	3	3	0
Thailand, subject vs. Vietnam, subject	4	3	3	0
United States vs. Other	1	1	1	1
China, subject vs. Other	2	1	1	0
India, subject vs. Other	2	1	3	0
Thailand, subject vs. Other	2	1	3	0
Vietnam, subject vs. Other	2	1	3	0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded producers/exporters in subject countries are included in the “other” category.

In addition, U.S. processors, importers, and purchasers were asked to assess how often differences other than price were significant in sales of warmwater shrimp from the United States, subject, or nonsubject sources. As seen in tables II-16 to II-18, a majority of processors reported that there were never differences other than price between product from all country pairs. A majority of importers report that there are always differences other than price between product from the United States and that from all other sources. Most importers reported that there were always or frequently differences other than price for product from subject country pairs. A majority of purchasers reported that there are always or frequently differences other than price between warmwater shrimp from the United States and subject country sources, whereas at least half of the responding purchasers report that there are sometimes differences other than price between product from the subject countries. Differences in addition to those reported under interchangeability included differences in disease (reported by an importer) and U.S. product having much higher food safety standards.

Table II-16
Warmwater shrimp: Count of U.S. processors reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	5	1	1	8
United States vs. India, subject	5	1	1	8
United States vs. Thailand, subject	5	1	1	8
United States vs. Vietnam, subject	5	1	1	8
China, subject vs. India, subject	2	2	2	8
China, subject vs. Thailand, subject	2	2	2	8
China, subject vs. Vietnam, subject	2	2	2	8
India, subject vs. Thailand, subject	2	2	2	8
India, subject vs. Vietnam, subject	2	2	2	8
Thailand, subject vs. Vietnam, subject	2	2	2	8
United States vs. Other	4	1	1	7
China, subject vs. Other	2	1	2	7
India, subject vs. Other	2	1	2	7
Thailand, subject vs. Other	2	1	2	7
Vietnam, subject vs. Other	2	1	2	7

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded processors in subject countries are included in the “other” category.

Table II-17
Warmwater shrimp: Count of importers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	13	3	1	1
United States vs. India, subject	29	4	1	1
United States vs. Thailand, subject	14	4	1	1
United States vs. Vietnam, subject	18	5	1	1
China, subject vs. India, subject	15	2	7	2
China, subject vs. Thailand, subject	9	2	6	2
China, subject vs. Vietnam, subject	10	3	7	2
India, subject vs. Thailand, subject	15	3	7	2
India, subject vs. Vietnam, subject	16	3	9	2
Thailand, subject vs. Vietnam, subject	11	4	7	2
United States vs. Other	12	4	1	1
China, subject vs. Other	7	1	7	2
India, subject vs. Other	13	2	8	2
Thailand, subject vs. Other	8	2	7	2
Vietnam, subject vs. Other	7	2	7	2

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded processors in subject countries are included in the “other” category.

Table II-18
Warmwater shrimp: Count of purchasers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. China, subject	3	1	2	0
United States vs. India, subject	3	2	2	1
United States vs. Thailand, subject	3	2	2	1
United States vs. Vietnam, subject	3	2	2	1
China, subject vs. India, subject	3	1	4	0
China, subject vs. Thailand, subject	3	1	4	0
China, subject vs. Vietnam, subject	3	1	4	0
India, subject vs. Thailand, subject	2	1	6	1
India, subject vs. Vietnam, subject	2	1	6	1
Thailand, subject vs. Vietnam, subject	2	1	6	1
United States vs. Other	1	1	1	1
China, subject vs. Other	2	1	2	0
India, subject vs. Other	1	1	3	1
Thailand, subject vs. Other	1	1	3	1
Vietnam, subject vs. Other	1	1	3	1

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product from excluded processors in subject countries are included in the “other” category.

Elasticity estimates

This section discusses elasticity estimates. Parties were asked to discuss these elasticity estimates, the discussions below include party comments on elasticities.

U.S. supply elasticity

The domestic supply elasticity for warmwater shrimp measures the sensitivity of the quantity supplied by U.S. producers to changes in the U.S. market price of warmwater shrimp. The elasticity of domestic supply depends on several factors including the level of excess capacity, the ease with which producers can alter capacity, producers’ ability to shift to production of other products, the existence of inventories, and the availability of alternate markets for U.S.-produced warmwater shrimp. Analysis of these factors indicates that the U.S. industry is likely to have a low to moderate ability to increase or decrease shipments to the U.S. market; an estimate in the range of 2 to 5 is suggested. However, this is mainly limited by how much wild-caught shrimp can be harvested since there is relatively little domestic farm-raised shrimp.

Thai respondents state that this estimate of supply elasticity should be revised downward because processor supply capacity assumes year-round production, but production is limited to the season during which the shrimp is harvested, in addition, capacity does not reflect the amount of raw shrimp available to process. December inventories cannot be used to increase sales to the market in response to higher prices because these inventories are the need to maintain supply during January-March when there is no (shrimp) fishing. In addition, Thai respondents claim that shrimp landings have been relatively consistent since the original investigation and are not likely to increase in the future.[36]

U.S. demand elasticity

The U.S. demand elasticity for warmwater shrimp measures the sensitivity of the overall quantity demanded to a change in the U.S. market price of warmwater shrimp. This estimate depends on factors discussed earlier such as the existence, availability, and commercial viability of substitute products, as well as the component share of the warmwater shrimp in the production of any downstream products. Based on the available information, the aggregate demand for warmwater shrimp is likely to be moderately elastic; a range of -1 to -3 is suggested.

[36] Thai Respondents prehearing brief, pp. 31-32. According to NOAA NMFS Commercial Landings Data. In the 17 years since the decision (2005 to 2021), commercial landings of shrimp averaged 107,149 metric tons, while in the 17 years before 2005 (1988 to 2004) commercial landings of shrimp averaged 121,947 metric tons or 12.1 percent higher than in 2005 to 2021. These differences may be explained by the economics of shrimping (being less favorable after 2005) or by other factors such as increased pollution in the shrimping area.

Substitution elasticity

The elasticity of substitution depends upon the extent of product differentiation between the domestic and imported products.[37] Product differentiation, in turn, depends on such factors as quality (e.g., preferences for farm-raised vs wild-caught, appearance, level of processing, preferences for specific species, et cetera) and conditions of sale (e.g., availability, sales terms/ discounts/ promotions, et cetera). Based on available information, the elasticity of substitution between U.S.-produced warmwater shrimp and imported warmwater shrimp is likely to be in the range of 3 to 5. Factors increasing substitutability include: limited preference for particular country of origin or producers (particularly by the larger purchasers), limited domestic content requirements, and interchangeability between domestic and subject sources. Factors reducing substitutability include: availability, quality differences, different lead times from domestic and subject sources, differences between domestically produced warmwater shrimp and warmwater shrimp imported from subject countries across multiple purchase factors particularly those related to the U.S. warmwater shrimp typically being wild-caught while the imports typically being farm-raised.

[37] The substitution elasticity measures the responsiveness of the relative U.S. consumption levels of the subject imports and the domestic like products to changes in their relative prices. This reflects how easily purchasers switch from the U.S. product to the subject products (or vice versa) when prices change.

Part III: Condition of the U.S. industry

Overview

The information in this section of the report was compiled from responses to the Commission's questionnaires. Nineteen U.S. processors provided usable data on their operations in these reviews.[1] These firms accounted for approximately 55.0 percent of U.S. production of warmwater shrimp based on live (head-on, shell-on) weight, and 87.5 percent of U.S. production of warmwater shrimp based on headless, shell-on weight during 2021.[2] The Commission also received usable questionnaire responses from 329 U.S. farmers/fishermen, believed to have accounted for approximately 21.3 percent of U.S. wild-caught and farmed warmwater shrimp during 2021.[3]

Table III-1 presents events in the U.S. industry since January 1, 2016.

[1] One firm, ***. *** U.S. processor questionnaire response, II-2a, II-7b, and II-19.

[2] Staff's coverage estimate is based on a comparison of data compiled from Commission questionnaires to official NMFS statistics for wild-caught and farmed warmwater shrimp for the Gulf and Southern Atlantic regions.

[3] Data for the U.S. farmers/fishermen are presented in appendix E.

Table III-1
Warmwater shrimp: Developments in the U.S. industry since 2016

Item	Event
COVID-19 pandemic	The early months of the COVID-19 pandemic had a major effect on demand, supply, and production of shrimp in the U.S. market. Demand for shrimp initially declined as orders from restaurants and foodservice, largely shut down during the early months of the pandemic, fell rapidly. However, U.S. demand recovered as consumers began eating more shrimp at home. Import supply fell during the first year of the pandemic as well, as foreign suppliers implemented measures to limit the spread of COVID-19 among workers on farms and in processing facilities. At the same time, U.S. processing facilities also needed to implement COVID-related precautions and were affected by the temporary visa restrictions described on the next line of the table.
Temporary reduction in availability of workers under H-2B visa program	Many positions in shrimp processing plants and some positions on shrimp vessels are filled using the H-2B visa program, which provides entry for some non-agricultural temporary workers. In 2020, due to COVID-19-related border restrictions, the number of H-2B visa issuances was cut nearly in half, temporarily reducing the availability of workers to the U.S. shrimp industry.
Hurricanes	Several major hurricanes have affected shrimp producers during the period of review. In particular, Hurricane Ida, which hit Louisiana in August 2021 and Hurricane Ian, which hit Florida in September 2022, struck areas with many shrimp boats. The number of shrimp boats destroyed reportedly led to reduced harvesting activity in the months after the storms.
Diesel fuel price spike	Prices of diesel fuel, which affect the activity of shrimp fishermen and therefore the availability of U.S. shrimp, declined slightly at the beginning of the COVID-19 pandemic but began to increase in late 2020. In early 2022, diesel prices began to climb more rapidly and, in June of that year, reached a 15-year high. Diesel fuel prices have since declined but remain above historical averages.

Source: USITC, Shifts in U.S. Merchandise Trade, 2021, USITC Publication 5332, June 2022; USITC, Shifts in U.S. Merchandise Trade, 2020, USITC Publication 5239, November 2021; Powell, “U.S. Visa Issuances in 2020,” USITC Executive Briefings on Trade, April 2021; Lallo, “Delcambre Shrimp Processor Overcoming Old and New Problems,” Gulf Seafood News, June 6, 2022; Reeves, “Louisiana’s Struggling Seafood Industry Teetering After Ida,” AP, September 22, 2021; Smith, “Hurricane Ian Pummeled Shrimp Industry,” Bloomberg, October 6, 2022; and U.S. Energy Information Administration, “Weekly U.S. No. 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices,” accessed March 7, 2023.

Changes experienced by the industry

U.S. processors were asked to report any changes in the character of their operations relating to the production of warmwater shrimp since January 1, 2016.[4] Table III-2 presents their responses.

[4] U.S. processor Bowers recently built a shrimp hatchery after its post-larval shrimp supplier in Florida suffered significant damage from a hurricane. Bowers produced its first post-larval shrimp in 2019, allowing for greater flexibility in stocking the ponds at its related shrimp farm. Hearing transcript, pp. 47-48 (Hooper).

Table III-2
Warmwater shrimp: U.S. processors' reported changes in operations since January 1, 2016

Type of change	Firm name and narrative on changes in operations
Relocations	***
Relocations	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Acquisitions	***
Consolidations	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Revised labor agreements	***
Weather related events	***
Weather related events	***
Weather related events	***
Weather related events	***
Weather related events	***
Weather related events	***
Weather related events	***
Weather related events	***
Other	***
Other	***
Other	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors were also asked about the impact of the COVID-19 pandemic on their operations. Their responses are presented in table III-3.

Table III-3
Warmwater shrimp: Reported impact of COVID-19 on U.S. processors' operations since January 1, 2020

Firm	Narrative on impact of COVID-19 pandemic
CF Gollott	***
Deep Sea	***
Delcambre	***
Gulf Pride	***
Lafitte	***
Palmer Foods	***
Sea Pearl	***
Seabrook	***
Texas Pack	***
Tidelands	***
Tommys	***

Source: Compiled from data submitted in response to Commission questionnaires.

Anticipated changes in operations

U.S. processors were asked to report anticipated changes in the character of their operations relating to the production of warmwater shrimp. Table III-4 presents their responses. *** reported that they are looking to expand into other areas of processing as profit margins decline for domestic warmwater shrimp processing. *** reported possible downsizing due to the challenges of competing in the domestic market with imported warmwater shrimp.

Table III-4
Warmwater shrimp: U.S. processors' anticipated changes in operations

Firm name	Narrative on anticipated changes in operations
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. production, capacity, and capacity utilization

Table III-5 presents U.S. processors' installed and practical capacity, production, and capacity utilization using the same equipment, machinery, or employees as used to produce warmwater shrimp.

Table III-5
Warmwater shrimp: U.S. processors' installed and practical capacity and production on the same equipment as subject production, by period

Quantity in 1,000 pounds; shares and ratios in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity: Installed	Quantity	330,260	331,760	331,760	255,865	261,990
Capacity: Practical overall	Quantity	220,040	220,040	220,040	166,837	173,742
Capacity: Practical warmwater shrimp	Quantity	220,040	220,040	220,040	166,837	173,742
Production: Warmwater shrimp	Quantity	107,604	111,292	127,099	83,771	80,893
Production: Other	Quantity	---	---	---	---	---
Production: Total	Quantity	107,604	111,292	127,099	83,771	80,893
Capacity utilization: Installed	Ratio	32.6	33.5	38.3	32.7	30.9
Capacity utilization: Practical overall	Ratio	48.9	50.6	57.8	50.2	46.6
Capacity utilization: Practical warmwater shrimp	Ratio	48.9	50.6	57.8	50.2	46.6
Warmwater shrimp production	Share	100.0	100.0	100.0	100.0	100.0
Other production	Share	---	---	---	---	---
Total production	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table III-6 and figure III-1 present U.S. processors' production, capacity,[5] and capacity utilization during January 2019 through September 2022. U.S. processors' capacity remained constant during 2019-21 and was 4.3 percent higher in January-September 2022 than in January-September 2021. Firms were asked to report what type(s) of freezing capacity they have. Twelve U.S. processors reported having both block frozen and IQF capacity, four reported having only block frozen capacity, and the remaining three reported having only IQF capacity.[6]

Production increased by 18.1 percent between 2019 and 2021, increasing by 3.4 during 2019-20 and then increasing by 14.2 during 2020-21. Conversely, U.S. processors' production was 8.9 percent lower in January-September 2022 than in January-September 2021.

Capacity utilization increased from 48.9 percent in 2019 to 50.6 percent in 2020 and then increased to 57.8 percent in 2021, increasing overall by 8.9 percentage points during 2019-21. Capacity utilization was 7.3 percentage points lower in January-September 2022 (50.4 percent) than in January-September 2021 (57.6 percent).

Four processors (***) reported being involved in a tolling agreement involving the production of warmwater shrimp. During 2021, *** reported only toll operations, *** reported both toll and non-toll operations, and *** reported that it outsourced some of its processing operations.

[5] Capacity presented in table III-6 and figure III-1 reflects U.S. processors' practical warmwater shrimp capacity.

[6] Several industry representatives confirmed that the domestic industry has increased IQF production relative to block frozen production since the original investigations and previous five-year reviews. Hearing transcript, pp. 62-63 (Antley, Baumer, and Gollott).

Specifically, during the current period of review, U.S. processor CF Gollott reported that it purchased a new facility that will house an additional IQF line and packing line, which it hopes will be operational by the end of 2023. Hearing transcript, p. 28 (Gollott).

Table III-6
Warmwater shrimp: Firm-by-firm U.S. processors’ capacity, by period

Capacity

Quantity in 1,000 pounds

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
Bowers	***	***	***	***	***
CF Gollott	***	***	***	***	***
Deep Sea	***	***	***	***	***
Delcambre	***	***	***	***	***
Dominicks	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Palmer Foods	***	***	***	***	***
Piazza & Son	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Texas Pack	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommys	***	***	***	***	***
Woods	***	***	***	***	***
All firms	220,040	220,040	220,040	161,512	168,417

Table continued.

Table III-6 Continued
Warmwater shrimp: Firm-by-firm U.S. processors' production, by period

Production

Quantity in 1,000 pounds

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
Bowers	***	***	***	***	***
CF Gollott	***	***	***	***	***
Deep Sea	***	***	***	***	***
Delcambre	***	***	***	***	***
Dominicks	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Palmer Foods	***	***	***	***	***
Piazza & Son	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Texas Pack	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommys	***	***	***	***	***
Woods	***	***	***	***	***
All firms	107,604	111,292	127,099	93,089	84,830

Table continued.

Table III-6 Continued
Warmwater shrimp: Firm-by-firm U.S. processors' capacity utilization, by period

Capacity utilization

Capacity utilization ratio in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
Bowers	***	***	***	***	***
CF Gollott	***	***	***	***	***
Deep Sea	***	***	***	***	***
Delcambre	***	***	***	***	***
Dominicks	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Palmer Foods	***	***	***	***	***
Piazza & Son	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Texas Pack	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommys	***	***	***	***	***
Woods	***	***	***	***	***
All firms	48.9	50.6	57.8	57.6	50.4

Table continued.

Table III-6 Continued
Warmwater shrimp: Firm-by-firm U.S. processors' share of production, by period

Share of production

Share in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
Bowers	***	***	***	***	***
CF Gollott	***	***	***	***	***
Deep Sea	***	***	***	***	***
Delcambre	***	***	***	***	***
Dominicks	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Palmer Foods	***	***	***	***	***
Piazza & Son	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Texas Pack	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommys	***	***	***	***	***
Woods	***	***	***	***	***
All firms	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

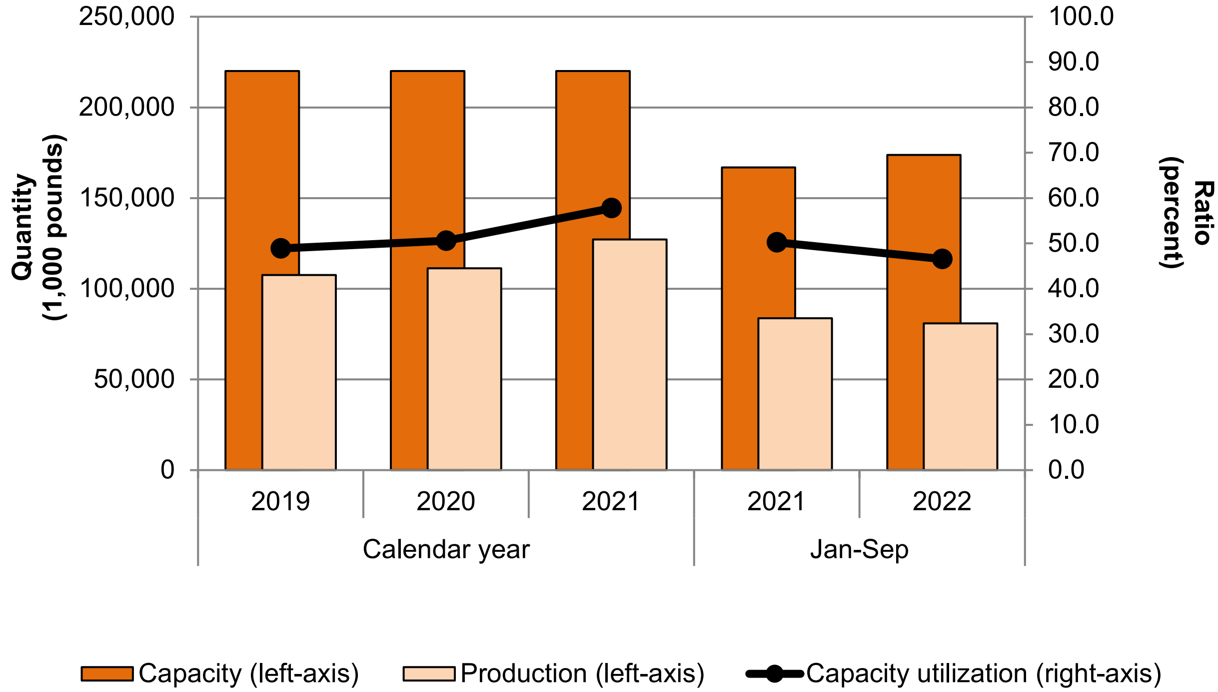
Note: ***. Additionally, ***.

Note: As previously noted, ***.

Note: Capacity utilization ratio represents the ratio of the U.S. producer's production to its production capacity.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure III-1
Warmwater shrimp: U.S. processors' capacity, production, and capacity utilization, by period



Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

No U.S. processor reported producing alternative products using the same equipment, machinery, or employees as used to produce warmwater shrimp.

Constraints on capacity

U.S. processors were asked about production constraints that set the limits on their practical overall production capacity; their responses are presented in tables III-7 and III-8. The top reported constraints were existing labor force, storage capacity, and supply of material inputs.

Table III-7
Warmwater shrimp: Number of U.S. processors' reporting production constraints since January 1, 2016, by type of constraint

Item	Number of firms
Production bottlenecks	5
Existing labor force	12
Supply of material inputs	8
Fuel or energy	6
Storage capacity	10
Logistics/transportation	4
Other constraints	6

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-8
Warmwater shrimp: U.S. processors' reported production constraints since January 1, 2016, by type of constraint and firm

Type of constraint	Firm name and narrative on production constraints
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***

Type of constraint	Firm name and narrative on production constraints
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors' U.S. shipments and exports

Table III-9 presents U.S. processors' U.S. shipments, export shipments, and total shipments. U.S. shipments increased by 13.0 percent during 2019-21 but were 11.3 percent lower in January-September 2022 than in January-September 2021. Average unit values ("AUVs") of U.S. shipments increased by 12.3 percent during 2019-21, increasing from $3.96 in 2019 to $4.27 in 2020 and then increasing to $4.44 in 2021. In contrast, AUVs of U.S. shipments were 3.1 percent lower in January-September 2022 ($4.34) than in January-September 2021 ($4.48). No U.S. processor reported export shipments of warmwater shrimp during the period for which data were collected.

Table III-9
Warmwater shrimp: U.S. processors' shipments, by destination and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; shares in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
U.S. shipments	Quantity	109,169	112,940	123,412	87,569	77,703
Export shipments	Quantity	---	---	---	---	---
Total shipments	Quantity	109,169	112,940	123,412	87,569	77,703
U.S. shipments	Value	431,866	482,577	548,065	391,894	336,866
Export shipments	Value	---	---	---	---	---
Total shipments	Value	431,866	482,577	548,065	391,894	336,866
U.S. shipments	Unit value	3.96	4.27	4.44	4.48	4.34
Export shipments	Unit value	---	---	---	---	---
Total shipments	Unit value	3.96	4.27	4.44	4.48	4.34
U.S. shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
Export shipments	Share of quantity	---	---	---	---	---
Total shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
U.S. shipments	Share of value	100.0	100.0	100.0	100.0	100.0
Export shipments	Share of value	---	---	---	---	---
Total shipments	Share of value	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: ***. Email from ***, March 2, 2023.

Note: ***. Email from ***, March 9, 2023; and email from ***, March 9, 2023.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "---".

U.S. processors’ inventories

Table III-10 presents U.S. processors’ end-of-period inventories and the ratio of these inventories to U.S. processors’ production, U.S. shipments, and total shipments. End-of-period inventories decreased by 5.3 percent during 2019-20 then increased by 21.7 percent during 2020-21, ending 15.2 percent higher in 2021 than in 2019. Similarly, these inventories were 30.3 percent higher in January-September 2022 than in January-September 2021.

The ratio of end-of-period inventories to U.S. production fluctuated but decreased by 0.4 percentage points during 2019-21. The ratio of end-of-period inventories to U.S. production was 6.4 percentage points higher in January-September 2022 than in January-September 2021. Following a similar trend, the ratio of end-of-period inventories to U.S. shipments fluctuated but increased by 0.3 percentage points during 2019-21 and was 7.4 percentage points higher during January-September 2022 than in January-September 2021.

Table III-10
Warmwater shrimp: U.S. processors’ inventories and their ratio to select items, by period

Quantity in 1,000 pounds; inventory ratios in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
End-of-period inventory	Quantity	16,051	15,194	18,496	18,353	23,912
Inventory to U.S. production	Ratio	14.9	13.7	14.6	14.8	21.1
Inventory to U.S. shipments	Ratio	14.7	13.5	15.0	15.7	23.1
Inventory to total shipments	Ratio	14.7	13.5	15.0	15.7	23.1

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors’ imports from subject sources

No responding U.S. processor reported imports (from subject or nonsubject sources) of warmwater shrimp since January 1, 2016.

U.S. processors' purchases of imports from subject sources

No responding U.S. processor reported purchases of imports (from subject or nonsubject sources) of warmwater shrimp since January 1, 2016.

U.S. employment, wages, and productivity

Table III-11 presents U.S. processors' employment-related data. U.S. processors' production and related workers ("PRWs") decreased by 24.4 percent during 2019-21 but were 2.6 percent higher during January-September 2022 than in January-September 2021. Total hours worked fluctuated but decreased overall by 12.9 percent during 2019-21 and were 9.9 percent lower during January-September 2022 than in January-September 2021. Hourly wages increased from $15.78 in 2019 to $17.41 in 2020 then decreased to $16.66 in 2021 and were higher in January-September 2022 ($18.92) than in January-September 2021 ($14.91). Productivity increased by 19.9 percent during 2019-21 and was 0.8 percent higher during January-September 2022 than in January-September 2021. Unit labor costs decreased from $0.28 in 2019 to $0.26 in 2020 then decreased to $0.22 and were higher in January-September 2022 ($0.27) than in January-September 2021 ($0.21).

Table III-11
Warmwater shrimp: U.S. processors' employment related information, by period

Item	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Production and related workers (PRWs) (number)	1,211	912	916	871	894
Total hours worked (1,000 hours)	1,925	1,676	1,677	1,337	1,204
Hours worked per PRW (hours)	1,590	1,838	1,831	1,535	1,347
Wages paid ($1,000)	30,374	29,181	27,946	19,928	22,783
Hourly wages (dollars per hour)	$15.78	$17.41	$16.66	$14.91	$18.92
Productivity (pounds per hour)	55.9	66.4	75.8	69.6	70.5
Unit labor costs (dollars per pound)	$0.28	$0.26	$0.22	$0.21	$0.27

Source: Compiled from data submitted in response to Commission questionnaires.

Financial experience of U.S. processors

Background[7]

The financial results of nineteen U.S. processors are presented in this section of the report.[8] All processors except *** reported financial data on a calendar year basis and ten firms provided their financial data on the basis of generally accepted accounting principles.[9] Revenue primarily reflects commercial sales, but also includes internal consumption and a small volume of transfers. Collectively, internal consumption and transfers accounted for *** percent of net sales quantity during the reporting period and are not shown separately in this section of the report.[10]

---

[7] The following abbreviations may be used in the tables and/or text of this section: net sales ("NS"), cost of goods sold ("COGS"), selling, general, and administrative expenses ("SG&A expenses"), average unit values ("AUVs"), research and development expenses ("R&D expenses"), return on assets ("ROA"), and Continued Dumping and Subsidy Offset Act ("CDSOA").

[8] ***.

[9] ***.

[10] ***. U.S. producers' questionnaire responses of ***, sections II-15 and email from ***, March 2, 2023.

Figure III-2 presents each responding firm's share of the total reported net sales quantity in 2021.

Figure III-2
Warmwater shrimp: Share of net sales quantity by firm, 2021

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: "All other firms" include the data reported by, ***. The data used to calculate the firms' shares of total net sales quantity are located in table III-14.

Operations on warmwater shrimp

Table III-12 presents aggregated data on U.S. processors' operations in relation to warmwater shrimp, while table III-13 presents corresponding changes in AUVs. Table III-14 presents selected company-specific financial data.[11] [12] [13]

Table III-12
Warmwater shrimp: Results of operations of U.S. processors, by item and period

Quantity in 1,000 pounds; Value in 1,000 dollars; Ratios in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Total net sales	Quantity	112,540	116,394	124,802	89,179	79,875
Total net sales	Value	437,858	488,274	546,888	393,980	339,752
COGS: Raw materials	Value	332,858	361,620	433,510	308,672	255,478
COGS: All other	Value	64,367	75,262	65,188	47,589	44,802
COGS: Total	Value	397,225	436,882	498,698	356,261	300,280
Gross profit or (loss)	Value	40,633	51,392	48,190	37,719	39,472
SG&A expenses	Value	36,845	37,423	39,589	26,344	29,242
Operating income or (loss)	Value	3,788	13,969	8,601	11,375	10,230
Interest expense	Value	5,908	4,053	3,257	2,158	3,244
All other expenses	Value	2,252	9,011	5,448	2,312	2,346
All other income	Value	9,913	19,550	20,294	5,768	6,578
Net income or (loss)	Value	5,541	20,455	20,190	12,673	11,218
Depreciation/amortization	Value	5,648	6,179	5,999	3,553	2,981
Cash flow	Value	11,189	26,634	26,189	16,226	14,199
COGS: Raw materials	Ratio to NS	76.0	74.1	79.3	78.3	75.2
COGS: All other	Ratio to NS	14.7	15.4	11.9	12.1	13.2
COGS: Total	Ratio to NS	90.7	89.5	91.2	90.4	88.4
Gross profit	Ratio to NS	9.3	10.5	8.8	9.6	11.6
SG&A expense	Ratio to NS	8.4	7.7	7.2	6.7	8.6
Operating income or (loss)	Ratio to NS	0.9	2.9	1.6	2.9	3.0
Net income or (loss)	Ratio to NS	1.3	4.2	3.7	3.2	3.3

Table continued.

[11] ***.

[12] Income-and-loss data for U.S. farmers/fishermen are presented in appendix E.

[13] A variance analysis is most useful for products that do not have substantial changes in product mix over the period investigated, and the methodology is most sensitive at the plant or firm level, rather than the aggregated industry level. Because of the ***, a variance analysis is not presented.

Table III-12 Continued
Warmwater shrimp: Results of operations of U.S. processors, by item and period

Shares in percent; Unit values in dollars per pound; Count in number of firms reporting

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
COGS: Raw materials	Share	83.8	82.8	86.9	86.6	85.1
COGS: All other	Share	16.2	17.2	13.1	13.4	14.9
COGS: Total	Share	100.0	100.0	100.0	100.0	100.0
Total net sales	Unit value	3.89	4.20	4.38	4.42	4.25
COGS: Raw materials	Unit value	2.96	3.11	3.47	3.46	3.20
COGS: All other	Unit value	0.57	0.65	0.52	0.53	0.56
COGS: Total	Unit value	3.53	3.75	4.00	3.99	3.76
Gross profit or (loss)	Unit value	0.36	0.44	0.39	0.42	0.49
SG&A expenses	Unit value	0.33	0.32	0.32	0.30	0.37
Operating income or (loss)	Unit value	0.03	0.12	0.07	0.13	0.13
Net income or (loss)	Unit value	0.05	0.18	0.16	0.14	0.14
Operating losses	Count	9	6	8	4	8
Net losses	Count	11	8	6	3	8
Data	Count	19	19	19	19	19

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares represent the share of COGS.

Table III-13
Warmwater shrimp: Changes in average unit values between comparison periods

Changes in percent

Item	2019-21	2019-20	2020-21	Jan-Sep 2021-22
Total net sales	▲12.6	▲7.8	▲4.5	▼(3.7)
COGS: Raw materials	▲17.4	▲5.0	▲11.8	▼(7.6)
COGS: All other	▼(8.7)	▲13.1	▼(19.2)	▲5.1
COGS: Total	▲13.2	▲6.3	▲6.5	▼(5.9)

Table continued.

