Lemon Juice from Brazil and South Africa

Investigation Nos. 731-TA-1578-1579 (Final)

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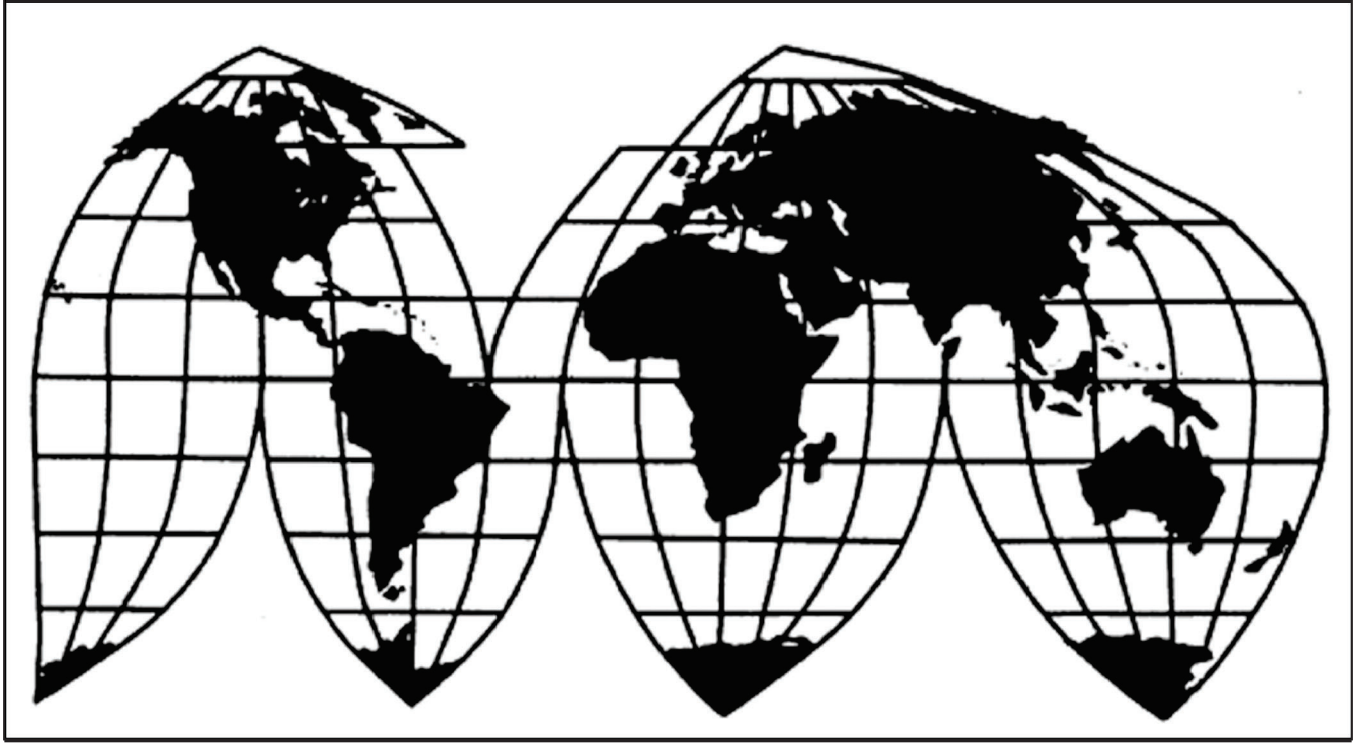
U.S. International Trade Commission



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Note.—Information that would reveal confidential operations of individual concerns may not be published.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-1578-1579 (Final)

Lemon Juice from Brazil and South Africa

DETERMINATIONS

On the basis of the record[1] developed in the subject investigations, the United States International Trade Commission ("Commission") determines, pursuant to the Tariff Act of 1930 ("the Act"), that an industry in the United States is materially injured by reason of imports of lemon juice from Brazil and South Africa, provided for in subheadings 2009.31.40, 2009.31.60, and 2009.39.60 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV").[2] [3]

BACKGROUND

The Commission instituted these investigations effective December 30, 2021, following receipt of petitions filed with the Commission and Commerce by Ventura Coastal LLC, Ventura, California. The Commission scheduled the final phase of the investigations following notification of preliminary determinations by Commerce that imports of lemon juice from Brazil and South Africa were being sold at LTFV within the meaning of section 733(b) of the Act (19 U.S.C. 1673b(b)). Notice of the scheduling and subsequent revised schedule of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notices in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notices in the *Federal Register* of August 23, 2022 (87 FR 51701) and September 28, 2022 (87 FR 58821). The Commission conducted its hearing on December 15, 2022. All persons who requested the opportunity were permitted to participate.

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

[2] 87 FR 78928 (December 23, 2022); 87 FR 78939 (December 23, 2022).

[3] Chairman David S. Johanson determines that an industry in the United States is threatened with material injury by reason of imports of lemon juice from Brazil and South Africa.

Views of the Commission

Based on the record in the final phase of these investigations, we determine that an industry in the United States is materially injured by reason of imports of lemon juice from Brazil and South Africa found by the U.S. Department of Commerce ("Commerce") to be sold in the United States at less than fair value ("LTFV").[1]

I. Background

These investigations resulted from antidumping duty petitions on lemon juice from Brazil and South Africa filed on December 30, 2021 by Ventura Coastal LLC ("Petitioner" or "Ventura Coastal"), a domestic producer of lemon juice. Petitioner appeared at the hearing accompanied by counsel,[2] and submitted prehearing and posthearing briefs and final comments.

Four respondents participated in these final phase investigations by appearing at the hearing accompanied by counsel and respectively submitting prehearing and posthearing briefs or written statements:

- The Coca-Cola Company ("Coca-Cola"), a U.S. purchaser of lemon juice;
- Greenwood Associates Inc. ("Greenwood"), a U.S. importer of subject merchandise;[3]
- Louis Dreyfus Company Sucos S.A., a producer and exporter of nonsubject lemon juice from Brazil, and Louis Dreyfus Company Juices, NA LLC, a U.S. importer of nonsubject lemon juice from Brazil (collectively, "Louis Dreyfus");[4] and
- The South African Fruit Juice Association ("SAFJA"), a trade association whose members are producers/exporters of subject merchandise from South Africa.[5]

[1] Chairman David S. Johanson determines that an industry in the United States is threatened with material injury by reason of imports of lemon juice from Brazil and South Africa. He further determines that he would not have found material injury but for the suspension of liquidation. He joins Sections I through V.B. of the Commission's Views.

[2] A representative for Sunkist Growers, Inc. ("Sunkist") also appeared at the hearing on behalf of Petitioner. Sunkist is a 50 percent owner of Ventura Coastal and a domestic supplier of lemons. *See* Hearing Transcript ("Hr. Tr.") at 32-33 (Thompson).

[3] Greenwood also submitted final comments.

[4] In its final determination, Commerce calculated a *de minimis* dumping margin of 0.00 for Brazilian producer/exporter Louis Dreyfus Company Sucos S.A; therefore, its exports of lemon juice from Brazil are nonsubject. *See Certain Lemon Juice from Brazil: Final Affirmative Determination of Sales at Less Than Fair Value*, 87 Fed. Reg. 78939, 78940 (Dec. 23, 2022).

[5] SAFJA is an interested party by virtue of being an association, a majority of the members of which are producers/exporters of subject merchandise. *See* 19 U.S.C. § 1677(9)(A).

Data Coverage. U.S. industry data are based on the questionnaire responses of five firms, accounting for the vast majority of U.S. production of lemon juice during 2021.[6] U.S. imports are based on official import statistics and the questionnaire responses of 30 importers of lemon juice, representing over 100.0 percent of U.S. imports from both Brazil and South Africa in 2021.[7] Foreign industry data and related information are based on questionnaire responses from: two producers/exporters of lemon juice in Brazil accounting for all known lemon juice production in Brazil in 2021 and all known U.S. imports of lemon juice from Brazil in 2021;[8] and five producers/exporters of lemon juice in South Africa accounting for approximately 85.0 percent of lemon juice production in South Africa in 2021 and all known U.S. imports of lemon juice from South Africa in 2021.[9]

II. Domestic Like Product

A. In General

In determining whether an industry in the United States is materially injured or threatened with material injury by reason of imports of subject merchandise, the Commission first defines the "domestic like product" and the "industry."[10] Section 771(4)(A) of the Tariff Act of 1930, as amended ("the Tariff Act"), defines the relevant domestic industry as the "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."[11] In turn, 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."[12]

[6] Confidential Staff Report, INV-VV-002 (Jan. 10, 2023) ("CR") / Public Report, *Lemon Juice from Brazil and South Africa*, Inv. Nos. 731-TA-1578-79 (Final), USITC Pub. 5403 (Feb. 2023) ("PR") at I-4.

[7] CR/PR at I-4. Official import statistics cover imports under HTS subheadings 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040. *Id.* at IV-1. Questionnaire responses from importers also represent over 100.0 percent of U.S. imports in 2021 from Argentina and Mexico, and 29.8 percent of U.S. imports from all other nonsubject sources. *Id.* at IV-1 n.2.

[8] CR/PR at VII-3.

[9] CR/PR at VII-7.

[10] 19 U.S.C. § 1677(4)(A).

[11] 19 U.S.C. § 1677(4)(A).

[12] 19 U.S.C. § 1677(10).

By statute, the Commission's "domestic like product" analysis begins with the "article subject to an investigation," *i.e.*, the subject merchandise as determined by Commerce.[13] Therefore, Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value is "necessarily the starting point of the Commission's like product analysis."[14] The Commission then defines the domestic like product in light of the imported articles Commerce has identified.[15] The decision regarding the appropriate domestic like product(s) in an investigation is a factual determination, and the Commission has applied the statutory standard of "like" or "most similar in characteristics and uses" on a case-by-case basis.[16] No single factor is dispositive, and the Commission may consider other factors it deems relevant based on the facts of a particular investigation.[17] The Commission looks for clear dividing lines among possible like products and disregards minor variations.[18]

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[13] 19 U.S.C. § 1677(10). The Commission must accept Commerce's determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value. *See*, *e.g.*, *USEC, Inc. v. United States*, 34 Fed. App'x 725, 730 (Fed. Cir. 2002) ("The ITC may not modify the class or kind of imported merchandise examined by Commerce."); *Algoma Steel Corp. v. United States,* 688 F. Supp. 639, 644 (Ct. Int'l Trade 1988), *aff'd*, 865 F.3d 240 (Fed. Cir.), *cert. denied*, 492 U.S. 919 (1989).

[14] *Cleo Inc. v. United States*, 501 F.3d 1291, 1298 (Fed. Cir. 2007); *see also Hitachi Metals, Ltd. v. United States*, 949 F.3d 710, 717 (Fed. Cir. 2020) (the statute requires the Commission to start with Commerce's subject merchandise in reaching its own like product determination).

[15] *Cleo*, 501 F.3d at 1298 n.1 ("Commerce's {scope} finding does not control the Commission's {like product} determination."); *Hosiden Corp. v. Advanced Display Mfrs.,* 85 F.3d 1561, 1568 (Fed. Cir. 1996) (the Commission may find a single like product corresponding to several different classes or kinds defined by Commerce); *Torrington Co. v. United States*, 747 F. Supp. 744, 748–52 (Ct. Int'l Trade 1990), *aff'd*, 938 F.2d 1278 (Fed. Cir. 1991) (affirming the Commission's determination defining six like products in investigations where Commerce found five classes or kinds).

[16] *See*, *e.g.*, *Cleo*, 501 F.3d at 1299; *NEC Corp. v. Dep't of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int'l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Torrington*, 747 F. Supp. at 749 n.3 ("every like product determination 'must be made on the particular record at issue' and the 'unique facts of each case'"). The Commission generally considers a number of factors, including the following: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) customer and producer perceptions of the products; (5) common manufacturing facilities, production processes, and production employees; and, where appropriate, (6) price. *See Nippon*, 19 CIT at 455 n.4; *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int'l Trade 1996).

[17] *See*, *e.g.*, S. Rep. No. 96-249 at 90-91 (1979).

[18] *Nippon*, 19 CIT at 455; *Torrington*, 747 F. Supp. at 748-49; *see also* S. Rep. No. 96-249 at 90-91 (Congress has indicated that the like product standard should not be interpreted in "such a narrow fashion as to permit minor differences in physical characteristics or uses to lead to the conclusion that the product and article are not 'like' each other, nor should the definition of 'like product' be interpreted in such a fashion as to prevent consideration of an industry adversely affected by the imports under consideration.").

B. Product Description

Commerce defined the imported merchandise within the scope of these investigations as:

> . . . {C}ertain lemon juice. Lemon juice is covered: (1) With or without addition of preservatives, sugar, or other sweeteners; (2) regardless of the GPL (grams per liter of citric acid) level of concentration, brix level, brix/acid ratio, pulp content, clarity; (3) regardless of the grade, horticulture method (*e.g.*, organic or not), processed form (*e.g.*, frozen or not-from-concentrate), the size of the container in which packed, or the method of packing; and (4) regardless of the U.S. Department of Agriculture Food and Drug Administration (FDA) standard of identity (as defined under 19 CFR 146.114 *et seq*.) (*i.e.*, whether or not the lemon juice meets an FDA standard of identity).
>
> Excluded from the scope are: (1) Lemon juice at any level of concentration packed in retail-sized containers ready for sale to consumers; and (2) beverage products, such as lemonade, that contain 20 percent or less lemon juice as an ingredient by actual volume. "Retail-sized containers" are defined as lemon juice products sold in ready-for-sale packaging (*e.g.*, clearly visible branding, nutritional facts listed, etc.) containing up to 128 ounces of lemon juice by actual volume.
>
> The scope also includes certain lemon juice that is blended with certain lemon juice from sources not subject to these investigations. Only the subject lemon juice component of such blended merchandise is covered by the scope of these investigations. Blended lemon juice is defined as certain lemon juice with two distinct component parts of differing country(s) of origin mixed together to form certain lemon juice where the component parts are no longer individually distinguishable.
>
> The product subject to these investigations is currently classifiable under subheadings 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and customs purposes, the written description of the scope of these investigations is dispositive.[19]

[19] *Certain Lemon Juice from Brazil: Final Affirmative Determination of Sales at Less Than Fair Value*, 87 Fed. Reg. 78939, 78940-41 (Dec. 23, 2022); *Certain Lemon Juice from the Republic of South Africa: Final Affirmative Determination of Sales at Less Than Fair Value*, 87 Fed. Reg. 78928, 78929 (Dec. 23, 2022).

In the United States, lemons are generally grown for the fresh market.[20] Those with imperfections or that fail to meet size or grade standards are shipped for processing into various products including lemon juice.[21] Further, depending on demand conditions in the lemon juice market, more or less of the fresh lemon crop may be picked for diversion to the lemon juice market.[22] Lemon juice is sold to be used as an ingredient by food and beverage processing companies as well as producers of non-food products, such as household cleaners.[23]

Lemons are processed into juice with varying concentrations, acidity, and sugar content.[24] Concentrated lemon juice and not-from-concentrate ("NFC") lemon juice are the two main types of domestically produced lemon juice within the scope.[25] Concentrated lemon juice has water removed to reduce bulk and weight.[26] Concentrated lemon juice can be marketed as cloudy, containing up to 12 percent pulp, or clear or clarified, with no visible pulp.[27] The level of concentration is principally measured by acidity, as grams per liter of anhydrous citric acid ("GPL").[28] Concentrated lemon juice can be transported and stored more economically than NFC lemon juice because removing the water reduces bulk and weight.[29] In addition, concentrated lemon juice is less susceptible to microorganisms and may be stored refrigerated rather than frozen, which reduces energy costs.[30]

C. Domestic Like Product Analysis

In its preliminary determinations, the Commission considered whether it should define frozen concentrated lemon juice ("FCLJ") and not-from-concentrate lemon juice ("NFCLJ") as separate domestic like products.[31] It found that all domestically produced FCLJ and NFCLJ within the scope have similar physical characteristics as both are produced from fresh lemons,

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[20] *See* CR/PR at I-11. "Nearly every lemon processed into lemon juice on a commercial scale in the United States is grown in the United States." Conf. Tr. at 15 (Borgers).

[21] CR/PR at I-11-12, I-16; Conf. Tr. at 25-26 (McDermott).

[22] Hr. Tr. at 23 (McDermott), 91 (Thompson).

[23] CR/PR at I-13.

[24] CR/PR at I-13.

[25] CR/PR at I-13.

[26] CR/PR at I-13.

[27] CR/PR at I-13.

[28] CR/PR at I-13. The typical GPL levels for concentrated lemon juice are acidity levels of 400 GPL and 500 GPL, but concentration levels can be customized to customer specifications. *Id*.

[29] *See* CR/PR at I-13.

[30] *See* CR/PR at I-13.

[31] *Lemon Juice from Brazil and South Africa,* Inv. Nos. 731-TA-1578-1579 (Preliminary), USITC Pub. 5284 (Feb. 2022) ("Preliminary Determinations"), at 9-12. Respondents did not raise any issues with respect to the domestic like product in the preliminary phase of these investigations.

although FCLJ is generally seven to 10 times more concentrated, have the same end-uses and channels of distribution, are generally interchangeable with some limitations, and are generally perceived as a single product category. It further found that in-scope domestically produced FCLJ and NFCLJ are generally produced using the same production processes and some of the same equipment, although FCLJ goes through an evaporation process to be concentrated, whereas NFCLJ goes through a pasteurization process. It further found that in-scope domestically produced NFCLJ is sometimes comparably priced and sometimes higher-priced than in-scope domestically produced FCLJ. Hence, despite some differences between the products, the Commission found no clear dividing line separating in-scope domestically produced FCLJ from NFCLJ. The Commission also found no clear dividing line between conventional and organic lemon juice products although organic lemon juice is higher-priced and undergoes additional cleaning protocols. Consequently, the Commission defined a single domestic like product that included conventional and organic FCLJ and NFCLJ, coextensive with the scope of the investigations.[32]

The record in the final phase of these investigations does not contain any new information concerning the domestic like product factors that would warrant our reconsideration of the appropriate definition of the domestic like product.[33] Nor has any party argued for a definition of the domestic like product that is different from that in the preliminary determinations.[34] Therefore, for the reasons set forth in the preliminary determinations, we define a single domestic like product consisting of conventional and organic FCLJ and NFCLJ, coextensive with the scope of the investigations.[35]

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[32] Preliminary Determinations, USITC Pub. 5284, at 12.

[33] *See, generally,* CR/PR at I-11-20, Table D-1 (showing U.S. producers' U.S. shipment unit values by concentration status); *see also* Petitioner's Prehear. Br. at 26-27.

[34] *See* CR/PR at I-20. Petitioner argues that the Commission should define a single domestic like product consisting of conventional and organic FCLJ and NFCLJ, coextensive with the scope of the investigations, as it did in the preliminary phase of these investigations. *See* Petitioner's Prehear. Br. at 4.

[35] We note that the Commission reached a similar conclusion and included both FCLJ and NFCLJ as part of a single domestic like product in the recent second full five-year review of Lemon Juice from Argentina. *See Lemon Juice from Argentina,* Inv. No. 731-TA-1105 (Second Review), USITC Pub. 5344 (Aug. 2022), at 14. Commerce's scope language for the suspended antidumping investigation of lemon juice from Argentina is virtually identical to the scope of these investigations. *See id.* at 7. We further note that the Commission did not expand the domestic like product to include out-of-scope lemon oil in the 2006 preliminary determinations in *Lemon Juice from Argentina and Mexico*, Inv. Nos. 731-TA-1105-1106 (Preliminary), USITC Pub. 3891 (Nov. 2006), at 7.

III. Domestic Industry

The domestic industry is defined 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."[36] 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.

These investigations raise two domestic industry issues. The first issue is whether the domestic industry includes lemon growers in addition to processors. The second is whether appropriate circumstances exist to exclude any firms from the domestic industry pursuant to the related parties provision.

A. Grower/Processor Provision

In cases involving processed agricultural products, section 771(4)(E) of the Tariff Act authorizes the Commission to include growers of a raw agricultural input within the domestic industry producing the processed agricultural product if:

> (a) the processed agricultural product is produced from the raw product through a single continuous line of production,[37] and
>
> (b) there is a substantial coincidence of economic interest between the growers and producers of the processed product based upon the relevant economic factors.[38]

In its preliminary determinations, the Commission considered whether the domestic industry should include lemon growers in addition to processors.[39] It found that the continuous line of production requirement for including growers in the domestic industry was not satisfied

[36] 19 U.S.C. § 1677(4)(A).

[37] The statute provides that the processed product shall be considered to be processed from the raw product in a single, continuous line of production if:

(a) the raw agricultural product is substantially or completely devoted to the production of the processed agricultural product; and

(b) the processed agricultural product is produced substantially or completely from the raw product. 19 U.S.C. § 1677(4)(E)(ii).

[38] 19 U.S.C. § 1677(4)(E)(iii).

[39] Preliminary Determinations, USITC Pub. 5284, at 13-15.

because fresh lemons are not substantially or completely devoted to the production of lemon juice. Therefore, the Commission did not include growers in the domestic industry.[40]

The record in the final phase of these investigations does not contain any new information concerning the continuous line of production requirement warranting a different conclusion.[41] No party has argued that growers should be included in the domestic industry. Therefore, for the same reasons set forth in the preliminary determinations, we do not include growers in the domestic industry.

B. Related Parties

We must also consider whether any producers of the domestic like product (*i.e.*, any processors of fresh lemons) should be excluded from the domestic industry pursuant to section 771(4)(B) of the Tariff Act. This provision 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. Exclusion of such a producer is within the Commission's discretion based upon the facts presented in each investigation.[42]

Petitioner argues that the Commission should define a single domestic industry consisting of all U.S. producers of lemon juice, as it did in the preliminary phase of these investigations.[43] It also submits, however, that the Commission should consider excluding U.S. producer *** from the domestic industry under the related parties provision.[44] Petitioner claims that ***, a purchaser of lemon juice imports from Brazil, acknowledged that it exercises indirect control over ***, as *** as an additional source of lemon juice supply in Florida and

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[40] Preliminary Determinations, USITC Pub. 5284, at 15.

[41] *See* CR/PR at Table VII-12.

[42] 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.

[43] Petitioner's Prehear. Br. at 5.

[44] ***. *See* CR/PR at Tables III-1 & III-3.

entered into a long-term supply agreement that requires ***.[45] Petitioner also contends that not excluding *** from the domestic industry would ***.[46]

Coca-Cola argues that Peace River should not be excluded from the domestic industry under the related parties provision.[47] It claims that Coca-Cola does not have legal or operational control over Peace River or any foreign producer or exporter of subject merchandise and that the supply agreement between Peace River and Coca-Cola is an arm's length contract.[48] Further, Coca-Cola argues that Peace River's primary interest lies in domestic production, since Peace River imported no subject merchandise, and that excluding Peace River would skew the data for the rest of the domestic industry because it would obscure the growth of the industry through the addition of Peace River's capacity and production of lemon juice.[49]

We find that Peace River does not qualify for possible exclusion under the related parties provision. The related parties provision of the statute 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.[50] Even assuming, *arguendo*, that Coca-Cola exercises control over Peace River, Peace River would not qualify as a related party because Coca-Cola is neither an exporter nor an importer of subject merchandise, but rather it is a purchaser.[51] Nor did Peace River import any subject merchandise during the January 2019-June 2022 period of investigation ("POI"). We therefore find that Peace River does not satisfy the statutory definition of a related party.

[45] Petitioner's Prehear. Br. at 5-6 *citing* CR/PR at II-16; *see also* *** U.S. Producer Questionnaire Response at II-2a, IV-22.

[46] Petitioner's Posthear. Br. at Exhibit 1 at 67-68.

[47] Coca-Cola's Posthear. Stmt. at 6.

[48] Coca-Cola's Posthear. Stmt. at 7. At the hearing, a representative for Coca-Cola acknowledged that Coca-Cola developed Peace River as a supplier, but stated "{w}e do not own Peace River, {and} any agreement{s} we have {with} them are at an arm's length basis." Hr. Tr. at 155 (Maxfield).

[49] Coca-Cola's Posthear. Stmt. at 8.

[50] *See* 19 U.S.C. § 1677(4)(B)(i) ("If a producer of a domestic like product and an *exporter* or *importer* of the subject merchandise are related parties … the producer may, in appropriate circumstances, be excluded from the industry.") (emphasis added).

[51] *See* Coca-Cola's U.S. Importer Questionnaire Response at II-5a, II-6a, II-7a (Coca-Cola imported a *** during the POI, but did not directly import any lemon juice from either Brazil or South Africa). Coca-Cola has expressly denied that it has legal or operational control over any foreign producer or exporter of subject merchandise and Petitioner has not argued that Coca-Cola is related to any importer or exporter of subject merchandise. *See* Coca-Cola's Posthear. Stmt. at 7.

There are no other related party or other domestic industry issues in the final phase of these investigations.[52] [53] Accordingly, consistent with our definition of the domestic like product, we define the domestic industry to include all U.S. producers of lemon juice.

[52] The record does not indicate that any domestic producer is related to a foreign producer or exporter of the subject merchandise or directly imported the subject merchandise during the POI. *See* CR/PR at III-2, III-13.

[53] Both *** and *** reported that they purchased subject imports during the POI, although *** reported purchasing only a minimal volume of lemon juice, *** gallons, in 2021. *See* CR/PR at III-13. The Commission has concluded that a domestic producer that does not itself import subject merchandise and does not share a corporate affiliation with an importer may nonetheless be deemed a related party if it controls large volumes of imports. *See, e.g., Iron Construction Castings from Brazil, Canada, and China*, Inv. Nos. 701-TA-248, 731-TA-262-263, 265 (Fourth Review), USITC Pub. 4655 at 11 (Dec. 2016). The Commission has found such control to exist where, for example, the domestic producer's purchases were responsible for a predominant proportion of an importer's sales and the importer's imports were substantial. *Id. See, e.g*., *Certain Seamless Carbon and Alloy Steel Standard, Line, and Pressure Pipe from Argentina, Brazil, Germany, and Italy*, Inv. Nos. 701-TA-362 and 731-TA-707-710 (Review), USITC Pub. 3429 at 8-9 (June 2001).

*** purchased *** gallons of lemon juice from Brazil in 2019 and *** gallons in 2020 from U.S. importer ***, and it purchased *** gallons of lemon juice from Brazil in interim 2022 from U.S. importer ***. *See* CR/PR at Table III-12. Although *** purchases were responsible for a predominant portion of *** imports of lemon juice from Brazil in 2019 and 2020 (at *** and *** percent of such imports, respectively), *** imports of lemon juice from Brazil were not substantial as a share of total subject imports from Brazil, at *** percent in 2019 and *** percent in 2020. *Derived from id.* Nor were *** purchases responsible for a predominant share of *** imports from Brazil in interim 2021, having accounted for only *** percent of such imports. *See id*. Because the record indicates that *** did not control large volumes of subject imports through their purchases, we find that neither qualifies for possible exclusion pursuant to the related parties provision.

Commissioner Kearns and Commissioner Karpel question whether, based on the Statement of Administrative Action (SAA) to the Uruguay Round Agreements Act (URAA), Congress intended to preclude a finding that a domestic producer (here, ***) controls an importer (here, ***) where the producer purchases a predominant portion of the importer's subject imports (here, over *** percent in 2019 and 2020, CR/PR at Table III-12)), but that importer's imports are not "substantial" compared to total subject imports. It is unclear to them whether that latter factor is relevant to the inquiry into "control" required by the statute.