Table III-13 Continued
Warmwater shrimp: Changes in average unit values between comparison periods

Changes in dollars per pound

Item	2019-21	2019-20	2020-21	Jan-Sep 2021-22
Total net sales	▲0.49	▲0.30	▲0.19	▼(0.16)
COGS: Raw materials	▲0.52	▲0.15	▲0.37	▼(0.26)
COGS: All other	▼(0.05)	▲0.07	▼(0.12)	▲0.03
COGS: Total	▲0.47	▲0.22	▲0.24	▼(0.24)
Gross profit or (loss)	▲0.03	▲0.08	▼(0.06)	▲0.07
SG&A expense	▼(0.01)	▼(0.01)	▼(0.004)	▲0.07
Operating income or (loss)	▲0.04	▲0.09	▼(0.05)	▲0.001
Net income or (loss)	▲0.11	▲0.13	▼(0.01)	▼(0.002)

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-14
Warmwater shrimp: Firm-by-firm total net sales quantity, by period

Net sales quantity

Quantity in 1,000 pounds

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	112,540	116,394	124,802	89,179	79,875

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm total net sales value, by period

Net sales value

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	437,858	488,274	546,888	393,980	339,752

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm COGS, by period

COGS

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	397,225	436,882	498,698	356,261	300,280

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm gross profit or (loss), by period

Gross profit or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	40,633	51,392	48,190	37,719	39,472

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm SG&A expenses, by period

SG&A expenses

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	36,845	37,423	39,589	26,344	29,242

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm operating income or (loss), by period

Operating income or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	3,788	13,969	8,601	11,375	10,230

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm net income or (loss), by period

Net income or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	5,541	20,455	20,190	12,673	11,218

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm ratio of COGS value to net sales value, by period

COGS to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	90.7	89.5	91.2	90.4	88.4

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm ratio of gross profit or (loss) to net sales value, by period

Gross profit or (loss) to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	9.3	10.5	8.8	9.6	11.6

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm ratio of SG&A expenses to net sales value, by period

SG&A expenses to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	8.4	7.7	7.2	6.7	8.6

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm ratio of operating income or (loss) to net sales value, by period

Operating income or (loss) to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.9	2.9	1.6	2.9	3.0

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm ratio of net income or (loss) to net sales value, by period

Net income or (loss) to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	1.3	4.2	3.7	3.2	3.3

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit net sales value, by period

Unit net sales value

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	3.89	4.20	4.38	4.42	4.25

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit total raw material costs, by period

Unit raw material

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	2.96	3.11	3.47	3.46	3.20

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit all other COGS, by period

Unit all other COGS

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.57	0.65	0.52	0.53	0.56

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit COGS, by period

Unit COGS

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	3.53	3.75	4.00	3.99	3.76

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit gross profit or (loss), by period

Unit gross profit or (loss)

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.36	0.44	0.39	0.42	0.49

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit SG&A expenses, by period

Unit SG&A expenses

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.33	0.32	0.32	0.30	0.37

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit operating income or (loss), by period

Unit operating income or (loss)

Unit values in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.03	0.12	0.07	0.13	0.13

Table continued.

Table III-14 Continued
Warmwater shrimp: Firm-by-firm unit net income or (loss), by period

Unit net income or (loss)

Unit values in in dollars per pound

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	0.05	0.18	0.16	0.14	0.14

Source: Compiled from data submitted in response to Commission questionnaires.

Net sales

As shown in table III-12, total net sales quantity and value increased from 2019 to 2021 and were lower in January-September 2022 (“interim 2022”) than in January-September 2021 (“interim 2021”). On a company-by-company basis, ***

***.[14]

The net sales AUV for the industry as a whole increased from 2019 to 2021 but was lower in interim 2022 than in interim 2021. ***.[15]

Cost of goods sold and gross profit or loss

Raw materials

Raw material costs represent the largest component of total COGS during the reporting period, ranging from 82.8 percent (2020) to 86.9 percent (2021). On a per-pound basis, raw material costs increased from 2019 to 2021 and were lower in interim 2022 than in interim 2021. As shown in table III-14, company-specific unit raw material costs were consistent with the broader trend; ***.[16]

---

[14] Among the 12 smaller firms (collectively, “all other firms” in table III-14), ***.
[15] Among the 12 smaller firms, ***.
[16] Among the 12 smaller firms, ***.

Raw material costs include Shrimp/prawns and various other raw materials such as ***. Table III-15 presents raw materials, by type in 2021.[17]

Table III-15
Warmwater shrimp: Raw material costs, 2021

Values in 1,000 dollars; Unit values in dollars per pound; Share of value in percent

Item	Value	Unit value	Share of value
Shrimp and prawns	418,495	3.35	96.5
Other material inputs	15,015	0.12	3.5
All raw materials	433,510	3.47	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

All other COGS

All other COGS accounted for between 13.1 percent (2021) and 17.2 percent (2020) of total COGS. All other COGS per pound decreased irregularly from 2019 to 2021, and were higher in interim 2022 than in interim 2021. All other COGS as a ratio to net sales declined irregularly from 2019 to 2021 but was higher in interim 2022 than in interim 2021. As shown in table III-14, ***.[18]

COGS and gross profit or loss

The value of total COGS, its ratio to net sales, and its unit value increased overall from 2019 to 2021 and these items were each lower in interim 2022 than in interim 2021. However, the increase in net sales value from 2019 to 2021 exceeded the corresponding increase in COGS, thus the industry's gross profit increased irregularly from 2019 to 2021. On a per pound basis, net sales increased by $0.49 between 2019 and 2021 compared with an increase of $0.47 in total COGS (led by raw materials). The industry's gross profit was higher in interim 2022 than

---

[17] ***. U.S. producers' questionnaire response of ***, sections III-6 and III-7.
[18] Among the 12 smaller firms, ***.

in interim 2021 as COGS declined more than net sales value. Table III-14 shows that ***.[19]

SG&A expenses and operating income or loss

As shown in table III-12, the industry's SG&A expense ratios (i.e., total SG&A expenses divided by total revenue) declined from 2019 to 2021 but was higher in interim 2022 than in interim 2021.[20] Table III-14 shows that ***.[21] On an overall basis and similar to the trend in gross profit, the increase in net sales value from 2019 to 2021 exceeded the corresponding increases in COGS and SG&A expenses, thus the industry's operating income increased irregularly from 2019 to 2021. Operating income was lower in interim 2022 than in interim 2021. As a ratio to net sales, operating income increased irregularly from 2019 to 2021 and was higher in interim 2022 than in interim 2021. Operating income/(loss) and directional changes may be seen in table III-14: ***.[22]

---

[19] Among the 12 smaller firms, ***.

[20] The Commission's processors' questionnaire requested data on corporate officers' and partners' salaries. Of the 18 processors that provided usable financial data, 15 provided separate data on such compensation. All firms except *** reported this compensation in SG&A expenses. ***. Email from ***, March 10, 2023. Aggregate data reveal that corporate officers' compensation data except *** represented 11.4 percent of total SG&A expenses from January 2019 to September 2022, and the aggregate value increased between the full year and comparable interim periods. For the 14 firms that provided separate data indicating that such compensation was included in SG&A expenses, corporate compensation represented 14.0 percent of total SG&A expenses during the period for which data were requested.

[21] Among the 12 smaller firms, ***.

[22] Among the 12 smaller firms, ***.

All other expenses and net income or loss

Classified below the operating income level are interest expense, other expense, and other income, which are often allocated to the product line from high levels in the corporation. Interest expense declined from 2019 to 2021 but was higher in interim 2022 than in interim 2021. Other expense and income increased overall from 2019 to 2021 and were higher in interim 2022 than in interim 2021. Four firms, *** accounted for the vast majority of other income.[23] U.S. processors were requested to provide some detail on income reported as part of warmwater shrimp operations that reflect CDSOA receipts. Table III-14 presents the aggregate results of reported CDSOA receipts. Of the 19 usable questionnaires, 10 reported CDSOA receipts during the reporting period, summarized in table III-16.[24]

Table III-16
Warmwater shrimp: CDSOA receipts, by period

Values in 1,000 dollars

Item	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
CDSOA receipts	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors were asked about prospective CDSOA receipts. Of the 19 usable questionnaires, 10 reported that no future CDSOA receipts are expected, while five reported the expectation of such income. Table III-17 presents the additional detail provided by processors that expect future CDSOA receipts.

[23] ***. U.S. processors' questionnaire responses of ***, question III-10 and email from ***, March 07, 2023.

[24] ***.

Table III-17
Warmwater shrimp: Narratives explaining anticipated CDSOA receipts

Firm	Narrative on capital expenditures
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

By definition, items classified at this level in the income statement only affect net income or loss. Other income was much greater than the two expense categories of interest expense and other expenses combined in each period and caused net income to be greater than operating income in each yearly and interim period. Hence, net income for the industry reflected the changes in operating income plus the difference between other income and interest plus other expense. Net income increased noticeably from 2019 to 2020 then declined to 2021; it was lower in interim 2022 than in interim 2021. As a ratio to net sales, net income increased irregularly from 2019 to 2021 and was higher in interim 2022 than in interim 2021. As shown in table III-14, ***.[25]

[25] Among the 13 smaller firms, including ***, ***.

Capital expenditures and research and development expenses

Table III-18 presents capital expenditures, by firm, and table III-20 presents research and development ("R&D") expenses, by firm. Tables III-19 presents the firms' narrative explanations of the nature, focus, and significance of their capital expenditures.

Table III-18
Warmwater shrimp: U.S. processors' capital expenditures, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Bayou	***	***	***	***	***
CF Gollott	***	***	***	***	***
Gulf Crown	***	***	***	***	***
JBS	***	***	***	***	***
Lafitte	***	***	***	***	***
Piazza & Son	***	***	***	***	***
All other firms	***	***	***	***	***
All firms	4,146	4,047	9,054	7,889	5,015

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-19
Warmwater shrimp: Narratives explaining the nature, focus, and significance of firms' capital expenditures

Firm	Narrative on capital expenditures
Bayou	***
CF Gollott	***
Gulf Crown	***
JBS	***
Lafitte	***
Piazza & Son	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-20
Warmwater shrimp: U.S. processors' R&D expenses, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
***	***	***	***	***	***
All firms	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: ***.

Assets and return on assets

Table III-21 presents data on the U.S. processors' total net assets, while table III-22 presents their operating return on assets ("ROA").[26] [27] Table III-23 presents U.S. processors' narrative responses explaining their major asset categories and any significant changes in asset levels over time.

Table III-21
Warmwater shrimp: U.S. processors' net assets, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021
Bayou	***	***	***
CF Gollott	***	***	***
Gulf Crown	***	***	***
JBS	***	***	***
Lafitte	***	***	***
Piazza & Son	***	***	***
All other firms	***	***	***
All firms	192,659	196,369	235,550

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-22
Warmwater shrimp: U.S. processors' return on assets, by firm and period

Ratio in percent

Firm	2019	2020	2021
Bayou	***	***	***
CF Gollott	***	***	***
Gulf Crown	***	***	***
JBS	***	***	***
Lafitte	***	***	***
Piazza & Son	***	***	***
All other firms	***	***	***
All firms	2.0	7.1	3.7

Source: Compiled from data submitted in response to Commission questionnaires.

[26] The operating ROA is calculated as operating income divided by total assets. With respect to a firm's overall operations, the total asset value reflects an aggregation of a number of assets which are generally not product specific. Thus, high-level allocations are generally required in order to report a total asset value for warmwater shrimp.

[27] ***.

Table III-23
Warmwater shrimp: Narrative explaining major asset categories and any significant changes in asset levels over time

Firm	Narrative on assets
Bayou	***
CF Gollott	***
Gulf Crown	***
JBS	***
Lafitte	***
Piazza & Son	***

Source: Compiled from data submitted in response to Commission questionnaires.

The Commission's questionnaire requested companies to describe the effect of the COVID-19 pandemic or government actions to contain the spread of the COVID-19 virus on the firm's financial performance since January 1, 2020. Industry responses are in table III-24.

Table III-24
Warmwater shrimp: Narratives explaining the effects of COVID-19 on financial performance

Firm	Narrative on capital expenditures
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part IV: U.S. imports and the foreign industries

U.S. imports

Overview

The Commission issued questionnaires to 55 potential importers of warmwater shrimp between January 2016 and September 2022. Forty-six firms provided data and information in response to the questionnaires.[1] Based on official Commerce statistics for imports of warmwater shrimp, importers' questionnaire data accounted for *** percent of subject imports and *** percent of total U.S. imports during 2021. Firms responding to the Commission's questionnaire accounted for the following shares of warmwater shrimp imports (as a share of adjusted official import statistics, by quantity) during 2021.[2]

- *** percent of the subject imports from China
- *** percent of the subject imports from India
- *** percent of the subject imports from Thailand
- *** percent of the subject imports from Vietnam
- *** percent of imports from nonsubject sources[3]

In light of the data coverage by the Commission's questionnaires, import data in this report are based on official import statistics for warmwater shrimp, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders.[4]

[1] An additional firm indicated that it did not import warmwater shrimp during the period for which data were collected.

[2] Subject import coverage was calculated as a share of subject imports, as reported in the questionnaire, divided by official import statistics that were adjusted with questionnaire data to reclassify certain imports from China, India, Thailand, and Vietnam that are no longer subject to the orders.

[3] Nonsubject sources also include certain imports from China, India, Thailand, and Vietnam that are no longer subject to the orders.

[4] Subject imports presented in this report are likely overstated due to less than complete questionnaire coverage. Questionnaire data were used to subtract from official import statistics certain imports *** that are no longer subject to the orders and have been reclassified as "nonsubject." ***.

Companies that are no longer subject to the orders are Allied Pacific Group, Yelin Enterprise Co. Hong Kong, Zhanjiang Guolian Aquatic Products Co., Ltd., and Zhanjiang Regal Integrated Marine Resources Co., Ltd. (China); Devi Sea Foods Limited (India); Thai I-Mei Frozen Foods Co., Ltd., the Rubicon Group, and Marine Gold Products Limited (Thailand); and the Minh Phu Group (Vietnam). For additional information, see section titled "Company revocations," in Part I of this report.

Imports from subject and nonsubject countries

Table IV-1 and figure IV-1 present information on U.S. imports of warmwater shrimp from China, India, Thailand, Vietnam, and all other sources over the period examined. Total U.S. imports increased by 28.6 percent between 2019 and 2021, and were 1.2 percent lower in January-September 2022 than in January-September 2021. Subject imports fluctuated during 2019-21, increasing overall by *** percent, and were *** percent lower in January-September 2022 than in January-September 2021. Imports from nonsubject sources increased by *** percent during 2019-21 and were *** percent higher in interim 2022 than in interim 2021. Average unit values ("AUVs") from subject and nonsubject sources increased between 2019 and 2021, by *** percent and *** percent, respectively, and were both higher in interim 2022 than in interim 2021.

Subject imports made up *** of total imports in each full year. As a share of total imports, subject imports decreased by *** percentage points, from *** percent in 2019 to *** percent in 2021, and were *** percentage points lower in interim 2022 than in interim 2021. India was the largest source of subject imports in each period; its share of total imports ranged between *** percent and *** percent during 2019-21, and was *** percentage points lower in interim 2022 than in interim 2021. The ratio of subject imports to U.S. production increased by *** percentage points during 2019-21, from *** percent to *** percent, and was *** percentage points higher in interim 2022 than in interim 2021.

Table IV-2 presents the leading sources of nonsubject imports. The leading nonsubject sources of warmwater shrimp imports were Ecuador and Indonesia, accounting for 21.6 percent and 18.3 percent of total imports in 2021, respectively. Imports from Ecuador more than doubled between 2019 and 2021 and were 10.7 percent higher in interim 2022 than in interim 2021. Imports from Indonesia also increased during 2019-21, by 20.6 percent, and were 1.2 percent lower in interim 2022 than in interim 2021.

Importers were asked about the impact of the COVID-19 pandemic on their warmwater shrimp operations. Seventeen of 46 responding firms reported changes in their supply chain arrangements, imports, employment, and/or shipments relating to warmwater shrimp. *** and *** both reported that COVID-19 impacted the timing of their imports, but did not impact the volume of imports and U.S. shipments, which remained relatively stable during 2020-21. *** similarly reported that it was initially impacted by the pandemic due to lower restaurant demand, but its shipments stabilized from 2021 to 2022. Several importers also reported increased shipping costs due to the COVID-19 pandemic.

Table IV-1
Warmwater shrimp: U.S. imports, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
China, subject	Quantity	***	***	***	***	***
India, subject	Quantity	***	***	***	***	***
Thailand, subject	Quantity	***	***	***	***	***
Vietnam, subject	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
China, nonsubject	Quantity	***	***	***	***	***
India, nonsubject	Quantity	***	***	***	***	***
Thailand, nonsubject	Quantity	***	***	***	***	***
Vietnam, nonsubject	Quantity	***	***	***	***	***
All other sources	Quantity	611,001	733,888	849,081	618,050	645,867
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	1,411,504	1,515,039	1,815,253	1,297,731	1,282,493
China, subject	Value	***	***	***	***	***
India, subject	Value	***	***	***	***	***
Thailand, subject	Value	***	***	***	***	***
Vietnam, subject	Value	***	***	***	***	***
Subject sources	Value	***	***	***	***	***
China, nonsubject	Value	***	***	***	***	***
India, nonsubject	Value	***	***	***	***	***
Thailand, nonsubject	Value	***	***	***	***	***
Vietnam, nonsubject	Value	***	***	***	***	***
All other sources	Value	2,353,138	2,787,116	3,467,246	2,420,056	2,850,859
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	5,741,263	6,168,742	7,811,954	5,375,744	5,935,635

Table continued.

Table IV-1 Continued
Warmwater shrimp: U.S. imports, by source and period

Unit value in dollars per pound; share in percent

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
China, subject	Unit value	***	***	***	***	***
India, subject	Unit value	***	***	***	***	***
Thailand, subject	Unit value	***	***	***	***	***
Vietnam, subject	Unit value	***	***	***	***	***
Subject sources	Unit value	***	***	***	***	***
China, nonsubject	Unit value	***	***	***	***	***
India, nonsubject	Unit value	***	***	***	***	***
Thailand, nonsubject	Unit value	***	***	***	***	***
Vietnam, nonsubject	Unit value	***	***	***	***	***
All other sources	Unit value	3.85	3.80	4.08	3.92	4.41
Nonsubject sources	Unit value	***	***	***	***	***
All import sources	Unit value	4.07	4.07	4.30	4.14	4.63
China, subject	Share of quantity	***	***	***	***	***
India, subject	Share of quantity	***	***	***	***	***
Thailand, subject	Share of quantity	***	***	***	***	***
Vietnam, subject	Share of quantity	***	***	***	***	***
Subject sources	Share of quantity	***	***	***	***	***
China, nonsubject	Share of quantity	***	***	***	***	***
India, nonsubject	Share of quantity	***	***	***	***	***
Thailand, nonsubject	Share of quantity	***	***	***	***	***
Vietnam, nonsubject	Share of quantity	***	***	***	***	***
All other sources	Share of quantity	***	***	***	***	***
Nonsubject sources	Share of quantity	***	***	***	***	***
All import sources	Share of quantity	***	***	***	***	***

Table continued.

Table IV-1 Continued
Warmwater shrimp: U.S. imports, by source and period

Share and ratio in percent; ratios represent the ratio to U.S. production

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
China, subject	Share of value	***	***	***	***	***
India, subject	Share of value	***	***	***	***	***
Thailand, subject	Share of value	***	***	***	***	***
Vietnam, subject	Share of value	***	***	***	***	***
Subject sources	Share of value	***	***	***	***	***
China, nonsubject	Share of value	***	***	***	***	***
India, nonsubject	Share of value	***	***	***	***	***
Thailand, nonsubject	Share of value	***	***	***	***	***
Vietnam, nonsubject	Share of value	***	***	***	***	***
All other sources	Share of value	***	***	***	***	***
Nonsubject sources	Share of value	***	***	***	***	***
All import sources	Share of value	***	***	***	***	***
China, subject	Ratio	***	***	***	***	***
India, subject	Ratio	***	***	***	***	***
Thailand, subject	Ratio	***	***	***	***	***
Vietnam, subject	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
China, nonsubject	Ratio	***	***	***	***	***
India, nonsubject	Ratio	***	***	***	***	***
Thailand, nonsubject	Ratio	***	***	***	***	***
Vietnam, nonsubject	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	1,311.8	1,361.3	1,428.2	1,394.1	1,511.8

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023, and from data submitted in response to Commission questionnaires. Imports are based on the imports for consumption data series.

Note: Imports presented in this report are based on official import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders. Due to less than complete questionnaire coverage, subject imports are likely overstated. Questionnaire data were used to subtract from official import statistics certain imports *** that are no longer subject to the orders and have been reclassified as “nonsubject.” ***.

Note: Nonsubject sources also include certain imports from China, India, Thailand, and Vietnam that are no longer subject to the orders.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“.

Figure IV-1
Warmwater shrimp: U.S. import quantities and average unit values, by source and period

*   *   *   *   *   *   *

Table IV-2
Warmwater shrimp: Nonsubject U.S. imports, by source and period

Quantity in 1,000 pounds; share in percent

Source	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Ecuador	Quantity	175,828	266,283	391,524	294,474	325,922
Indonesia	Quantity	275,238	321,685	331,948	240,244	237,300
Mexico	Quantity	63,571	55,043	43,711	23,806	29,235
Argentina	Quantity	28,600	38,125	36,516	24,068	27,677
India, nonsubject	Quantity	***	***	***	***	***
Peru	Quantity	15,997	16,049	12,091	9,601	7,068
Bangladesh	Quantity	2,373	3,823	5,538	4,237	3,092
Guyana	Quantity	10,422	6,537	4,591	4,370	2,729
Saudi Arabia	Quantity	2,147	6,365	3,816	3,242	1,170
Honduras	Quantity	8,951	3,392	2,975	2,110	1,267
Canada	Quantity	2,817	1,990	2,851	2,247	1,650
Thailand, nonsubject	Quantity	***	***	***	***	***
Venezuela	Quantity	11,299	4,701	2,515	2,153	1,555
All other sources	Quantity	13,758	9,895	11,006	7,497	7,202
Nonsubject sources	Quantity	***	***	***	***	***
Ecuador	Share	***	***	***	***	***
Indonesia	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
India, nonsubject	Share	***	***	***	***	***
Peru	Share	***	***	***	***	***
Bangladesh	Share	***	***	***	***	***
Guyana	Share	***	***	***	***	***
Saudi Arabia	Share	***	***	***	***	***
Honduras	Share	***	***	***	***	***
Canada	Share	***	***	***	***	***
Thailand, nonsubject	Share	***	***	***	***	***
Venezuela	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023, and from data submitted in response to Commission questionnaires. Imports are based on the imports for consumption data series.

Cumulation considerations

In assessing whether U.S. imports from the subject countries are likely to compete with each other and with the domestic like product, the Commission has generally considered four factors: (1) fungibility, (2) presence of sales or offers to sell in the same geographical markets, (3) common or similar channels of distribution, and (4) simultaneous presence in the market. Information regarding channels of distribution, market areas, and interchangeability appear in Part II. Additional information concerning fungibility, geographical markets, and simultaneous presence in the market is presented below.

Fungibility

Table IV-3 and figure IV-2 present U.S. processors' and U.S. importers' U.S. shipments of warmwater shrimp by freezing type. During 2021, the majority (55.6 percent) of U.S. processors' U.S. shipments were block frozen and the vast majority (over 90 percent) of U.S. importers' U.S. shipments from any subject source were IQF.

Table IV-3
Warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and freezing type, 2021

Quantity in 1,000 pounds

Source	Block Frozen	IQF	Other freezing types	All freezing types
U.S. processors	68,676	54,736	---	123,412
China, subject	***	***	***	***
India, subject	***	***	***	***
Thailand, subject	***	***	***	***
Vietnam, subject	***	***	***	***
Subject sources	***	***	***	***
Nonsubject sources	***	***	***	***
All import sources	***	***	***	***
All sources	***	***	***	***

Table continued.

Table IV-3 Continued
Warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and freezing type, 2021

Share across in percent

Source	Block Frozen	IQF	Other freezing types	All freezing types
U.S. processors	55.6	44.4	---	100.0
China, subject	***	***	***	***
India, subject	***	***	***	***
Thailand, subject	***	***	***	***
Vietnam, subject	***	***	***	***
Subject sources	***	***	***	***
Nonsubject sources	***	***	***	***
All import sources	***	***	***	***
All sources	***	***	***	***

Table continued.

Table IV-3 Continued
Warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and freezing type, 2021

Share down in percent

Source	Block Frozen	IQF	Other freezing types	All freezing types
U.S. processors	***	***	***	***
China, subject	***	***	***	***
India, subject	***	***	***	***
Thailand, subject	***	***	***	***
Vietnam, subject	***	***	***	***
Subject sources	***	***	***	***
Nonsubject sources	***	***	***	***
All import sources	***	***	***	***
All sources	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“.

Figure IV-2
Warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and freezing type, 2021

* * * * * * *

Geographical markets

Warmwater shrimp produced in the United States are shipped nationwide (see part II for more information on geographical markets). Table IV-4 presents U.S. imports of warmwater shrimp, by source and border of entry in 2021, based on official Commerce statistics.[5] U.S. imports of warmwater shrimp from China, India, Thailand, and Vietnam entered multiple ports of entry across the nation. More than half of U.S. imports from each subject source (except China) entered through eastern borders of entry, primarily via New York, New York. The majority of U.S. imports from China entered via Los Angeles, California.

[5] Official Commerce statistics do not take into account firms that are no longer subject to the orders. Thus, subject imports are overstated and nonsubject imports are understated.

Table IV-4
Warmwater shrimp: U.S. imports, by source and border of entry, 2021

Quantity in 1,000 pounds

Source	East	North	South	West	All borders
China	70	---	---	293	363
India	403,597	56,163	143,004	145,300	748,063
Thailand	29,276	1,681	4,641	20,396	55,994
Vietnam	85,046	8,847	26,273	41,587	161,753
Subject sources	517,989	66,690	173,918	207,576	966,172
Nonsubject sources	322,201	24,952	188,100	313,828	849,081
All import sources	840,189	91,643	362,017	521,404	1,815,253

Table continued.

Table IV-4 Continued
Warmwater shrimp: U.S. imports, by source and border of entry, 2021

Share across in percent

Source	East	North	South	West	All borders
China	19.2	---	---	80.8	100.0
India	54.0	7.5	19.1	19.4	100.0
Thailand	52.3	3.0	8.3	36.4	100.0
Vietnam	52.6	5.5	16.2	25.7	100.0
Subject sources	53.6	6.9	18.0	21.5	100.0
Nonsubject sources	37.9	2.9	22.2	37.0	100.0
All import sources	46.3	5.0	19.9	28.7	100.0

Table continued.

Table IV-4 Continued
Warmwater shrimp: U.S. imports, by source and border of entry, 2021

Share down in percent

Source	East	North	South	West	All borders
China	0.0	---	---	0.1	0.0
India	48.0	61.3	39.5	27.9	41.2
Thailand	3.5	1.8	1.3	3.9	3.1
Vietnam	10.1	9.7	7.3	8.0	8.9
Subject sources	61.7	72.8	48.0	39.8	53.2
Nonsubject sources	38.3	27.2	52.0	60.2	46.8
All import sources	100.0	100.0	100.0	100.0	100.0

Source: Official U.S. import statistics of the U.S. Department of Commerce Census Bureau, using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“. All merchandise from China, India, Thailand, and Vietnam is classified as subject sources and therefore subject data are overstated and nonsubject data understated.

Presence in the market

Warmwater shrimp produced in the United States was present in the market throughout the period for which data were collected. Table IV-5 and figures IV-3 and IV-4 present monthly data for U.S. imports of warmwater shrimp from subject and nonsubject sources between January 2019 and November 2022, based on official Commerce statistics.[6] Imports of warmwater shrimp from India, Thailand, and Vietnam were present in each month between January 2019 and November 2022, while imports from China were present in 36 of 47 months.

[6] Official Commerce statistics do not take into account firms that are no longer subject to the orders. Thus, subject imports are overstated and nonsubject imports are understated.

Table IV-5
Warmwater shrimp: Quantity of U.S. imports, by source and month

Quantity in 1,000 pounds

Year	Month	China	India	Thailand	Vietnam	Subject sources	Nonsubject sources	All import sources
2019	January	649	46,974	5,959	6,871	60,454	49,169	109,624
2019	February	217	36,506	3,335	2,890	42,948	42,674	85,622
2019	March	155	45,924	5,352	1,952	53,383	46,903	100,285
2019	April	97	41,927	4,255	3,110	49,389	49,865	99,254
2019	May	159	46,986	5,111	3,118	55,374	51,629	107,003
2019	June	2	48,445	5,100	4,076	57,623	48,228	105,852
2019	July	17	62,036	5,270	5,913	73,237	47,566	120,803
2019	August	---	70,071	6,826	9,040	85,937	55,651	141,587
2019	September	---	65,064	6,339	9,688	81,091	47,382	128,473
2019	October	1	75,195	8,562	9,100	92,857	58,594	151,451
2019	November	25	67,086	7,844	7,004	81,959	57,083	139,042
2019	December	2	54,436	6,551	5,262	66,252	56,256	122,508
2020	January	10	62,294	4,192	6,122	72,617	57,692	130,309
2020	February	46	45,418	2,283	4,341	52,088	50,398	102,486
2020	March	9	43,713	3,725	3,853	51,300	53,120	104,420
2020	April	31	48,694	3,727	5,001	57,452	44,929	102,381
2020	May	57	18,830	4,007	5,452	28,346	45,105	73,451
2020	June	209	25,872	5,783	9,023	40,887	61,468	102,355
2020	July	184	52,813	6,631	12,280	71,908	66,957	138,864
2020	August	151	69,457	7,118	15,467	92,193	77,939	170,132
2020	September	---	54,860	7,274	16,856	78,990	75,838	154,828
2020	October	35	66,162	6,832	14,788	87,818	74,333	162,151
2020	November	29	52,405	6,609	13,632	72,674	65,159	137,833
2020	December	95	55,808	6,642	12,332	74,877	60,952	135,829

Table continued.

Table IV-5 Continued
Warmwater shrimp: Quantity of U.S. imports, by source and month

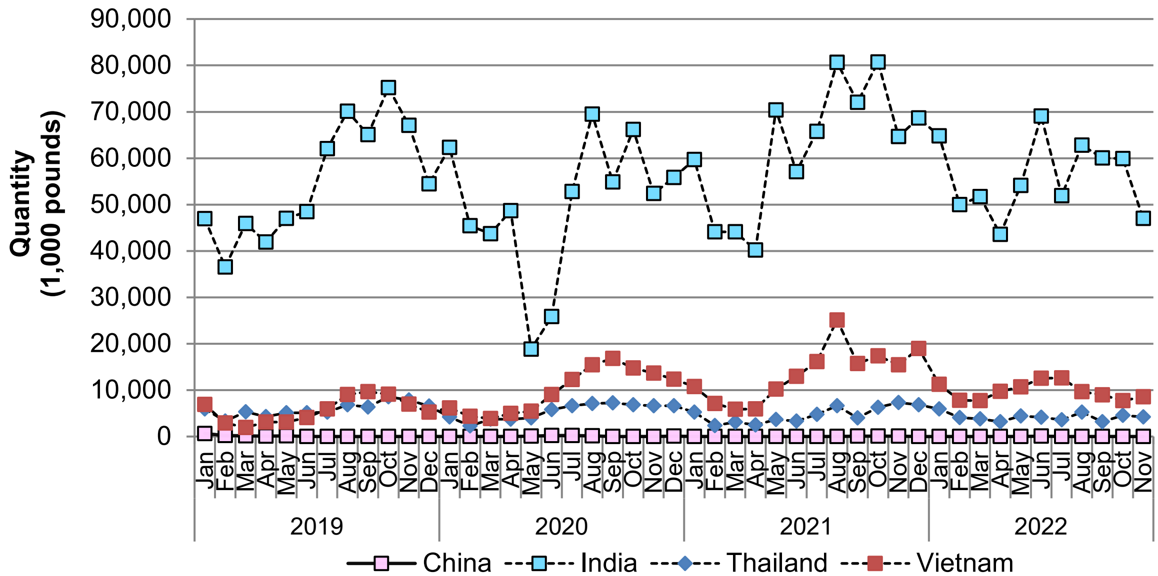
Quantity in 1,000 pounds

Year	Month	China	India	Thailand	Vietnam	Subject sources	Nonsubject sources	All import sources
2021	January	33	59,666	5,248	10,791	75,737	64,384	140,122
2021	February	15	44,134	2,340	7,126	53,615	53,903	107,518
2021	March	---	44,141	3,127	5,893	53,161	74,121	127,282
2021	April	---	40,174	2,504	5,926	48,604	74,058	122,662
2021	May	---	70,350	3,646	10,239	84,235	77,954	162,189
2021	June	15	57,070	3,293	12,964	73,342	83,274	156,616
2021	July	25	65,752	4,769	16,110	86,656	64,104	150,760
2021	August	4	80,652	6,613	25,125	112,394	67,131	179,525
2021	September	102	72,052	4,030	15,751	91,936	59,121	151,057
2021	October	100	80,741	6,266	17,363	104,471	70,196	174,667
2021	November	68	64,667	7,319	15,479	87,534	75,319	162,853
2021	December	---	68,662	6,839	18,985	94,486	85,515	180,001
2022	January	---	64,798	5,935	11,239	81,972	72,796	154,768
2022	February	43	49,983	4,086	7,787	61,899	70,685	132,584
2022	March	---	51,683	3,786	7,715	63,185	86,264	149,449
2022	April	36	43,539	3,180	9,742	56,497	74,889	131,386
2022	May	33	54,148	4,436	10,702	69,318	78,920	148,238
2022	June	58	69,097	4,135	12,542	85,833	69,173	155,006
2022	July	4	51,888	3,572	12,615	68,079	68,004	136,083
2022	August	---	62,776	5,275	9,637	77,687	65,743	143,430
2022	September	20	60,046	3,150	8,940	72,155	59,395	131,550
2022	October	19	59,918	4,535	7,706	72,179	66,873	139,051
2022	November	---	46,990	4,241	8,563	59,794	66,894	126,688

Source: Official U.S. import statistics of the U.S. Department of Commerce Census Bureau, using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---“. All merchandise from China, India, Thailand, and Vietnam is classified as subject sources and therefore subject data are overstated and nonsubject data understated.

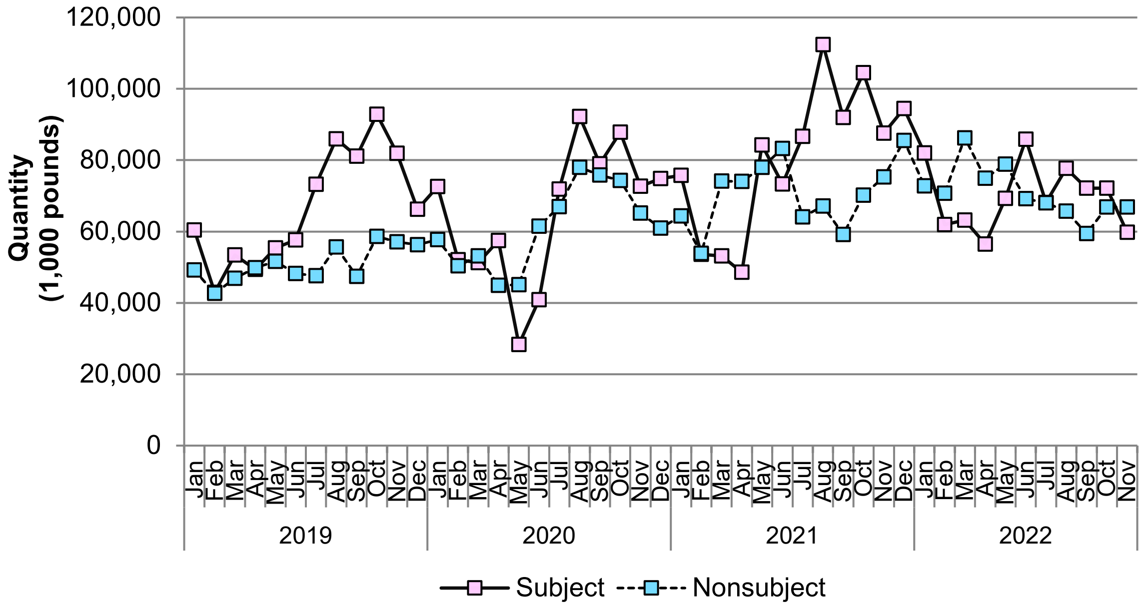
Figure IV-3
Warmwater shrimp: U.S. imports from individual subject sources, by month



Source: Official U.S. import statistics of the U.S. Department of Commerce Census Bureau, using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023.

Note: All merchandise from China, India, Thailand, and Vietnam is classified as subject sources and therefore subject data are overstated and nonsubject data understated.

Figure IV-4
Warmwater shrimp: U.S. imports from aggregated subject and nonsubject sources, by month



Source: Official U.S. import statistics of the U.S. Department of Commerce Census Bureau, using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023.

Note: All merchandise from China, India, Thailand, and Vietnam is classified as subject sources and therefore subject data are overstated and nonsubject data understated.

U.S. inventories of imported merchandise

Table IV-6 presents data on U.S. importers' reported inventories of warmwater shrimp held in the United States. Inventories of subject imports *** during 2019-21 and were *** percent lower in interim 2022 than in interim 2021. Subject inventory trends are primarily driven by Thailand, which accounted for the majority of subject inventories between January 2019 and September 2022 (*** percent).[7]

[7] Importer *** reported higher inventories in 2021 and interim 2022 due to restaurant closures related to the pandemic that resulted in customers not buying as much product. Staff correspondence with ***, April 24, 2023.

The ratio of subject importers' inventories to imports increased from *** percent in 2019 to *** percent in 2021 (or by *** percentage points), and was higher in interim 2022 (*** percent) than in interim 2021 (*** percent). No firm reported inventories of imports from China during 2019-21.

Table IV-6
Warmwater shrimp: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in 1,000 pounds; ratio in percent

Measure	Source	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Inventories quantity	China, subject	***	***	***	***	***
Ratio to imports	China, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	China, subject	***	***	***	***	***
Ratio to total shipments of imports	China, subject	***	***	***	***	***
Inventories quantity	India, subject	***	***	***	***	***
Ratio to imports	India, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	India, subject	***	***	***	***	***
Ratio to total shipments of imports	India, subject	***	***	***	***	***
Inventories quantity	Thailand, subject	***	***	***	***	***
Ratio to imports	Thailand, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Thailand, subject	***	***	***	***	***
Ratio to total shipments of imports	Thailand, subject	***	***	***	***	***
Inventories quantity	Vietnam, subject	***	***	***	***	***
Ratio to imports	Vietnam, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Vietnam, subject	***	***	***	***	***
Ratio to total shipments of imports	Vietnam, subject	***	***	***	***	***
Inventories quantity	Subject	***	***	***	***	***
Ratio to imports	Subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Subject	***	***	***	***	***
Ratio to total shipments of imports	Subject	***	***	***	***	***
Inventories quantity	Nonsubject	***	***	***	***	***
Ratio to imports	Nonsubject	***	***	***	***	***
Ratio to U.S. shipments of imports	Nonsubject	***	***	***	***	***
Ratio to total shipments of imports	Nonsubject	***	***	***	***	***
Inventories quantity	All	***	***	***	***	***
Ratio to imports	All	***	***	***	***	***
Ratio to U.S. shipments of imports	All	***	***	***	***	***
Ratio to total shipments of imports	All	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: *** was unable to report its warmwater shrimp inventories.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

U.S. importers' arranged imports

The Commission requested importers to indicate whether they had imported or arranged for the importation of warmwater shrimp for delivery after September 30, 2022 (table IV-7). Twenty-seven of 46 responding firms indicated that they had arranged such imports. Eighteen firms reported arranged imports from subject sources, while 13 firms reported arranged imports from nonsubject sources.

Table IV-7
Warmwater shrimp: U.S. importers' arranged imports, by source and period

Quantity in 1,000 pounds

Source	Oct-Dec 2022	Jan-Mar 2023	Apr-Jun 2023	Jul-Sep 2023	Total
China, subject	***	***	***	***	***
India, subject	***	***	***	***	***
Thailand, subject	***	***	***	***	***
Vietnam, subject	***	***	***	***	***
Subject sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	***
All import sources	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: "Nonsubject sources" includes firms that are no longer subject to the orders.

Subject country producers

The Commission reported in its original investigations and its first and second five-year reviews that the vast majority of the imported shrimp from the subject countries were farmed shrimp, rather than wild-caught.

During these current third-year reviews, the majority of production in all subject countries continues to be farmed shrimp, but the extent of wild-caught shrimp production varies considerably. Table IV-8 and figures IV-5 to IV-8 present production data in subject countries, by type (wild-caught and farmed) during 2016-19.[8] The highest share of wild-caught shrimp production is in India, accounting for 36.3 percent of total shrimp production in India in 2019. The lowest share of wild-caught shrimp production is in Thailand, accounting for 12.8 percent of total shrimp production in Thailand in 2019.

[8] 2019 is the most recent year for which aquaculture production data are available from Food and Agriculture Organization of the United Nations ("FAO").

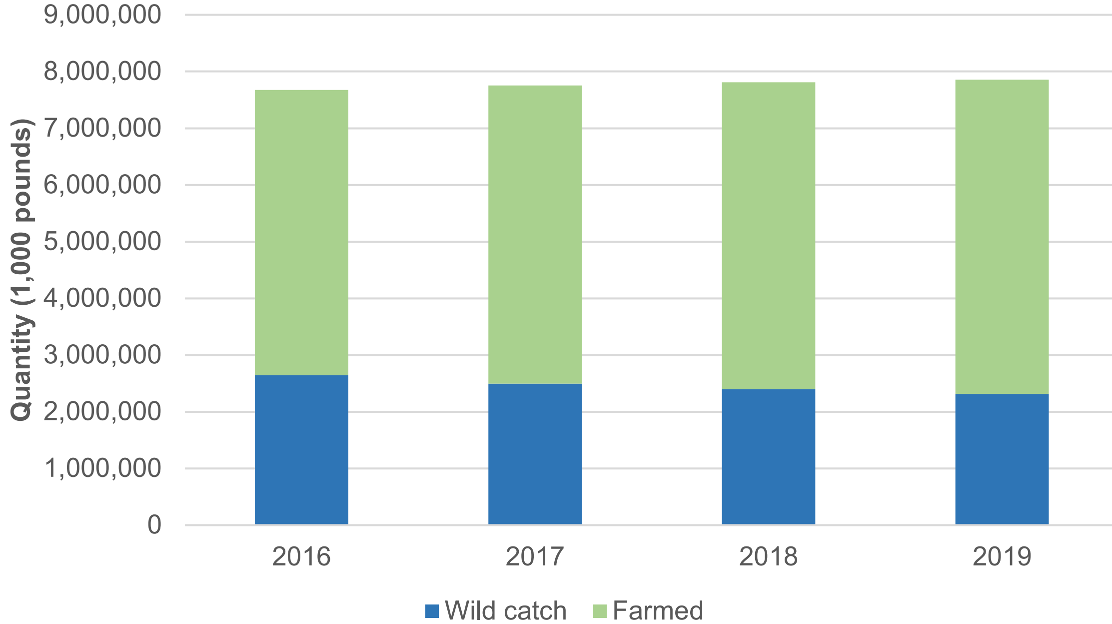
Table IV-8
Warmwater shrimp: Production in subject countries, by type, and period

Quantity in 1,000 pounds; share in percent

Source	Measure	2016	2017	2018	2019
China, wild-caught	Quantity	2,640,838	2,498,666	2,402,200	2,313,323
India, wild-caught	Quantity	927,696	1,031,854	982,470	963,919
Thailand, wild-caught	Quantity	93,609	72,877	107,582	134,406
Vietnam, wild-caught	Quantity	345,285	362,603	314,016	325,997
Subtotal, wild-caught	Quantity	4,007,429	3,966,001	3,806,268	3,737,645
China, farmed	Quantity	5,032,505	5,254,605	5,406,036	5,539,888
India, farmed	Quantity	1,171,805	1,438,138	1,526,522	1,694,781
Thailand, farmed	Quantity	755,237	840,352	895,697	914,006
Vietnam, farmed	Quantity	1,399,017	1,595,295	1,745,258	1,991,399
Subtotal, farmed	Quantity	8,358,564	9,128,391	9,573,512	10,140,074
Total	Quantity	12,365,993	13,094,393	13,379,781	13,877,719
China, wild-caught	Share of quantity	21.4	19.1	18.0	16.7
India, wild-caught	Share of quantity	7.5	7.9	7.3	6.9
Thailand, wild-caught	Share of quantity	0.8	0.6	0.8	1.0
Vietnam, wild-caught	Share of quantity	2.8	2.8	2.3	2.3
Subtotal, wild-caught	Share of quantity	32.4	30.3	28.4	26.9
China, farmed	Share of quantity	40.7	40.1	40.4	39.9
India, farmed	Share of quantity	9.5	11.0	11.4	12.2
Thailand, farmed	Share of quantity	6.1	6.4	6.7	6.6
Vietnam, farmed	Share of quantity	11.3	12.2	13.0	14.3
Subtotal, farmed	Share of quantity	67.6	69.7	71.6	73.1
Total	Share of quantity	100.0	100.0	100.0	100.0

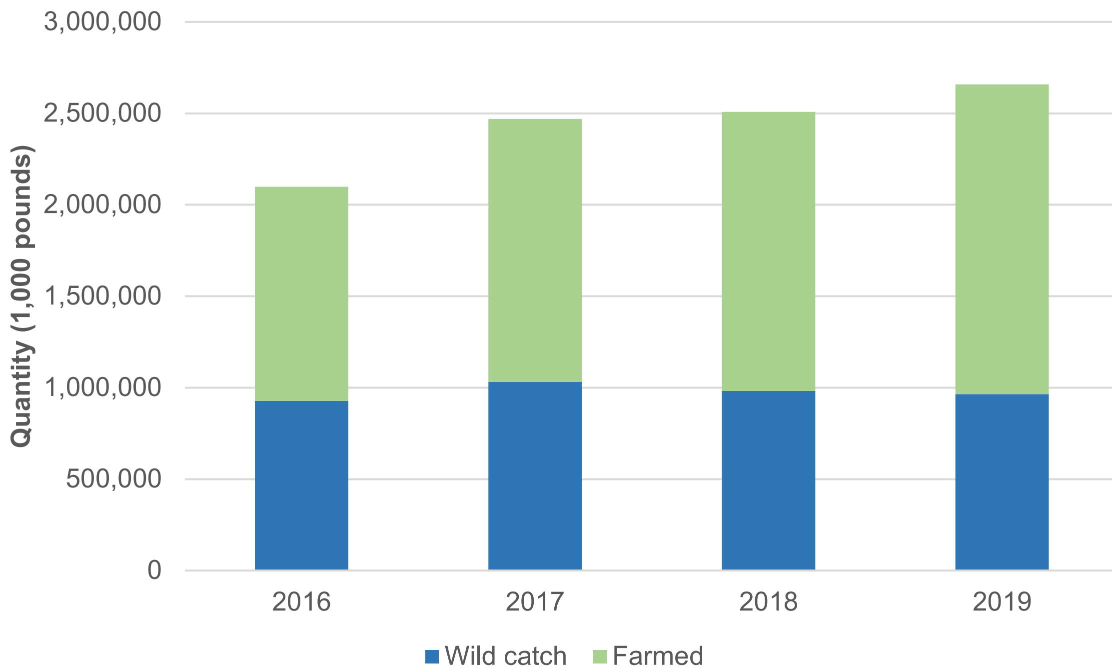
Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; and FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity, accessed March 10, 2023.

Figure IV-5
Warmwater shrimp: Production of shrimp in China, by type and period



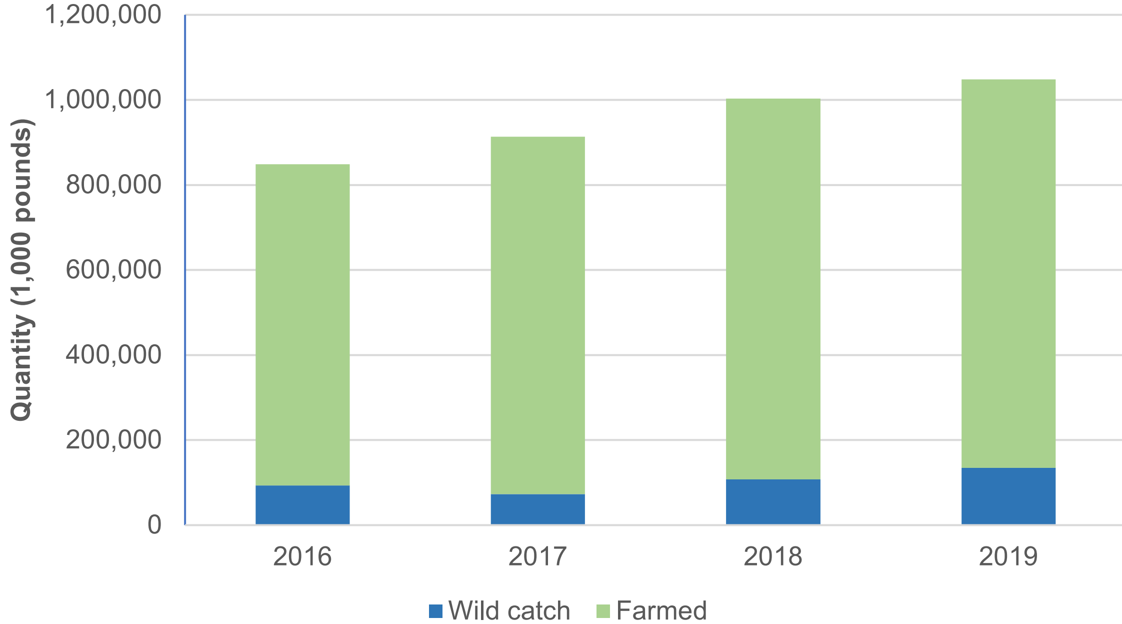
Source: Derived from table IV-8.

Figure IV-6
Warmwater shrimp: Production of shrimp in India, by type and period



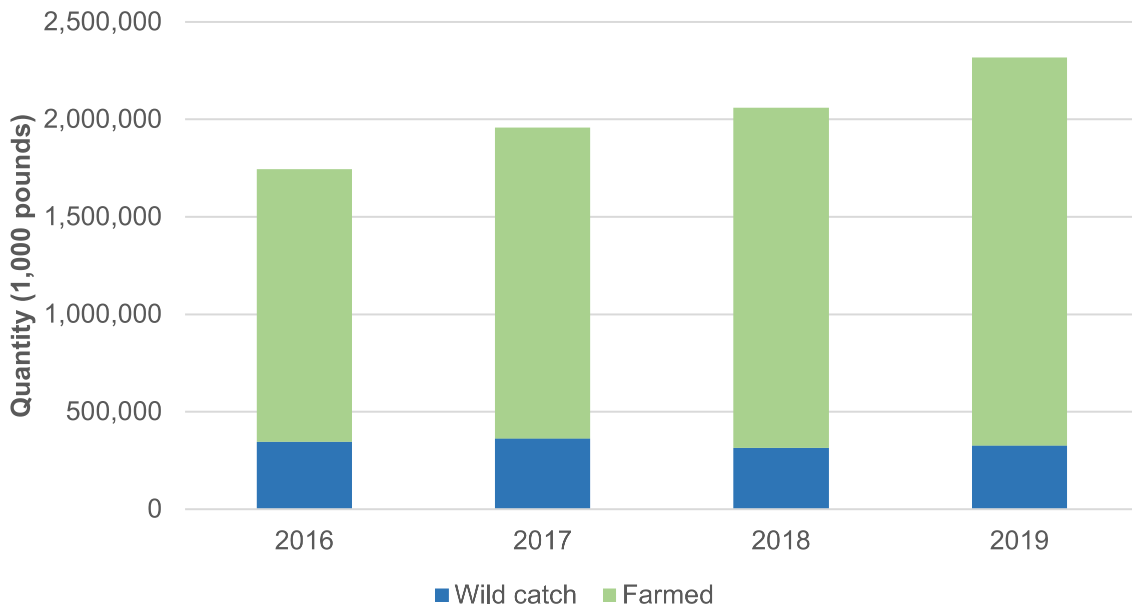
Source: Derived from table IV-8.

Figure IV-7
Warmwater shrimp: Production of shrimp in Thailand, by type and period



Source: Derived from table IV-8.

Figure IV-8
Warmwater shrimp: Production of shrimp in Vietnam, by type and period



Source: Derived from table IV-8.

While official production statistics after 2019 are not available for the subject countries, industry sources report that production fell sharply in 2020 due to COVID-19-related restrictions affecting shrimp farms and processing plants in these countries (declining perhaps as much as 20 percent).[9] Production reportedly recovered in 2021 but flattened in 2022 due to rising costs of production, as well as increased competition from Ecuador. Sources of cost increases include rising prices of feed and of disease-prevention measures on shrimp farms.[10]

In addition, under HS subheading 0306.17, the United States began separating farmed from wild-caught shrimp in July 2021 in the Harmonized Tariff Schedule of the United States. In 2022, 94.2 percent of all U.S. shrimp imports under HS subheading 0306.17 were farmed, including over 98 percent of shrimp imported from the subject countries. These U.S. import data suggest that while India and China have significant production of wild-caught shrimp, most of this does not reach the U.S. market.

The industry in China

Overview

During the final phase of the original investigations, 28 Chinese producers/exporters provided usable data in response to the Commission's questionnaire. Their collective exports to the United States were equivalent to 54.9 percent of subject U.S. imports from China during 2003.[11]

During the full first five-year reviews, the Commission received usable foreign producer/exporter questionnaire responses from 34 firms, which were estimated to account for 6.2 percent of subject U.S. imports from China during 2009.[12]

During the full second five-year reviews, no Chinese producers/exporters provided a response to the Commission's questionnaire.[13]

In these full third five-year reviews, the Commission issued foreign producers/exporters' questionnaires to 42 firms believed to produce and/or export warmwater shrimp in China. The Commission did not receive any questionnaire responses from Chinese producers/exporters.

The most significant development in the Chinese shrimp industry since 2016 has been a major decline in exports. In the U.S. market, the Section 301 tariffs may have contributed to

---

[9] Globefish, "2020 Farmed Shrimp Production Declined in Asia but Increased in Latin America," July 16, 2021.

[10] Fletcher, "Why the Asian Shrimp Sector is Set for a Tough 2023," *The Fish Site*, November 16, 2022.

[11] Original publication, p. VII-3.

[12] First review publication, p. IV-17.

[13] Second review publication, p. IV-21.

this decline. However, China's exports of warmwater shrimp to the world also declined. Contributing factors were reported to include increased domestic demand, tighter environmental regulations, and heightened competition from other producers.[14]

Exports

Table IV-9 presents the leading export markets for warmwater shrimp from China. During 2021, Japan and Spain were the leading export markets for warmwater shrimp from China, accounting for 35.4 percent and 22.2 percent, respectively, followed by the United States, accounting for 6.8 percent.

Table IV-9
Warmwater shrimp: Exports from China, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars

Destination market	Measure	2019	2020	2021
United States	Quantity	6,862	15,007	9,088
Japan	Quantity	23,790	46,885	47,203
Spain	Quantity	24,885	23,687	29,520
South Korea	Quantity	6,301	6,008	8,784
Russia	Quantity	5,799	5,597	6,208
Taiwan	Quantity	8,558	8,744	5,760
Chile	Quantity	2,126	2,792	4,514
Portugal	Quantity	3,686	2,670	3,563
Hong Kong	Quantity	9,196	4,366	3,447
All other destination markets	Quantity	26,322	16,021	15,156
Non-U.S. destination markets	Quantity	110,663	116,770	124,156
All destination markets	Quantity	117,526	131,776	133,244
United States	Value	32,748	65,629	37,979
Japan	Value	86,924	90,600	75,375
Spain	Value	87,499	78,300	97,285
South Korea	Value	28,703	28,278	37,098
Russia	Value	18,407	25,432	34,227
Taiwan	Value	60,539	59,062	35,769
Chile	Value	9,568	13,843	25,425
Portugal	Value	11,472	7,323	10,876
Hong Kong	Value	48,822	25,755	20,438
All other destination markets	Value	122,648	67,004	67,308
Non-U.S. destination markets	Value	474,583	395,597	403,803
All destination markets	Value	507,331	461,226	441,783

Table continued.

[14] Godfrey, "China's Shrimp Industry Still Leads, but Problems Loom," SeafoodSource, July 1, 2016.

Table IV-9 Continued
Warmwater shrimp: Exports from China, by destination market and period

Unit value in dollars per pound; share in percent

Destination market	Measure	2019	2020	2021
United States	Unit value	4.77	4.37	4.18
Japan	Unit value	3.65	1.93	1.60
Spain	Unit value	3.52	3.31	3.30
South Korea	Unit value	4.56	4.71	4.22
Russia	Unit value	3.17	4.54	5.51
Taiwan	Unit value	7.07	6.75	6.21
Chile	Unit value	4.50	4.96	5.63
Portugal	Unit value	3.11	2.74	3.05
Hong Kong	Unit value	5.31	5.90	5.93
All other destination markets	Unit value	4.66	4.18	4.44
Non-U.S. destination markets	Unit value	4.29	3.39	3.25
All destination markets	Unit value	4.32	3.50	3.32
United States	Share of quantity	5.8	11.4	6.8
Japan	Share of quantity	20.2	35.6	35.4
Spain	Share of quantity	21.2	18.0	22.2
South Korea	Share of quantity	5.4	4.6	6.6
Russia	Share of quantity	4.9	4.2	4.7
Taiwan	Share of quantity	7.3	6.6	4.3
Chile	Share of quantity	1.8	2.1	3.4
Portugal	Share of quantity	3.1	2.0	2.7
Hong Kong	Share of quantity	7.8	3.3	2.6
All other destination markets	Share of quantity	22.4	12.2	11.4
Non-U.S. destination markets	Share of quantity	94.2	88.6	93.2
All destination markets	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 0306.17 as reported by China Customs in the Global Trade Atlas database, accessed February 28, 2023.

Note: United States is shown at the top. All remaining top export destinations are shown in descending order of 2021 data.

Note: All or virtually all exports under subheading 0306.17 are of in-scope warmwater shrimp. In-scope processed shrimp classifiable under subheadings 1605.21 and 1605.29 are not included because, at the 6-digit subheading level, these subheadings include substantial amounts of out-of-scope product. As a result, figures presented may not match those presented elsewhere in the report.

The industry in India

Overview

During the final phase of the original investigations, 96 Indian producers/exporters provided usable data in response to the Commission's questionnaire. Their collective exports to the United States were equivalent to 81.7 percent of subject U.S. imports from India during 2003.[15]

During the full first five-year reviews, the Commission received usable foreign producer/exporter questionnaires from 36 firms, which were estimated to account for 75.9 percent of subject U.S. imports from India during 2009.[16]

During the full second five-year reviews, the Commission received usable foreign producer/exporter questionnaires from 20 firms, which were equivalent to *** percent of subject U.S. imports from India during 2015.[17]

In these full third five-year reviews, the Commission received usable foreign producer/exporter questionnaires from 23 firms.[18] These firms' exports to the United States accounted for *** percent of subject U.S. imports of warmwater shrimp from India in 2021. Firms were asked to estimate their individual share of total warmwater shrimp production in India during 2021, which aggregated to 39.9 percent.

Table IV-10 presents information on the warmwater shrimp operations of the responding producers and exporters in India.

[15] Original publication, p. VII-3.
[16] First review publication, p. IV-20.
[17] Second review confidential report, p. IV-30.
[18] *** also reported small quantities of exports of warmwater shrimp not produced by the firm ***.

Table IV-10
Warmwater shrimp: Summary data for producers in India, 2021

Firm	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Ananda Enterprises	***	***	***	***	***	***
Ananda Group	***	***	***	***	***	***
Apex Frozen Foods	***	***	***	***	***	***
Asvini Fisheries	***	***	***	***	***	***
Avanti Frozen Foods	***	***	***	***	***	***
BMR Industries	***	***	***	***	***	***
Coastal Aqua	***	***	***	***	***	***
Coastal Corporation	***	***	***	***	***	***
Devi Fisheries	***	***	***	***	***	***
Falcon Marine Exports	***	***	***	***	***	***
Godavari Mega Aqua Food	***	***	***	***	***	***
Jaya Lakshmi Sea Foods	***	***	***	***	***	***
Kader Exports	***	***	***	***	***	***
LNSK Green House	***	***	***	***	***	***
Mangala Marine Exim	***	***	***	***	***	***
Mangala Seafoods	***	***	***	***	***	***
Nekkanti Sea Foods	***	***	***	***	***	***
Royale Marine Impex	***	***	***	***	***	***
Sagar Grandhi Exports	***	***	***	***	***	***
Sai Marine Exports	***	***	***	***	***	***
Sandhya Aqua Exports	***	***	***	***	***	***
Sandhya Marines	***	***	***	***	***	***
Wellcome Fisheries	***	***	***	***	***	***
All firms	553,210	100.0	420,744	100.0	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Changes in operations

As presented in table IV-11, producers in India reported several operational and organizational changes relating to the production of warmwater shrimp since January 1, 2016. Thirteen of 23 producers indicated in their questionnaires that they had experienced such changes. Seven firms reported plant openings, 10 firms reported expansions, and one firm each reported a relocation, consolidation, and prolonged shutdown.

Firms were also asked about the impact of the COVID-19 pandemic on their warmwater shrimp operations. Eleven of 23 responding firms reported changes in their supply chain arrangements, production, employment, and/or shipments relating to warmwater shrimp. Table IV-12 presents the changes identified by these producers.

In addition, two firms reported anticipated changes in the character of operations relating to the production of warmwater shrimp. *** reported that a new shrimp processing plant is under construction and expected to begin commercial operation in April 2024 with projected warmwater shrimp capacity of 40.6 million pounds in 2023 and 45.9 million pounds in 2024. *** reported that it anticipates adding a cooking line and expanding to non-U.S. markets.[19]

Table IV-11
Warmwater shrimp: Reported changes in operations in India, since January 1, 2016, by firm

Item	Firm name and narrative on changes in operations
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Relocations	***
Expansions	***
Expansions	***

[19] *** and ***'s foreign producer questionnaire response, II-2c.