However, even if they were to find that *** is a related party, Commissioner Kearns and Commissioner Karpel would find that appropriate circumstances do not exist to exclude it from the definition of the domestic industry under the related parties provision. *** accounted for *** percent of U.S. production in 2021, and was the *** domestic producer of lemon juice. CR/PR at Table III-1. Its purchases of subject imports in 2019 accounted for *** percent of its domestic production that year, while its purchases of subject imports in 2020 accounted for *** percent of its domestic production that year, and its purchases of subject imports in interim 2022 accounted for *** percent of its domestic production in that interim period. *Derived from* CR/PR at Table III-12. Moreover, *** made *** during each full year of the POI, totaling $*** overall. CR/PR at Table VI-8. In their view, the foregoing demonstrates that *** was committed to its U.S. production facilities, and that its primary interest was in domestic production.

IV. Cumulation[54]

For purposes of evaluating the volume and effects for a determination of material injury by reason of subject imports, section 771(7)(G)(i) of the Tariff Act requires the Commission to cumulate subject imports from all countries as to which petitions were filed and/or investigations self-initiated by Commerce on the same day, if such imports compete with each other and with the domestic like product in the U.S. market. In assessing whether subject imports compete with each other and with the domestic like product, the Commission generally has considered four factors:

(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 geographic markets of subject 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 the subject imports are simultaneously present in the market.[55]

While no single factor is necessarily determinative, and the list of factors is not exclusive, these factors are intended to provide the Commission with a framework for determining whether the subject imports compete with each other and with the domestic like product.[56] Only a "reasonable overlap" of competition is required.[57]

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[54] Pursuant to Section 771(24) of the Tariff Act, imports from a subject country of merchandise corresponding to a domestic like product that account for less than three percent of all such merchandise imported into the United States during the most recent 12 months for which data are available preceding the filing of the petition shall generally be deemed negligible. 19 U.S.C. §§ 1673d(b), 1677(24)(A)(i).

During the most recent 12-month period preceding the filing of the petitions, December 2020 – November 2021, subject imports from Brazil accounted for *** percent of total U.S. imports of lemon juice and subject imports from South Africa accounted for 12.7 percent of total U.S. imports of lemon juice. *See* CR/PR at Table IV-3. As imports subject to each investigation exceed the statutory negligibility threshold, we find that subject imports from Brazil and South Africa, respectively, are not negligible.

[55] *See Certain Cast-Iron Pipe Fittings from Brazil, the Republic of Korea, and Taiwan*, Inv. Nos. 731-TA-278-280 (Final), USITC Pub. 1845 (May 1986), *aff'd*, *Fundicao Tupy, S.A. v. United States*, 678 F. Supp. 898 (Ct. Int'l Trade 1988), *aff'd*, 859 F.2d 915 (Fed. Cir. 1988).

[56] *See*, *e.g.*, *Wieland Werke, AG v. United State*s, 718 F. Supp. 50 (Ct. Int'l Trade 1989).

A. Arguments of the Parties

Petitioner's Arguments. Petitioner argues that the Commission should cumulatively assess imports from both subject countries because the petitions for both subject countries were filed on the same day and imports from Brazil and South Africa compete directly with each other and with the domestic like product in the U.S. market.[58]

Respondents' Arguments. Greenwood argues that the Commission should decline to cumulate subject imports from Brazil and South Africa because lemon juice from South Africa is not fungible with and does not share common distribution channels with the domestic like product or lemon juice from Brazil.[59]

B. Analysis and Conclusion

We consider subject imports from Brazil and South Africa on a cumulated basis because the statutory criteria for cumulation are satisfied. As an initial matter, Petitioner filed both antidumping duty petitions on the same day, December 30, 2021.[60] As discussed below, there is also a reasonable overlap of competition between and among subject imports from Brazil and South Africa and the domestic like product.

Fungibility. At least half of U.S. producers, the majority of importers, and at least half of purchasers reported that lemon juice from the United States, Brazil, and South Africa was always or frequently interchangeable.[61] The majority of purchasers reported that domestically produced and Brazilian lemon juice always or usually met minimum quality specifications.

(…Continued)

[57] The SAA to the URAA expressly states that "the new section will not affect current Commission practice under which the statutory requirement is satisfied if there is a reasonable overlap of competition." H.R. Rep. No. 103-316, Vol. I at 848 (1994) (*citing Fundicao Tupy, S.A. v. United States*, 678 F. Supp. at 902; *see Goss Graphic Sys., Inc. v. United States*, 33 F. Supp. 2d 1082, 1087 (Ct. Int'l Trade 1998) ("cumulation does not require two products to be highly fungible"); *Wieland Werke, AG*, 718 F. Supp. at 52 ("Completely overlapping markets are not required.").

[58] Petitioner's Prehear. Br. at 6-9 & n.28; *see also* Petitioner's Posthear. Br. at 4-8, Exhibit 1 at 17-19.

[59] Greenwood's Prehear. Br. at 1-2, 17-32; *see also* Greenwood's Posthear. Br. at 1-4, Greenwood's Final Comments at 11-14. None of the other respondent parties took a position on cumulation.

[60] CR/PR at I-1. None of the statutory exceptions to cumulation applies.

[61] *See* CR/PR at Tables II-11-13. Factors reported by producers and importers that limited interchangeability included taste in final product, variation in brix-acidity ratio, differences in weather and soil, narrower range of concentration levels demanded in the U.S. market, certification process, and differences in the flavor and color. *See* CR/PR at II-24.

Three of eight responding purchasers reported that South African lemon juice always or usually met minimum quality specifications, with the remainder reporting that they did not know.[62]

When asked to compare subject imports from Brazil, subject imports from South Africa, and the domestic like product based on 25 purchasing factors, at least half of purchasers reported that domestically produced and South African lemon juice were comparable with respect to a majority of factors,[63] and at least half of purchasers reported that Brazilian and South African lemon juice were comparable with respect to a majority of factors.[64] Purchaser responses were mixed when comparing U.S.-produced lemon juice to lemon juice from Brazil.[65]

During 2021, U.S. producers' U.S. shipments of lemon juice were *** between non-concentrated lemon juice and concentrated lemon juice, with a *** concentrated lemon juice shipments being at 400 GPL.[66] U.S. importers' U.S. shipments of subject imports from Brazil

[62] *See* CR/PR at Table II-8.

[63] *See* CR/PR at Table II-10. At least half of purchasers reported that U.S. and South African lemon juice were comparable on 17 factors. *See id.* At least half of responding purchasers reported that lemon juice from the United States was inferior to lemon juice produced in South Africa in terms of availability of frozen concentrated lemon juice with a concentration of 500 GPL, price, and U.S. transportation costs, while at least half reported that lemon juice from the United States was superior to lemon juice from South Africa in terms of delivery terms, delivery time, product range, reliability of supply, and technical support. *Id.*

[64] *See* CR/PR at Table II-10. At least half of purchasers reported that Brazilian and South African lemon juice were comparable on 14 factors. *See id.* At least half of responding purchasers reported that lemon juice from the Brazil was inferior to lemon juice produced in South Africa in terms of availability of nonfrozen concentrated lemon juice with a concentration of 400 GPL, availability of frozen and nonfrozen NFC lemon juice, flavor profile, payment terms, product consistency, and U.S. transportation costs, while one producer each reported that lemon juice from Brazil was superior, comparable, and inferior to lemon juice from South Africa in terms of color, product range, quality meets industry standards, and quality exceeds industry standards. *Id.*

[65] *See* CR/PR at Table II-10. At least half of purchasers reported that U.S. and Brazilian lemon juice were comparable on 12 factors. *See id.* At least half of responding purchasers reported that lemon juice from the United States was inferior to lemon juice produced in Brazil in terms of availability of frozen and nonfrozen concentrated lemon juice with a concentration of 500 GPL, and U.S. transportation cost, while at least half reported that lemon juice from the United States was superior to lemon juice from Brazil in terms of availability of frozen and nonfrozen NFC lemon juice, delivery terms, delivery time, discounts offered, flavor profile, product consistency, quality meets industry standards, quality exceeds industry standards, and reliability of supply. *Id.*

[66] *See* CR/PR at Table IV-4 and Fig. IV-2. U.S. producers' U.S. shipments in 2021 were *** percent non-concentrated lemon juice, *** percent concentrated lemon juice with a concentration of 400 GPL, and *** percent concentrated lemon juice at other GPL levels (not including 400 and 500 GPL). *Id.*

were *** lemon juice, which were about ***, with ***.[67] Finally, the *** of U.S. shipments of imports of lemon juice from South Africa were of ***.[68]

With respect to the interchangeability of lemon juice with a concentration of 400 GPL and 500 GPL, the majority of U.S. producers, importers, and purchasers reported that different concentration levels did not correspond to different end uses.[69] Further, a majority of U.S. producers and importers reported that there is a process for converting lemon juice from one concentration level to another, although a majority of purchasers reported that there is no such process.[70] Although the majority of U.S. producers, importers, and purchasers reported that customers neither require nor prefer lemon juice with a concentration of 500 GPL,[71] purchaser *** reported that its production facility is geared towards using 500 GPL and that using 400 GPL would require capital investments, increased shipping costs, the operational costs of changing product formula, and increased inventory costs.[72] At least half of U.S. producers and importers reported that there was no difference in shipping/packaging costs between lemon juice with concentrations of 400 GPL and 500 GPL, while a majority of purchasers reported that there was a difference.[73]

We are unpersuaded by Greenwood's argument that certain differences between the domestic like product and subject imports from Brazil and South Africa substantially limit the fungibility of lemon juice from the three sources. Specifically, Greenwood argues that there is limited fungibility due to differences in product concentrations, with the domestic like product primarily sold as NFC lemon juice, imports from Brazil primarily sold as concentrated lemon juice at 500 GPL, and nearly all imports from South Africa sold as concentrated lemon juice at 400 GPL.[74] While U.S. producers shipped more NFC lemon juice during the POI than importers

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[67] *See* CR/PR at Table IV-4. U.S. shipments of subject lemon juice from Brazil in 2021 were *** percent non-concentrated lemon juice, *** percent concentrated lemon juice with a concentration of 400 GPL, *** percent concentrated lemon juice with a concentration of 500 GPL, and *** percent concentrated lemon juice at other GPL levels. *Id.*

[68] *See* CR/PR at Table IV-4. U.S. shipments of lemon juice from South Africa in 2021 were *** percent non-concentrated lemon juice, *** percent concentrated lemon juice with a concentration of 400 GPL, and *** percent concentrated lemon juice at other GPL levels (not including 400 and 500 GPL). *Id.*

[69] *See* CR/PR at Table II-14.

[70] *See* CR/PR at Table II-14.

[71] *See* CR/PR at Table II-15.

[72] *See* CR/PR at II-25-26.

[73] *See* CR/PR at Table II-15.

[74] *See* Greenwood's Prehear Br. at 19-25; *see also* Greenwood's Posthear. Br. at 2-3, Greenwood's Final Comments at 11-12.

of subject merchandise from South Africa and Brazil,[75] and, of the three sources, ***,[76] nevertheless, the record shows that *** of concentrated lemon juice at 400 GPL during the POI.[77] Moreover, the record indicates that NFC lemon juice and concentrated lemon juice are generally interchangeable in that they are both used to produce the same products,[78] and that concentrated lemon juice at 500 GPL and 400 GPL are also used in the same end-use applications.[79] Thus, notwithstanding the differences highlighted by Greenwood, there is a sufficient degree of fungibility between and among the domestic like product and subject imports from Brazil and South Africa for purposes of cumulation.[80]

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[75] *See* CR/PR at Tables IV-4, D-11 (Over the POI, U.S. producers' U.S. shipments of NFC lemon juice accounted for between *** percent and *** percent of total U.S. shipments of NFC lemon juice, while importers of subject merchandise accounted for between *** and *** percent).

[76] *See* CR/PR at Tables IV-4 & D-13, Fig. IV-2 (Over the POI, importers' U.S. shipments of subject merchandise from Brazil of concentrated lemon juice at 500 GPL accounted for between *** percent and *** percent of total U.S. shipments of concentrated lemon juice at 500 GPL, while U.S. shipments of nonsubject merchandise accounted for between *** and *** percent).

[77] *See* CR/PR at Tables IV-4, D-12 (During the POI, U.S. producers' U.S. shipments of concentrated lemon juice at 400 GPL accounted for between *** and *** percent of total U.S. shipments of concentrated lemon juice at 400 GPL, importers of subject merchandise from Brazil accounted for between *** and *** percent, and importers of subject merchandise from South Africa accounted for between *** and *** percent).

[78] Preliminary Determinations, USITC Pub. 5284, at 11.

[79] *See* CR/PR at Table II-14 (the majority of U.S. producers, importers, and purchasers reported that there were not differences in end uses for lemon juices of different concentration levels).

[80] Greenwood further argues that the fungibility between lemon juice from South Africa and Brazil and the domestic like product is limited because lemon juice from South Africa requires further processing in order to be marketable in the United States. According to Greenwood, lemon juice from South Africa concentrated at 400 GPL *** than domestically produced lemon juice, and thus requires further processing to ***. Furthermore, Greenwood claims that a substantial portion of imports from South Africa must be repackaged into smaller package sizes before Greenwood can sell the product to U.S. customers. *See* Greenwood's Prehear. Br. at 25-27, 29-30; *see also* Greenwood's Posthear. Br. at Attachment A at 1-3.

As previously discussed, however, the record indicates an overlap in competition between and among the domestic like product and subject imports from Brazil and South Africa, because all three sources compete for sales of concentrated lemon juice at 400 GPL, regardless of concentration range and package size. *See* CR/PR at Tables IV-4, D-12. Indeed, domestic producers and importers of lemon juice from Brazil and South Africa reported substantial sales volumes for pricing Product 1, consisting of concentrated lemon juice at 400 GPL sold in 50-gallon drums. *See* CR/PR at Tables V-3, V-9. In fact, importers of lemon juice from South Africa reported more sales volumes for Product 1 than Product 3, consisting of concentrated lemon juice at 400 GPL sold in a smaller package size of 5-gallon packs (*e.g.*, pails). *See id.* The record also indicates that there is a degree of interchangeability between lemon juice in different concentrations with respect to end uses. *See* CR/PR at Table II-14.