Item	Firm name and narrative on changes in operations
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Consolidations	***

Item	Firm name and narrative on changes in operations
Prolonged shutdowns or curtailments	***
Other	***
Other	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-12
Warmwater shrimp: Reported impact of COVID-19 on operations in India since January 1, 2020

Firm name	Narrative on impact of COVID-19 pandemic
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on warmwater shrimp

Tables IV-13 and IV-14 present information on the warmwater shrimp operations of the responding processors in India. Capacity and production increased between 2019 and 2021, by 12.9 percent and 7.5 percent, respectively. Capacity and production were higher in January-September 2022 than in January-September 2021, by 0.6 percent and 6.7 percent, respectively. Capacity utilization ranged between 47.6 percent and 56.2 percent between 2019 and 2021.

Exports accounted for nearly all shipments, with exports to the United States accounting for around 75 percent of total exports in each full year. Exports to the United States increased by 11.8 percent during 2019-21 and were 12.9 percent lower in interim 2022 than in interim 2021. The unit value of export shipments to the United States was higher than the unit values for other export markets in each period.

Inventories increased by 59.1 percent during 2019-21 and were 14.0 percent higher in January-September 2022 than in January-September 2021. Inventories as a ratio to production increased by 6.2 percentage points between 2019 and 2021, from 12.8 percent to 19.0 percent, and was higher in interim 2022 than in interim 2021.

Tables IV-15 and IV-16 presents responding firms' reported production constraints on their warmwater shrimp operations. Eleven responding firms reported availability of skilled labor, eight firms reported availability of raw materials, and five firms reported logistics/transportation challenges, such as increased shipping costs, container shortages, and COVID-19 protocols, as constraints in the production process.

Table IV-13
Warmwater shrimp: Data on industry in India, by period

Quantity in 1,000 pounds; value in 1,000 dollars

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity	Quantity	915,310	960,939	1,033,603	772,327	777,117
Production	Quantity	514,812	456,941	553,210	415,800	443,592
End-of-period inventories	Quantity	66,143	95,565	105,214	113,946	129,898
Internal consumption and transfers	Quantity	***	***	***	***	***
Commercial home market shipments	Quantity	***	***	***	***	***
Home market shipments	Quantity	***	***	***	***	***
Export shipments	Quantity	501,881	427,124	543,039	397,104	418,585
Total shipments	Quantity	***	***	***	***	***
Internal consumption and transfers	Value	***	***	***	***	***
Commercial home market shipments	Value	***	***	***	***	***
Home market shipments	Value	***	***	***	***	***
Export shipments	Value	1,936,502	1,691,405	2,306,325	1,649,491	1,791,961
Total shipments	Value	***	***	***	***	***

Table continued.

Table IV-13 Continued
Warmwater shrimp: Data on industry in India, by period

Unit value in dollars per pound; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Internal consumption and transfers	Unit value	***	***	***	***	***
Commercial home market shipments	Unit value	***	***	***	***	***
Home market shipments	Unit value	***	***	***	***	***
Export shipments	Unit value	3.86	3.96	4.25	4.15	4.28
Total shipments	Unit value	***	***	***	***	***
Capacity utilization ratio	Ratio	56.2	47.6	53.5	53.8	57.1
Inventory ratio to production	Ratio	12.8	20.9	19.0	20.6	22.0
Inventory ratio to total shipments	Ratio	***	***	***	***	***
Internal consumption and transfers	Share	***	***	***	***	***
Commercial home market shipments	Share	***	***	***	***	***
Home market shipments	Share	***	***	***	***	***
Export shipments	Share	***	***	***	***	***
Total shipments	Share	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-14
Warmwater shrimp: Processors' and resellers' exports from India, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share and ratio in percent

Destination market	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
United States	Quantity	376,274	319,650	420,744	309,327	269,434
European Union	Quantity	37,999	32,638	39,446	28,952	40,724
Asia	Quantity	70,502	51,143	53,581	37,439	83,101
All other destination markets	Quantity	17,106	23,693	29,268	21,386	25,832
Non-U.S. destination markets	Quantity	125,607	107,474	122,295	87,777	149,657
All destination markets	Quantity	501,881	427,124	543,039	397,104	419,091
United States	Value	1,516,555	1,322,669	1,848,667	1,326,837	1,232,636
European Union	Value	146,585	128,002	164,013	119,158	173,573
Asia	Value	205,985	147,582	170,868	116,871	274,925
All other destination markets	Value	67,377	93,152	122,777	86,625	113,367
Non-U.S. destination markets	Value	419,947	368,736	457,658	322,654	561,865
All destination markets	Value	1,936,502	1,691,405	2,306,325	1,649,491	1,794,501
United States	Unit value	4.03	4.14	4.39	4.29	4.57
European Union	Unit value	3.86	3.92	4.16	4.12	4.26
Asia	Unit value	2.92	2.89	3.19	3.12	3.31
All other destination markets	Unit value	3.94	3.93	4.19	4.05	4.39
Non-U.S. destination markets	Unit value	3.34	3.43	3.74	3.68	3.75
All destination markets	Unit value	3.86	3.96	4.25	4.15	4.28
United States	Share of quantity	75.0	74.8	77.5	77.9	64.3
European Union	Share of quantity	7.6	7.6	7.3	7.3	9.7
Asia	Share of quantity	14.0	12.0	9.9	9.4	19.8
All other destination markets	Share of quantity	3.4	5.5	5.4	5.4	6.2
Non-U.S. destination markets	Share of quantity	25.0	25.2	22.5	22.1	35.7
All destination markets	Share of quantity	100.0	100.0	100.0	100.0	100.0
United States	Ratio	***	***	***	***	***
European Union	Ratio	***	***	***	***	***
Asia	Ratio	***	***	***	***	***
All other destination markets	Ratio	***	***	***	***	***
Non-U.S. destination markets	Ratio	***	***	***	***	***
All destination markets	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-15
Warmwater shrimp: Number of firms reporting production constraints in India since January 1, 2016

Item	Number of firms
Production bottlenecks	4
Existing labor force	11
Supply of material inputs	8
Fuel or energy	2
Storage capacity	1
Logistics/transportation	5
Other constraints	2

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-16
Warmwater shrimp: Reported production constraints by firms in India since January 1, 2016

Item	Firm name and narrative on production constraints
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Fuel or energy	***
Logistics/transportation	***

Item	Firm name and narrative on production constraints
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

Table IV-17 presents responding processors' installed capacity, practical capacity, and production of warmwater shrimp and other products on the same equipment. One firm (***) reported production of out-of-scope squid, cuttlefish, and octopus, on the same equipment used to produce warmwater shrimp.

Firms were asked to report what type(s) of freezing capacity they have. Of the 23 responding firms, 22 reported having both block frozen and IQF capacity; two of the 22 firms also reported having blast freezing capacity. One firm reported having only IQF capacity.

Table IV-17
Warmwater shrimp: Indian producers' overall capacity and production on the same equipment as subject production, by period

Quantity in 1,000 pounds; share and ratio in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity: Installed	Quantity	1,509,373	1,565,874	1,676,887	1,256,010	1,259,380
Capacity: Practical overall	Quantity	926,953	972,582	1,045,246	781,059	785,849
Capacity: Practical warmwater shrimp	Quantity	915,310	960,939	1,033,603	772,327	777,117
Production: Warmwater shrimp	Quantity	514,812	456,941	553,210	415,800	443,592
Production: Other	Quantity	***	***	***	***	***
Production: Total	Quantity	***	***	***	***	***
Capacity utilization: Installed	Ratio	***	***	***	***	***
Capacity utilization: Practical overall	Ratio	***	***	***	***	***
Capacity utilization: Practical warmwater shrimp	Ratio	56.2	47.6	53.5	53.8	57.1
Warmwater shrimp production	Share	***	***	***	***	***
Other production	Share	***	***	***	***	***
Total production	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Exports

Table IV-18 presents the leading export markets for warmwater shrimp from India. During 2021, the United States and China were the leading export markets for warmwater shrimp from India, accounting for 44.2 percent and 18.1 percent, respectively.

Table IV-18
Warmwater shrimp: Exports from India, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars

Destination market	Measure	2019	2020	2021
United States	Quantity	556,394	481,274	657,493
China	Quantity	352,261	223,714	269,959
Japan	Quantity	87,496	87,587	91,629
Vietnam	Quantity	69,945	67,373	90,361
United Arab Emirates	Quantity	54,154	48,896	44,378
Belgium	Quantity	32,608	33,818	40,950
Netherlands	Quantity	27,694	26,629	35,172
United Kingdom	Quantity	31,465	27,703	33,811
Canada	Quantity	24,890	28,393	33,112
All other destination markets	Quantity	153,310	132,680	191,614
Non-U.S. destination markets	Quantity	833,823	676,793	830,987
All destination markets	Quantity	1,390,217	1,158,067	1,488,480
United States	Value	2,083,853	1,803,194	2,570,878
China	Value	930,751	567,497	743,722
Japan	Value	332,987	305,969	351,129
Vietnam	Value	194,006	182,765	257,955
United Arab Emirates	Value	160,681	137,738	133,763
Belgium	Value	105,223	105,646	132,085
Netherlands	Value	82,896	81,360	107,916
United Kingdom	Value	115,870	101,814	129,085
Canada	Value	92,255	105,092	129,995
All other destination markets	Value	453,286	391,114	585,229
Non-U.S. destination markets	Value	2,467,957	1,978,995	2,570,879
All destination markets	Value	4,551,810	3,782,188	5,141,756

Table continued.

Table IV-18 Continued
Warmwater shrimp: Exports from India, by destination market and period

Unit value in dollars per pound; share in percent

Destination market	Measure	2019	2020	2021
United States	Unit value	3.75	3.75	3.91
China	Unit value	2.64	2.54	2.75
Japan	Unit value	3.81	3.49	3.83
Vietnam	Unit value	2.77	2.71	2.85
United Arab Emirates	Unit value	2.97	2.82	3.01
Belgium	Unit value	3.23	3.12	3.23
Netherlands	Unit value	2.99	3.06	3.07
United Kingdom	Unit value	3.68	3.68	3.82
Canada	Unit value	3.71	3.70	3.93
All other destination markets	Unit value	2.96	2.95	3.05
Non-U.S. destination markets	Unit value	2.96	2.92	3.09
All destination markets	Unit value	3.27	3.27	3.45
United States	Share of quantity	40.0	41.6	44.2
China	Share of quantity	25.3	19.3	18.1
Japan	Share of quantity	6.3	7.6	6.2
Vietnam	Share of quantity	5.0	5.8	6.1
United Arab Emirates	Share of quantity	3.9	4.2	3.0
Belgium	Share of quantity	2.3	2.9	2.8
Netherlands	Share of quantity	2.0	2.3	2.4
United Kingdom	Share of quantity	2.3	2.4	2.3
Canada	Share of quantity	1.8	2.5	2.2
All other destination markets	Share of quantity	11.0	11.5	12.9
Non-U.S. destination markets	Share of quantity	60.0	58.4	55.8
All destination markets	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 0306.17 as reported by India Ministry of Commerce in the Global Trade Atlas database, accessed February 28, 2023.

Note: United States is shown at the top. All remaining top export destinations are shown in descending order of 2021 data.

Note: All or virtually all exports under subheading 0306.17 are of in-scope warmwater shrimp. In-scope processed shrimp classifiable under subheadings 1605.21 and 1605.29 are not included because, at the 6-digit subheading level, these subheadings include substantial amounts of out-of-scope product. As a result, figures presented may not match those presented elsewhere in the report.

The industry in Thailand

Overview

During the final phase of the original investigations, the Commission received usable foreign producer/exporter questionnaire responses from 37 firms. Their collective exports to the United States were equivalent to 95.4 percent of subject U.S. imports from Thailand during 2003.[20]

During the full first five-year reviews, the Commission received usable foreign producer/exporter questionnaire responses from 34 firms, which were estimated to account for 97.0 percent of subject U.S. imports from Thailand during 2009.[21]

During the full second five-year reviews, the Commission received usable foreign producer/exporter questionnaire responses from 26 firms, which were equivalent to *** percent of subject U.S. imports from Thailand in 2015.[22]

In these full third five-year reviews, the Commission received usable foreign producer/exporter questionnaires from 19 firms. These firms' exports to the United States accounted for *** percent of subject U.S. imports of warmwater shrimp from Thailand in 2021. Firms were asked to estimate their individual share of total warmwater shrimp production in Thailand during 2021, which aggregated to 100 percent.

Table IV-19 presents information on the warmwater shrimp operations of the responding producers and exporters in Thailand.

[20] Original publication, p. VII-3.
[21] First review publication, p. IV-23.
[22] Second review confidential report, p. IV-39.

Table IV-19
Warmwater shrimp: Summary data for producers in Thailand, 2021

Firm	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
A Foods	***	***	***	***	***	***
Asian Sea Corp	***	***	***	***	***	***
Charoen Pokphand Foods	***	***	***	***	***	***
Good Luck Product	***	***	***	***	***	***
I.T. Foods	***	***	***	***	***	***
KF Foods	***	***	***	***	***	***
Kitchens of the Oceans	***	***	***	***	***	***
Kongphop Frozen Foods	***	***	***	***	***	***
Lee Heng Seafood	***	***	***	***	***	***
Mayao Food	***	***	***	***	***	***
Okeanos Food	***	***	***	***	***	***
Seafresh Industry	***	***	***	***	***	***
Sea Tech	***	***	***	***	***	***
Tey Seng Cold Storage	***	***	***	***	***	***
Thai Royal Frozen Food	***	***	***	***	***	***
Thai Union Group	***	***	***	***	***	***
Thai Union Seafood	***	***	***	***	***	***
Top Product Food	***	***	***	***	***	***
Xianning Seafood	***	***	***	***	***	***
All firms	143,439	100.0	44,894	100.0	149,614	30.0

Source: Compiled from data submitted in response to Commission questionnaires.

Changes in operations

Since 2016, Thailand's shrimp sector has continued to recover from outbreaks of early mortality syndrome (EMS) and from the reputational harm it suffered as a result of 2014 reports of forced labor in its seafood supply chain.[23] During this recovery, the sector has reportedly focused increasingly on the growing domestic market for shrimp, as well as other third-country markets.[24]

As presented in table IV-20, producers in Thailand reported several operational and organizational changes relating to the production of warmwater shrimp since January 1, 2016.

[23] BCG, *A Strategic Approach to Shrimp Production in Thailand*, July 2019.
[24] Thai respondent interested parties' response to the notice of institution, June 1, 2022, p. 25.

Firms were also asked about the impact of the COVID-19 pandemic on their warmwater shrimp operations. As presented in table IV-21, five of 19 responding firms reported changes in their supply chain arrangements, production, employment, and/or shipments relating to warmwater shrimp.

No firm reported any anticipated changes in the character of operations relating to the production of warmwater shrimp.

Table IV-20
Warmwater shrimp: Reported changes in operations in Thailand, since January 1, 2016, by firm

Item	Firm name and narrative on changes in operations
Plant openings	***
Plant closings	***
Plant closings	***
Plant closings	***
Expansions	***
Expansions	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Prolonged shutdowns or curtailments	***
Revised labor agreements	***
Revised labor agreements	***
Weather related events	***
Other	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-21
Warmwater shrimp: Reported impact of COVID-19 on operations in Thailand since January 1, 2020

Firm name	Narrative on impact of COVID-19 pandemic
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on warmwater shrimp

Tables IV-22 and IV-23 present information on the warmwater shrimp operations of the responding processors in Thailand. Capacity was stable, while production decreased by 12.2 percent during 2019-21. Capacity was slightly lower in interim 2022 than in interim 2021 while production was 2.2 percent higher. Capacity utilization ranged between 54.2 percent and 61.8 percent between 2019 and 2021.

Exports accounted for more than 75 percent of total shipments during each period, with exports to the United States accounting for around 40 percent of total exports in each period. Exports to the United States decreased by 12.7 percent during 2019-21 and were 3.8 percent lower in interim 2022 than in interim 2021. The unit value of export shipments to the United States was higher than the unit values for other export markets in most periods.

Inventories as a ratio to production ranged between 14.0 percent and 19.1 percent between 2019 and 2021.

Tables IV-24 and IV-25 presents responding firms' reported production constraints on their warmwater shrimp operations. Seventeen firms reported availability of raw materials and eight firms reported the existing labor force as constraints in the production process.

Table IV-22
Warmwater shrimp: Data on industry in Thailand, by period

Quantity in 1,000 pounds; value in 1,000 dollars

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity	Quantity	264,640	262,990	264,723	198,141	195,524
Production	Quantity	163,463	154,181	143,439	103,555	105,834
End-of-period inventories	Quantity	22,942	29,407	23,230	31,385	26,639
Internal consumption and transfers	Quantity	***	***	***	***	***
Commercial home market shipments	Quantity	***	***	***	***	***
Home market shipments	Quantity	34,664	32,251	36,775	23,269	24,456
Export shipments	Quantity	138,504	115,461	112,839	78,306	77,968
Total shipments	Quantity	173,168	147,712	149,614	101,575	102,424
Internal consumption and transfers	Value	***	***	***	***	***
Commercial home market shipments	Value	***	***	***	***	***
Home market shipments	Value	145,334	130,913	134,392	95,133	99,008
Export shipments	Value	702,847	606,080	619,134	415,049	459,818
Total shipments	Value	848,181	736,993	753,526	510,182	558,826

Table continued.

Table IV-22 Continued
Warmwater shrimp: Data on industry in Thailand, by period

Unit value in dollars per pound; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Internal consumption and transfers	Unit value	***	***	***	***	***
Commercial home market shipments	Unit value	***	***	***	***	***
Home market shipments	Unit value	4.19	4.06	3.65	4.09	4.05
Export shipments	Unit value	5.07	5.25	5.49	5.30	5.90
Total shipments	Unit value	4.90	4.99	5.04	5.02	5.46
Capacity utilization ratio	Ratio	61.8	58.6	54.2	52.3	54.1
Inventory ratio to production	Ratio	14.0	19.1	16.2	22.7	18.9
Inventory ratio to total shipments	Ratio	13.2	19.9	15.5	23.2	19.5
Internal consumption and transfers	Share	***	***	***	***	***
Commercial home market shipments	Share	***	***	***	***	***
Home market shipments	Share	20.0	21.8	24.6	22.9	23.9
Export shipments	Share	80.0	78.2	75.4	77.1	76.1
Total shipments	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-23
Warmwater shrimp: Processors' exports from Thailand, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share and ratio in percent

Destination market	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
United States	Quantity	51,442	46,837	44,894	29,018	27,909
European Union	Quantity	5,920	4,401	4,401	3,343	2,821
Asia	Quantity	64,148	49,791	50,105	36,449	38,188
All other destination markets	Quantity	16,994	14,432	13,439	9,496	9,050
Non-U.S. destination markets	Quantity	87,062	68,624	67,945	49,288	50,059
All destination markets	Quantity	138,504	115,461	112,839	78,306	77,968
United States	Value	285,665	267,565	267,923	167,520	182,146
European Union	Value	29,348	25,650	21,967	16,894	15,297
Asia	Value	313,093	247,669	263,738	185,712	216,546
All other destination markets	Value	74,741	65,196	65,506	44,923	45,829
Non-U.S. destination markets	Value	417,182	338,515	351,211	247,529	277,672
All destination markets	Value	702,847	606,080	619,134	415,049	459,818
United States	Unit value	5.55	5.71	5.97	5.77	6.53
European Union	Unit value	4.96	5.83	4.99	5.05	5.42
Asia	Unit value	4.88	4.97	5.26	5.10	5.67
All other destination markets	Unit value	4.40	4.52	4.87	4.73	5.06
Non-U.S. destination markets	Unit value	4.79	4.93	5.17	5.02	5.55
All destination markets	Unit value	5.07	5.25	5.49	5.30	5.90
United States	Share of quantity	37.1	40.6	39.8	37.1	35.8
European Union	Share of quantity	4.3	3.8	3.9	4.3	3.6
Asia	Share of quantity	46.3	43.1	44.4	46.5	49.0
All other destination markets	Share of quantity	12.3	12.5	11.9	12.1	11.6
Non-U.S. destination markets	Share of quantity	62.9	59.4	60.2	62.9	64.2
All destination markets	Share of quantity	100.0	100.0	100.0	100.0	100.0
United States	Ratio	29.7	31.7	30.0	28.6	27.2
European Union	Ratio	3.4	3.0	2.9	3.3	2.8
Asia	Ratio	37.0	33.7	33.5	35.9	37.3
All other destination markets	Ratio	9.8	9.8	9.0	9.3	8.8
Non-U.S. destination markets	Ratio	50.3	46.5	45.4	48.5	48.9
All destination markets	Ratio	80.0	78.2	75.4	77.1	76.1

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-24
Warmwater shrimp: Number of firms reporting production constraints in Thailand since January 1, 2016

Item	Number of firms
Production bottlenecks	7
Existing labor force	14
Supply of material inputs	17
Fuel or energy	3
Storage capacity	4
Logistics/transportation	4
Other constraints	4

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-25
Warmwater shrimp: Reported production constraints by firms in Thailand, since January 1, 2016

Item	Firm name and narrative on changes in operations
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***

Item	Firm name and narrative on changes in operations
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Storage capacity	***
Logistics/transportation	***

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

Table IV-26 presents responding processors' installed capacity, practical capacity, and production of warmwater shrimp and other products on the same equipment. Fifteen of 19 firms reported production of out-of-scope products, including breaded shrimp, par-fried shrimp, Argentine shrimp, crab, clam, scallop, tilapia, octopus, dim sum, and ready meals on the same equipment used to produce warmwater shrimp. The majority of overall capacity is dedicated to the production warmwater shrimp.

Six firms reported the ability to switch production from warmwater shrimp to alternative products. Factors impacting the ability to switch include the high cost of changing machinery and worker training.

Firms were also asked to report what type(s) of freezing capacity they have. Of the 19 responding firms, 13 reported having both block frozen and IQF capacity; three of the 13 firms also reported having semi-IQF capacity.[25] Three firms reported having only IQF capacity and one firm reported only having air blast capacity. Two additional firms (***) are no longer in operation and thus did not provide a response to this question.

[25] The semi-IQF method is a combination of the IQF and block freezing methods. Seafood items are partially frozen individually, and then they are packed and frozen together in a block or cluster. Mamago, https://www.mamago.sg/zh/blogs/news/how-are-the-seafood-items-such-as-shrimp-fish-or-scallops-processed-what-is-iqf-and-semi-iqf-as-seen-on-the-packaging, accessed May 8, 2023.

Table IV-26
Warmwater shrimp: Thai processors' installed and practical capacity and production on the same equipment as subject production, by period

Quantity in 1,000 pounds; share and ratio in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity: Installed	Quantity	540,307	540,307	550,201	413,728	416,166
Capacity: Practical overall	Quantity	392,915	390,650	390,744	292,823	291,561
Capacity: Practical warmwater shrimp	Quantity	264,640	262,990	264,723	198,141	195,524
Production: Warmwater shrimp	Quantity	163,463	154,181	143,439	103,555	105,834
Production: Other	Quantity	75,196	74,542	77,868	60,952	72,166
Production: Total	Quantity	238,659	228,723	221,307	164,507	178,000
Capacity utilization: Installed	Ratio	44.2	42.3	40.2	39.8	42.8
Capacity utilization: Practical overall	Ratio	60.7	58.5	56.6	56.2	61.1
Capacity utilization: Practical warmwater shrimp	Ratio	61.8	58.6	54.2	52.3	54.1
Warmwater shrimp production	Share	68.5	67.4	64.8	62.9	59.5
Other production	Share	31.5	32.6	35.2	37.1	40.5
Total production	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Exports

Table IV-27 presents the leading export markets for warmwater shrimp from Thailand. During 2021, the United States and China were the leading export markets for warmwater shrimp from Thailand, accounting for 26.9 percent and 25.0 percent, respectively.

Table IV-27
Warmwater shrimp: Exports from Thailand, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars

Destination market	Measure	2019	2020	2021
United States	Quantity	38,419	36,867	35,433
China	Quantity	44,454	30,962	33,002
Japan	Quantity	25,943	20,605	23,719
Taiwan	Quantity	6,784	8,676	10,836
South Korea	Quantity	4,756	6,156	7,552
Canada	Quantity	7,726	4,249	6,473
United Kingdom	Quantity	4,411	3,567	3,592
Australia	Quantity	5,198	4,188	2,910
Singapore	Quantity	1,899	1,131	2,581
All other destination markets	Quantity	8,659	5,514	5,664
Non-U.S. destination markets	Quantity	109,830	85,049	96,330
All destination markets	Quantity	148,249	121,916	131,763
United States	Value	203,566	193,926	191,274
China	Value	177,620	129,529	146,704
Japan	Value	120,155	93,598	105,588
Taiwan	Value	28,597	37,198	46,572
South Korea	Value	19,459	26,763	35,548
Canada	Value	33,410	18,811	30,809
United Kingdom	Value	20,643	17,310	17,373
Australia	Value	23,329	18,543	13,340
Singapore	Value	6,608	3,904	6,997
All other destination markets	Value	31,361	22,059	22,988
Non-U.S. destination markets	Value	461,183	367,715	425,919
All destination markets	Value	664,749	561,641	617,193

Table continued.

Table IV-27 Continued
Warmwater shrimp: Exports from Thailand, by destination market and period

Unit value in dollars per pound; share in percent

Destination market	Measure	2019	2020	2021
United States	Unit value	5.30	5.26	5.40
China	Unit value	4.00	4.18	4.45
Japan	Unit value	4.63	4.54	4.45
Taiwan	Unit value	4.22	4.29	4.30
South Korea	Unit value	4.09	4.35	4.71
Canada	Unit value	4.32	4.43	4.76
United Kingdom	Unit value	4.68	4.85	4.84
Australia	Unit value	4.49	4.43	4.58
Singapore	Unit value	3.48	3.45	2.71
All other destination markets	Unit value	3.62	4.00	4.06
Non-U.S. destination markets	Unit value	4.20	4.32	4.42
All destination markets	Unit value	4.48	4.61	4.68
United States	Share of quantity	25.9	30.2	26.9
China	Share of quantity	30.0	25.4	25.0
Japan	Share of quantity	17.5	16.9	18.0
Taiwan	Share of quantity	4.6	7.1	8.2
South Korea	Share of quantity	3.2	5.0	5.7
Canada	Share of quantity	5.2	3.5	4.9
United Kingdom	Share of quantity	3.0	2.9	2.7
Australia	Share of quantity	3.5	3.4	2.2
Singapore	Share of quantity	1.3	0.9	2.0
All other destination markets	Share of quantity	5.8	4.5	4.3
Non-U.S. destination markets	Share of quantity	74.1	69.8	73.1
All destination markets	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 0306.17 as reported by Thai Customs Department in the Global Trade Atlas database, accessed February 28, 2023.

Note: United States is shown at the top. All remaining top export destinations are shown in descending order of 2021 data.

Note: All or virtually all exports under subheading 0306.17 are of in-scope warmwater shrimp. In-scope processed shrimp classifiable under subheadings 1605.21 and 1605.29 are not included because, at the 6-digit subheading level, these subheadings include substantial amounts of out-of-scope product. As a result, figures presented may not match those presented elsewhere in the report.

The industry in Vietnam

Overview

During the final phase of the original investigations, the Commission received usable foreign producer/exporter questionnaire responses from 36 firms. Their collective exports to the United States were equivalent to 97.1 percent of subject U.S. imports from Vietnam in 2003.[26]

During the full first five-year reviews, the Commission received usable foreign producer/exporter questionnaire responses from 26 firms, which were estimated to account for 95.8 percent of subject U.S. imports from Vietnam during 2009.[27]

During the full second five-year reviews, the Commission received usable foreign producer/exporter questionnaire responses from 19 firms, which were estimated to account for *** percent of subject U.S. imports from Vietnam in 2015.[28]

In these full third five-year reviews, the Commission received usable foreign producer/exporter questionnaires from nine firms. These firms' exports to the United States accounted for *** percent of U.S. imports of warmwater shrimp from Vietnam in 2021. Firms were asked to estimate their individual share of total warmwater shrimp production in Vietnam during 2021, which aggregated to 48.8 percent.

Table IV-28 presents information on the warmwater shrimp operations of the responding producers and exporters in Vietnam.

[26] Original publication, p. VII-7.
[27] First review publication, p. IV-26.
[28] Second review confidential report, p. IV-49.

Table IV-28
Warmwater shrimp: Summary data for producers in Vietnam, 2021

Firm	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Ca Mau Seafood	***	***	***	***	***	***
Ngoc Tri Seafood	***	***	***	***	***	***
Nha Trang Seaproduct	***	***	***	***	***	***
Sao Ta Foods	***	***	***	***	***	***
Thong Thuan	***	***	***	***	***	***
Thuan Phuoc Seafoods	***	***	***	***	***	***
Trang Khanh Seafood	***	***	***	***	***	***
UTXI Aquatic Products	***	***	***	***	***	***
Vietnam Clean Seafood	***	***	***	***	***	***
All firms	232,328	100.0	71,565	100.0	227,433	31.5

Source: Compiled from data submitted in response to Commission questionnaires.

Changes in operations

Since 2016, the Vietnamese shrimp industry has reportedly increased its focus on the Chinese market.[29] Exports of warmwater shrimp from Vietnam to China grew steadily until 2020, when seafood exports from many countries to China were disrupted as a result of the COVID-19 pandemic. A third-party report also indicates that the Vietnamese shrimp industry has increasingly relied on processing of imported shrimp rather than farming.[30]

As presented in table IV-29, producers in Vietnam reported several operational and organizational changes relating to the production of warmwater shrimp since January 1, 2016.

Firms were also asked about the impact of the COVID-19 pandemic on their warmwater shrimp operations. As presented in table IV-30, two firms reported changes in their supply chain arrangements, production, employment, and/or shipments relating to warmwater shrimp.

No firm reported any anticipated changes in the character of operations relating to the production of warmwater shrimp.

[29] Vietnamese producers’ response to the notice of institution, June 1, 2022, p. 14.
[30] BCG, *A Strategic Approach to Shrimp Production in Vietnam*, August 2019.

Table IV-29
Warmwater shrimp: Reported changes in operations in Vietnam, since January 1, 2016, by firm

Item	Firm name and narrative on changes in operations
Plant openings	***
Plant openings	***
Expansions	***
Expansions	***
Prolonged shutdowns or curtailments	***
Revised labor agreements	***
Weather related events	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-30
Warmwater shrimp: Reported impact of COVID-19 on operations in Vietnam since January 1, 2020

Firm	Narrative on impact of COVID-19 pandemic
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on warmwater shrimp

Tables IV-31 and IV-32 present data on the warmwater shrimp operations of the responding processors in Vietnam. Capacity and production increased between 2019 and 2021, by 15.1 percent and 23.7 percent, respectively. Capacity and production were higher in January-September 2022 than in January-September 2021, by 1.0 percent and 5.0 percent, respectively. Capacity utilization ranged between 70.5 percent and 80.3 percent between 2019 and 2021.

Home market shipments as a share of total shipments increased during 2019-21, from 14.6 percent to 20.3 percent. Exports as a share of total shipments accounted for about 80-85 percent in each full year and were 5.0 percentage points lower in interim 2022 than in interim 2021.

Exports to the United States more than doubled during 2019-21 and were 33.0 percent lower in interim 2022 than in interim 2021. Export shipments to the United States as a share of total exports increased by 18.8 percentage points between 2019 and 2021, from 20.7 percent to 39.5 percent, and were 16.0 percentage points lower in interim 2022 than in interim 2021. The unit value of export shipments to the United States was higher than the unit values for other export markets in each period.