Channels of Distribution. During the POI, the domestic like product was sold predominantly to food or beverage manufacturers, with smaller shares also sold to distributors.[81] Subject imports from Brazil were sold overwhelmingly to food or beverage manufacturers, with small quantities sold to distributors.[82] Subject imports from South Africa were sold exclusively to food or beverage manufacturers.[83]

U.S. producers and U.S. importers of subject lemon juice from Brazil reported *** overlapping customers in their questionnaire responses, while U.S. producers and U.S. importers of subject lemon juice from South Africa reported *** overlapping customers, and U.S. importers of subject lemon juice from Brazil and U.S. importers of subject lemon juice from South Africa reported *** overlapping customers.[84]

We are unpersuaded by Greenwood's argument that there is insufficient overlap between the channels of distribution through which the domestic like product and subject imports from Brazil and South Africa are sold for purposes of cumulation. The record indicates that U.S. producers and importers of lemon juice from Brazil and South Africa predominantly sold lemon juice through the same channel of distribution, to food and beverage manufacturers.[85] Greenwood argues that lemon juice from South Africa is primarily sold to food and beverage producers for whom lemon juice is not a primary ingredient, while lemon juice from Brazil and the domestic like product are primarily sold to large beverage companies making lemonade.[86] Contrary to Greenwood's argument, however, U.S. producers and U.S. importers of subject lemon juice from South Africa reported overlapping customers, as did importers of subject lemon juice from Brazil and South Africa.[87]

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[81] *See* CR/PR at Table II-1. During the POI, *** of U.S. producers' U.S. commercial shipments were sold to food or beverage manufacturers while *** were sold to distributors. *Id*.

[82] *See* CR/PR at Table II-1. During the POI, *** of U.S. importers' U.S. commercial shipments of subject merchandise from Brazil were sold to food or beverage manufacturers while *** were sold to distributors. *Id*.

[83] *See* CR/PR at Table II-1.

[84] CR/PR at IV-9.

[85] *See* CR/PR at Table II-1. Petitioner also claims that not only does Greenwood compete directly with U.S. producers in the same channel of distribution, but Greenwood also competes against U.S. distributors of domestically produced lemon juice purchased from U.S. producers. Petitioner's Posthear. Br. at 7-8; *see also* Petitioner's Posthear. Br. at Exhibit 1 at 18-19

[86] *See* Greenwood's Prehear Br. at 27-29; *see also* Greenwood's Posthear. Br. at 3-4, Greenwood's Final Comments at 12-14.

[87] *See* CR/PR at IV-9. U.S. producer Ventura Coastal's *** largest customer, ***, also appears to be related to Greenwood's *** largest customer, ***, if not the same firm. *Compare* Ventura Coastal's U.S. Producers' Questionnaire Response at IV-22 *and* Greenwood's U.S. Importers' Questionnaire Response at III-22; *see also* Petitioner's Posthear. Br. at 7. Additionally, Petitioner provided (Continued...)

Greenwood also argues that lemon juice from South Africa is sold from inventories nationwide, unlike the domestic like product and lemon juice from Brazil.[88] The record indicates, however, that *** percent of U.S. producers' commercial sales were shipped from inventories during the POI, as were *** percent of importers' commercial sales of lemon juice from Brazil and South Africa.[89] Furthermore, and as discussed below, domestic producers and importers of subject imports from South Africa and Brazil reported shipping to five of six regions of the contiguous United States, indicating that all three sources shipped nationwide regardless of where inventories were physically stored.[90]

Geographic Overlap. Domestic producers reported shipping the domestic like product to all six regions of the contiguous United States.[91] Importers reported shipping subject imports from South Africa to all six regions, while importers reported shipping subject imports from Brazil to five of the six regions (all but the Central Southwest region).[92] The vast majority of imports from Brazil and South Africa entered through ports located in the East and South, while appreciable quantities of imports from South Africa also entered through ports located in the West, and very small quantities of imports from Brazil entered through ports located in the West.[93]

Simultaneous Presence in Market. The domestic like product was present in the U.S. market in every quarter of the POI and imports from Brazil and South Africa were present in the U.S. market in every month from January 2019 to June 2022, with the exception of imports from South Africa in one month (*i.e.*, April 2019).[94]

Conclusion. The record shows that imports from Brazil and South Africa are fungible with each other and the domestic like product. The record also shows that imports from each subject country and the domestic like product overlapped with respect to channels of distribution and geographic markets and were simultaneously present in the U.S. market throughout nearly the entire POI. Because the record shows a reasonable overlap of

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contemporaneous documentation, which shows competition between ***. *See* Petitioner's Posthear. Br. at 8, Exhibit 8; *see also* Petitioner's Posthear. Br. at Exhibit 1 at 17-19.

[88] Greenwood's Prehear Br. at 30-31.

[89] *See* CR/PR at II-14-15.

[90] *See* CR/PR at Table II-2.

[91] *See* CR/PR at Table II-2.

[92] *See* CR/PR at Table II-2.

[93] *See* CR/PR at Table IV-5.

[94] *See* CR/PR at Tables IV-6, V-3-8. According to the pricing product data, subject imports from Brazil were present in every quarter of the POI except the second quarter of 2022. *Id.* at Table V-3.

competition between and among domestically produced lemon juice and imports from each subject country, we cumulate subject imports from Brazil and South Africa for purposes of our material injury analysis.

V. Material Injury by Reason of Subject Imports

Based on the record in the final phase of these investigations, we find that an industry in the United States is materially injured by reason of imports of lemon juice from Brazil and South Africa that Commerce has found to be sold in the United States at less than fair value.

A. Legal Standards

In the final phase of antidumping and countervailing duty investigations, the Commission determines whether an industry in the United States is materially injured or threatened with material injury by reason of the imports under investigation.[95] In making this determination, the Commission must consider the volume of subject imports, their effect on prices for the domestic like product, and their impact on domestic producers of the domestic like product, but only in the context of U.S. production operations.[96] The statute defines "material injury" as "harm which is not inconsequential, immaterial, or unimportant."[97] In assessing whether the domestic industry is materially injured by reason of subject imports, we consider all relevant economic factors that bear on the state of the industry in the United States.[98] No single factor is dispositive, and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[99]

Although the statute requires the Commission to determine whether the domestic industry is "materially injured or threatened with material injury by reason of" unfairly traded imports,[100] it does not define the phrase "by reason of," indicating that this aspect of the injury

[95] 19 U.S.C. §§ 1671d(b), 1673d(b).

[96] 19 U.S.C. § 1677(7)(B). The Commission "may consider such other economic factors as are relevant to the determination" but shall "identify each {such} factor ... and explain in full its relevance to the determination." 19 U.S.C. § 1677(7)(B).

[97] 19 U.S.C. § 1677(7)(A).

[98] 19 U.S.C. § 1677(7)(C)(iii).

[99] 19 U.S.C. § 1677(7)(C)(iii).

[100] 19 U.S.C. §§ 1671d(b), 1673d(b).

analysis is left to the Commission's reasonable exercise of its discretion.[101] In identifying a causal link, if any, between subject imports and material injury to the domestic industry, the Commission examines the facts of the record that relate to the significance of the volume and price effects of the subject imports and any impact of those imports on the condition of the domestic industry. This evaluation under the "by reason of" standard must ensure that subject imports are more than a minimal or tangential cause of injury and that there is a sufficient causal, not merely a temporal, nexus between subject imports and material injury.[102]

In many investigations, there are other economic factors at work, some or all of which may also be having adverse effects on the domestic industry. Such economic factors might include nonsubject imports; changes in technology, demand, or consumer tastes; competition among domestic producers; or management decisions by domestic producers. The legislative history explains that the Commission must examine factors other than subject imports to ensure that it is not attributing injury from other factors to the subject imports, thereby inflating an otherwise tangential cause of injury into one that satisfies the statutory material injury threshold.[103] In performing its examination, however, the Commission need not isolate

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[101] *Angus Chemical Co. v. United States*, 140 F.3d 1478, 1484-85 (Fed. Cir. 1998) ("{T}he statute does not 'compel the commissioners' to employ {a particular methodology}."), *aff'g,* 944 F. Supp. 943, 951 (Ct. Int'l Trade 1996).

[102] The Federal Circuit, in addressing the causation standard of the statute, observed that "{a}s long as its effects are not merely incidental, tangential, or trivial, the foreign product sold at less than fair value meets the causation requirement." *Nippon Steel Corp. v. U.S. Int'l Trade Comm'n*, 345 F.3d 1379, 1384 (Fed. Cir. 2003). This was further ratified in *Mittal Steel Point Lisas Ltd. v. United States*, 542 F.3d 867, 873 (Fed. Cir. 2008), where the Federal Circuit, quoting *Gerald Metals, Inc. v. United States*, 132 F.3d 716, 722 (Fed. Cir. 1997), stated that "this court requires evidence in the record 'to show that the harm occurred "by reason of" the LTFV imports, not by reason of a minimal or tangential contribution to material harm caused by LTFV goods.'" *See also Nippon Steel Corp. v. United States*, 458 F.3d 1345, 1357 (Fed. Cir. 2006); *Taiwan Semiconductor Industry Ass'n v. U.S. Int'l Trade Comm'n*, 266 F.3d 1339, 1345 (Fed. Cir. 2001).

[103] SAA at 851-52 ("{T}he Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports."); S. Rep. 96-249 at 75 (1979) (the Commission "will consider information which indicates that harm is caused by factors other than less-than-fair-value imports."); H.R. Rep. 96-317 at 47 (1979) ("in examining the overall injury being experienced by a domestic industry, the ITC will take into account evidence presented to it which demonstrates that the harm attributed by the petitioner to the subsidized or dumped imports is attributable to such other factors;" those factors include "the volume and prices of nonsubsidized imports or imports sold at fair value, contraction in demand or changes in patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and productivity of the domestic industry"); *accord Mittal Steel*, 542 F.3d at 877.

the injury caused by other factors from injury caused by unfairly traded imports.[104] Nor does the "by reason of" standard require that unfairly traded imports be the "principal" cause of injury or contemplate that injury from unfairly traded imports be weighed against other factors, such as nonsubject imports, which may be contributing to overall injury to an industry.[105] It is clear that the existence of injury caused by other factors does not compel a negative determination.[106]

Assessment of whether material injury to the domestic industry is "by reason of" subject imports "does not require the Commission to address the causation issue in any particular way" as long as "the injury to the domestic industry can reasonably be attributed to the subject imports."[107] The Commission ensures that it has "evidence in the record" to "show that the harm occurred 'by reason of' the LTFV imports," and that it is "not attributing injury from other sources to the subject imports."[108] The Federal Circuit has examined and affirmed various Commission methodologies and has disavowed "rigid adherence to a specific formula."[109]

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[104] SAA at 851-52 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports."); *Taiwan Semiconductor Industry Ass'n,* 266 F.3d at 1345 ("{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports ... . Rather, the Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports." (emphasis in original)); *Asociacion de Productores de Salmon y Trucha de Chile AG v. United States*, 180 F. Supp. 2d 1360, 1375 (Ct. Int'l Trade 2002) ("{t}he Commission is not required to isolate the effects of subject imports from other factors contributing to injury" or make "bright-line distinctions" between the effects of subject imports and other causes.); *see also Softwood Lumber from Canada*, Inv. Nos. 701-TA-414 and 731-TA-928 (Remand), USITC Pub. 3658 at 100-01 (Dec. 2003) (Commission recognized that "{i}f an alleged other factor is found not to have or threaten to have injurious effects to the domestic industry, *i.e*., it is not an 'other causal factor,' then there is nothing to further examine regarding attribution to injury"), *citing Gerald Metals,* 132 F.3d at 722 (the statute "does not suggest that an importer of LTFV goods can escape countervailing duties by finding some tangential or minor cause unrelated to the LTFV goods that contributed to the harmful effects on domestic market prices.").

[105] S. Rep. 96-249 at 74-75; H.R. Rep. 96-317 at 47.

[106] *See Nippon Steel Corp*., 345 F.3d at 1381 ("an affirmative material-injury determination under the statute requires no more than a substantial-factor showing. That is, the 'dumping' need not be the sole or principal cause of injury.").

[107] *Mittal Steel*, 542 F.3d at 878; *see also id.* at 873 ("While the Commission may not enter an affirmative determination unless it finds that a domestic industry is materially injured 'by reason of' subject imports, the Commission is not required to follow a single methodology for making that determination ... {and has} broad discretion with respect to its choice of methodology."), *citing United States Steel Group v. United States*, 96 F.3d 1352, 1362 (Fed. Cir. 1996) and S. Rep. 96-249 at 75. In its decision in *Swiff-Train v. United States*, 793 F.3d 1355 (Fed. Cir. 2015), the Federal Circuit affirmed the Commission's causation analysis as comporting with the Court's guidance in *Mittal*.

[108] *Mittal Steel*, 542 F.3d at 873 (quoting from *Gerald Metals*, 132 F.3d at 722), 877-79. We note that one relevant "other factor" may involve the presence of significant volumes of price-competitive

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The question of whether the material injury threshold for subject imports is satisfied notwithstanding any injury from other factors is factual, subject to review under the substantial evidence standard.[110] Congress has delegated this factual finding to the Commission because of the agency's institutional expertise in resolving injury issues.[111]

B. Conditions of Competition and the Business Cycle

The following conditions of competition inform our analysis of whether there is material injury by reason of cumulated subject imports.

1. Demand Considerations

Lemon juice covered by these investigations is used as an ingredient in beverages, particularly lemonade and soft drinks, and foods such as salad dressings, sauces, and baked goods.[112] U.S. demand for lemon juice is, therefore, primarily driven by consumer demand for the beverage and food products in which it is used.[113]

All three responding U.S. producers reported that domestic demand for all lemon juice types fluctuated during the POI, while most responding importers reported that domestic demand had either increased or fluctuated and half of purchasers reported that demand had increased.[114]

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nonsubject imports in the U.S. market, particularly when a commodity product is at issue. In appropriate cases, the Commission collects information regarding nonsubject imports and producers in nonsubject countries in order to conduct its analysis.

[109] *Nucor Corp. v. United States*, 414 F.3d 1331, 1336, 1341 (Fed. Cir. 2005); *see also Mittal Steel*, 542 F.3d at 879 ("*Bratsk* did not read into the antidumping statute a Procrustean formula for determining whether a domestic injury was 'by reason' of subject imports.").

[110] We provide in our discussion below a full analysis of other factors alleged to have caused any material injury experienced by the domestic industry.

[111] *Mittal Steel*, 542 F.3d at 873; *Nippon Steel Corp*., 458 F.3d at 1350, *citing U.S. Steel Group*, 96 F.3d at 1357; S. Rep. 96-249 at 75 ("The determination of the ITC with respect to causation is ... complex and difficult, and is a matter for the judgment of the ITC.").

[112] CR/PR at II-1.

[113] *See* CR/PR at II-9.

[114] *See* CR/PR at Table II-4. Eight responding importers reported that domestic demand for lemon juice had increased during the POI, four indicated that demand had not changed, one indicated that demand had decreased, and eight indicated that demand had fluctuated. *Id.* Two responding purchasers indicated that demand had increased, one indicated that demand had not changed, and one had indicated that demand fluctuated. *Id.*

Apparent U.S. consumption increased overall 18.0 percent between 2019 and 2021, increasing from 9.4 million gallons in 2019 to 10.1 million gallons in 2020 and 11.1 million gallons in 2021.[115] Apparent U.S. consumption was *** percent higher in January-June ("interim") 2022, at *** gallons, than in interim 2021, at *** gallons.[116]

2. Supply Considerations

The domestic industry was the second largest supplier of lemon juice to the U.S. market throughout the POI.[117] It consisted of five firms: one large producer, Ventura Coastal, accounting for *** percent of reported domestic production of lemon juice in 2021, and four smaller producers, Peace River, Perricone, Sun Orchard, and Vita-Pakt Citrus Products Co., accounting for ***, ***, ***, and *** percent of reported domestic production of lemon juice in 2021, respectively.[118] As discussed above, Peace River began production of lemon juice in 2020 and ***.[119]

The domestic industry's share of apparent U.S. consumption decreased from 29.6 percent in 2019 to 27.0 percent in 2020, and then increased to 30.2 percent in 2021; its share of apparent U.S. consumption was *** percent in interim 2022, compared to *** percent in interim 2021.[120] The domestic industry reported *** annual production capacity of *** gallons in 2019, *** gallons in 2020, and *** gallons in 2021; its reported capacity was *** gallons in interim 2022, compared to *** gallons in interim 2021.[121] Its capacity utilization was *** percent in 2019, *** percent in 2020, and *** percent in 2021; its capacity utilization was *** percent in interim 2022, compared to *** percent in interim 2021.[122]

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[115] CR/PR at Tables IV-7 & C-1. Quantity is reported on a concentrated basis at 400 GPL. *Id*.

[116] CR/PR at Tables IV-7 & C-1. Although apparent U.S. consumption in these investigations is derived from U.S. import statistics, the trends in apparent U.S. consumption and market shares are fairly consistent when apparent U.S. consumption is derived from U.S. importers' U.S. shipments, except in interim 2022 when the ratio of importers' inventories to U.S. shipments of subject imports was high. *Compare* CR/PR at Tables IV-7 & C-1 *and* Table F-1; *see also id.* at Table VII-10.

[117] CR/PR at Tables IV-7 & C-1.

[118] CR/PR at Table III-1. Ventura Coastal accounted for between *** and *** percent of production throughout the POI. *See* CR/PR at Table III-4.

[119] *See supra* at Section III.B.; *see also* CR/PR at III-3 n.1 & Table III-3.

[120] CR/PR at Tables IV-7 & C-1.

[121] CR/PR at Table III-4.

[122] CR/PR at Table III-4. According to testimony from counsel and representatives for Ventura Coastal, an annual capacity utilization rate of 15 to 25 percent is considered typical. CR/PR at II-4.

The domestic industry's supply of lemon juice is a function of the crop size of fresh lemons,[123] the share of fresh lemons diverted for processing into lemon juice,[124] the availability of inventories of lemon juice,[125] as well as demand conditions in the lemon juice market and the projected return for fresh lemons diverted to the lemon juice market.[126] All of the responding U.S. producers and the majority of importers reported that they had not experienced supply constraints during the POI, although half of responding purchasers (four of eight) reported that they had experienced supply constraints.[127] Two purchasers (*** and ***) reported that U.S. producers were unable to supply them with lemon juice.[128]

Cumulated subject imports were the third-largest supplier of lemon juice to the U.S. market throughout the POI. Their share of apparent U.S. consumption remained at *** percent in 2019 and 2020, before increasing to *** percent in 2021.[129] Cumulated subject imports' share of apparent U.S. consumption was *** percent in interim 2022, compared to *** percent in interim 2021.[130]

Nonsubject imports were the largest supplier of lemon juice to the U.S. market throughout the POI. Their share of apparent U.S. consumption increased from *** percent in

[123] *See* CR/PR at I-15. The lemon crop in the United States decreased by 18 percent from 2020 to 2021 due to adverse growing conditions, and increased by 17 percent from 2021 to 2022 (annual data runs August to July). *See id.* & n.47.

[124] *See* CR/PR at I-15-16. During most of 2020, reduction in demand from the food-service industry related to COVID-19 restrictions increased the ratio of fresh lemons used for processing, as not all lemons ordinarily delivered to the food-service channel were able to be redirected to the consumer retail channel for fresh distribution. CR/PR at I-12 & I-16 n.51. In 2020, 31 percent of lemons produced in the United States were processed and, in 2022, 35 percent of lemons were processed, the highest percentage in ten years. CR/PR at I-16.

[125] U.S. producers freeze lemon juice to store it for up to two years to provide a constant supply of lemon juice to the U.S. market. *See* CR/PR at II-4. In order to provide a stable supply of lemon juice in years of lower crop yield, U.S. producers usually carry over 25 percent of production from one season to the next as inventory. *Id.* Petitioner claims that the minimum "safety stock" level of inventory that it maintains is *** percent of annual production, depending on fresh lemon supply conditions and lemon juice demand conditions. *See* Petitioner's Posthear. Br. at Exhibit 1 at 3, Exhibit 12.

[126] *See* CR/PR at II-4. As industry witnesses explained at the hearing, the availability of lemons for processing is tied to the price offered for the fruit, and the price offered for fresh lemons for processing is tied to the price of lemon juice. *See, e.g.,* Hr. Tr. at 23, 29 (McDermott), 36-37, 91 (Thompson); *see also* CR/PR at Table VI-5; Petitioner's Posthear. Br. at 9-11 and Exhibit 9 (Sunkist Supply Agreement).

[127] CR/PR at II-8.

[128] *See* CR/PR at II-8, *but cf*. *id*. at Table V-14 (***).

[129] CR/PR at Tables IV-7 & C-1.

[130] CR/PR at Tables IV-7 & C-1.

2019 to *** percent in 2020, before decreasing to *** percent in 2021.[131] Nonsubject imports' share of apparent U.S. consumption was *** percent in interim 2022, compared to *** percent in interim 2021.[132] In 2021, the largest sources of nonsubject imports were Argentina and Mexico.[133] Nonsubject imports of lemon juice from Argentina are currently subject to a suspension agreement that affects the price of the lemon juice imports.[134]

3. Substitutability and Other Conditions

We find that there is at least a moderate degree of substitutability between the domestic like product and lemon juice from Brazil and South Africa and that the degree of substitutability is higher with respect to lemon juice of the same type and concentration.[135] At least half of U.S. producers, the majority of importers, and at least half of purchasers reported that lemon juice from the United States, Brazil, and South Africa was always or frequently interchangeable.[136] Factors reported in the questionnaires by producers and importers that limited interchangeability included taste in final product, variation in Brix-acidity ratio,[137] differences in weather and soil, the narrower range of concentration levels demanded in the U.S. market, the certification process, and differences in flavor and color.[138] The majority of purchasers reported that domestically produced and Brazilian lemon juice always or usually met minimum quality specifications, while three of eight responding purchasers reported that South African lemon juice always or usually met minimum quality specifications, with the remainder reporting that they did not know.[139]

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[131] CR/PR at Tables IV-7 & C-1.

[132] CR/PR at Tables IV-7 & C-1.

[133] CR/PR at II-8.

[134] CR/PR at I-5-7. On August 29, 2022, following a full five-year review, the Commission determined that termination of the suspended antidumping duty investigation on lemon juice from Argentina would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. *Lemon Juice from Argentina*, Inv. No. 731-TA-1105 (Second Review), USITC Pub. 5344 (Aug. 2022) at 1.

[135] *See* CR/PR at II-12; *see also supra* at Section IV.B.

[136] *See* CR/PR at Tables II-11-13.

[137] The Brix value measures how much dissolved sugar is in a liquid. CR/PR at I-9 n.26.

[138] *See* CR/PR at II-24. We note that, at the hearing and in their submissions, respondent parties did not focus on these factors as affecting substitutability of subject imports and domestic product, focusing instead, for example, on availability of 500 GPL concentrate or the relative emphasis on concentrate verses NFC lemon juice. *See, e.g.*, Hr. Tr. at 172 (J. Smith), 224-225, 243-44 (Lynd); Greenwood's Posthear. Br. at 2-4.

[139] *See* CR/PR at Table II-8.

When asked to compare subject imports from Brazil, subject imports from South Africa, and the domestic like product based on 25 purchasing factors, at least of half of purchasers reported that U.S. and South African lemon juice were comparable with respect to a majority of factors,[140] while purchaser responses were mixed when comparing domestically produced lemon juice to lemon juice from Brazil.[141]

The record also indicates that price/cost, along with quality and availability/supply, are important factors in purchasing decisions for lemon juice. Purchasers cited quality, availability/supply, and price/cost most frequently (cited by six purchasers each) as one of the top three factors that they consider in their purchasing decisions.[142] When asked to rate the importance of 25 factors in their purchasing decisions, the factors rated as "very important" by more than half of responding purchasers were availability, flavor profile, product consistency, quality meets industry standards, reliability of supply (each rated as "very important" by eight responding purchasers); U.S. transportation costs (seven purchasers); price (six purchasers); availability of frozen concentrated lemon juice at 400 GPL, delivery time, payment terms, and technical support/service (five purchasers each).[143] The majority of purchasers reported that they sometimes purchase the lowest-priced product.[144]

In response to questions concerning the significance of non-price differences between the domestic like product and subject imports from Brazil and South Africa in purchasing decisions, at least half of U.S. producers reported that such differences are never significant, a majority of importers reported that such differences are sometimes or never significant, and a

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[140] *See* CR/PR at Table II-10. At least half of purchasers reported that U.S. and South African lemon juice were comparable on 17 factors. *See id.* At least half of responding purchasers reported that lemon juice from the United States was inferior to lemon juice produced in South Africa in terms of availability of frozen concentrated lemon juice with a concentration of 500 GPL, price, and U.S. transportation costs, while at least half reported that lemon juice from the United States was superior to lemon juice from South Africa in terms of delivery terms, delivery time, product range, reliability of supply, and technical support. *Id.*

[141] *See* CR/PR at Table II-10. At least half of purchasers reported that U.S. and Brazilian lemon juice were comparable on 12 factors. *See id.* At least half of responding purchasers reported that lemon juice from the United States was inferior to lemon juice produced in Brazil in terms of availability of frozen and nonfrozen concentrated lemon juice with a concentration of 500 GPL, and U.S. transportation cost, while at least half reported that lemon juice from the United States was superior to lemon juice from Brazil in terms of availability of frozen and nonfrozen NFC lemon juice, delivery terms, delivery time, discounts offered, flavor profile, product consistency, quality meets industry standards, quality exceeds industry standards, and reliability of supply. *Id.*

[142] *See* CR/PR at Table II-6.

[143] *See* CR/PR at Table II-7.

[144] *See* CR/PR at II-13.

majority of purchasers reported that such differences are always or frequently significant.[145] Non-price differences cited included freight, brix flavor, color, other sensory qualities, and long-term relationships that ensure a steady supply.[146]

Most U.S. producers, importers, and purchasers indicated that the U.S. market for lemon juice was subject to business cycles. U.S. producers, importers, and purchasers indicated that there was increased demand in the summer for lemonade and that supply was subject to fluctuations in crop yields.[147]

U.S. producers sold the vast majority of lemon juice under short-term contracts and in the spot market, with lesser quantities sold under long-term and annual contracts.[148] Importers of subject merchandise sold the vast majority of lemon juice under annual and short-term contracts, with smaller quantities sold through spot sales.[149] [150]

Lemon juice produced in the United States is primarily shipped from inventory, while lemon juice from Brazil and South Africa is mostly produced-to-order.[151] U.S. producers reported that *** percent of their commercial sales were shipped from inventories during the POI, with orders being filled on demand with little or no lead times. The remaining *** percent were produced-to-order with lead times averaging *** days.[152] Importers reported that *** percent of their commercial sales of lemon juice from Brazil and South Africa were produced-to-order, with lead times averaging *** days. The remaining *** percent were shipped from U.S. inventories, with lead times of *** days.[153]

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[145] *See* CR/PR at Tables II-16-18.

[146] *See* CR/PR at II-27.

[147] *See* CR/PR at II-9.

[148] CR/PR at Table V-2. During 2021, U.S. producers sold *** percent of their U.S. commercial shipments of lemon juice under short-term contracts, *** percent in the spot market, *** percent under long-term contracts, and *** percent under annual contracts. *Id.*

[149] CR/PR at Table V-2. During 2021, U.S. importers sold *** percent of their U.S. commercial shipments of lemon juice under annual contracts, *** percent under short-term contracts, and *** percent in the spot market. *Id.*

[150] Petitioner states that the *** of its sales of *** were via auction from ***, reflecting the importance of price in purchasing decisions with respect to these sales. Petitioner's Posthear. Br. at Exhibit 1 at 22-23. Although a representative for Greenwood testified that Greenwood "rarely participate{s} in {} auctions," Hr. Tr. at 215 (Berman), *see also* Greenwood's Final Comments at 14-15, we observe that U.S. producers and importers of subject merchandise overlap with respect lemon juice sold under short-term contracts and in the spot market. *See* CR/PR at Table V-2. Further, there is no record evidence indicating that importers of subject lemon juice from Brazil do not participate in auctions.