Inventories increased by 25.3 percent during 2019-21 and were 19.7 percent lower in January-September 2022 than in January-September 2021. Inventories as a ratio to production ranged between 16.8 percent and 17.7 percent during 2019-21.

Tables IV-33 and IV-34 present responding firms’ reported production constraints on their warmwater shrimp operations. Six firms reported availability of raw materials and 5 firms reported existing labor force as constraints in the production process.

Table IV-31
Warmwater shrimp: Data on industry in Vietnam, by period

Quantity in 1,000 pounds; value in 1,000 dollars

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity	Quantity	266,480	269,693	306,602	230,643	232,893
Production	Quantity	187,740	216,612	232,328	177,048	185,866
End-of-period inventories	Quantity	32,760	36,491	41,043	52,012	41,779
Internal consumption and transfers	Quantity	***	***	***	***	***
Commercial home market shipments	Quantity	***	***	***	***	***
Home market shipments	Quantity	28,365	32,150	46,162	28,730	42,209
Export shipments	Quantity	165,509	180,892	181,271	133,322	143,792
Total shipments	Quantity	193,874	213,042	227,433	162,052	186,001
Internal consumption and transfers	Value	***	***	***	***	***
Commercial home market shipments	Value	***	***	***	***	***
Home market shipments	Value	89,944	108,907	167,040	105,821	164,539
Export shipments	Value	734,632	830,583	902,789	658,269	735,763
Total shipments	Value	824,576	939,490	1,069,829	764,090	900,302

Table continued.

Table IV-31 Continued
Warmwater shrimp: Data on industry in Vietnam, by period

Unit value in dollars per pound; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Internal consumption and transfers	Unit value	***	***	***	***	***
Commercial home market shipments	Unit value	***	***	***	***	***
Home market shipments	Unit value	3.17	3.39	3.62	3.68	3.90
Export shipments	Unit value	4.44	4.59	4.98	4.94	5.12
Total shipments	Unit value	4.25	4.41	4.70	4.72	4.84
Capacity utilization ratio	Ratio	70.5	80.3	75.8	76.8	79.8
Inventory ratio to production	Ratio	17.4	16.8	17.7	22.0	16.9
Inventory ratio to total shipments	Ratio	16.9	17.1	18.0	24.1	16.8
Internal consumption and transfers	Share	***	***	***	***	***
Commercial home market shipments	Share	***	***	***	***	***
Home market shipments	Share	14.6	15.1	20.3	17.7	22.7
Export shipments	Share	85.4	84.9	79.7	82.3	77.3
Total shipments	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: *** reported capacity equal to production.

Table IV-32
Warmwater shrimp: Processors' exports from Vietnam, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; share and ratio in percent

Destination market	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
United States	Quantity	34,238	63,325	71,565	56,282	37,713
European Union	Quantity	54,273	47,522	46,315	32,461	39,525
Asia	Quantity	63,656	45,538	38,341	26,331	41,675
All other destination markets	Quantity	13,342	24,507	25,050	18,248	24,879
Non-U.S. destination markets	Quantity	131,271	117,567	109,706	77,040	106,079
All destination markets	Quantity	165,509	180,892	181,271	133,322	143,792
United States	Value	170,434	312,151	377,467	293,139	217,727
European Union	Value	230,720	201,714	217,713	150,283	196,793
Asia	Value	276,387	196,762	178,128	120,275	188,887
All other destination markets	Value	57,091	119,956	129,481	94,572	132,356
Non-U.S. destination markets	Value	564,198	518,432	525,322	365,130	518,036
All destination markets	Value	734,632	830,583	902,789	658,269	735,763
United States	Unit value	4.98	4.93	5.27	5.21	5.77
European Union	Unit value	4.25	4.24	4.70	4.63	4.98
Asia	Unit value	4.34	4.32	4.65	4.57	4.53
All other destination markets	Unit value	4.28	4.89	5.17	5.18	5.32
Non-U.S. destination markets	Unit value	4.30	4.41	4.79	4.74	4.88
All destination markets	Unit value	4.44	4.59	4.98	4.94	5.12
United States	Share of quantity	20.7	35.0	39.5	42.2	26.2
European Union	Share of quantity	32.8	26.3	25.6	24.3	27.5
Asia	Share of quantity	38.5	25.2	21.2	19.7	29.0
All other destination markets	Share of quantity	8.1	13.5	13.8	13.7	17.3
Non-U.S. destination markets	Share of quantity	79.3	65.0	60.5	57.8	73.8
All destination markets	Share of quantity	100.0	100.0	100.0	100.0	100.0
United States	Ratio	17.7	29.7	31.5	34.7	20.3
European Union	Ratio	28.0	22.3	20.4	20.0	21.2
Asia	Ratio	32.8	21.4	16.9	16.2	22.4
All other destination markets	Ratio	6.9	11.5	11.0	11.3	13.4
Non-U.S. destination markets	Ratio	67.7	55.2	48.2	47.5	57.0
All destination markets	Ratio	85.4	84.9	79.7	82.3	77.3

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-33
Warmwater shrimp: Number of firms reporting production constraints in Vietnam since January 1, 2016

Item	Number of firms
Production bottlenecks	2
Existing labor force	5
Supply of material inputs	6
Fuel or energy	---
Storage capacity	1
Logistics/transportation	2
Other constraints	3

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-34
Warmwater shrimp: Reported production constraints by firms in Vietnam, since January 1, 2016

Item	Firm name and narrative on changes in operations
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Storage capacity	***
Logistics/transportation	***
Logistics/transportation	***
Other constraints	***
Other constraints	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

Table IV-35 presents responding processors' installed capacity, practical capacity, and production of warmwater shrimp and other products on the same equipment. One firm (***) reported production of out-of-scope breaded shrimp on the same equipment used to produce warmwater shrimp.

Firms were asked to report what type(s) of freezing capacity they have. All nine responding firms reported having both block frozen and IQF capacity; one firm also reported having semi-block and tray freezing capacity.

Table IV-35
Warmwater shrimp: Vietnamese processors' installed and practical capacity and production on the same equipment as subject production, by period

Quantity in 1,000 pounds; share and ratio in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity: Installed	Quantity	513,545	513,545	553,227	414,849	438,559
Capacity: Practical overall	Quantity	283,793	278,285	309,369	234,698	242,513
Capacity: Practical warmwater shrimp	Quantity	266,480	269,693	306,602	230,643	232,893
Production: Warmwater shrimp	Quantity	187,740	216,612	232,328	177,048	185,866
Production: Other	Quantity	***	***	***	***	***
Production: Total	Quantity	***	***	***	***	***
Capacity utilization: Installed	Ratio	***	***	***	***	***
Capacity utilization: Practical overall	Ratio	***	***	***	***	***
Capacity utilization: Practical warmwater shrimp	Ratio	70.5	80.3	75.8	76.8	79.8
Warmwater shrimp production	Share	***	***	***	***	***
Other production	Share	***	***	***	***	***
Total production	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Exports

Table IV-36 presents the leading export markets for warmwater shrimp from Vietnam. During 2021, the United States, Japan, and South Korea were the leading export markets for warmwater shrimp from Vietnam, accounting 19.1 percent, 14.0 percent, and 13.5 percent, respectively.

Table IV-36
Warmwater shrimp: Exports from Vietnam, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars

Destination market	Measure	2019	2020	2021
United States	Quantity	26,414	46,617	82,595
Japan	Quantity	68,142	63,174	60,710
South Korea	Quantity	58,018	55,616	58,540
China	Quantity	76,750	59,083	37,040
Australia	Quantity	12,295	15,591	24,129
United Kingdom	Quantity	25,085	23,202	23,449
Hong Kong	Quantity	24,218	19,503	18,708
Canada	Quantity	17,704	20,044	17,787
Netherlands	Quantity	15,672	17,366	16,238
All other destination markets	Quantity	91,047	82,649	93,721
Non-U.S. destination markets	Quantity	388,932	356,229	350,321
All destination markets	Quantity	415,346	402,846	432,916
United States	Value	142,310	249,231	451,166
Japan	Value	342,054	320,671	313,761
South Korea	Value	216,334	211,439	236,263
China	Value	254,255	182,183	125,794
Australia	Value	62,009	77,591	122,226
United Kingdom	Value	117,095	106,493	116,062
Hong Kong	Value	81,966	60,324	68,044
Canada	Value	87,611	99,317	94,823
Netherlands	Value	64,378	70,021	68,727
All other destination markets	Value	382,563	358,470	418,777
Non-U.S. destination markets	Value	1,608,265	1,486,509	1,564,478
All destination markets	Value	1,750,575	1,735,740	2,015,644

Table continued.

Table IV-36 Continued
Warmwater shrimp: Exports from Vietnam, by destination market and period

Unit value in dollars per pound; share in percent

Destination market	Measure	2019	2020	2021
United States	Unit value	5.39	5.35	5.46
Japan	Unit value	5.02	5.08	5.17
South Korea	Unit value	3.73	3.80	4.04
China	Unit value	3.31	3.08	3.40
Australia	Unit value	5.04	4.98	5.07
United Kingdom	Unit value	4.67	4.59	4.95
Hong Kong	Unit value	3.38	3.09	3.64
Canada	Unit value	4.95	4.95	5.33
Netherlands	Unit value	4.11	4.03	4.23
All other destination markets	Unit value	4.20	4.34	4.47
Non-U.S. destination markets	Unit value	4.14	4.17	4.47
All destination markets	Unit value	4.21	4.31	4.66
United States	Share of quantity	6.4	11.6	19.1
Japan	Share of quantity	16.4	15.7	14.0
South Korea	Share of quantity	14.0	13.8	13.5
China	Share of quantity	18.5	14.7	8.6
Australia	Share of quantity	3.0	3.9	5.6
United Kingdom	Share of quantity	6.0	5.8	5.4
Hong Kong	Share of quantity	5.8	4.8	4.3
Canada	Share of quantity	4.3	5.0	4.1
Netherlands	Share of quantity	3.8	4.3	3.8
All other destination markets	Share of quantity	21.9	20.5	21.6
Non-U.S. destination markets	Share of quantity	93.6	88.4	80.9
All destination markets	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 0306.17 reported by various national statistical authorities in the Global Trade Atlas database, accessed February 28, 2023.

Note: United States is shown at the top. All remaining top export destinations are shown in descending order of 2021 data.

Note: All or virtually all exports under subheading 0306.17 are of in-scope warmwater shrimp. In-scope processed shrimp classifiable under subheadings 1605.21 and 1605.29 are not included because, at the 6-digit subheading level, these subheadings include substantial amounts of out-of-scope product. As a result, figures presented may not match those presented elsewhere in the report.

Subject countries combined

Tables IV-37 and IV-38 present summary data on warmwater shrimp operations of the reporting subject producers in the subject countries.

Table IV-37
Warmwater shrimp: Data on the industry in subject countries, by period

Quantity in 1,000 pounds; value in 1,000 dollars

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Capacity	Quantity	1,446,430	1,493,622	1,604,928	1,201,111	1,205,534
Production	Quantity	866,015	827,734	928,977	696,403	735,292
End-of-period inventories	Quantity	121,845	161,463	169,487	197,343	198,316
Internal consumption and transfers	Quantity	***	***	***	***	***
Commercial home market shipments	Quantity	***	***	***	***	***
Home market shipments	Quantity	***	***	***	***	***
Export shipments	Quantity	805,894	723,477	837,149	608,732	640,345
Total shipments	Quantity	***	***	***	***	***
Internal consumption and transfers	Value	***	***	***	***	***
Commercial home market shipments	Value	***	***	***	***	***
Home market shipments	Value	***	***	***	***	***
Export shipments	Value	3,373,981	3,128,068	3,828,248	2,722,809	2,987,542
Total shipments	Value	***	***	***	***	***

Table continued.

Table IV-37 Continued
Warmwater shrimp: Data on the industry in subject countries, by period

Unit value in dollars per pound; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
Internal consumption and transfers	Unit value	***	***	***	***	***
Commercial home market shipments	Unit value	***	***	***	***	***
Home market shipments	Unit value	***	***	***	***	***
Export shipments	Unit value	4.19	4.32	4.57	4.47	4.67
Total shipments	Unit value	***	***	***	***	***
Capacity utilization ratio	Ratio	59.9	55.4	57.9	58.0	61.0
Inventory ratio to production	Ratio	14.1	19.5	18.2	21.3	20.2
Inventory ratio to total shipments	Ratio	***	***	***	***	***
Internal consumption and transfers	Share	***	***	***	***	***
Commercial home market shipments	Share	***	***	***	***	***
Home market shipments	Share	***	***	***	***	***
Export shipments	Share	***	***	***	***	***
Total shipments	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-38
Warmwater shrimp: Processors' and resellers' exports from subject sources, by destination market and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; ratio and share in percent

Destination market	Measure	2019	2020	2021	Jan-Sep 2021	Jan-Sep 2022
United States	Quantity	461,954	429,812	537,203	394,627	335,056
European Union	Quantity	98,192	84,561	90,162	64,756	83,070
Asia	Quantity	198,306	146,472	142,027	100,219	162,964
All other destination markets	Quantity	47,442	62,632	67,757	49,130	59,761
Non-U.S. destination markets	Quantity	343,940	293,665	299,946	214,105	305,795
All destination markets	Quantity	805,894	723,477	837,149	608,732	640,851
United States	Value	1,972,654	1,902,385	2,494,057	1,787,496	1,632,509
European Union	Value	406,653	355,366	403,693	286,335	385,663
Asia	Value	795,465	592,013	612,734	422,858	680,358
All other destination markets	Value	199,209	278,304	317,764	226,120	291,552
Non-U.S. destination markets	Value	1,401,327	1,225,683	1,334,191	935,313	1,357,573
All destination markets	Value	3,373,981	3,128,068	3,828,248	2,722,809	2,990,082
United States	Unit value	4.27	4.43	4.64	4.53	4.87
European Union	Unit value	4.14	4.20	4.48	4.42	4.64
Asia	Unit value	4.01	4.04	4.31	4.22	4.17
All other destination markets	Unit value	4.20	4.44	4.69	4.60	4.88
Non-U.S. destination markets	Unit value	4.07	4.17	4.45	4.37	4.44
All destination markets	Unit value	4.19	4.32	4.57	4.47	4.67
United States	Share of quantity	57.3	59.4	64.2	64.8	52.3
European Union	Share of quantity	12.2	11.7	10.8	10.6	13.0
Asia	Share of quantity	24.6	20.2	17.0	16.5	25.4
All other destination markets	Share of quantity	5.9	8.7	8.1	8.1	9.3
Non-U.S. destination markets	Share of quantity	42.7	40.6	35.8	35.2	47.7
All destination markets	Share of quantity	100.0	100.0	100.0	100.0	100.0
United States	Ratio	***	***	***	***	***
European Union	Ratio	***	***	***	***	***
Asia	Ratio	***	***	***	***	***
All other destination markets	Ratio	***	***	***	***	***
Non-U.S. destination markets	Ratio	***	***	***	***	***
All destination markets	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Third-country trade actions

Based on available information, warmwater shrimp from the subject countries has not been subject to other antidumping or countervailing duty investigations outside the United States.

Global market

Outside of the subject countries, the most significant change in the global market between 2016 and 2021 was the growth of exports from Ecuador, from around 715 million pounds in 2016 to nearly 1.8 billion pounds in 2021. Ecuador was a major supplier of farmed warmwater shrimp during the 1980s and 1990s, but suffered major shrimp disease outbreaks that resulted in lower production. However, improved environmental standards and increased investment have led to a recovery of the sector and steady growth in recent years.[31]

Table IV-39 presents global export data for warmwater shrimp from 2019 to 2021. During 2021, Ecuador and India were the leading exporters of warmwater shrimp, accounting 31.4 percent and 26.2 percent, respectively.

[31] RTS International, "A Look at the Shrimp Industry in Ecuador," July 13, 2020.

Table IV-39
Warmwater shrimp: Global exports, by reporting country and by period

Quantity in 1,000 pounds; value in 1,000 dollars

Exporting country	Measure	2019	2020	2021
United States	Quantity	6,096	5,284	7,828
Ecuador	Quantity	1,355,508	1,441,053	1,783,451
India	Quantity	1,390,217	1,158,067	1,488,480
Vietnam	Quantity	415,346	402,846	432,916
Indonesia	Quantity	328,820	361,945	368,442
Argentina	Quantity	341,130	269,264	341,590
Honduras	Quantity	79,848	166,113	190,405
China	Quantity	117,526	131,776	133,244
Thailand	Quantity	148,249	121,916	131,763
Spain	Quantity	75,040	74,859	93,761
Peru	Quantity	73,902	67,278	76,661
Netherlands	Quantity	65,489	62,055	73,863
All other exporters	Quantity	540,862	432,828	560,911
All reporting exporters	Quantity	4,938,031	4,695,283	5,683,314
United States	Value	28,962	24,396	38,288
Ecuador	Value	3,675,300	3,626,519	5,090,381
India	Value	4,551,810	3,782,188	5,141,756
Vietnam	Value	1,750,575	1,735,740	2,015,644
Indonesia	Value	1,269,251	1,416,443	1,530,310
Argentina	Value	976,453	780,957	1,118,041
Honduras	Value	153,495	390,560	447,440
China	Value	507,331	461,226	441,783
Thailand	Value	664,749	561,641	617,193
Spain	Value	306,738	294,216	428,994
Peru	Value	230,927	200,892	249,880
Netherlands	Value	277,801	281,315	347,863
All other exporters	Value	1,935,388	1,578,594	1,911,419
All reporting exporters	Value	16,328,780	15,134,687	19,378,990

Table continued.

Table IV-39 Continued
Warmwater shrimp: Global exports, by reporting country and by period

Unit value in dollars per pound; share in percent

Exporting country	Measure	2019	2020	2021
United States	Unit value	4.75	4.62	4.89
Ecuador	Unit value	2.71	2.52	2.85
India	Unit value	3.27	3.27	3.45
Vietnam	Unit value	4.21	4.31	4.66
Indonesia	Unit value	3.86	3.91	4.15
Argentina	Unit value	2.86	2.90	3.27
Honduras	Unit value	1.92	2.35	2.35
China	Unit value	4.32	3.50	3.32
Thailand	Unit value	4.48	4.61	4.68
Spain	Unit value	4.09	3.93	4.58
Peru	Unit value	3.12	2.99	3.26
Netherlands	Unit value	4.24	4.53	4.71
All other exporters	Unit value	3.58	3.65	3.41
All reporting exporters	Unit value	3.31	3.22	3.41
United States	Share of quantity	0.1	0.1	0.1
Ecuador	Share of quantity	27.5	30.7	31.4
India	Share of quantity	28.2	24.7	26.2
Vietnam	Share of quantity	8.4	8.6	7.6
Indonesia	Share of quantity	6.7	7.7	6.5
Argentina	Share of quantity	6.9	5.7	6.0
Honduras	Share of quantity	1.6	3.5	3.4
China	Share of quantity	2.4	2.8	2.3
Thailand	Share of quantity	3.0	2.6	2.3
Spain	Share of quantity	1.5	1.6	1.6
Peru	Share of quantity	1.5	1.4	1.3
Netherlands	Share of quantity	1.3	1.3	1.3
All other exporters	Share of quantity	11.0	9.2	9.9
All reporting exporters	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics under HS subheading 0306.17 reported by various national statistical authorities in the Global Trade Atlas database, accessed February 28, 2023.

Note: All or virtually all exports under subheading 0306.17 are of in-scope warmwater shrimp. In-scope processed shrimp classifiable under subheadings 1605.21 and 1605.29 are not included because, at the 6-digit subheading level, these subheadings include substantial amounts of out-of-scope product. As a result, figures presented may not match those presented elsewhere in the report. United States is shown at the top followed by all remaining top exporting countries in descending order of 2021 data.

Demand

Please see part II of this report for a discussion of firms' responses regarding demand outside of the United States since January 1, 2016.

Tables IV-40 to IV-43 and figure IV-9 present apparent consumption data for the subject countries.[32] Continuing a trend highlighted in the second reviews, shrimp consumption in China increased steadily during the period of review. While apparent consumption data are not available for 2020–22 due to the lack of aquaculture production data from FAO for years after 2019, publicly available sources indicate that China's demand for shrimp continued to increase during the later portion of the period as well. In 2022, China reportedly became the world's largest importer of shrimp, with the majority of its imports coming from Ecuador, though China's shrimp imports increased from nearly all sources.[33] Apparent consumption in Vietnam also continued a steady increase during the period, from 1.3 billion pounds in 2016 to nearly 1.9 billion pounds in 2019.

Table IV-40
Warmwater shrimp: Production, imports, exports, and apparent consumption in China, by period

Quantity in 1,000 pounds

Item	2016	2017	2018	2019
Production	7,673,343	7,753,272	7,808,236	7,853,211
Imports	134,350	139,819	425,155	1,431,646
Exports	214,658	204,487	157,459	117,547
Apparent consumption	7,593,035	7,688,603	8,075,932	9,167,310

Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity; and S&P Global, Global Trade Analytics Suite, accessed March 10, 2023.

[32] Apparent consumption is calculated as production plus imports, minus exports.
[33] Globefish, "China Becomes the World's Top Shrimp Importer," March 9, 2023.

Table IV-41
Warmwater shrimp: Production, imports, exports, and apparent consumption in India, by period

Quantity in 1,000 pounds

Item	2016	2017	2018	2019
Production	2,099,502	2,469,992	2,508,992	2,658,700
Imports	1,346	3,543	6,613	6,793
Exports	910,929	1,196,008	1,287,353	1,390,469
Apparent consumption	1,189,919	1,277,528	1,228,251	1,275,024

Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity; and S&P Global, Global Trade Analytics Suite, accessed March 10, 2023.

Table IV-42
Warmwater shrimp: Production, imports, exports, and apparent consumption in Thailand, by period

Quantity in 1,000 pounds

Item	2016	2017	2018	2019
Production	848,846	913,229	1,003,279	1,048,411
Imports	22,648	26,030	26,485	24,674
Exports	222,609	211,273	157,121	148,276
Apparent consumption	648,884	727,987	872,644	924,810

Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity; and S&P Global, Global Trade Analytics Suite, accessed March 10, 2023.

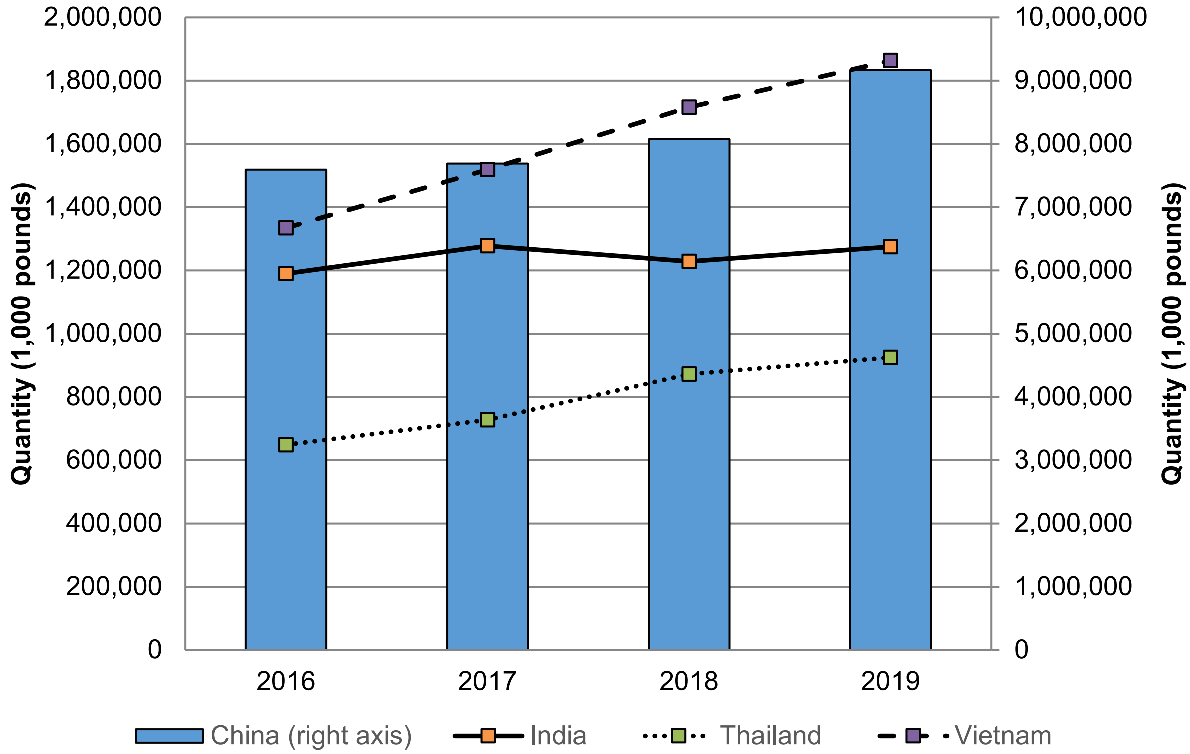
Table IV-43
Warmwater shrimp: Production, imports, exports, and apparent consumption in Vietnam, by period

Quantity in 1,000 pounds

Item	2016	2017	2018	2019
Production	1,744,303	1,957,899	2,059,274	2,317,397
Imports	82,057	101,855	89,946	65,748
Exports	491,985	541,504	433,454	519,749
Apparent consumption	1,334,374	1,518,250	1,715,765	1,863,395

Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity; and S&P Global, Global Trade Analytics Suite, accessed March 10, 2023.

Figure IV-9
Warmwater shrimp: Apparent consumption in subject countries, by source and period



Source: FAO, "Production from Aquaculture by Country and Species," https://www.fao.org/fishery/static/Yearbook/YB2019_USBcard/root/aquaculture/c1.pdf; FAO, "Global Production by Production Source (Quantity), https://www.fao.org/fishery/statistics-query/en/global_production/global_production_quantity; and S&P Global, Global Trade Analytics Suite, accessed March 10, 2023.

Note: Total apparent consumption in China is much higher than the next largest market, so data for China are shown on a separate (right) axis.

Note: Apparent consumption is calculated as production plus imports, minus exports.

Part V: Pricing data

Factors affecting prices

Raw material costs

Fuel is the most important cost for shrimp fishermen.[1] Diesel prices in the Gulf Coast region increased irregularly from January 2016 to September 2022 with a sharp increase from January 2021 to June 2022. Between January 2016 to September 2022, Gulf Coast diesel prices increased by 131 percent. Diesel prices peaked in June 2022 and have declined irregularly through February 2023.

Figure V-1
Raw material cost: Gulf Coast diesel price by month, January 2016-February 2023

Source: U.S. Energy Information Administration, http://www.eia.gov/petroleum/gasdiesel/ retrieved March 10, 2023.

[1] Second review publication, p. V-1.

Table V-1
Raw material costs: Gulf Coast diesel price (dollars per gallon) by month and year, January 2016-February 2023

Month and year	Price	Month and year	Price	Month and year	Price
Jan-2016	2.041	Jan-2019	2.797	Jan-2022	3.463
Feb-2016	1.884	Feb-2019	2.803	Feb-2022	3.804
Mar-2016	1.972	Mar-2019	2.874	Mar-2022	4.937
Apr-2016	2.024	Apr-2019	2.901	Apr-2022	4.885
May-2016	2.182	May-2019	2.908	May-2022	5.248
Jun-2016	2.292	Jun-2019	2.834	Jun-2022	5.393
Jul-2016	2.262	Jul-2019	2.802	Jul-2022	5.135
Aug-2016	2.221	Aug-2019	2.761	Aug-2022	4.706
Sep-2016	2.248	Sep-2019	2.786	Sep-2022	4.717
Oct-2016	2.326	Oct-2019	2.804	Oct-2022	4.885
Nov-2016	2.311	Nov-2019	2.790	Nov-2022	4.826
Dec-2016	2.391	Dec-2019	2.774	Dec-2022	4.309
Jan-2017	2.430	Jan-2020	2.802	Jan-2023	4.277
Feb-2017	2.423	Feb-2020	2.674	Feb-2023	4.132
Mar-2017	2.402	Mar-2020	2.502	NA	NA
Apr-2017	2.444	Apr-2020	2.274	NA	NA
May-2017	2.407	May-2020	2.174	NA	NA
Jun-2017	2.355	Jun-2020	2.182	NA	NA
Jul-2017	2.329	Jul-2020	2.196	NA	NA
Aug-2017	2.414	Aug-2020	2.179	NA	NA
Sep-2017	2.631	Sep-2020	2.167	NA	NA
Oct-2017	2.616	Oct-2020	2.145	NA	NA
Nov-2017	2.692	Nov-2020	2.181	NA	NA
Dec-2017	2.706	Dec-2020	2.339	NA	NA
Jan-2018	2.813	Jan-2021	2.443	NA	NA
Feb-2018	2.835	Feb-2021	2.604	NA	NA
Mar-2018	2.796	Mar-2021	2.940	NA	NA
Apr-2018	2.897	Apr-2021	2.925	NA	NA
May-2018	3.019	May-2021	2.995	NA	NA
Jun-2018	3.022	Jun-2021	3.040	NA	NA
Jul-2018	3.000	Jul-2021	3.080	NA	NA
Aug-2018	2.993	Aug-2021	3.070	NA	NA
Sep-2018	3.046	Sep-2021	3.116	NA	NA
Oct-2018	3.138	Oct-2021	3.361	NA	NA
Nov-2018	3.068	Nov-2021	3.471	NA	NA
Dec-2018	2.907	Dec-2021	3.361	NA	NA

Source: U.S. Energy Information Administration, http://www.eia.gov/petroleum/gasdiesel/ retrieved March 10, 2023.

Transportation costs to the U.S. market

Transportation costs for warmwater shrimp shipped from subject countries to the United States averaged 14.1 percent for China, 5.8 percent for India, 4.2 percent for Thailand, and 5.1 percent for Vietnam during 2021. These estimates were derived from official import data and represent the transportation and other charges on imports.[2]

U.S. inland transportation costs

Twelve of 16 responding U.S. processors and 27 of 43 responding importers[3] reported that they typically arrange transportation to their customers. Most U.S. processors reported that their U.S. inland transportation costs ranged from 2 to 5 percent while most responding importers reported costs of 0.5 to 5 percent.

Pricing practices

Pricing methods

Most U.S. processors and importers reported setting prices using transaction-by-transaction negotiations (table V-2).[4] Most importers also reported using contracts, but only two processors reported using contracts.

Table V-2
Warmwater shrimp: Count of U.S. processors' and importers' reported price setting methods

Method	U.S. processors	Importers
Transaction-by-transaction	14	37
Contract	2	30
Set price list	5	9
Other	1	2
Responding firms	17	45

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The sum of responses down may not add up to the total number of responding firms as each firm was instructed to check all applicable price setting methods employed.

[2] The estimated transportation costs were obtained by subtracting the customs value from the cost, insurance, and freight (c.i.f.) value of the imports for 2021 and then dividing by the customs value based on the HTS statistical reporting numbers 0306.17.00 and 1605.21.10.

[3] This includes one importer that responded both that it and its customers arranged transportation.

[4] The processor reporting it used other methods ***. The two importers reporting using other methods reported using market or published prices.

U.S. processors reported selling the vast majority warmwater shrimp in the spot market with most of the remaining sales under short term contracts (table V-3). Importers reported selling most of their warmwater shrimp in the spot market with most of the remaining sales under short-term contracts. Foreign producers sold mainly using short term contracts and spot sales.