[151] CR/PR at II-14.

[152] CR/PR at II-14.

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

Transportation costs for lemon juice shipped from subject countries to the United States averaged 10.2 percent of the total landed duty-paid value for lemon juice from Brazil and 8.9 percent for lemon juice from South Africa in 2021.[154] U.S. producers reported that their inland transportation costs ranged from *** to *** percent, while most importers reported inland transportation costs of *** to *** percent.[155]

The main raw material input for lemon juice is fresh lemons.[156] Raw materials accounted for *** percent of the domestic industry's cost of goods sold ("COGS") for lemon juice in 2019, *** percent in 2020, *** percent in 2021, *** percent in interim 2021, and *** percent in interim 2022.[157] Unit raw material costs decreased from $*** per gallon in 2019 to $*** per gallon in 2020 and $*** per gallon in 2021; these costs were lower in interim 2022 at $*** per gallon, than in interim 2021, at $*** per gallon.[158]

As discussed above, lemons typically are processed into lemon juice after they are deemed unsuitable for the fresh lemon market because of defects or failure to meet the size or grade standards for sale as fresh lemons.[159] Ventura Coastal, which accounted for between *** percent and *** percent of lemon juice production during the POI, reported ***.[160]

Finally, imports of lemon juice from South Africa are eligible for duty-free treatment under the African Growth and Opportunity Act ("AGOA"), while imports of lemon juice from Brazil are subject to duty rates ranging from 3.4 to 7.9 cents per liter.[161]

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[154] CR/PR at V-1-2. Transportation costs can differ based on the type of lemon juice, as the higher liquid content in NFC lemon juice adds to transportation costs, whereas higher concentrated lemon juice requires shipping less volume. *See* CR/PR at V-4. Packaging also influences the costs and price of lemon juice, as smaller volumes of lemon juice can command higher average unit prices than bulk sales of lemon juice. *See id*.

[155] CR/PR at V-2.

[156] CR/PR at V-1.

[157] CR/PR at Table VI-1.

[158] CR/PR at Tables VI-1-2. The unit value of U.S. producers' procurement of lemons to produce lemon juice demonstrated a differing year-over-year trend, decreasing from $*** per short ton in 2019 to $*** per short ton in 2020, before increasing to $*** per short ton in 2021. It was lower, at $*** per short ton, in interim 2022 than in interim 2021, at $*** per short ton. *Id.* at Table III-14.

[159] CR/PR at V-1.

[160] *See* CR/PR at Tables III-4 & VI-5; Petitioner's Posthear. Br. at 9-10 and Exhibit 9.

[161] *See* CR/PR at I-9. While lemon juice produced in South Africa is eligible for duty-free treatment under AGOA, this benefit is not applied automatically. Importers must apply for and submit appropriate documentation to U.S. Customs and Border Protection to receive duty-free treatment under AGOA. The vast majority of imports from South Africa classified under HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040 during January 2019 through November 2021 were identified as having been imported under the AGOA program. Of total lemon juice imports from South Africa, only a small portion, *i.e.*, 2.6 percent by value and 2.2 percent by (Continued...)

C. Volume of Subject Imports

Section 771(7)(C)(i) of the Tariff Act provides that the "Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States, is significant."[162]

The volume of cumulated subject imports increased by *** percent from *** gallons in 2019 to *** gallons in 2020, and increased again by *** percent to *** gallons in 2021, for an overall increase of *** percent during the full years of the POI.[163] The volume of cumulated subject imports was *** percent higher in interim 2022, at *** gallons, than in interim 2021, at *** gallons.[164]

Cumulated subject import market share was *** percent of apparent U.S. consumption in 2019 and 2020, before increasing to *** percent in 2021, for an overall increase of *** percentage points; it was *** percentage points lower in interim 2022, at *** percent, than in interim 2021, at *** percent.[165]

In light of the above, we find that the volume of cumulated subject imports, and the increase in that volume, are significant in absolute terms and relative to consumption in the United States.

D. Price Effects of the Subject Imports

Section 771(7)(C)(ii) of the Tariff Act provides that, in evaluating the price effects of the subject imports, the Commission shall consider whether:

> (I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and

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(…Continued)
volume, entered without claiming AGOA benefits. CR/PR at I-9-10, n.29. These imports from South Africa that did not claim AGOA benefits would be subject to the same duty rates as imports of lemon juice from Brazil.

[162] 19 U.S.C. § 1677(7)(C)(i).

[163] CR/PR at Tables IV-2 & C-1.

[164] CR/PR at Tables IV-2 & C-1. The ratio of cumulated subject imports to U.S. production decreased from *** percent in 2019 to *** percent in 2020 and increased to *** percent in 2021, for an overall increase of *** percentage points; the ratio was lower in interim 2022, at *** percent, than in interim 2021, at *** percent. CR/PR at Table IV-2.

[165] CR/PR at Tables IV-7 & C-1.

> (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.[166]

As discussed in Section V.B.3 above, we have found that there is at least a moderate degree of substitutability between cumulated subject imports and the domestic like product, and that price is an important consideration in purchasing decisions, along with quality and availability/supply.

The Commission collected quarterly pricing data from U.S. producers and importers concerning the quantity and value of six lemon juice products shipped to unrelated customers.[167] Three U.S. producers and 25 importers provided usable pricing data, although not all firms reported pricing data for all products for all quarters.[168] Pricing data reported by these firms accounted for approximately *** percent of U.S. producers' U.S. commercial shipments, *** percent of U.S. commercial shipments of subject imports from Brazil, and *** percent of U.S. commercial shipments of subject imports from South Africa in 2021.[169]

Cumulated subject imports undersold the domestic like product in 33 of 52 (63.5 percent of) quarterly price comparisons at margins of underselling ranging from 1.1 percent to 34.3 percent and averaging 14.9 percent.[170] Cumulated subject imports oversold the domestic like product in 19 of 52 (36.5 percent of) quarterly price comparisons at margins of overselling

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[166] 19 U.S.C. § 1677(7)(C)(ii).

[167] CR/PR at V-5. Pricing Products 1 and 3 and 2 and 4 were differentiated solely by packaging size. The pricing products were as follows:

Product 1 – Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 400 GPL;

Product 2 – Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 400 GPL;

Product 3 – Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5-gallon packs (e.g., pails) with a concentration of 400 GPL;

Product 4 – Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5-gallon packs (e.g., pails) with a concentration of 400 GPL;

Product 5 – Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000-gallon tanker;

Product 6 – Cloudy frozen concentrate lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 500 GPL. CR/PR at V-5.

[168] CR/PR at V-5.

[169] *See* CR/PR at V-10. Sixteen importers reported pricing data for nonsubject imports from Argentina, five reported pricing data for nonsubject imports from Mexico, and five reported pricing data for nonsubject imports from Brazil. Price data reported by these firms accounted for *** percent of U.S. shipments of nonsubject imports from Argentina and *** percent of U.S. shipments of nonsubject imports from Mexico. CR/PR at G-3.

[170] *See* CR/PR at Table V-12.

ranging from 0.2 to 68.3 percent and averaging 24.4 percent.[171] There were *** gallons of subject imports in the quarters associated with underselling and *** gallons in the quarters associated with overselling; the volume in the underselling quarters equates to *** percent of total reported subject import sales volume for which there were comparisons with the domestic like product.[172]

Of the eight responding U.S. purchasers, three reported that, since January 1, 2019, they had purchased subject imports instead of the domestic like product, with one purchaser indicating that subject imports were priced lower than the domestic like product and that price was a primary reason for its purchase of *** gallons of subject imports instead of the domestic like product.[173]

Given the at least moderate degree of substitutability between cumulated subject imports and the domestic like product, the importance of price in purchasing decisions, and the pricing data showing predominant underselling by cumulated subject imports, in quarters accounting for almost 80 percent of the reported volume of cumulated subject import sales for which there were domestic price comparisons, we find the underselling by cumulated subject imports to be significant.[174]

We have also examined the available data on price trends. The record shows that U.S. producers' prices for all pricing products for which U.S. producers reported pricing data declined over the POI.[175] Between the first quarter of 2019 and the second quarter of 2022, domestic price decreases ranged from *** percent to *** percent, depending on the product,[176] with the largest decrease for Product 1, which accounted for the vast majority of

[171] *See* CR/PR at Table V-12.

[172] CR/PR at Table V-12. We note that U.S. producers reported no pricing data for Product 6, so the limited volume (*** gallons) of sales of subject imports from Brazil for Product 6 were neither undersold nor oversold and therefore are not included in this calculation. *See id.* at Table V-8.

[173] *See* CR/PR at Table V-15. Of seven responding purchasers, three reported that U.S. producers had not reduced prices in order to compete with lower-priced imports from Brazil and South Africa and four reported that they did not know. *See id.* at Table V-16.

[174] Greenwood argues that the Commission must account for the tariff benefits provided under AGOA in its pricing data. *See* Greenwood's Prehear. Br. at 45-47; *see also* Greenwood's Posthear. Br. at 6, Greenwood's Final Comments at 2-3. Contrary to Greenwood's argument, our underselling analysis in these investigations compares the sales prices of domestic and subject lemon juice on sales to unrelated customers, without regard to the landed duty-paid values of subject imports. Furthermore, the tariff benefits from AGOA do not explain the magnitude of the dumping margins found by Commerce. *See infra* at Section V.E. n.185.

[175] *See* CR/PR at Table V-9.

[176] Over the course of the POI, domestic prices declined by *** percent for Product 1, *** percent for Product 2, *** percent for Product 3, *** percent for Product 4, and *** percent for Product (Continued...)

reported sales of cumulated subject imports and the second largest volume of sales reported by domestic producers for any pricing product.[177] [178] Cumulated subject imports undersold the

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(…Continued)

5. U.S. producers did not report price data for Product 6. *See* CR/PR at Table V-8. Over the POI, the price of subject imports from South Africa declined by *** percent for Product 1 and *** percent for Product 3. There were no sales of subject imports from South Africa reported in the other pricing products. *Id*. Sales of subject imports from Brazil were not reported for the full period for any of the pricing products and therefore price trends are not reported. Subject imports from Brazil were primarily concentrated in pricing products 1, 5, and 6. *Id.*

For Product 1, U.S. producers and importers of subject imports from South Africa reported price data for all quarters of the POI, while importers of subject imports from Brazil reported price data for all quarters of the POI except the last (the second quarter of 2022). *See* CR/PR at Table V-3. For Product 2, U.S. producers reported price data for all quarters of the POI, while importers of subject imports from Brazil reported price data for only two quarters (the second and fourth quarters of 2021) and no importers of subject imports from South Africa reported price data. *See* CR/PR at Table V-4. For Product 3, U.S. producers and importers of subject imports from South Africa reported price data for all quarters of the POI, while importers of subject imports from Brazil reported price data for only one quarter (the first quarter of 2020). *See* CR/PR at Table V-5. For Product 4, U.S. producers reported price data for all quarters of the POI except for three quarters (the second and fourth quarters of 2019 and the second quarter of 2020), while no importers of subject imports from either Brazil or South Africa reported price data. *See* CR/PR at Table V-6. For Product 5, U.S. producers reported price data for all quarters of the POI, while importers of subject imports from Brazil reported price data for all four quarters of 2019 and the fourth quarter of 2020 through the third quarter of 2021 and no importers of subject imports from South Africa reported price data. *See* CR/PR at Table V-7. For Product 6, importers of subject imports from Brazil reported price data for the first and second quarters of 2019, 2020, and 2021, and the fourth quarters of 2019 and 2021 and no U.S. producers or importers of subject imports from South Africa reported price data. *See* CR/PR at Table V-8.

[177] *See* CR/PR at Table V-9. Given the substantial degree of transparency in lemon juice pricing in the U.S. market, *see* Hr. Tr. at 54-55, 69-70, 82-83 (Borgers), the pervasive underselling by subject imports with respect to Product 1 would likely have depressing effects on U.S. prices for other lemon juice products as well.

[178] We also note that the average unit values ("AUVs") of U.S. producers' U.S. shipments of concentrated lemon juice at 400 GPL declined from $*** per gallon in 2019 to $*** per gallon in 2020 and $*** per gallon in 2021, for an overall decline of *** percent. They were *** percent higher in interim 2022, at $*** per gallon, than in interim 2021, at $*** per gallon. *See* CR/PR at Table D-1. Concentrated lemon juice at 400 GPL accounted for between *** and *** percent of importers' total U.S. shipments of subject imports from Brazil, between *** and *** percent of importers' total U.S. shipments of subject imports from South Africa, and between *** percent and *** of the domestic industry's total U.S. shipments during the POI. *See* CR/PR at Tables D-1-3. The AUVs of U.S. shipments of subject imports from Brazil and South Africa of concentrated lemon juice at 400 GPL were lower than the AUVs of U.S. producers' U.S. shipments of concentrated lemon juice at 400 GPL throughout the POI. *See* CR/PR at Tables D-1-4.

domestic like product with respect to Product 1 in nearly every quarterly comparison, accounting for the *** of the quarters of subject import underselling.[179]

Despite strong growth in apparent U.S. consumption during the POI,[180] domestic prices declined for all pricing products. In light of these declines, including the more pronounced decline in domestic prices for Product 1 where competition with low-priced subject imports was concentrated, and the significant volume and increase in volume of cumulated subject imports over the POI that significantly undersold the domestic like product, we find that subject imports depressed prices for the domestic like product to a significant degree.[181]

We are unpersuaded by Greenwood's argument that U.S. prices declined during the POI for reasons unrelated to cumulated subject imports, including pandemic-related market disruptions, a product mix shift, decreases in raw material costs, and the introduction of a new domestic producer.[182] Even assuming *arguendo* that each of these factors placed downward pressure on U.S. prices at various times during the POI, they do not negate our finding that

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[179] *See* CR/PR at Table V-12.

[180] Apparent U.S. consumption increased each year of the POI and by *** percent overall. It was *** percent higher in interim 2022 than in interim 2021. CR/PR at Table C-1.

[181] We have also considered whether subject imports prevented price increases that otherwise would have occurred to a significant degree. We note that the domestic industry's ratio of COGS to net sales decreased irregularly by *** percentage points from 2019 to 2021, decreasing from *** percent in 2019 to *** percent in 2020, before increasing to *** percent in 2021. It was *** percentage points higher in interim 2022, at *** percent, than in interim 2021, at *** percent. CR/PR at Tables VI-1 & C-1. The higher ratio of COGS to net sales in interim 2022 was primarily driven by an increase in the domestic industry's other factory costs. The domestic industry's ratio of raw material costs to net sales decreased overall by *** percentage points from 2019 to 2021, increasing from *** percent in 2019 to *** percent in 2020 and then decreasing to *** percent in 2021. It was *** percentage points lower in interim 2022, at *** percent, than in interim 2021, at *** percent. *See* CR/PR at Table VI-1. These trends reflect the fact that the industry's per-unit raw material costs and per-unit COGS declined overall from 2019 to 2021; unit raw material costs were also lower in interim 2022 compared to interim 2021, while unit COGS were higher in interim 2022 compared to interim 2021. *See* CR/PR at Table VI-1.

[182] *See* Greenwood's Posthear. Br. at 9-15; *see also* Greenwood's Final Comments at 6-10. To the extent that Greenwood's arguments are predicated on domestic prices decreasing only in 2020 and increasing in 2021 when cumulated subject imports increased both in volume and market share, *see, e.g.*, Greenwood's Posthear. Br. at 10-11, we note that Greenwood's argument relies on the AUVs of U.S. producers' U.S. shipments and not the pricing data. Greenwood's Posthear. Br. at 10-11 (citing Table C-1). According to the pricing data, the U.S. producers' prices declined with respect to all pricing products for which data were reported over the course of the POI, and U.S. producers' prices declined each year with respect to Product 1. CR/PR at Tables V-9-10, Fig. V-7. Moreover, while the domestic industry's overall U.S. shipment AUVs did increase from 2020 to 2021, this was due to an increase in the AUVs of the industry's U.S. shipments of NFC lemon juice from 2020 to 2021; with respect to concentrated lemon juice – where U.S. shipments of subject imports are concentrated – U.S. producers' AUVs declined from 2020 to 2021. *See* CR/PR at Table D-1.

significant volumes of low-priced subject imports depressed prices for the domestic like product to a significant degree.[183]

In sum, we find that cumulated subject imports significantly undersold the domestic like product and depressed prices for the domestic like product to a significant degree. Consequently, we find that subject imports had significant price effects on the domestic industry.

[183] Contrary to Greenwood's contentions otherwise, *see, e.g.*, Greenwood Posthear. Br. at 14-15, the decline in raw material costs does not explain the domestic industry's declining sales prices. Unlike some industries, a condition of competition in the lemon juice industry is that the price of lemon juice affects the price of lemons for processing. *See* CR/PR at Table VI-5 (the largest U.S. producer, Ventura Coastal reported that the ***); *see also* Hr. Tr. at 79 ("Here, the case is different {than other industries} because the growers {} for their juicing product only have … very few potential purchasers. So, if those purchasers don't buy, it drives down the price of the input.") (Kaplan), 29 (McDermott) and 33 ("Sunkist sales of fresh lemons to Ventura Coastal are priced on a contractual agreement that is substantially identical to Ventura Coastal's agreements with other fresh lemon growers") (Thompson); Petitioner's Posthear. Br. at 10 and Exhibit 9 (Sunkist Supply Agreement). Thus, to the extent there was a decline in raw material costs due to the cost of lemons (AUVs of lemons procured for processing declined from $*** per short ton to $*** per short ton from 2019 to 2021), declining lemon juice prices contributed to this decrease. *See* CR/PR at Table III-14. Therefore, contrary to Greenwood's assertion, declining prices for lemons for processing do not explain the decline in lemon juice prices in 2020 or over the POI. In any event, from 2019 to 2021, the decrease in unit raw material costs reported by the domestic industry ($***) was less than the decrease in U.S. producers' net sales AUVs ($***) and the percentage decrease in unit raw material costs was generally less than the percentage decrease in domestic prices over the POI. *Compare* CR/PR at Table VI-2 (unit raw material costs decreased by *** percent from 2019 to 2021), *with id.* at Table V-9 (domestic price decreases ranged between *** percent and *** percent for the five pricing products where U.S. producers reported sales).

We also note that a product mix shift would not explain the declines in prices of individual pricing products, which are narrowly defined. *See* CR/PR at V-5. Nor would it explain declines in the U.S. producers' AUVs for specific lemon juice types, in particular the decline in U.S. producers' AUVs for concentrated lemon juice. *See* CR/PR at Table D-1.

With respect to Greenwood's allegation that COVID-19 pandemic market disruptions led to an excess in supply of fresh lemons for processing, *see, e.g.,* Greenwood Posthear. Br. at 14, even if true, that increase would not explain the decline in lemon juice prices, since, as discussed, the price of lemon juice – which was falling throughout the POI including from 2019 to 2020 – affects the price of lemons for processing. In addition, to the extent Greenwood argues that the domestic industry's increase in production of lemon juice in 2020 (due to the alleged excess supply of lemons) led to an over-supply of lemon juice and "attendant price effects," *see* Greenwood Posthear. Br. at 10, we note that apparent U.S. consumption increased from 2019 to 2020 while domestic producers' U.S. shipments declined and subject importers' U.S. shipments increased. CR/PR at Tables C-1 & F-1.

Finally, it is unclear how the introduction of a new domestic producer, Peace River, would have negatively affected prices throughout the POI, given that Peace River ***. *See* CR/PR at Table III-4. This new producer, therefore, cannot explain the price declines occurring ***.

E. Impact of the Subject Imports[184]

Section 771(7)(C)(iii) of the Tariff Act provides that in examining the impact of subject imports, the Commission "shall evaluate all relevant economic factors which have a bearing on the state of the industry."[185] These factors include output, sales, inventories, capacity utilization, market share, employment, wages, productivity, gross profits, net profits, operating profits, cash flow, return on investment, return on capital, ability to raise capital, ability to service debts, research and development ("R&D"), and factors affecting domestic prices. No single factor is dispositive and all relevant factors are considered "within the context of the business cycle and conditions of competition that are distinctive to the affected industry."[186]

The domestic industry's capacity was *** throughout the POI.[187] The domestic industry's production quantity increased by *** percent from 2019 to 2020 and decreased by *** percent from 2020 to 2021, for an overall decrease of *** percent. It was *** percent

[184] The statute instructs the Commission to consider the "magnitude of the dumping margin" in an antidumping proceeding as part of its consideration of the impact of imports. 19 U.S.C. § 1677(7)(C)(iii)(V). In its final determinations, Commerce found dumping margins of 47.89 to 73.69 percent for imports from South Africa, and 0.00 to 22.31 percent for imports from Brazil. *Certain Lemon Juice from Brazil: Final Affirmative Determination of Sales at Less Than Fair Value*, 87 Fed. Reg. 78939, 78940 (Dec. 23, 2022); *Certain Lemon Juice from the Republic of South Africa: Final Affirmative Determination of Sales at Less Than Fair Value*, 87 Fed. Reg. 78928 (Dec. 23, 2022). Commerce calculated a *de minimis* dumping margin of 0.00 for Brazilian producer/exporter Louis Dreyfus Company Sucos S.A. *See id.* at 78940. We take into account in our analysis the fact that Commerce has made a final finding that all subject producers in Brazil but one, and all subject producers in South Africa, are selling subject imports in the United States at LTFV. In addition to this consideration, our impact analysis has considered other factors affecting domestic prices. Our analysis of the significant underselling and price depressing effect of cumulated subject imports, described in both the price effects discussion and below, is particularly probative to an assessment of the impact of the cumulated subject imports.

[185] 19 U.S.C. § 1677(7)(C)(iii); *see also* SAA at 851 and 885 ("In material injury determinations, 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 also may demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.").

[186] 19 U.S.C. § 1677(7)(C)(iii). This provision was amended by the Trade Preferences Extension Act ("TPEA") of 2015, Pub. L. 114-27.

[187] *See* CR/PR at Table III-4. The domestic industry's capacity was *** gallons in 2019, *** gallons in 2020, and *** gallons in 2021. *Id*. Its capacity was *** gallons in interim 2021 and *** gallons in interim 2022. *Id*.

higher in interim 2022 than in interim 2021.[188] The domestic industry's capacity utilization followed a similar trend, increasing by *** percentage points from *** percent in 2019 to *** percent in 2020 before decreasing by *** percentage points to *** percent in 2021, for an overall decrease of *** percentage points. It was *** percentage points higher in interim 2022, at *** percent, than in interim 2021, at *** percent.[189]

The domestic industry's U.S. shipments decreased by *** percent from 2019 to 2020, before increasing by *** percent from 2020 to 2021, for an overall increase of *** percent. They were *** percent higher in interim 2022 than in interim 2021.[190] The industry's market share fluctuated but increased overall during the period.[191] The domestic industry's market share decreased by *** percentage points from 2019 to 2020, before increasing by *** percentage points from 2020 to 2021, for an overall increase of *** percentage points. It was *** percentage points higher in interim 2022 than in interim 2021.[192]

End-of-period inventories increased by *** percent from 2019 to 2020, before decreasing by *** percent from 2020 to 2021, for an overall increase of *** percent. They were *** percent higher in interim 2022 than in interim 2021.[193] As a ratio to U.S. shipments, the domestic industry's end-of-period inventories increased from *** percent in 2019 to *** percent in 2020, before decreasing to *** percent in 2021; the ratio was *** percent in interim 2021 and *** percent in interim 2022.[194] As a ratio to U.S. production, the domestic industry's end-of-period inventories increased from *** percent in 2019 to *** percent in 2020, and then declined to *** percent in 2021, increasing by *** percentage points between 2019 and 2021. This ratio was *** percent in interim 2022, as compared to *** percent in interim 2021.[195]

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[188] *See* CR/PR at Tables III-4 & C-1. The domestic industry's production increased from *** gallons in 2019 to *** gallons in 2020, before decreasing to *** gallons in 2021. *Id*. Its production was *** gallons in interim 2021 and *** gallons in interim 2022. *Id*.

[189] *See* CR/PR at Tables III-4 & C-1.

[190] *See* CR/PR at Tables III-9 & C-1. The domestic industry's U.S. shipments decreased from *** gallons in 2019 to *** gallons in 2020, before increasing to *** gallons in 2021. *Id.* Its U.S. shipments were *** gallons in interim 2021 and *** gallons in interim 2022. *Id*.

[191] *See* CR/PR at Tables IV-7 & C-1.

[192] *See* CR/PR at Tables IV-7 & C-1. The domestic industry's market share decreased from *** percent in 2019 to *** percent in 2020, before increasing to *** percent in 2021. *Id.* Its market share was *** percent in interim 2021 and *** percent in interim 2022. *Id.*

[193] *See* CR/PR at Tables III-10 & C-1. The domestic industry's end-of-period inventories increased from *** gallons in 2019 to *** gallons in 2020, before decreasing to *** gallons in 2021. *Id*. Its end-of-period inventories were *** gallons in interim 2021 and *** gallons in interim 2022. *Id.*

[194] CR/PR at Tables III-10 & C-1.

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

The domestic industry's employment indicia generally increased overall from 2019 to 2021 and were mixed between interim periods. Its number of production and related workers ("PRWs"), total hours worked, wages paid, and hourly wages were all higher in 2021 than in 2019.[196] PRWs and hours worked were both higher in interim 2022 than in interim 2021, although wages paid and hourly wages were lower in interim 2022 than in interim 2021.[197] Productivity was lower in 2021 than in 2019, but was higher in interim 2022 than in interim 2021.[198]

The domestic industry's financial performance indica generally improved overall from 2019 to 2021, but were generally weaker in interim 2022 compared to interim 2021. The industry's net sales value decreased by *** percent from 2019 to 2020, before increasing by *** percent from 2020 to 2021, for an overall increase of *** percent. It was *** percent higher in interim 2022 than in interim 2021.[199] Gross profit increased by *** percent from 2019 to 2020, and increased by *** percent from 2020 to 2021, for an overall increase of *** percent. It was *** percent lower in interim 2022 than in interim 2021.[200] Operating income increased by *** percent from 2019 to 2020, and increased by *** percent from 2020 to 2021, for an overall increase of *** percent. It was *** percent lower in interim 2022 than in interim 2021, however.[201] Further, operating income as a share of net sales increased by *** percentage points from 2019 to 2020, from *** percent in 2019 to *** percent in 2020, before decreasing by *** percentage points to *** percent in 2021, for an overall increase of ***

[196] *See* CR/PR at Table III-16. The domestic industry's number of PRWs totaled *** in 2019, *** in 2020, and *** in 2021. *Id.* Total hours worked were *** in 2019, *** in 2020, and *** in 2021. *Id.* Wages paid were $*** in 2019, $*** in 2020, and $*** in 2021. *Id.* Hourly wages were $*** per hour in 2019, $*** per hour in 2020, and $*** per hour in 2021. *Id.*

[197] *See* CR/PR at Table III-16. PRWs were *** in interim 2021 and *** in interim 2022. *Id.* Total hours worked were *** in interim 2021 and *** in interim 2022. *Id.* Wages paid were $*** in interim 2021 and $*** in interim 2022. *Id.* Hourly wages were $*** per hour in interim 2021, and $*** per hour in interim 2022. *Id.*

[198] *See* CR/PR at Table III-16. Productivity was *** gallons per hour in 2019, *** gallons per hour in 2020, and *** gallons per hour in 2020. *Id.* Productivity was *** gallons per hour in interim 2021 and *** gallons per hour in interim 2022. *Id.*

[199] *See* CR/PR at Tables VI-1 & C-1. The domestic industry's net sales by value decreased from $*** in 2019 to $*** in 2020, before increasing to $*** in 2021. *Id.* Its net sales by value were higher in interim 2022, at $***, than in interim 2021, at $***. *Id.*

[200] *See* CR/PR at Tables VI-1 & C-1. The domestic industry's gross profit increased from $*** in 2019 to $*** in 2020 and $*** in 2021. *Id.* Its gross profit was lower in interim 2022, at $***, than in interim 2021, at $***. *Id.*

[201] *See* CR/PR at Tables VI-1 & C-1. The domestic industry's operating income increased from $*** in 2019 to $*** in 2020 and $*** in 2021. *Id.* Its operating income was lower in interim 2022, at $***, than in interim 2021, at $***. *Id.*

percentage points. It was *** percentage points lower in interim 2022, at *** percent, than in interim 2021, at *** percent.[202] Net income increased from 2019 to 2020, before decreasing from 2020 to 2021, for an overall increase. It was lower in interim 2022 than in interim 2021.[203] Net income as a share of net sales increased by *** percentage points from 2019 to 2020, from *** percent in 2019 to *** percent in 2020, before decreasing by *** percentage points to *** percent in 2021, for an overall increase of *** percentage points. It was *** percentage points lower in interim 2022, at *** percent, than in interim 2021, at *** percent.[204]

The domestic industry's capital expenditures increased from 2019 to 2020, before decreasing from 2020 to 2021, for an overall increase. They were lower in interim 2022 than in interim 2021.[205] Its R&D expenses were *** during the 2019-2021 period, and *** in interim 2022 compared to interim 2021.[206] The domestic industry's return on assets increased from *** percent in 2019 to *** percent in 2020 and *** percent in 2021.[207] One domestic producer reported negative effects on investment and growth and development.[208]

As explained above, the significant and increasing volume of cumulated subject imports gained market share and undersold the domestic like product to a significant degree, with the vast majority of reported subject import sales in the Commission's pricing data in quarters of underselling, forcing domestic producers – during a period of strong growth in apparent U.S. consumption – to reduce their prices to avoid losing sales and market share. As increasing volumes of low-priced subject imports depressed prices for the domestic like product to a significant degree, the cumulated subject imports had a significant impact on the domestic industry's financial performance, which was weaker than it otherwise would have been.[209] [210]

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[202] *See* CR/PR at Tables VI-1 & C-1.