Table V-3
Warmwater shrimp: U.S. processors', importers', and foreign producers' shares of commercial U.S. shipments by type of sale, 2021

Share in percent

Type of sale	U.S. processors	Subject U.S. importers	Foreign producers
Long-term contracts	***	***	***
Annual contracts	***	***	***
Short-term contracts	***	***	***
Spot sales	***	***	***
Total	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Because of rounding, figures may not add to the totals shown.

Two purchasers reported that they purchase product daily, six purchase weekly, four purchase monthly, and three purchase quarterly. Most (12 of 14) purchasers contact 1 to 10 suppliers before making a purchase.

Sales terms and discounts

U.S. processors and importers typically quote prices on a delivered basis. Most processors (11 of 17) and importers (34 of 43) reported no discounts. Two processors reported quantity discount, three offered other types of discounts including those based on length of contract, based on market fluctuations, and case-by-case discounts. Seven importers reported quantity discounts,[5] five reported other discounts, four of these reported discounts based on the market price.

[5] One of these also reported total volume discounts.

Price leadership

Only two purchasers reported that there were price leaders in the warmwater shrimp market, one firm listed Cox Seafood (domestic) and Chicken of the Sea (import) and one listed Fortune Fish. These purchasers reported that Cox Seafood led because its large size influencing the boat prices, Chicken of the Sea lead because of its large size, and Fortune Fish lead because it set loss leader prices.[6]

Price data

The Commission requested U.S. processors and importers to provide quarterly data for the total quantity and f.o.b. value of the following warmwater shrimp products shipped to unrelated U.S. customers during January 2019 to September 2022.

Product 1.-- Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, peeled and deveined (P&D), tail-off, block frozen (cut or not cut).

Product 2.-- Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, shell-on, block frozen.

Product 3.-- Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Product 4.— Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D, headless, tail-on or-tail off, individually quick frozen (IQF).

[6] One purchaser (***) reported that “The shrimp industry is huge, I don't know of any one party that has the ability to change market pricing other than the basic principles of supply and demand.”

Ten U.S. processors[7] and 23 importers[8] provided usable pricing data for sales of the requested products, although not all firms reported pricing for all products for all quarters.[9] Pricing data reported by these firms accounted for approximately *** percent of U.S. processors' commercial U.S. shipments of warmwater shrimp and *** percent of U.S. commercial shipments of subject imports from India, *** percent from Thailand, and *** percent from Vietnam in 2021.[10] No price data was reported for subject product from China.

Price data for products 1-4 are presented in tables V-4 to V-7 and figures V-2 to V-5. Within the pricing products, some firms reported price variation due to different prices paid for different species of shrimp.[11] Price variations were also reported to be the result of differences in prices charged to different purchasers and changes in the shares of these high- and low-price purchasers from quarter to quarter.

---

[7] Processor *** also provided quantity and value data, however, it reported that ***. Processor *** also provided quantity and value data, however, it reported that ***. As a result, their quantity and value data were not included in the pricing data.

[8] Importer ***. As a result, its quantity and value data were not included in the pricing data.

[9] Per-unit pricing data are calculated from total quantity and total value data provided by U.S. processors and importers. The precision and variation of these figures may be affected by rounding, limited quantities, and producer or importer estimates.

[10] Pricing coverage is based on U.S. commercial shipments reported in questionnaires.

[11] ***.

Table V-4
Warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Price in dollars per pound, quantity in pounds, margin in percent.

Period	US price	US quantity	India, subject price	India, subject quantity	India, subject margin
2019 Q1	3.56	132,625	***	***	***
2019 Q2	3.32	598,000	***	***	***
2019 Q3	4.41	708,075	***	***	***
2019 Q4	4.02	536,530	***	***	***
2020 Q1	4.02	217,660	***	***	***
2020 Q2	3.46	325,605	***	***	***
2020 Q3	3.89	664,915	***	***	***
2020 Q4	3.78	551,810	***	***	***
2021 Q1	4.10	457,255	***	***	***
2021 Q2	4.07	419,738	***	***	***
2021 Q3	5.53	1,084,455	***	***	***
2021 Q4	6.10	842,450	***	***	***
2022 Q1	4.79	536,830	***	***	***
2022 Q2	3.85	475,080	***	***	***
2022 Q3	4.65	923,895	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D, tail-off, block frozen (cut or not cut).

Table V-5
Warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 2 and margins of underselling/(overselling), by source and quarter

Price in dollars per pound, quantity in pounds, margin in percent.

Period	U.S. price	U.S. quantity	India, subject price	India, subject quantity	India, subject margin	Thailand, subject price	Thailand, subject quantity	Thailand, subject margin
2019 Q1	***	***	3.28	440,628	***	***	***	***
2019 Q2	***	***	2.91	1,722,432	***	***	***	***
2019 Q3	4.53	643,968	3.02	1,528,906	33.4	***	***	***
2019 Q4	4.75	556,245	3.07	1,346,544	35.3	***	***	***
2020 Q1	4.81	343,141	3.51	738,905	27.1	***	***	***
2020 Q2	***	***	3.05	953,368	***	***	***	***
2020 Q3	4.53	504,540	3.40	1,008,449	25.0	***	***	***
2020 Q4	4.58	393,887	***	***	***	***	***	***
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	3.54	893,158	***	***	***	***
2021 Q3	5.18	494,530	3.70	1,300,266	28.5	***	***	***
2021 Q4	5.30	362,660	3.87	657,003	27.0	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	3.56	1,098,216	***	***	***	***
2022 Q3	4.85	542,205	3.53	573,090	27.3	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, shell-on, block frozen.

Table V-6
Warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 3 and margins of underselling/(overselling), by source and quarter

Price in dollars per pound, quantity in pounds, margin in percent.

Period	U.S. price	U.S. quantity	India, subject price	India, subject quantity	India, subject margin
2019 Q1	5.27	259,620	3.51	1,295,395	33.4
2019 Q2	5.37	486,565	3.34	2,661,859	37.9
2019 Q3	5.35	722,985	3.37	2,512,896	36.9
2019 Q4	5.56	560,630	3.45	2,055,078	38.0
2020 Q1	5.80	332,460	3.48	1,498,230	40.0
2020 Q2	5.28	316,915	3.35	1,153,166	36.5
2020 Q3	4.98	556,830	3.40	992,369	31.8
2020 Q4	5.04	350,380	3.52	846,244	30.3
2021 Q1	5.29	315,265	***	***	***
2021 Q2	5.77	315,575	3.59	961,387	37.8
2021 Q3	6.43	556,180	3.77	1,333,636	41.4
2021 Q4	6.49	614,363	***	***	***
2022 Q1	6.35	282,793	***	***	***
2022 Q2	6.15	291,195	3.90	1,307,636	36.6
2022 Q3	5.38	649,785	3.67	658,227	31.8

Period	Thailand, subject price	Thailand, subject quantity	Thailand, subject margin	Vietnam, subject price	Vietnam, subject quantity	Vietnam, subject margin
2019 Q1	***	***	***	***	***	***
2019 Q2	***	***	***	***	***	***
2019 Q3	***	***	***	***	***	***
2019 Q4	***	***	***	***	***	***
2020 Q1	***	***	***	***	***	***
2020 Q2	***	***	***	***	***	***
2020 Q3	***	***	***	***	***	***
2020 Q4	***	***	***	***	***	***
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Table V-7
Warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 4 and margins of underselling/(overselling), by source and quarter

Price in dollars per pound, quantity in pounds, margin in percent.

Period	U.S. price	U.S. quantity	India, subject price	India, subject quantity	India, subject margin
2019 Q1	***	***	4.87	1,625,052	***
2019 Q2	***	***	4.74	1,805,860	***
2019 Q3	***	***	4.80	2,898,664	***
2019 Q4	***	***	4.76	2,787,508	***
2020 Q1	***	***	4.95	2,703,402	***
2020 Q2	***	***	4.72	1,917,581	***
2020 Q3	***	***	5.09	2,463,956	***
2020 Q4	***	***	4.99	2,749,785	***
2021 Q1	***	***	5.17	2,542,787	***
2021 Q2	***	***	4.95	3,298,981	***
2021 Q3	***	***	5.17	3,437,729	***
2021 Q4	***	***	5.49	3,797,235	***
2022 Q1	***	***	5.38	2,687,017	***
2022 Q2	***	***	5.27	5,257,135	***
2022 Q3	***	***	5.27	3,226,241	***

Period	Thailand, subject price	Thailand, subject quantity	Thailand, subject margin	Vietnam, subject price	Vietnam, subject quantity	Vietnam, subject margin
2019 Q1	***	***	***	***	***	***
2019 Q2	***	***	***	***	***	***
2019 Q3	***	***	***	***	***	***
2019 Q4	***	***	***	***	***	***
2020 Q1	***	***	***	***	***	***
2020 Q2	***	***	***	***	***	***
2020 Q3	***	***	***	***	***	***
2020 Q4	***	***	***	***	***	***
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D, headless, tail-on or-tail off, IQF.

Figure V-2
Warmwater shrimp: Weighted-average prices and quantities of domestic and imported product 1, by source and quarter

Price of product 1

*   *   *   *   *   *   *

Volume of product 1

*   *   *   *   *   *   *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D, tail-off, block frozen (cut or not cut).

Figure V-3
Warmwater shrimp: Weighted-average prices and quantities of domestic and imported product 2, by source and quarter

Price of product 2

* * * * * * *

Volume of product 2

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, shell-on, block frozen.

Figure V-4
Warmwater shrimp: Weighted-average prices and quantities of domestic and imported product 3, by source and quarter

Price of product 3

*   *   *   *   *   *   *

Volume of product 3

*   *   *   *   *   *   *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Figure V-5
Warmwater shrimp: Weighted-average prices and quantities of domestic and imported product 4, by source and quarter

Price of product 4

*   *   *   *   *   *   *

Volume of product 4

*   *   *   *   *   *   *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D, headless, tail-on or-tail off, IQF.

Price trends

In general, prices increased during January 2019 to September 2022. Table V-8 summarizes the price trends, by country and by product. As shown in the table, domestic price increases ranged from *** to *** percent during January 2019 to September 2022 while import price increases ranged from *** to *** percent and there was one product country pair for which price decreased by *** percent.

Table V-8
Warmwater shrimp: Summary of price data, by product and source, January 2019-September 2022

Quantity in pounds, price in dollars per pound

Product	Source	Number of quarters	Quantity of shipments	Low price	High price	First quarter price	Last quarter price	Percent change in price over period
Product 1	United States	15	8,474,923	3.32	6.10	3.56	4.65	30.5
Product 1	India, subject	15	***	***	***	***	***	***
Product 1	Thailand, subject	0	---	---	---	---	---	---
Product 1	Vietnam, subject	0	---	---	---	---	---	---
Product 2	United States	15	***	***	***	***	***	***
Product 2	India, subject	15	***	***	***	***	***	***
Product 2	Thailand, subject	8	***	***	***	***	***	***
Product 2	Vietnam, subject	0	---	---	---	---	---	---
Product 3	United States	15	6,611,541	4.98	6.49	5.27	5.38	2.0
Product 3	India, subject	15	***	***	***	3.51	3.67	4.4
Product 3	Thailand, subject	12	***	***	***	***	***	***
Product 3	Vietnam, subject	2	***	***	***	***	***	***
Product 4	United States	15	***	***	***	***	***	***
Product 4	India, subject	15	43,198,933	4.72	5.49	4.87	5.27	8.1
Product 4	Thailand, subject	15	***	***	***	***	***	***
Product 4	Vietnam, subject	15	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Percent change column is percentage change from the first quarter 2019 to the third quarter in 2022.

Price comparisons[12]

As shown in tables V-9 and V-10, prices for warmwater shrimp imported from subject countries were below those for U.S.-produced product in 90 of 112 instances (86.5 million pounds); margins of underselling ranged from 0.3 to 43.3 percent. In the remaining 22 instances (5.0 million pounds), prices for product from subject countries for warmwater shrimp were between 0.1 to 61.3 percent above prices for domestic product.

Prices for warmwater shrimp imported from India were below those for U.S.-produced product in all 60 instances with margins ranging from *** to *** percent. Prices for warmwater shrimp imported from Thailand were below those for U.S.-produced product in 16 of 35 instances; margins of underselling ranged from *** to *** percent. In the remaining 19 instances, prices for warmwater shrimp from Thailand were between *** and *** percent above prices for the domestic product. Prices for warmwater shrimp imported from Vietnam were below those for U.S.-produced product in 14 of 17 instances; margins of underselling ranged from *** to *** percent. In the remaining 3 instances, prices for warmwater shrimp from Vietnam were between *** and *** percent above prices for the domestic product.

[12] In the original investigations, subject imports from Brazil were priced lower than domestic product in 33 of 74 comparisons, with underselling margins ranging from 0.1 to 29.2 percent; subject imports from China were priced lower than domestic product in 68 of 100 comparisons, with underselling margins ranging from 0.9 to 55.9 percent; India were priced lower than domestic product in 55 of 90 comparisons, with underselling margins ranging from 0.0 to 36.4; subject imports from Thailand were priced lower than domestic product in 78 of 113 comparisons, with underselling margins ranging from 0.6 to 83.8 percent; and subject imports from Vietnam were priced lower than domestic product in 65 of 104 comparisons, with underselling margins ranging from 0.2 to 28.8. Original confidential report, tables V-2 and G-1 through G-10. In the first reviews, subject imports from China were priced lower than domestic product in 28 of 32 comparisons, with underselling margins ranging from 4.0 to 38.9 percent; subject imports from India were priced lower than domestic product in 70 of 154 comparisons, with underselling margins ranging from *** to *** percent; subject imports from Thailand were priced lower than domestic product in 149 of 184 comparisons, with underselling margins ranging from *** to *** percent; and subject imports from Vietnam were priced lower than domestic product in 78 of 173 comparisons, with underselling margins ranging from *** to *** percent. First review confidential report, Tables V-1 to V-8 and table V 10. In the second reviews, subject imports from India were priced lower than domestic product in 29 of 59 comparisons, with underselling margins ranging from 1.8 to 34.7 percent; subject imports from Thailand were priced lower than domestic product in 22 of 50 comparisons, with underselling margins ranging from 1.9 to 17.1 percent; and subject imports from Vietnam were priced lower than domestic product in 13 of 57 comparisons, with underselling margins ranging from 1.1 to 20.1 percent. Second review publication, table V-10.

Table V-9
Warmwater shrimp: Instances of underselling and overselling and the range and average of margins, by product

Quantity in pounds; margin in percent

Product	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Product 1	Underselling	15	***	***	***	***
Product 2	Underselling	20	***	***	***	***
Product 3	Underselling	25	***	***	***	***
Product 4	Underselling	30	***	***	***	***
Total, all products	Underselling	90	86,531,159	22.5	0.3	43.3
Product 1	Overselling	0	---	---	---	---
Product 2	Overselling	3	***	***	***	***
Product 3	Overselling	4	***	***	***	***
Product 4	Overselling	15	***	***	***	***
Total, all products	Overselling	22	4,992,177	(20.9)	(0.1)	(61.3)

Source: Compiled from data submitted in response to Commission questionnaires.

Table V-10
Warmwater shrimp: Instances of underselling and overselling and the range and average of margins, by source

Quantity in pounds; margin in percent

Source	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
India, subject	Underselling	60	***	***	***	***
Thailand, subject	Underselling	16	***	***	***	***
Vietnam, subject	Underselling	14	***	***	***	***
Total, all subject sources	Underselling	90	86,531,159	22.5	0.3	43.3
India, subject	Overselling	0	---	---	---	---
Thailand, subject	Overselling	19	***	***	***	***
Vietnam, subject	Overselling	3	***	***	***	***
Total, all subject sources	Overselling	22	4,992,177	(20.9)	(0.1)	(61.3)

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX A

FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, *Federal Register* notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
87 FR 25617, May 2, 2022	*Initiation of Five-Year (Sunset) Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-05-02/pdf/2022-09366.pdf
87 FR 25665, May 2, 2022	*Frozen Warmwater Shrimp From China, India, Thailand, and Vietnam; Institution of Five-Year Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-05-02/pdf/2022-09258.pdf
87 FR 54260, August 5, 2022	*Frozen Warmwater Shrimp From China, India, Thailand, and Vietnam; Notice of Commission Determination To Conduct Full Five-Year Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-09-02/pdf/2022-19086.pdf
87 FR 54453, September 6, 2022	*Certain Frozen Warmwater Shrimp From the People's Republic of China, India, Thailand, and the Socialist Republic of Vietnam: Final Results of Expedited Third Sunset Review of Antidumping Duty Orders*	https://www.govinfo.gov/content/pkg/FR-2022-09-06/pdf/2022-19125.pdf
87 FR 69338, November 18, 2022	*Frozen Warmwater Shrimp From China, India, Thailand, and Vietnam; Scheduling of Full Five-Year Reviews*	https://www.govinfo.gov/content/pkg/FR-2022-11-18/pdf/2022-25177.pdf

APPENDIX B

LIST OF HEARING WITNESSES

CALENDAR OF PUBLIC HEARING

Those listed below appeared in the United States International Trade Commission's hearing:

Subject:	Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam
Inv. Nos.:	731-TA-1064 and 1066-1068 (Third Review)
Date and Time:	April 11, 2023 - 9:30 a.m.

Sessions were held in connection with these investigations in the Main Hearing Room (Room 101), 500 E Street, SW., Washington, DC.

OPENING REMARKS:

In Support of Continuation (**Elizabeth J. Drake**, Schagrin Associates)
In Opposition to Continuation (**Henry D. Almond**, Arnold & Porter Kaye Scholer LLP)

In Support of the Continuation of the Antidumping Duty Order:

Schagrin Associates
Washington, DC
Leake & Andersson, LLP
New Orleans, LA
on behalf of

American Shrimp Processors Association

Reese Antley, Vice President Operations, Woods Fisheries Inc.

Larry Avery, Chief Executive Officer, Gulf Island Shrimp and Big Easy Foods

Kristen M. Baumer, President, Paul Piazza & Son, Inc.

Armond Gollott III, President, C.F. Gollott & Son Seafood, Inc.

Trey Pearson, President, JBS Packing Company Inc.

Elizabeth J. Drake)
Michelle R. Avrutin) – OF COUNSEL
Edward T. Hayes)

In Support of the Continuation of the
Antidumping Duty Order (continued):

Picard Kentz & Rowe LLP
Washington, DC
on behalf of

Ad Hoc Shrimp Trade Action Committee ("AHSTAC")
Ad Hoc Shrimp Industry Committee ("AHSIC")
(collectively, "Domestic Producers")

O. Steven Bosarge, Chief Executive Officer, Bosarge Boats, Inc.,
Chief Executive Officer, B&B Boats Inc. and
President, Southern Shrimp Alliance

Michael Hooper, Business Manager, Bowers Shrimp Farm and
Business Manager, Bowers Seafood LLC

Craig A. Wallis, Partner, W & W Dock, Owner, Trawler Pop's Pride,
Partner, Trawler Miss Kelsey, Partner, Trawler Master Alston,
Partner, Trawler Doctor Bill, Partner, Trawler Wallace B,
Partner, Trawler Gulf Runner, Manager, Trawler Sandra Kay,
Manager, Trawler Old Frenchman, Manager, Trawler Helen Kay
and Vice-President, Southern Shrimp Alliance

Nathaniel M. Rickard)
) – OF COUNSEL
Zachary Walker)

In Opposition to the Continuation of the
Antidumping Duty Order:

Trade Pacific PLLC
Washington, DC
on behalf of

Asian Sea Corporation Public Co., Ltd.; Charoen Pokphand Foods Public Co., Ltd.;
Good Luck Product Co., Ltd.; I.T. Foods Industries Co., Ltd.; KF Foods Co., Ltd.;
Kitchens of the Ocean (Thailand) Limited; Kongphop Frozen Foods Co., Ltd.;
Lee Heng Seafood Co., Ltd.; Okeanos Food Co., Ltd.; Seafresh Industry Public Co., Ltd.;
Sea-Tech Intertrade Co., Ltd.; Thai Royal Frozen Food Co., Ltd.;
Thai Union Group Public Co., Ltd.; Thai Union Seafood Co., Ltd.; Top Product Food Co., Ltd.;
and Xian-Ning Seafood Co., Ltd.
(collectively "Thai Respondents")

Eric Bloom, President, Eastern Fish Company

In Opposition to the Continuation of the
<u>Antidumping Duty Order (continued):</u>

Panisuan Janmarnwej, President, Thai Frozen Food Association

Robert Gosselink) – OF COUNSEL

Akin Gump Strauss Hauer & Feld LLP
Washington, DC
<u>on behalf of</u>

Ngoc Tri Seafood Joint Stock Company, Nha Trang Seaproduct Company, Sao Ta Foods Joint Stock Company, Thong Thuan Company Limited, Thuan Phuoc Seafoods and Trading Corporation, Trang Khanh Seafood Co., Ltd., UTXI Aquatic Products Processing Corporation and Vietnam Clean Seafood Corporation ("Vietnamese Producers")

Jeff Stern, Co-President, Central Seaway Co., Inc.

Matthew R. Nicely)
) – OF COUNSEL
Julia K. Eppard)

Arnold & Porter Kaye Scholer LLP
Washington, DC
<u>on behalf of</u>

Seafood Exporters Association of India ("SEAI")

Henry D. Almond)
) – OF COUNSEL
Archana Rao P. Vasa)

<u>REBUTTAL/CLOSING REMARKS:</u>

In Support of Continuation (**Elizabeth J. Drake**, Schagrin Associates)
In Opposition to Continuation (**Julia K. Eppard**, Akin Gump Strauss Hauer & Feld LLP and **Robert Gosselink**, Trade Pacific PLLC)

-END-

APPENDIX C

SUMMARY DATA

Table C-1
Warmwater shrimp: Summary data concerning the U.S. market, by item and period
Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted

Item	Reported data					Period changes			
	Calendar year			Jan-Sep		Calendar year			Jan-Sep
	2019	2020	2021	2021	2022	2019-21	2019-20	2020-21	2021-22
U.S. consumption quantity:									
Amount	1,549,214	1,647,979	1,938,094	1,357,425	1,347,972	▲25.1	▲6.4	▲17.6	▼(0.7)
Processors' share (fn1)	8.9	8.1	6.3	4.4	4.9	▼(2.6)	▼(0.8)	▼(1.7)	▲0.5
Importers' share (fn1):									
China, subject	***	***	***	***	***	▼***	▼***	▼***	▲***
India, subject	***	***	***	***	***	▼***	▼***	▲***	▼***
Thailand, subject	***	***	***	***	***	▼***	▼***	▼***	▲***
Vietnam, subject	***	***	***	***	***	▲***	▲***	▲***	▼***
Subject sources	***	***	***	***	***	▼***	▼***	▲***	▼***
China, nonsubject	***	***	***	***	***	***	***	***	***
India, nonsubject	***	***	***	***	***	▼***	▼***	▲***	▲***
Thailand, nonsubject	***	***	***	***	***	▼***	▲***	▼***	▲***
Vietnam, nonsubject	***	***	***	***	***	***	***	***	***
All others sources	39.4	44.5	43.8	45.5	47.9	▲4.4	▲5.1	▼(0.7)	▲2.4
Nonsubject sources	***	***	***	***	***	▲***	▲***	▼***	▲***
All import sources	91.1	91.9	93.7	95.6	95.1	▲2.6	▲0.8	▲1.7	▼(0.5)
U.S. consumption value:									
Amount	6,286,034	6,736,775	8,357,483	5,642,889	6,219,509	▲33.0	▲7.2	▲24.1	▲10.2
Processors' share (fn1)	8.7	8.4	6.5	4.7	4.6	▼(2.1)	▼(0.2)	▼(1.9)	▼(0.2)
Importers' share (fn1):									
China, subject	***	***	***	***	***	▼***	▼***	▼***	▲***
India, subject	***	***	***	***	***	▼***	▼***	▲***	▼***
Thailand, subject	***	***	***	***	***	▼***	▼***	▼***	▲***
Vietnam, subject	***	***	***	***	***	▲***	▲***	▲***	▼***
Subject sources	***	***	***	***	***	▼***	▼***	▲***	▼***
China, nonsubject	***	***	***	***	***	***	***	***	***
India, nonsubject	***	***	***	***	***	▼***	▼***	▲***	▲***
Thailand, nonsubject	***	***	***	***	***	▼***	▲***	▼***	▲***
Vietnam, nonsubject	***	***	***	***	***	***	***	***	***
All others sources	37.4	41.4	41.5	42.9	45.8	▲4.1	▲3.9	▲0.1	▲3.0
Nonsubject sources	***	***	***	***	***	▲***	▲***	▲***	▲***
All import sources	91.3	91.6	93.5	95.3	95.4	▲2.1	▲0.2	▲1.9	▲0.2
U.S. imports from (fn2):									
China, subject (fn3):									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▼***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
India, subject:									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Value	***	***	***	***	***	▲***	▼***	▲***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▼***	▼***	***
Thailand, subject:									
Quantity	***	***	***	***	***	▼***	▼***	▼***	▲***
Value	***	***	***	***	***	▼***	▼***	▼***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
Vietnam, subject (fn3):									
Quantity	***	***	***	***	***	▲***	▲***	▲***	▼***
Value	***	***	***	***	***	▲***	▲***	▲***	▼***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▼***	▲***	▼***
Subject sources (fn3):									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Value	***	***	***	***	***	▲***	▲***	▲***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***

Table continued.

Table C-1 Continued
Warmwater shrimp: Summary data concerning the U.S. market, by item and period
Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted

	Reported data					Period changes			
	Calendar year			Jan-Sep		Calendar year			Jan-Sep
Item	2019	2020	2021	2021	2022	2019-21	2019-20	2020-21	2021-22
U.S. imports from (fn2): Continued									
China, nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
India, nonsubject:									
Quantity	***	***	***	***	***	▼***	▼***	▲***	▲***
Value	***	***	***	***	***	▲***	▼***	▲***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Thailand, nonsubject:									
Quantity	***	***	***	***	***	▼***	▲***	▼***	▲***
Value	***	***	***	***	***	▼***	▲***	▼***	▲***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▼***
Vietnam, nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
All other sources:									
Quantity	611,001	733,888	849,081	618,050	645,867	▲39.0	▲20.1	▲15.7	▲4.5
Value	2,353,138	2,787,116	3,467,246	2,420,056	2,850,859	▲47.3	▲18.4	▲24.4	▲17.8
Unit value	$3.85	$3.80	$4.08	$3.92	$4.41	▲6.0	▼(1.4)	▲7.5	▲12.7
Nonsubject sources:									
Quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
Value	***	***	***	***	***	▲***	▲***	▲***	▲***
Unit value	***	***	***	***	***	▲***	▼***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▼***	▲***
All import sources:									
Quantity	1,411,504	1,515,039	1,815,253	1,297,731	1,282,493	▲28.6	▲7.3	▲19.8	▼(1.2)
Value	5,741,263	6,168,742	7,811,954	5,375,744	5,935,635	▲36.1	▲7.4	▲26.6	▲10.4
Unit value	$4.07	$4.07	$4.30	$4.14	$4.63	▲5.8	▲0.1	▲5.7	▲11.7
Ending inventory quantity	73,509	84,826	92,024	80,446	101,325	▲25.2	▲15.4	▲8.5	▲26.0
U.S. processors':									
Average capacity quantity	220,040	220,040	220,040	161,512	168,417	---	---	---	▲4.3
Production quantity	107,604	111,292	127,099	93,089	84,830	▲18.1	▲3.4	▲14.2	▼(8.9)
Capacity utilization (fn1)	48.9	50.6	57.8	57.6	50.4	▲8.9	▲1.7	▲7.2	▼(7.3)
U.S. shipments (fn4):									
Quantity	137,710	132,940	122,841	59,694	65,479	▼(10.8)	▼(3.5)	▼(7.6)	▲9.7
Value	544,771	568,033	545,529	267,144	283,873	▲0.1	▲4.3	▼(4.0)	▲6.3
Unit value	$3.96	$4.27	$4.44	$4.48	$4.34	▲12.3	▲8.0	▲3.9	▼(3.1)
Export shipments:									
Quantity	---	---	---	---	---	---	---	---	---
Value	---	---	---	---	---	---	---	---	---
Unit value	---	---	---	---	---	---	---	---	---
Ending inventory quantity	16,051	15,194	18,496	18,353	23,912	▲15.2	▼(5.3)	▲21.7	▲30.3
Inventories/total shipments (fn1)	14.7	13.5	15.0	15.7	23.1	▲0.3	▼(1.2)	▲1.5	▲7.4
Production workers	1,211	912	916	871	894	▼(24.4)	▼(24.7)	▲0.4	▲2.6
Hours worked (1,000s)	1,925	1,676	1,677	1,337	1,204	▼(12.9)	▼(12.9)	▲0.1	▼(9.9)
Wages paid ($1,000)	30,374	29,181	27,946	19,928	22,783	▼(8.0)	▼(3.9)	▼(4.2)	▲14.3
Hourly wages (dollars per hour)	$15.78	$17.41	$16.66	$14.91	$18.92	▲5.6	▲10.3	▼(4.3)	▲27.0
Productivity (pounds per hour)	55.9	66.4	75.8	69.6	70.5	▲35.6	▲18.8	▲14.1	▲1.2
Unit labor costs	$0.28	$0.26	$0.22	$0.21	$0.27	▼(22.1)	▼(7.1)	▼(16.1)	▲25.5

Table continued.

Table C-1 Continued
Warmwater shrimp: Summary data concerning the U.S. market, by item and period
Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted

Item	Reported data					Period changes			
	Calendar year			Jan-Sep		Calendar year			Jan-Sep
	2019	2020	2021	2021	2022	2019-21	2019-20	2020-21	2021-22
U.S. processors':--Continued									
Net sales:									
Quantity	112,540	116,394	124,802	89,179	79,875	▲10.9	▲3.4	▲7.2	▼(10.4)
Value	437,858	488,274	546,888	393,980	339,752	▲24.9	▲11.5	▲12.0	▼(13.8)
Unit value	$3.89	$4.20	$4.38	$4.42	$4.25	▲12.6	▲7.8	▲4.5	▼(3.7)
Cost of goods sold (COGS)	397,225	436,882	498,698	356,261	300,280	▲25.5	▲10.0	▲14.1	▼(15.7)
Gross profit or (loss) (fn5)	40,633	51,392	48,190	37,719	39,472	▲18.6	▲26.5	▼(6.2)	▲4.6
SG&A expenses	36,845	37,423	39,589	26,344	29,242	▲7.4	▲1.6	▲5.8	▲11.0
Operating income or (loss) (fn5)	3,788	13,969	8,601	11,375	10,230	▲127.1	▲268.8	▼(38.4)	▼(10.1)
Net income or (loss) (fn5)	5,541	20,455	20,190	12,673	11,218	▲264.4	▲269.2	▼(1.3)	▼(11.5)
Unit COGS	$3.53	$3.75	$4.00	$3.99	$3.76	▲13.2	▲6.3	▲6.5	▼(5.9)
Unit SG&A expenses	$0.33	$0.32	$0.32	$0.30	$0.37	▼(3.1)	▼(1.8)	▼(1.3)	▲23.9
Unit operating income or (loss) (fn5)	$0.03	$0.12	$0.07	$0.13	$0.13	▲104.8	▲256.6	▼(42.6)	▲0.4
Unit net income or (loss) (fn5)	$0.05	$0.18	$0.16	$0.14	$0.14	▲228.6	▲256.9	▼(7.9)	▼(1.2)
COGS/sales (fn1)	90.7	89.5	91.2	90.4	88.4	▲0.5	▼(1.2)	▲1.7	▼(2.0)
Operating income or (loss)/sales (fn1)	0.9	2.9	1.6	2.9	3.0	▲0.7	▲2.0	▼(1.3)	▲0.1
Net income or (loss)/sales (fn1)	1.3	4.2	3.7	3.2	3.3	▲2.4	▲2.9	▼(0.5)	▲0.1
Capital expenditures	4,146	4,047	9,054	7,889	5,015	▲118.4	▼(2.4)	▲123.7	▼(36.4)
Research and development expenses	***	***	***	***	***	▼***	▲***	▼***	▲***
Net assets	192,659	196,369	235,550	NA	NA	▲***	▲***	▲***	NA

Note.--Shares and ratios shown as "0.0" percent represent non-zero values less than "0.05" percent (if positive) and greater than "(0.05)" percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as "---". Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

Source: Compiled from official U.S. imports statistics of the U.S. Department of Commerce using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed February 28, 2023; official U.S. exports statistics of the U.S. Department of Commerce using HS subheadings 0306.17, 1605.21, and 1605.29, accessed March 6, 2023; data submitted in response to Commission questionnaires; wild catch landings data using the National Marine Fisheries Services' commercial landings database; and farmed production data estimated using the following sources: Howell, "A Quick Introduction to Indoor Shrimp Farming," The Fish Site, December 26, 2022; Texas Aquaculture Alliance, "2018 Texas Shrimp Farm Production," accessed March 3, 2023; and Gulf American Shrimp LLC, "Our Story," accessed March 3, 2023.

fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Subject imports are based on official U.S. import statistics, adjusted with questionnaire data to reclassify certain imports that are no longer subject to the orders.
fn3.--Subject imports are likely overstated due to less than complete questionnaire coverage.
fn4.--U.S. production quantities have been converted to pounds of headless shell-on weight using a conversion factor of 0.629 to present the processed weight. U.S. processor shipment values are derived using the reported unit value for U.S. processor U.S. shipments from questionnaire responses and the calculated U.S. shipments quantity from table I-13.
fn5.--Percent changes only calculated when both comparison values represent profits; The directional change in profitability provided when one or both comparison values represent a loss.

SUMMARY DATA COMPILED IN PRIOR PROCEEDINGS

Table C-1 (Second Reviews)
Warmwater shrimp: Summary data concerning the U.S. market, 2013-15, January to September 2015, and January to September 2016

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted)

	Reported data					Period changes			
	Calendar year			January to September		Calendar year			Jan-Sept
	2013	2014	2015	2015	2016	2013-15	2013-14	2014-15	2015-16
U.S. consumption quantity:									
Amount	1,119,374	1,260,469	1,293,595	895,677	922,251	15.6	12.6	2.6	3.0
Producers' share (fn1)	11.0	9.2	9.7	7.8	6.6	(1.4)	(1.9)	0.5	(1.2)
Importers' share (fn1):									
Brazil	0.0	0.0	0.0	0.0	0.0	(0.0)	(0.0)	(0.0)	0.0
China subject	***	***	***	***	***	***	***	***	***
India subject	***	***	***	***	***	***	***	***	***
Thailand subject	***	***	***	***	***	***	***	***	***
Vietnam subject	***	***	***	***	***	***	***	***	***
Subject sources	***	***	***	***	***	***	***	***	***
China nonsubject	***	***	***	***	***	***	***	***	***
India nonsubject	***	***	***	***	***	***	***	***	***
Thailand nonsubject	***	***	***	***	***	***	***	***	***
Vietnam nonsubject	***	***	***	***	***	***	***	***	***
All others sources	43.6	48.7	46.4	49.4	45.6	2.9	5.1	(2.3)	(3.9)
Nonsubject sources	***	***	***	***	***	***	***	***	***
All import sources	89.0	90.8	90.3	92.2	93.4	1.4	1.9	(0.5)	1.2
U.S. consumption value:									
Amount	5,738,710	7,309,989	5,902,995	4,138,516	4,089,242	2.9	27.4	(19.2)	(1.2)
Producers' share (fn1)	13.3	12.1	12.3	10.6	7.2	(1.0)	(1.1)	0.2	(3.4)
Importers' share (fn1):									
Brazil	0.0	0.0	0.0	0.0	0.0	(0.0)	(0.0)	(0.0)	0.0
China subject	***	***	***	***	***	***	***	***	***
India subject	***	***	***	***	***	***	***	***	***
Thailand subject	***	***	***	***	***	***	***	***	***
Vietnam subject	***	***	***	***	***	***	***	***	***
Subject sources	***	***	***	***	***	***	***	***	***
China nonsubject	***	***	***	***	***	***	***	***	***
India nonsubject	***	***	***	***	***	***	***	***	***
Thailand nonsubject	***	***	***	***	***	***	***	***	***
Vietnam nonsubject	***	***	***	***	***	***	***	***	***
All others sources	39.9	43.7	42.5	45.0	42.7	2.6	3.8	(1.1)	(2.3)
Nonsubject sources	***	***	***	***	***	***	***	***	***
All import sources	86.7	87.9	87.7	89.4	92.8	1.0	1.1	(0.2)	3.4
U.S. imports from:									
Brazil:									
Quantity	20	1	0	0	0	(100.0)	(96.3)	(100.0)	fn2
Value	125	3	0	0	0	(100.0)	(97.8)	(100.0)	fn2
Unit value	$6.28	$3.75	$0.00	$0.00	$0.00	(100.0)	(40.3)	(100.0)	fn2
Ending inventory quantity	***	***	***	***	***	***	***	***	***
China subject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
India subject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Thailand subject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Vietnam subject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***
Subject sources:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	50,254	59,241	57,371	52,823	57,844	14.2	17.9	(3.2)	9.5
China nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
India nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Thailand nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***

Table continued on next page.

Table C-1--Continued (Second Reviews)
Warmwater shrimp: Summary data concerning the U.S. market, 2013-15, January to September 2015, and January to September 2016

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted)

	Reported data					Period changes			
	Calendar year			January to September		Calendar year			Jan-Sept
	2013	2014	2015	2015	2016	2013-15	2013-14	2014-15	2015-16
U.S. imports from:--Continued									
Vietnam nonsubject:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
All other sources:									
Quantity	487,546	613,446	600,388	442,576	420,181	23.1	25.8	(2.1)	(5.1)
Value	2,289,796	3,191,685	2,510,377	1,863,109	1,747,642	9.6	39.4	(21.3)	(6.2)
Unit value	$4.70	$5.20	$4.18	$4.21	$4.16	(11.0)	10.8	(19.6)	(1.2)
Nonsubject sources:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	66,588	101,580	103,821	101,420	103,441	55.9	52.6	2.2	2.0
All import sources:									
Quantity	995,724	1,144,958	1,168,585	825,631	861,130	17.4	15.0	2.1	4.3
Value	4,977,865	6,424,588	5,178,162	3,699,846	3,792,978	4.0	29.1	(19.4)	2.5
Unit value	$5.00	$5.61	$4.43	$4.48	$4.40	(11.4)	12.2	(21.0)	(1.7)
Ending inventory quantity	116,842	160,821	161,192	154,243	161,285	38.0	37.6	0.2	4.6
NMF derived U.S. shipments:									
Estimated U.S. shipments:									
Quantity	123,651	115,512	125,011	70,046	61,120	1.1	(6.6)	8.2	(12.7)
Value	760,845	885,401	724,833	438,670	296,264	(4.7)	16.4	(18.1)	(32.5)
Unit value	$6.15	$7.67	$5.80	$6.26	$4.85	(5.8)	24.6	(24.4)	(22.6)
U.S. processors':									
Average capacity quantity	390,352	396,707	404,655	295,859	296,422	3.7	1.6	2.0	0.2
Production quantity	138,448	144,410	144,547	101,009	109,137	4.4	4.3	0.1	8.0
Capacity utilization (fn1)	35.5	36.4	35.7	34.1	36.8	0.3	0.9	(0.7)	2.7
U.S. shipments:									
Quantity	146,529	136,603	146,159	102,581	113,226	(0.3)	(6.8)	7.0	10.4
Value	684,354	752,391	587,497	417,893	460,286	(14.2)	9.9	(21.9)	10.1
Unit value	$4.67	$5.51	$4.02	$4.07	$4.07	(13.9)	17.9	(27.0)	(0.2)
Export shipments:									
Quantity	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***
Ending inventory quantity	22,938	29,871	27,886	25,285	22,035	21.6	30.2	(6.6)	(12.9)
Inventories/total shipments (fn1)	***	***	***	***	***	***	***	***	***
Production workers	1,272	1,344	1,308	1,240	1,248	2.8	5.7	(2.7)	0.6
Hours worked (1,000s)	2,243	2,324	2,315	1,690	1,857	3.2	3.6	(0.4)	9.9
Wages paid ($1,000)	31,127	32,570	32,210	23,393	24,806	3.5	4.6	(1.1)	6.0
Hourly wages (dollars)	$13.88	$14.01	$13.91	$13.84	$13.36	0.3	1.0	(0.7)	(3.5)
Productivity (pounds per 1,000 hour)	61,724	62,139	62,439	59,769	58,771	1.2	0.7	0.5	(1.7)
Unit labor costs	$0.22	$0.23	$0.22	$0.23	$0.23	(0.9)	0.3	(1.2)	(1.9)
Net sales:									
Quantity	146,513	136,353	145,786	103,358	115,785	(0.5)	(6.9)	6.9	12.0
Value	689,204	757,908	591,210	428,770	476,886	(14.2)	10.0	(22.0)	11.2
Unit value	$4.70	$5.56	$4.06	$4.15	$4.12	(13.8)	18.2	(27.0)	(0.7)
Cost of goods sold (COGS)	629,388	697,806	529,920	390,534	424,373	(15.8)	10.9	(24.1)	8.7
Gross profit or (loss)	59,816	60,102	61,290	38,236	52,513	2.5	0.5	2.0	37.3
SG&A expenses	54,617	54,958	57,227	40,053	42,050	4.8	0.6	4.1	5.0
Operating income	5,199	5,144	4,063	(1,817)	10,463	(21.9)	(1.1)	(21.0)	fn2
Net income	4,344	6,280	231	(3,120)	13,162	(94.7)	44.6	(96.3)	fn2
Capital expenditures	6,187	7,790	5,263	4,231	6,417	(14.9)	25.9	(32.4)	51.7
Unit COGS	$4.30	$5.12	$3.63	$3.78	$3.67	(15.4)	19.1	(29.0)	(3.0)
Unit SG&A expenses	$0.37	$0.40	$0.39	$0.39	$0.36	5.3	8.1	(2.6)	(6.3)
Unit operating income	$0.04	$0.04	$0.03	$(0.02)	$0.09	(21.5)	6.3	(26.1)	fn2
Unit net income	$0.03	$0.05	$0.00	$(0.03)	$0.11	(94.7)	55.3	(96.6)	fn2
COGS/sales (fn1)	91.3	92.1	89.6	91.1	89.0	(1.7)	0.7	(2.4)	(2.1)
Operating income/sales (fn1)	0.8	0.7	0.7	(0.4)	2.2	(0.1)	(0.1)	0.0	2.6
Net income/sales (fn1)	0.6	0.8	0.0	(0.7)	2.8	(0.6)	0.2	(0.8)	3.5

Notes:
fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--Undefined.

Source: Compiled from data submitted in response to Commission questionnaires, NMF landings, and official U.S. import and export statistics with modifications based on proprietary Customs records (see parts I and IV for details).

Table C-1 (First Reviews)
Frozen WW shrimp: Summary data concerning the U.S. market, 2005-09, January-September 2009, and January-September 2010

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data 2005	2006	2007	2008	2009	January-September 2009	January-September 2010	Period changes 2005-09	2005-06	2006-07	2007-08	2008-09	Jan.-Sept. 2009-10
U.S. consumption quantity:													
Amount	1,169,260	1,334,762	1,261,164	1,254,032	1,259,986	891,707	832,301	7.8	14.2	-5.5	-0.6	0.5	-6.7
Producers' share (1)	11.0	12.7	10.9	9.2	11.9	12.7	7.1	0.9	1.7	-1.8	-1.8	2.7	-5.6
Importers' share (1):													
Brazil	0.6	0.1	0.0	0.0	0.0	0.0	0.0	-0.6	-0.5	-0.1	0.0	-0.0	0.0
China (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
India (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Vietnam	7.9	5.9	6.6	8.2	7.0	7.0	7.5	-0.9	-2.0	0.7	1.6	-1.2	0.6
Subtotal (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
China (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
India (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources	33.8	31.9	33.4	35.7	31.8	32.0	29.8	-2.0	-1.9	1.5	2.4	-3.9	-2.3
Subtotal (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports	89.0	87.3	89.1	90.8	88.1	87.3	92.9	-0.9	-1.7	1.8	1.8	-2.7	5.6
U.S. consumption value:													
Amount	4,034,123	4,631,645	4,367,136	4,564,116	4,239,648	3,000,643	2,961,350	5.1	14.8	-5.7	4.5	-7.1	-1.3
Producers' share (1)	13.9	14.9	13.1	12.6	14.0	15.0	9.0	0.1	1.0	-1.8	-0.5	1.4	-5.9
Importers' share (1):													
Brazil	0.3	0.1	0.0	0.0	0.0	0.0	0.0	-0.3	-0.2	-0.1	0.0	-0.0	0.0
China (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
India (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Vietnam	11.1	9.4	10.6	10.6	9.0	8.9	10.2	-2.2	-1.7	1.2	0.1	-1.7	1.3
Subtotal (subject)	***	***	***	***	***	***	***	***	***	***	***	***	***
China (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
India (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources	34.0	31.7	33.2	34.6	30.6	30.9	28.6	-3.4	-2.2	1.5	1.4	-4.0	-2.2
Subtotal (nonsubject)	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports	86.1	85.1	86.9	87.4	86.0	85.0	91.0	-0.1	-1.0	1.8	0.5	-1.4	5.9
U.S. imports from:													
Brazil:													
Quantity	6,591	1,298	0	37	37	37	43	-99.4	-80.3	-100.0	(2)	-0.4	14.7
Value	13,042	3,894	0	310	86	86	120	-99.3	-70.1	-100.0	(2)	-72.3	39.1
Unit value	$1.98	$3.00	(2)	$8.34	$2.32	$2.32	$2.82	17.4	51.6	(2)	(2)	-72.2	21.2
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
China (subject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (subject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
India (subject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (subject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Vietnam:													
Quantity	92,890	79,149	83,689	102,944	88,489	62,002	62,607	-4.7	-14.8	5.7	23.0	-14.0	1.0
Value	448,803	434,290	462,043	485,410	379,595	266,137	301,412	-15.4	-3.2	6.4	5.1	-21.8	13.3
Unit value	$4.83	$5.49	$5.52	$4.72	$4.29	$4.29	$4.81	-11.2	13.6	0.6	-14.6	-9.0	12.2
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal (subject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***

Table continued on next page.

Table C-1 (First Reviews)--Continued
Warmwater shrimp and prawns: Summary data concerning the U.S. market, 2005-09, January-September 2009, and January-September 2010

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

	Reported data							Period changes					
						January-September							Jan.-Sept.
Item	2005	2006	2007	2008	2009	2009	2010	2005-09	2005-06	2006-07	2007-08	2008-09	2009-10
U.S. imports from:													
China (nonsubject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Ecuador (nonsubject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
India (nonsubject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Thailand (nonsubject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources:													
Quantity	395,592	425,948	420,789	448,302	401,163	285,675	247,760	1.4	7.7	-1.2	6.5	-10.5	-13.3
Value	1,370,781	1,469,994	1,449,913	1,577,511	1,295,902	925,911	847,564	-5.5	7.2	-1.4	8.8	-17.9	-8.5
Unit value	$3.47	$3.45	$3.45	$3.52	$3.23	$3.24	$3.42	-6.8	-0.4	-0.2	2.1	-8.2	5.5
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal (nonsubject):													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
All sources:													
Quantity	1,041,157	1,165,462	1,123,447	1,139,216	1,110,013	778,213	773,300	6.6	11.9	-3.6	1.4	-2.6	-0.6
Value	3,473,446	3,943,425	3,794,958	3,989,238	3,646,368	2,551,667	2,694,296	5.0	13.5	-3.8	5.1	-8.6	5.6
Unit value	$3.34	$3.38	$3.38	$3.50	$3.28	$3.28	$3.48	-1.5	1.4	-0.2	3.7	-6.2	6.3
Ending inventory quantity	78,719	88,803	77,856	82,095	82,383	84,907	87,319	4.7	12.8	-12.3	5.4	0.4	2.8
U.S. processors':													
Average capacity quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Production quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Capacity utilization (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
U.S. shipments:													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Export shipments:													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Inventories/total shipments (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Production workers	***	***	***	***	***	***	***	***	***	***	***	***	***
Hours worked (1,000s)	***	***	***	***	***	***	***	***	***	***	***	***	***
Wages paid ($1,000s)	***	***	***	***	***	***	***	***	***	***	***	***	***
Hourly wages	***	***	***	***	***	***	***	***	***	***	***	***	***
Productivity (pounds per hour)	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit labor costs	***	***	***	***	***	***	***	***	***	***	***	***	***
Net sales:													
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***
Cost of goods sold (COGS)	***	***	***	***	***	***	***	***	***	***	***	***	***
Gross profit or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
Capital expenditures	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit COGS	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit SG&A expenses	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit operating income or (loss)	***	***	***	***	***	***	***	***	***	***	***	***	***
COGS/sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Operating income or (loss)/ sales (1)	***	***	***	***	***	***	***	***	***	***	***	***	***
Calculated U.S. shipments:													
Quantity	128,103	169,300	137,717	114,817	149,973	113,495	59,001	17.1	32.2	-18.7	-16.6	30.6	-48.0
Value	560,677	688,219	572,179	574,878	593,281	448,976	267,054	5.8	22.7	-16.9	0.5	3.2	-40.5
Unit value	$4.38	$4.07	$4.15	$5.01	$3.96	$3.96	$4.53	-9.6	-7.1	2.2	20.5	-21.0	14.4

(1) "Reported data" are in percent and "period changes" are in percentage points.
(2) Not available/not applicable.
(3) Undefined.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires, National Marine Fisheries Services statistics, and official Commerce statistics.

Table C-2 (First Reviews)
Frozen WW shrimp: Summary data concerning the U.S. market (excluding *), 2005-09, January-September 2009, and January-September 2010**

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

	Reported data							Period changes					
						January-September							Jan.-Sept.
Item	2005	2006	2007	2008	2009	2009	2010	2005-09	2005-06	2006-07	2007-08	2008-09	2009-10
U.S. processors':													
Average capacity quantity	315,473	364,360	380,512	394,964	399,753	286,796	278,103	26.7	15.5	4.4	3.8	1.2	-3.0
Production quantity	126,682	163,863	145,266	126,257	146,197	105,576	68,350	15.4	29.3	-11.3	-13.1	15.8	-35.3
Capacity utilization (1)	40.2	44.6	38.2	32.0	36.6	36.8	24.6	-3.6	4.4	-6.4	-6.2	4.6	-12.2
U.S. shipments:													
Quantity	125,012	152,018	142,848	123,616	144,752	106,340	84,773	15.8	21.6	-6.0	-13.5	17.1	-20.3
Value	393,284	446,846	472,791	428,464	397,242	304,405	292,236	1.0	13.6	5.8	-9.4	-7.3	-4.0
Unit value	$3.15	$2.99	$3.36	$3.53	$2.93	$3.05	$3.67	-7.0	-5.0	12.4	5.0	-17.1	20.3
Export shipments:													
Quantity	2,348	1,928	1,714	1,419	1,454	1,130	294	-38.1	-17.9	-11.1	-17.2	2.5	-74.0
Value	6,806	4,924	4,447	3,839	3,511	2,775	864	-48.4	-27.7	-9.7	-13.7	-8.5	-68.9
Unit value	$2.90	$2.55	$2.59	$2.71	$2.41	$2.46	$2.94	-16.7	-11.9	1.6	4.3	-10.7	19.7
Ending inventory quantity	21,386	28,226	28,991	31,606	34,776	30,035	20,882	62.6	32.0	2.7	9.0	10.0	-30.5
Inventories/total shipments (1)	16.8	18.3	20.1	25.3	23.8	21.0	18.4	7.0	1.5	1.7	5.2	-1.5	-2.5
Production workers	1,498	1,430	1,473	1,356	1,489	1,476	1,291	-0.6	-4.5	3.0	-7.9	9.8	-12.5
Hours worked (1,000s)	2,698	2,857	2,937	2,570	3,043	2,220	1,845	12.8	5.9	2.8	-12.5	18.4	-16.9
Wages paid ($1,000s)	26,834	30,531	31,680	30,907	34,248	24,423	20,440	27.6	13.8	3.8	-2.4	10.8	-16.3
Hourly wages	$9.95	$10.69	$10.79	$12.03	$11.26	$11.00	$11.08	13.2	7.4	0.9	11.5	-6.4	0.7
Productivity (pounds per hour)	45.5	54.4	48.0	48.0	47.0	47.0	38.4	3.4	19.8	-11.8	-0.1	-2.1	-18.3
Unit labor costs	$0.22	$0.20	$0.22	$0.25	$0.24	$0.23	$0.30	9.4	-10.3	14.4	11.6	-4.4	27.8
Net sales:													
Quantity	125,932	151,001	141,919	123,115	137,160	101,669	81,588	8.9	19.9	-6.0	-13.2	11.4	-19.8
Value	400,964	451,538	480,852	434,868	406,169	310,197	294,675	1.3	12.6	6.5	-9.6	-6.6	-5.0
Unit value	$3.18	$2.99	$3.39	$3.53	$2.96	$3.05	$3.61	-7.0	-6.1	13.3	4.2	-16.2	18.4
Cost of goods sold (COGS)	371,689	415,676	443,562	405,606	366,910	284,174	269,457	-1.3	11.8	6.7	-8.6	-9.5	-5.2
Gross profit or (loss)	29,275	35,862	37,290	29,262	39,259	26,023	25,218	34.1	22.5	4.0	-21.5	34.2	-3.1
SG&A expenses	29,857	33,232	36,454	35,094	35,655	26,412	23,784	19.4	11.3	9.7	-3.7	1.6	-10.0
Operating income or (loss)	(582)	2,630	836	(5,832)	3,604	(389)	1,434	(3)	(3)	-68.2	(3)	(3)	(3)
Capital expenditures	3,669	7,269	8,496	5,214	4,920	4,054	6,598	34.1	98.1	16.9	-38.6	-5.6	62.8
Unit COGS	$2.95	$2.75	$3.13	$3.29	$2.68	$2.80	$3.30	-9.4	-6.7	13.5	5.4	-18.8	18.2
Unit SG&A expenses	$0.24	$0.22	$0.26	$0.29	$0.26	$0.26	$0.29	9.6	-7.2	16.7	11.0	-8.8	12.2
Unit operating income or (loss)	($0.00)	$0.02	$0.01	($0.05)	$0.03	($0.00)	$0.02	(3)	(3)	-66.2	(3)	(3)	(3)
COGS/sales (1)	92.7	92.1	92.2	93.3	90.3	91.6	91.4	-2.4	-0.6	0.2	1.0	-2.9	-0.2
Operating income or (loss)/ sales (1)	(0.1)	0.6	0.2	(1.3)	0.9	(0.1)	0.5	1.0	0.7	-0.4	-1.5	2.2	0.6

(1) "Reported data" are in percent and "period changes" are in percentage points.
(2) Not available/not applicable.
(3) Undefined.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires.

Table C-2 (Original Investigations)
Warmwater shrimp and prawns (excluding canned): Summary data concerning the U.S. market, 2001-03, January-June 2003, and January-June 2004

* * * * * * *

Table C-2--Continued (Original Investigations)

Warmwater shrimp and prawns (excluding canned): Summary data concerning the U.S. market, 2001-03, January-June 2003, and January-June 2004

*   *   *   *   *   *   *

Table C-3 (Original Investigations)
Warmwater shrimp and prawns: Summary data concerning selected U.S. processors (1), 2001-03, January-June 2003, and January-June 2004

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

	Reported data					Period changes			
				January-June					Jan.-June
Item	2001	2002	2003	2003	2004	2001-03	2001-02	2002-03	2003-04
U.S. processors':									
Average capacity quantity	304,995	304,820	305,195	152,883	152,883	0.1	-0.1	0.1	0.0
Production quantity	142,883	132,646	138,062	52,004	49,748	-3.4	-7.2	4.1	-4.3
Capacity utilization (2)	46.8	43.5	45.2	34.0	32.5	-1.6	-3.3	1.7	-1.5
U.S. shipments:									
Quantity	118,271	112,412	117,350	54,691	51,452	-0.8	-5.0	4.4	-5.9
Value	482,481	418,809	383,562	176,550	156,217	-20.5	-13.2	-8.4	-11.5
Unit value	$4.08	$3.73	$3.27	$3.23	$3.04	-19.9	-8.7	-12.3	-5.9
Export shipments:									
Quantity	2,772	2,547	3,266	1,434	1,268	17.8	-8.1	28.2	-11.6
Value	9,141	7,763	8,499	3,708	3,308	-7.0	-15.1	9.5	-10.8
Unit value	$3.30	$3.05	$2.60	$2.59	$2.61	-21.1	-7.6	-14.6	0.9
Ending inventory quantity	23,696	23,886	28,935	19,499	24,414	22.1	0.8	21.1	25.2
Inventories/total shipments (2)	19.6	20.8	24.0	34.7	46.3	4.4	1.2	3.2	11.6
Production workers	2,180	1,802	1,616	1,431	1,319	-25.9	-17.3	-10.3	-7.8
Hours worked (1,000s)	3,390	3,235	2,973	1,212	1,131	-12.3	-4.6	-8.1	-6.7
Wages paid ($1,000s)	31,671	30,508	29,425	12,778	11,762	-7.1	-3.7	-3.5	-8.0
Hourly wages	$9.30	$9.39	$9.86	$10.50	$10.36	6.0	0.9	5.0	-1.3
Productivity (pounds per hour)	40.1	39.3	44.6	40.9	42.3	11.0	-2.0	13.3	3.7
Unit labor costs	$0.23	$0.24	$0.22	$0.26	$0.24	-4.7	3.0	-7.4	-4.8
Net sales (3):									
Quantity	139,732	130,434	136,862	54,806	50,098	-2.1	-6.7	4.9	-8.6
Value	499,628	433,306	406,055	181,668	156,598	-18.7	-13.3	-6.3	-13.8
Unit value	$3.50	$3.27	$2.95	$3.30	$3.11	-15.6	-6.5	-9.8	-5.7
Cost of goods sold (COGS)	459,608	399,457	370,652	163,752	138,140	-19.4	-13.1	-7.2	-15.6
Gross profit or (loss)	40,020	33,849	35,403	17,916	18,458	-11.5	-15.4	4.6	3.0
SG&A expenses	35,659	33,980	34,179	15,886	14,170	-4.2	-4.7	0.6	-10.8
Operating income or (loss)	4,361	(131)	1,224	2,030	4,288	-71.9	(4)	(4)	111.2
Capital expenditures	5,942	5,557	2,651	1,895	989	-55.4	-6.5	-52.3	-47.8
Unit COGS	$3.22	$3.01	$2.70	$2.97	$2.74	-16.3	-6.6	-10.4	-7.7
Unit SG&A expenses	$0.24	$0.25	$0.25	$0.28	$0.28	4.0	4.0	-0.1	-1.3
Unit operating income or (loss)	$0.04	$0.02	$0.01	$0.04	$0.09	-73.9	-61.2	-32.7	107.9
COGS/sales (2)	92.0	92.2	91.3	90.1	88.2	-0.7	0.2	-0.9	-1.9
Operating income or (loss)/ sales (2)	0.9	(0.0)	0.3	1.1	2.7	-0.6	-0.9	0.3	1.6

(1) Excluding data for previously excluded, targeted related parties, and ***.
(2) "Reported data" are in percent and "period changes" are in percentage points.
(3) Unit income-and-loss calculations exclude ***, which reported values but not quantities.
(4) Undefined.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX D

EFFECTS OF THE ORDERS AND LIKELY IMPACT OF REVOCATION

Table D-1
Warmwater shrimp: Firms' narratives on the effect of the order(s) and the likely impact of revocation

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Effect of order	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Likely impact of revocation	U.S. producers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Effect of order	Importers	***
Likely impact of revocation	Importers	***
Likely impact of revocation	Importers	***
Likely impact of revocation	Importers	***
Likely impact of revocation	Importers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Effect of orders	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Likely impact of revocation	Purchasers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***
Effect of order	Foreign producers	***

Response type	Firm type	Firm name and narrative on impact or likely impact
Effect of order	Foreign producers	***
Likely impact of revocation	Foreign producers	***
Likely impact of revocation	Foreign producers	***

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX E

DATA FOR U.S. FARMERS/FISHERMEN

Table E-1 and figure E-1 present U.S. wild catch landings from the Gulf and South Atlantic regions since 1970.

Table E-1
Warmwater shrimp: U.S. wild catch landings from the Gulf and South Atlantic regions, by year

Quantity in 1,000 pounds; value in 1,000 dollars

Year	Quantity (1,000 pounds)	Value (1,000 dollars)
1970	250,327	119,227
1971	258,115	156,826
1972	254,172	182,558
1973	206,764	198,486
1974	213,302	156,381
1975	195,009	208,645
1976	236,275	310,128
1977	283,180	322,031
1978	259,761	343,440
1979	229,777	452,872
1980	242,964	401,514
1981	288,369	436,443
1982	236,067	487,260
1983	227,471	478,623
1984	275,881	463,672
1985	291,734	458,723
1986	331,213	627,360
1987	284,005	523,855
1988	251,657	465,825
1989	268,287	444,266
1990	287,161	471,933
1991	266,867	493,103
1992	247,733	439,568
1993	238,278	404,196
1994	242,211	542,381
1995	277,193	562,669

Table continued.

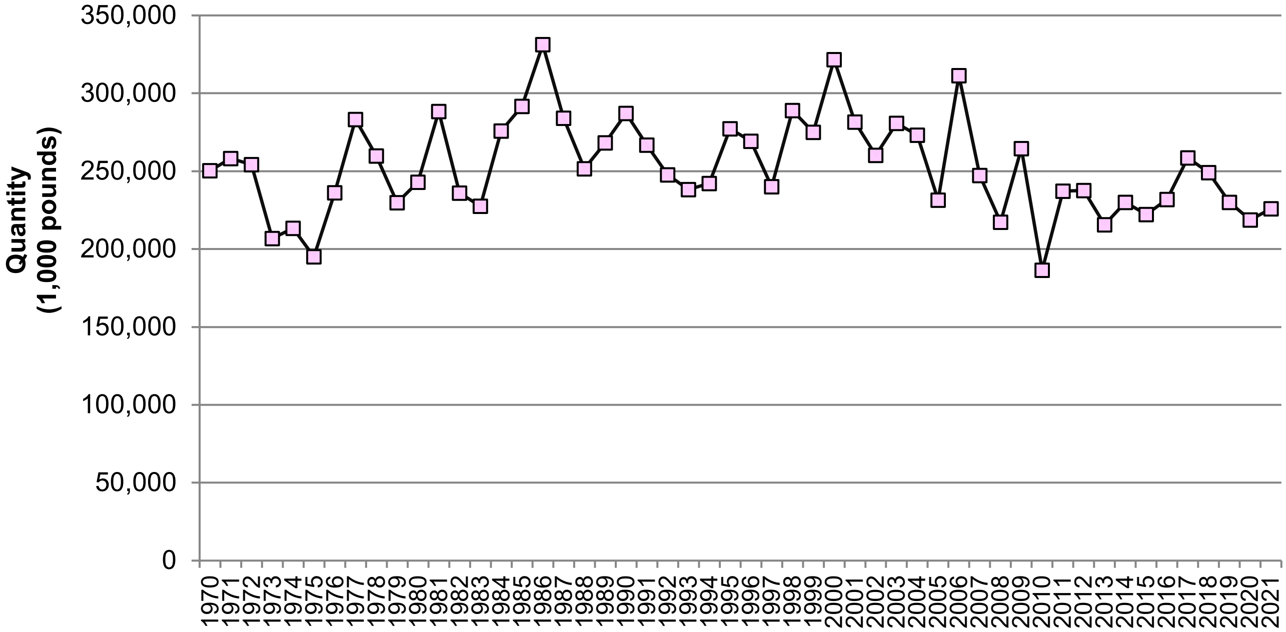
Table E-1 Continued
Warmwater shrimp: U.S. wild catch landings from the Gulf and South Atlantic regions, by year

Quantity in 1,000 pounds; value in 1,000 dollars

Year	Quantity (1,000 pounds)	Value (1,000 dollars)
1996	269,176	487,973
1997	240,107	531,646
1998	289,044	548,093
1999	275,120	559,741
2000	321,757	738,113
2001	281,647	549,120
2002	260,262	437,377
2003	280,700	408,141
2004	273,146	403,380
2005	231,522	390,682
2006	311,361	437,913
2007	247,375	407,485
2008	217,308	420,645
2009	264,572	346,547
2010	186,498	342,391
2011	237,312	466,990
2012	237,651	448,266
2013	215,564	527,695
2014	230,103	618,507
2015	222,283	386,276
2016	231,863	448,366
2017	258,679	501,381
2018	249,221	448,640
2019	229,935	435,849
2020	218,634	409,975
2021	225,864	509,180

Source: NOAA Commercial Fisheries Statistics, 1970-2021, www.st.nmfs.noaa.gov/commercialfisherie, accessed February 27, 2023.

Figure E-1
Warmwater shrimp: U.S. wild catch landings from the Gulf and South Atlantic regions, 1970-2021



Source: NOAA Commercial Fisheries Statistics, 1970-2021, www.st.nmfs.noaa.gov/commercialfisherie, accessed February 27, 2023.

The Commission received usable questionnaire responses from 329 U.S. farmers/fishermen, believed to have accounted for approximately 21.3 percent of U.S. wild-caught and farmed warmwater shrimp during 2021.[1] Table E-2 presents a list of these U.S. farmers/fishermen and each farmer's/fisherman's position on continuation of the orders, location(s), and share of reported net sales of warmwater shrimp in 2021.

Table E-2
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
A & C Boat Rental LLC	***	Chauvin, LA	***
Abrego Trawlers, Inc.	***	Brownsville, TX	***
Ace Marine, LLC dba US Shrimp	***	Sabine, TX	***
AJ Les LLC	***	Panama City, FL	***
Alpasito Inc.	***	Brownsville TX	***
Amanda Luu	***	Galveston, TX	***
Amanda Marie LLC	***	Chauvin, LA	***
Amber Waves Inc	***	Townsend, GA	***
Angela Marie LLC	***	Chauvin, LA	***
Anna E LLC	***	Fort Myers Beach, FL	***
Apalachee Girl Inc.	***	Fairhope, AL	***
Aparicio Trawlers Inc	***	Port Lavaca, TX	***
B&B Boats, Inc.	***	Pascagoula, MS	***
Bama Express V	***	Port Arthur, TX	***
Bandolero Inc.	***	Brownsville, TX	***
Big Grapes Inc	***	Chauvin, LA	***
Blessed Shepherd	***	Brownsville, TX	***
Bodden Caddell Inc.	***	Port Isabel, TX	***
Bonnie Lass, Inc	***	Fort Myers Beach, FL	***
Borsage Boats, Inc.	***	Pascagoula, MS	***
Bowers Shrimp Farm	***	Palacios, TX	***
BRETT ANTHONY INC	***	Abbeville, LA	***
BROTHERS	***	Abbeville, LA	***

Table continued.

[1] Staff's coverage estimate is based on a comparison of data compiled from Commission questionnaires to official NMFS statistics for wild-caught and farmed warmwater shrimp for the Gulf and Southern Atlantic regions.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Burnell Trawlers, Inc.	***	Brownsville, TX	***
CAO MAY (TX-7151-YL)	***	Bacliff TX	***
CAPT DRAGON	***	Abbeville, LA	***
CAPT JASON	***	Chauvin, LA	***
CAPT JOHN	***	Venice, LA	***
CAPT KOBE	***	Chauvin, LA	***
CAPT MAJESTIC	***	Katy, TX	***
CAPT TWO	***	Abbeville, LA	***
Capt Alvin	***	Galveston, TX	***
CAPT DEVIN	***	Dickinson TX	***
CAPT DOAN	***	Palacios TX	***
Capt Peter II	***	Galveston, TX	***
Capt Ryan 1129494	***	Cypress, TX	***
Capt T 911881	***	Galveston, TX	***
Capt Thanh V	***	Mobile, AL	***
CAPT TT LLC	***	Palacios, TX	***
Capt. Andrew LLC	***	Galveston, TX	***
Capt. Bligh, Inc.	***	Brownsville, TX	***
Capt. Mathew LLC dba Capt Mathew	***	Sabine Pass, TX	***
Capt. Mike	***	Port Arthur, TX	***
Capt. Thanh III	***	Mobile, AL	***
Capt. Thanh Inc.	***	Diberville, MS	***
Capt. Thanh IV Inc.	***	Bayou La Batre, AL	***
CAPT. TV	***	Palacios, TX	***
CAPTAIN P	***	Houma, LA	***
Captain Alex	***	Houston, TX	***
CAPTAIN RANDY	***	Abbeville, LA	***
CAPTAIN RICKY	***	Venice, LA	***
CAPTAIN STEVEN	***	Houston TX	***
CAPTAIN TU	***	Houston TX	***
Castellanos Corp. M/V: Jemiffer C.	***	Brownsville, TX	***
CAT DINH	***	Kemah TX	***
Cayton Daniels	***	Marshallberg, NC	***
Centurion Seafoods, Inc	***	Brownsville, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Cruzito Trawlers, Inc.	***	Brownsville, TX	***
CU MINH NGUYEN DBA LADY CHRISTINE	***	Intracoastal City, LA	***
Cuevas Martinez Inc.	***	Port Isabel, TX	***
DANG MINH NGUYEN	***	Palacios, TX	***
David Chauvin	***	Chauvin, LA	***
Diana Tran, llc	***	Sabine Pass, TX	***
Divine Protection Inc	***	Brownsville, TX	***
DKA Marine, LLC dba Mater Dustine	***	Sabine Pass, TX	***
DOLPHINS SEAPORT INC	***	Dickinson TX	***
Don Nico Trawlers, Inc.	***	Brownsville, TX	***
DONG V LAM	***	Abbeville, LA	***
Donovan Tien II	***	Palacios, TX	***
Donovan Tien I Corporation	***	Stafford, TX	***
Dragnet Seafood	***	Chauvin, LA	***
DUNG TIEN LE	***	Palacios, TX	***
Dylan Boy, LLC	***	Beaumont, TX	***
E&E LLC	***	Fort Myers Beach, FL	***
EVELYN	***	Abbeville, LA	***
F/V MISS LEAH	***	Sabine Pass, TX	***
F/V Mr. Henry	***	Port Arthur, TX	***
Fulcher Trawling, LLC	***	Beaufort, NC	***
Galaxy Star, LLC	***	Fort Myers Beach, FL	***
Garcia Trawlers	***	Port Lavaca, TX	***
GOLDEN DRAGON AT SEA INC	***	Mobile, AL	***
Golden Star II	***	Galveston, TX	***
Good Blessings, Inc.	***	Brownsville, TX	***
Green Flash, LLC	***	Fort Myers Beach, FL	***
Gulf Challenger LLC (Gulf Challenger - 1032382)	***	Galveston, TX	***
Gulf Coast Harvest, Inc.	***	Port Bolivar, TX	***
Gulf Shrimp	***	Galveston, TX	***
Gulf Viking - 1027077	***	Galveston, TX	***
H Tran LLC	***	Port Arthur, TX Galveston, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
H&T Marine dba Ocean One	***	Sabine Pass, TX	***
HAI AU	***	Dickinson TX	***
HAI VIET	***	Abbeville, LA	***
Hien Corporation	***	Port Arthur, TX	***
Hien Nguyen FL	***	Panama City	***
Hien Nguyen TX	***	Port Lavaca, TX	***
Hoan & Hanh LLC	***	Port Arthur, TX	***
HONG VAN LLC	***	Abbeville, LA	***
Hope Fisheries, Inc	***	Hilton Head Island, SC	***
HR & LN Corporation	***	Port Arthur, TX Galveston, TX Houma, LA Grand Isle, LA Port Aransas, TX	***
Humble Servent, Inc	***	Brownsville, TX	***
HUNG MANH NGUYEN	***	Palacios, TX	***
Hung Van Tran DBA Bear and Bull	***	Empire, LA	***
HUY HOAN LLC	***	Palacios, TX	***
I.B. Double D, LLC.	***	Port Arthur, TX	***
J & M Vessels	***	Port Arthur, TX	***
J+N Marine dba Scott II	***	Sabine Pass, TX	***
JACKIE LEE	***	Houma, LA	***
Jacob Doan	***	Port Arthur, TX	***
James D. Q, Inc	***	Beaumont, TX	***
James F. Dubberly DBA F/V Daddy's Boy	***	Savannah, GA	***
James F. Dubberly DBA F/V Jenna Renee'	***	Savannah, GA	***
Jenna Dawn LLC	***	Fort Myers, FL	***
Jennifer & David	***	Sabine Pass, TX	***
Jenson Joseph LLC	***	Chauvin, LA	***
JJ Rentals Inc.	***	Port Isabel, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Johnny Le	***	Port Neches, TX	***
Johnny Nguyen	***	Houston, TX	***
Jon Boy	***	Sabine Pass, TX	***
JOSEPH SON PHAM	***	Palacios, TX	***
JustAMinute, Inc.	***	Brownsville, TX	***
Kenneth Boy	***	Houston, TX	***
KEVIN RICO	***	Port Arthur, TX	***
KEVINMON	***	Orange, TX	***
KIET HUU TRAN	***	Sugar Land, TX	***
KIM LONG	***	Houston TX	***
Kimball's Marine & Supplies	***	Nederland, TX Sabine Pass, TX	***
Kimberly Celeste Inc.	***	Coden, AL	***
Kimberly Chauvin	***	Chauvin, LA	***
L&C Marine LLC dba Dyno Mike	***	Sabine Pass, TX	***
La Wera, Inc.	***	Brownsville, TX	***
LA5199BS	***	Houma, LA	***
LA7019AY THUAN LE INC	***	Houma, LA	***
LA8802BC	***	Venice, LA	***
Labor & Prosper, Inc.	***	Brownsville, TX	***
LADK Marine, LLC dba Lucky Dustin	***	Sabine Pass, TX	***
Lady Cathy LLC (Lady Cathy - 1092519)	***	Galveston, TX	***
Lady Margaret IV	***	Port Arthur, TX	***
LADY MARIE INC	***	Palacios, TX	***
Lady Robin, Inc.	***	Brownsville, TX	***
LADY SNOW	***	New Orleans, LA	***
LADY SNOW, INC.	***	Sabine Pass, TX	***
Lady Tina Inc.	***	Houston, TX	***
Lang Huynh, Inc. dba Boat Van Lang	***	Galveston, TX	***
Liberty (Boat Name)	***	Port Arthur, TX	***
Little David Gulf Trawler, Inc.	***	Palacios, TX	***
Little Ernie Gulf Trawler, Inc.	***	Palacios, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Los Primos Fisheries, Inc.	***	Brownsville, TX	***
Lovely Daddy I & Lovely Daddy II	***	Breaux Bridge, LA	***
Lovely Mother	***	Port Arthur, TX	***
LT 99	***	Abbeville, LA	***
L-T INC	***	Palacios, TX	***
LUCKY 7	***	Dulac, LA	***
LUCKY DUNG HOA	***	League City, TX	***
Lucky Duong LLC	***	Sabine Pass, TX	***
Lucky Emily LLC	***	Sabine Pass, TX	***
Lucky II LLC	***	Sabine Pass, TX	***
Lucky L & D LLC	***	Sabine Pass, TX	***
Lucky Season LLC	***	Sabine Pass, TX	***
LUCKY THERESA LLC	***	Abbeville, LA	***
Lucky Timmy	***	Port Arthur, TX	***
M&C Marine dba Lucky Peter	***	Sabine Pass, TX	***
M/V JANAE' ALYSSA	***	Venice, LA	***
Malolo LLC	***	Fort Myers Beach, FL	***
MARIE TERESA INC.	***	Palacios, TX	***
Mary Dang Nguyen	***	Port Arthur, TX	***
Master Anthony	***	Port Arthur, TX	***
Master Gerland Trawlers, Inc.	***	Brownsville, TX	***
Master Hai	***	Port Arthur, TX	***
Master John - 928446	***	Galveston, TX	***
Master M	***	Port Arthur, TX	***
Master Peter - 910806	***	Galveston, TX	***
Master Thai, Inc.	***	Port Bolivar, TX	***
Mei Jong Kao	***	Port Bolivar, TX	***
MILT'S SEAFOOD PLANT, INC.	***	Port Bolivar, TX	***
MINH KIM NGUYEN	***	Palacios, TX	***
Minh Mai	***	Panama City, FL	***
Minh Van Le dba Brady	***	Empire, LA	***
Miro Trawlers, Inc.	***	Brownsville, TX	***
MISS DIANA	***	Palacios TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
MISS ADDIE'S SEAFOOD INC.	***	Marshallberg, NC	***
Miss Amberly LLC	***	Galveston, TX	***
MISS AN	***	Venice, LA	***
Miss Angeley LLC	***	Galveston, TX	***
Miss Anna	***	San Leon, TX	***
MISS ANNA INC	***	Venice, LA	***
Miss Anna V Company	***	Palacios, TX	***
Miss Ashley LLC	***	Galveston, TX	***
MISS DANA	***	Abbeville, LA	***
Miss Fina Inc.	***	Port Isabel, TX	***
MISS HIEDI	***	Venice, LA	***
MISS HONG II	***	Venice, LA	***
Miss Isabelle A. Inc.	***	Palacios, TX	***
Miss Jade II	***	Port Arthur, TX	***
Miss Julia	***	Couteau, LA	***
Miss Julia, Inc.	***	Palacios, TX	***
Miss Julie	***	Galveston, TX	***
MISS KATHLEEN	***	Abbeville, LA	***
MISS KIMBERLY	***	Venice, LA	***
Miss Kinslee LLC	***	Chauvin, LA	***
Miss Lisa II	***	Port Arthur, TX	***
MISS LUCY II	***	Friendswood TX	***
Miss Madeline, Inc.	***	Palacios, TX	***
MISS MARY	***	Abbeville, LA	***
Miss Quynhanh II LLC	***	Lafayette, LA	***
Miss Quynhanh III LLC	***	Lafayette, LA	***
MISS TAYLY	***	Houma, LA	***
Miss Tina LLC	***	Kenner, LA	***
MONG VO	***	Venice, LA	***
Monita I, Inc.	***	Brownsville, TX	***
Monita, Inc.	***	Brownsville, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Morning Star II	***	Port Bolivar, TX	***
Mother T Inc.	***	Palacios, TX	***
MR T	***	Houma, LA	***
MR G	***	Venice, LA	***
Mr. K	***	Port Arthur, TX	***
MRS DIANA	***	Sugarland, TX	***
Muoi To - LA. 9003 BP	***	Buras, LA	***
Muy Positivo Inc.	***	Brownsville, TX	***
MY PHUNG INC	***	Couteau, LA	***
N&V Marine, LLC dba Lucky Aaron	***	Sabine Pass, TX	***
Nautilus LLC	***	Fort Myers Beach, FL	***
Ngo Family Investments, LLC	***	Lafayette, LA	***
NGUYEN TJ II LLC	***	Mobile, AL	***
NGUYEN TJ INC	***	Mobile, AL	***
Nhan Xuan Pham	***	Sabine Pass, TX	***
Nho Nguyen	***	Houston, TX	***
Nhu-Y II	***	Port Bolivar, TX	***
Nora Trawlers, Inc. M/V Lady Nora	***	Brownsville, TX	***
OCEAN WIND.	***	Palacios, TX	***
Odin LLC	***	Fort Myers Beach, FL	***
P&B Marine LLC dba Capt. Scott	***	Sabine Pass, TX	***
P&T Marine, LLC dba Lucky Parker	***	Sabine Pass, TX	***
PAD Marine dba Master Dylan	***	Sabine Pass, TX	***
PAPA T, LLC	***	Abbeville, LA	***
Path of Faith, Inc.	***	Brownsville, TX	***
Patricia De-Anne, Inc.	***	Coden, AL	***
Penny V, LLC	***	Fort Myers Beach, FL	***
Perserverance I, LLC	***	Fort Myers Beach, FL	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
PETER	***	Houma, LA	***
Pham Le LLC	***	Dickinson, TX	***
Pham Le LLC	***	Dickinson, TX	***
Pham Peter Hung	***	Port Arthur, TX	***
Phan Global	***	Theodore, AL	***
PHAN NGUYEN ENTERPRISE	***	Theodore, AL	***
Phat Tai	***	Galveston, TX	***
Phong Bui (Aiden Boy - 1112768)	***	Galveston, TX	***
Pleiades, LLC	***	Fort Myers Beach, FL	***
PRINCESSS STEFFANNY LLC	***	Palacios, TX	***
Purata Trawlers, Inc.	***	Brownsville, TX	***
Quang Tran	***	Sugarland, TX	***
Randall J. Pinell Inc.	***	Chauvin, LA	***
Red Sea Dragon, LLC	***	Sabine Pass, TX	***
Renaissance Trawlers, Inc.	***	Brownsville, TX	***
Reyes Trawlers Inc	***	Brownsville, TX	***
RICKY	***	Houston, TX	***
Rio Trawlers, Inc. - M/V Salvador R	***	Brownsville, TX	***
Sacred Fleet, Inc.	***	Brownsville, TX	***
SAO MAI	***	League City, TX	***
Sapelo Lady	***	Townsend, GA	***
Sea Challenger Corporation (SeaChallenger-1112875)	***	Galveston, TX	***
Sea Joker, Inc.	***	Brownsville, TX	***
Si Se Puede, Inc.	***	Brownsville, TX	***
Sinai Trawlers, Inc.	***	Brownsville, TX	***
SKY BLUE	***	Houma, LA	***
Son's Revelation, Inc.	***	Brownsville, TX	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
ST PHILLIP INC	***	Palacios, TX	***
ST. ANTHONY	***	Palacios, TX	***
St. Clara	***	Palacios, TX	***
St. Michael	***	Port Arthur, TX	***
St. Michael II	***	Port Arthur, TX	***
STAR SEA	***	Houma, LA	***
Start Young Inc.	***	Port Isabel, TX	***
STEVEN MAI II	***	Port Bolivar, TX	***
Success	***	Galveston, TX	***
Sulo Armas, Inc.	***	Brownsville, TX	***
T Rain	***	Houston, TX	***
T Seafood Co	***	Port Arthur, TX	***
T&L Elite, Inc.	***	Port Bolivar, TX	***
T&L Express, Inc.	***	Port Bolivar, TX	***
T&L Legacy, Inc.	***	Port Bolivar, TX	***
T&L Legend, Inc.	***	Port Bolivar, TX	***
T&R Marine dba Master Dustin II	***	Sabine Pass, TX	***
TAQ Marine, LLC dba Miss Kerylin	***	Sabine Pass, TX	***
TCG Co, Inc.	***	New Bern, NC	***
Ted Smithwick	***	Townsend GA	***
Thai Express, Inc.	***	Port Bolivar, TX	***
THAN VIET DO	***	Palacios, TX	***
The Jacob A. Inc.	***	Palacios, TX	***
THI LOI	***	Venice, LA	***
Thoang Bui (King of the Sea - 1123259)	***	Galveston, TX	***
Thomas & Sons II, Inc.	***	Port Bolivar, TX	***
Thomas & Sons, Inc.	***	Port Bolivar, TX	***
Thomas A Smith Jr- F/V Della John (Shrimp Trawler)	***	Beaufort, NC	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
Thuc & Hang LLC	***	Allen, TX	***
TIEN THANH	***	Port Arthur TX	***
Tiffani Claire Inc	***	Chauvin, LA	***
Tiffany Lady - 1033241	***	Galveston, TX	***
Tina Ngo dba U.S. Shrimp	***	Sabine Pass, TX	***
TOM THANH VU	***	Palacios, TX	***
T-One #586504	***	Houston, TX	***
TONY N	***	Venice, LA	***
Tony Marine, INC.	***	Port Arthur, TX	***
TONY TUNG VU	***	Palacios, TX	***
Trang Duong Lucky T & H	***	Port Bolivar, TX	***
Trawler Becky Lyn Inc	***	Bayou La Batre, AL	***
Trawler Captain Carl, LLC	***	New Bern, NC	***
Trawler Captain Fud, LLC	***	New Bern, NC	***
Trawler Jonathan Ryan Co., LLC	***	New Bern, NC	***
Trawler Micah Bell, LLC	***	New Bern, NC	***
TRIPLET PRODUCTION, LLC	***	Abbeville, LA	***
TROY II	***	Palacios TX	***
Troy LeCompte DBA R&T ATOCHA, LLC	***	Chauvin, LA	***
Tu Thao	***	Houston, TX	***
TUAN TT LLCC	***	Abbeville, LA	***
Twin City Shrimp Co. Inc.	***	Port Isabel, TX	***
VAN NGOC NGUYEN	***	Palacios, TX	***
Versaggi Seafoods, LLC	***	Tampa, FL	***
Versaggi Shrimp Corp.	***	Tampa, FL	***
VICTORIA & MIKA INC.	***	Palacios, TX	***
Viet Giang Corp.	***	New Orleans, LA	***
VIET THUY	***	Palacios TX	***
VINCENT DINH	***	Palacios, TX	***
VT & L INC	***	Abbeville, LA	***

Table continued.

Table E-2 Continued
Warmwater shrimp: U.S. farmers/fishermen, their position on the orders, location(s) of production, and share of reported net sales in 2021, by firm

Share in percent

Firm	Position on orders	Location(s)	Share of net sales
W&W Dock	***	Palacios, TX	***
Whiskey Joe, Inc. M/V Whiskey Joe	***	Brownsville, TX	***
WHITE SHRIMP	***	Pearland TX	***
Willa del Golfo, Inc.	***	Brownsville, TX	***
William Patrick Inc	***	Meridian, GA Belleville, GA	***
ZIRLOTT TRAWLERS INC	***	Coden, AL	***
All firms	Support--271; Oppose--24; No position--26; Mixed/Partial--4	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as “0.0” represent values greater than zero, but less than “0.05” percent. Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

U.S. farmers/fishermen were asked to describe any state and federal limitations on shrimp fishing activities. Their responses are presented in table E-3.

Table E-3
Warmwater shrimp: U.S. farmers'/fishermen's limitations on fishing

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Reporting firm	Limitations on fishing
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. farmers/fishermen were asked to describe the impact of any natural disasters and/or diseases on the supply and demand of warmwater shrimp since January 1, 2016. Their responses are presented in table E-4.

Table E-4
Warmwater shrimp: U.S. farmers'/fishermen narratives regarding the impact of natural disasters and/or diseases on supply and demand since January 1, 2016

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

U.S. farmers/fishermen were asked to describe the impact of other factors on the supply and demand of warmwater shrimp since January 1, 2016. Their responses are presented in table E-5.

Table E-5
Warmwater shrimp: U.S. farmers'/fishermen narratives regarding the impact of other factors on supply and demand since January 1, 2016

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Reporting firm	Narratives regarding impact on supply	Narratives regarding impact on demand
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

FINANCIAL EXPERIENCE OF U.S. FARMERS/FISHERMEN

Three hundred twenty-nine U.S. farmers/fishermen provided usable financial data on their operations on warmwater shrimp.[2] These data were requested on a calendar-year basis. Income-and-loss data for U.S. farmers/fishermen of warmwater shrimp are presented in table E-6 while table E-7 presents the changes in percent and dollars per pound.

The operating profitability of the U.S. farmers/fishermen as a whole improved from 2019 to 2021 as did the net income of the reporting firms. Between the two years, sales quantity and the average unit value of sales increased by 17.7 percent and by 12.3 percent, respectively, leading to an increase in sales value of 32.2 percent. Sales values increased at a higher rate than operating expenses from 2019 to 2021 (32.2 percent versus 28.1 percent), which resulted in an increase in operating and net income during that same three-year period.[3]

The leading elements of operating costs were reported to be fuel and oil, crew wages and share, groceries, fishing gear, repairs and maintenance, insurance, depreciation, taxes, and licenses.[4] Other income included such items as BP settlement (oil spill),[5] local disaster relief and local initiatives ("2013 Fishery Failure Relief"), payments under the Continued Dumping and Subsidy Offset Act of 2000 ("CDSOA"), and loan forgiveness under the Paycheck Protection Program ("PPP"). Other expense included professional fees, legal expenses, and repairs and maintenance.

---

[2] Three hundred twenty-nine represents the number of usable questionnaires. Not all firms reported data in each yearly period, leading to an apparent discrepancy between 329 and the number shown in table E-6. For example, 17 firms did not report data in 2019 and 10 and 12 did not report data in 2020 and 2021, respectively.

[3] An increase in the number of firms reporting in 2020 and 2021 compared with 2019 also increased sales and costs. Nonetheless, sales increased more than did costs as seen in the decline in the ratio of total operating costs to sales between 2019 and 2021, and the decrease in the number of firms reporting operating and net losses. Staff recalculated totals by eliminating the firms that did not report data in one or more yearly periods. While sales quantities, values, and costs were lower in the resulting calculation, trends did not change, the average unit values of sales, costs, and operating income differed by one cent at most, and the operating income ratio differed by 0.1 percentage point at most.

[4] It should be noted that only a few firms responded to the question to list in order of importance their operating costs. This list is representative of responses given.

[5] Also called the Transocean or Halliburton/Transocean settlement.

Table E-6
Warmwater shrimp: Results of operations of U.S. farmers/fishermen, by item and period

Quantity in pounds; value in dollars; ratios in percent

Item	Measure	2019	2020	2021
Total net sales	Quantity	41,859,571	46,515,736	49,255,291
Total net sales	Value	113,481,722	120,802,870	149,981,039
Operating expenses: Salaries for officers and partners	Value	8,522,306	10,626,373	12,691,937
Operating expenses: All other	Value	100,842,586	100,421,070	127,425,548
Operating expenses: Total	Value	109,364,892	111,047,443	140,117,485
Operating income or (loss)	Value	4,116,830	9,755,427	9,863,554
All other income (including CDSOA)	Value	5,717,755	3,500,947	6,560,795
All other expenses	Value	4,234,632	3,823,509	6,744,315
Net income or (loss)	Value	5,599,953	9,432,865	9,680,034
Operating expenses: Salaries for officers and partners	Ratio to NS	7.5	8.8	8.5
Operating expenses: All other	Ratio to NS	88.9	83.1	85.0
Operating expenses: Total	Ratio to NS	96.4	91.9	93.4
Operating income or (loss)	Ratio to NS	3.6	8.1	6.6
All other income (including CDSOA)	Ratio to NS	5.0	2.9	4.4
All other expenses	Ratio to NS	3.7	3.2	4.5
Net income or (loss)	Ratio to NS	4.9	7.8	6.5

Table continued.

Table E-6 Continued
Warmwater shrimp: Results of operations of U.S. farmers/fishermen, by item and period

Shares in percent; unit values in dollars per pound; count in number of firms reporting

Item	Measure	2019	2020	2021
Operating expenses: Salaries for officers and partners	Share	7.8	9.6	9.1
Operating expenses: All other	Share	92.2	90.4	90.9
Operating expenses: Total	Share	100.0	100.0	100.0
Total net sales	Unit value	2.71	2.60	3.04
Operating expenses: Salaries for officers and partners	Unit value	0.20	0.23	0.26
Operating expenses: All other	Unit value	2.41	2.16	2.59
Operating expenses: Total	Unit value	2.61	2.39	2.84
Operating income or (loss)	Unit value	0.10	0.21	0.20
All other income (including CDSOA)	Unit value	0.14	0.08	0.13
All other expenses	Unit value	0.10	0.08	0.14
Net income or (loss)	Unit value	0.13	0.20	0.20
Operating losses	Count	113	84	80
Net losses	Count	101	88	88
Data	Count	312	319	317

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares represent the share of total operating expense.

Note: *** firms did not report sales quantity in one or more periods but did report sales value and costs. Commission staff adjusted those questionnaires to calculate quantity based on the average unit value of sales of firms providing data for both numerator (value) and denominator (quantity).

Note: One hundred eleven firms provided data for salaries of officers and partners, which are shown above although many did not report such data in each yearly period. Many of the remaining firms reported all of their operating costs as salaries in which case, Commission staff reclassified such data as other operating expense. Hence the data for salaries is probably understated.

Note: In several instances, firms reported operating expense but did not report sales or other costs or fishing days in that yearly period. Commission staff reclassified such costs, which represented vessel and/or net major repair, legal expenses, and the like below operating income to all other expense.

Note: The majority of other income reported included compensation from settlements related to the Transocean and BP oil spills, while the majority of other expenses included legal and repair expenses.

Table E-7
Warmwater shrimp: U.S. farmers/fishermen changes in average unit values between comparison periods

Changes in percent

Item	2019-21	2019-20	2020-21
Total net sales	▲12.3	▼(4.2)	▲17.2
Operating expenses: Salaries for officers and partners	▲26.6	▲12.2	▲12.8
Operating expenses: All other	▲7.4	▼(10.4)	▲19.8
Operating expenses: Total	▲8.9	▼(8.6)	▲19.2

Table continued.

Table E-7 Continued
Warmwater shrimp: U.S. farmers/fishermen changes in average unit values between comparison periods

Changes in dollars per pound

Item	2019-21	2019-20	2020-21
Total net sales	▲0.33	▼(0.11)	▲0.45
Operating expenses: Salaries for officers and partners	▲0.05	▲0.02	▲0.03
Operating expenses: All other	▲0.18	▼(0.25)	▲0.43
Operating expenses: Total	▲0.23	▼(0.23)	▲0.46
Operating income or (loss)	▲0.10	▲0.11	▼(0.01)
All other income (including CDSOA)	▼(0.00)	▼(0.06)	▲0.06
All other expenses	▲0.04	▼(0.02)	▲0.05
Net income or (loss)	▲0.06	▲0.07	▼(0.01)

Source: Compiled from data submitted in response to Commission questionnaires.

The Commission’s questionnaire requested firms to report the number of fishing days but not all firms responded to the question. For a single vessel, the number ranged in 2021 from a low of 38 (one firm reported *** days) to a high of approximately 280 days (several firms reported higher numbers, 300 to 305). An average per vessel cannot be computed because firms did not report on a per-vessel basis or give the number of vessels for which they reported. Total fishing days decreased, according to questionnaire data, from 58,665 days in 2019 to 58,416 days in 2020 before increasing to 59,841 days in 2021.