[203] *See* CR/PR at Tables VI-1 & C-1. The domestic industry's net income increased from $*** in 2019 to $*** in 2020, before decreasing to $*** in 2021. *Id.* Its net income was lower in interim 2022, at $***, than in interim 2021, at $***. *Id.*

[204] *See* CR/PR at Tables VI-1 & C-1.

[205] *See* CR/PR at Tables VI-8 & C-1. The domestic industry's capital expenditures increased from $*** in 2019 to $*** in 2020, before decreasing to $*** in 2021; they were lower in interim 2022, at $***, than in interim 2021, at $***. *Id*.

[206] The industry reported R&D expenses of $*** each year of the POI and $*** in each interim period. *See* CR/PR at Table VI-10.

[207] CR/PR at Table VI-13.

[208] CR/PR at Table VI-15. ***. *Id.; see also* Petitioner's Final Comments at 6; Hr. Tr. at 27-28 (McDermott).

[209] In addition, as cumulated subject imports pervasively undersold the domestic like product, the domestic industry's ratio of end-of-period inventories to production increased and reached levels in 2020 and 2021 that were *** the 25 percent ratio that the industry usually carries in inventory from one

(Continued...)

We are not persuaded by respondents' argument that competition between subject imports from South Africa and Brazil and the domestic like product was sufficiently attenuated during the POI to prevent subject imports from having any impact on the domestic industry.[211] As discussed above, a substantial share of shipments from each source consisted of lemon juice concentrated at 400 GPL, there is substantial overlap in channels of distribution with the majority *** of shipments from all three sources being sold to ***, and the record also shows overlap in specific purchasers.[212] The pricing data also suggest head-to-head competition in terms of product offerings and packaging.[213] Thus, contrary to respondents' argument, the record shows that domestic producers competed with importers of subject lemon juice with respect to sales of the same type of lemon juice in similar channels of distribution.[214]

We are also unpersuaded by respondents' argument that the domestic industry could not meet additional demand for lemon juice in the U.S. market, allegedly because it was constrained by the amount of fresh lemons available for processing.[215] As noted above, the availability of lemons for processing is tied to the price being offered for those lemons which in turn relates to the price of lemon juice.[216] Thus, as subject imports depressed U.S. producers' prices for lemon juice, it affected the availability of lemons for processing. In addition, to the extent fewer fresh lemons were made available for processing, this does not appear to have affected U.S. producers' ability to supply lemon juice, consistent with the increase in demand

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(…Continued)
season to the next, and *** the industry's *** percent minimum "safety stock" inventory level. *See* CR/PR at II-4, Table III-10; Petitioner's Posthear. Br. at Exhibit 1 at 3, Exhibit 12.

[210] We observe that the statute defines material injury as "harm which is not inconsequential, immaterial, or unimportant." 19 U.S.C. § 1677(7)(A). We further observe that Congress has instructed that the Commission may not reach a negative determination "merely because … {the domestic} industry is profitable or because the performance of that industry has recently improved." 19 U.S.C. § 1677(7)(J).

[211] *See* Greenwood's Prehear. Br. at 47-50, Greenwood's Posthear. Br. at 4-7, Greenwood's Final Comments at 10-15, Coca-Cola's Prehear. Stmt. at 8-11, Coca-Cola's Posthear. Stmt. at 5, Louis Dreyfus' Prehear. Br. at 1-4.

[212] *See* CR/PR at IV-9 & Tables II-1, D-1-3.

[213] CR/PR at Tables V-3, V-5, V-7.

[214] *See, e.g.,* CR/PR at Tables II-1, IV-4, D-12. With respect to Coca-Cola's claims regarding 500 GPL lemon juice, we observe that Ventura Coastal has been qualified to supply 500 GPL product to Coca-Cola since as early as *** and that Coca-Cola company officials have confirmed that, although more costly, the company is able to use 400 GPL product to meet its lemon juice requirements. *See* Petitioner's Prehear. Br. at Exhibit 4; Hr. Tr. at 212 (Maxfield); Hr. Tr. at 233 (Maxfield).

[215] *See* Greenwood's Posthear. Br. at Attachment A at 5-7, Coca-Cola's Prehear. Stmt. at 5-7, Coca-Cola's Posthear. Stmt. at 1-5, SAFJA's Prehear. Br. at 2.

[216] *See, supra,* Sections V.B.2., V.B.3. and V.D.

over the POI. U.S. producers' U.S. shipments of lemon juice increased over the POI along with demand, with U.S. producers maintaining a roughly *** percent share of the market over the main part of the POI and increasing their market share by *** percentage points over the interim period.[217] U.S. producers also had available inventories.[218] Further, even assuming, *arguendo*, that supply from the domestic industry was constrained, this consideration would not negate the adverse impact on the domestic industry's financial performance owing to domestic prices being depressed to a significant degree by low-priced cumulated subject imports.

We have also considered whether there are other factors that may have had an adverse impact on the domestic industry during the POI to ensure that we are not attributing injury from such other factors to subject imports. As discussed in section V.B.2 above, nonsubject imports were the largest source of lemon juice in the U.S. market throughout the POI, and their share of apparent U.S. consumption declined irregularly from *** percent in 2019 to *** percent in 2021; their share was higher in interim 2022 at *** percent than in interim 2021, at *** percent.[219] Nonsubject imports from Argentina, the largest single source of nonsubject imports, generally had lower prices than the domestic like product during the POI.[220] Unlike subject imports, however, nonsubject imports from Argentina declined irregularly as a share of apparent U.S. consumption during the POI.[221] Furthermore, with respect to pricing Product 1,

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[217] *See* CR/PR at Tables IV-7 & C-1.

[218] *See* CR/PR at Table III-10.

[219] CR/PR at Tables IV-7 & C-1.

[220] Nonsubject imports from Argentina had lower prices than the domestic like product in *** of *** quarterly comparisons, involving reported sales of *** gallons of lemon juice from Argentina. Nonsubject imports from Argentina had higher prices than the domestic like product in *** of *** quarterly comparisons, involving reported sales of *** gallons of lemon juice from Argentina. *See* CR/PR at Table G-7.

The second largest source of nonsubject imports, Mexico, had lower prices than the domestic like product in *** of *** quarterly comparisons, involving reported sales of *** gallons of lemon juice from Mexico, and had higher prices than the domestic like product in *** of *** quarterly comparisons, involving reported sales of *** gallons of lemon juice from Mexico. *See id*. Most (over *** gallons) of the reported sales volume of nonsubject imports from Mexico in quarters with lower prices, however, consisted of pricing Product 5, NFC lemon juice. *See id.* at Table G-5. Moreover, the volume of nonsubject imports from Mexico of Product 1 over the POI was only *** percent of the volume of cumulated subject imports of Product 1, *see id*. at Tables V-3, G-1, indicating that the underselling by the much higher volumes of subject imports had depressing effects on domestic prices for Product 1 distinct from any from the relatively low volumes of nonsubject imports from Mexico.

[221] *See* CR/PR at Table IV-7. The share of apparent U.S. consumption accounted for by nonsubject imports from Argentina increased from *** percent in 2019 to *** percent in 2020, before declining to *** percent in 2021, for an overall decline of *** percentage points. *Id.* It was *** (Continued...)

the quarterly sales prices of nonsubject imports from Argentina were generally higher than those of subject imports from Brazil and South Africa.[222] Thus, nonsubject imports from Argentina did not undersell the domestic like product as aggressively as cumulated subject imports.[223] In light of these factors, nonsubject imports do not sever the causal link we have found between the significant and increasing volume of low-priced subject imports, which depressed prices for the domestic like product to a significant degree, and the domestic industry's financial performance, which was weaker than it otherwise would have been.

In sum, based on the record in the final phase of the investigations, we conclude that cumulated subject imports had a significant adverse impact on the domestic industry.

VI. Conclusion

For the reasons stated above, we determine that an industry in the United States is materially injured by reason of subject imports of lemon juice from Brazil and South Africa found by Commerce to be sold in the United States at LTFV.

(…Continued)
percentage points higher in interim 2022, at *** percent, than in interim 2021, at *** percent. By contrast, cumulated subject imports from Brazil and South Africa increased as a share of apparent U.S. consumption during 2019-2021. *See id.*

[222] *Compare* CR/PR at Table G-1 and Fig. G-1 *with* Table V-3 and Fig. V-1 (nonsubject imports of Product 1 from Argentina were priced higher than subject imports from Brazil and South Africa in *** of *** quarterly comparisons). Similarly, with respect to lemon juice concentrated at 400 GPL, the AUVs of U.S. shipments of nonsubject imports from Argentina were higher than the AUVs of U.S. shipments of subject imports from Brazil and South Africa throughout the POI, and were more comparable to, and actually exceeded in 2020 and 2021, the AUVs of U.S. producer's U.S. shipments. *Compare id.* at Tables D-1-5.

[223] As noted above, lemon juice from Argentina is subject to a suspension agreement, whereby each signatory Argentine producer/exporter agreed to revise its prices to eliminate completely the injurious effects of its exports of lemon juice to the United States. *See* CR/PR at I-5-6.

SEPARATE AND CONCURRING VIEWS OF CHAIRMAN DAVID S. JOHANSON

I write separately because I find that an industry in the United States is threatened with material injury by reason of subject imports of lemon juice from Brazil and South Africa that are being sold in the United States at less than fair value. I join sections I-V.B. of the Commission's views (Background, Domestic Like Product, Domestic Industry and Related Parties, Cumulation for Present Material Injury, Negligible Imports, Legal Standard for Present Material Injury, and Conditions of Competition and the Business Cycle), except to the extent noted below.

I find that while there is evidence that subject imports undersold domestic like products and played a role in falling prices, there is not evidence of material injury to the domestic industry by reason of subject imports. The domestic industry's performance improved by most measures during the period of investigation ("POI"), and, while its performance might have been better in some respects but for subject imports, the record lacks evidence of harm to the domestic industry that was not inconsequential, immaterial, or unimportant. Petitioner has not identified reductions or significant changes in production, employment, investment, or other measures that can be attributed to prices or to profitability that is not as favorable as it might have been. Nevertheless, I find that the domestic industry is threatened with material injury in the imminent future based, among other factors, on 1) likely increases in subject imports' volume and market share, 2) likely continuation of underselling by subject imports and an increase in its effect on prices as subject imports' market share increases, 3) vulnerability of the domestic industry to increased imports and lower prices as new lemon and lemon juice production comes online in Florida and other citrus crops fail, and 4) the industry's impaired ability to undertake new capital investment in the future if profits deteriorate.

I. Material Injury by Reason of Subject Imports

A. Conditions of Competition and the Business Cycle

I adopt the majority's discussion of conditions of competition and the business cycle except as noted below. I write separately to emphasize certain conditions that are important to my analysis.

1. Demand Considerations

Apparent U.S. consumption appears to have risen over the POI, increasing by 6.8 percent from 9.4 million gallons in 2019 to 10.1 million gallons in 2020 and increasing by 10.5 percent to 11.1 million gallons in 2021, for an overall increase of 18.0 percent.[1]

I do not find, however, apparent consumption a good guide to trends in demand in this industry. Apparent consumption is based on both supply and demand factors, so an increase in consumption may reflect an increase in quantities that suppliers are willing to supply at a given price rather than an increase in the quantity that consumers demand at a given price.[2] Supply factors play an important role in the U.S. lemon juice market because the volume of lemon production is heavily influenced by factors unrelated to lemon juice price as I discuss below.

I therefore look to market participants' questionnaire responses as a guide to lemon juice demand trends during the POI. Questionnaire responses paint a mixed picture of demand trends. All three responding U.S. producers agreed that domestic demand for lemon juice had fluctuated over the POI with no clear trend.[3] Twelve importers stated that demand fluctuated or remained unchanged, and eight pointed to an increase, while two purchasers reported demand had increased, one assessed it as unchanged, and one reported it fluctuated.[4]

Questionnaire responses reflect different trends for different products. Most U.S. producers, most importers, and most purchasers agreed that demand for from concentrate lemon juice ("FCLJ") fluctuated during the POI.[5] In contrast, most U.S. producers, a plurality of

[1] CR/PR at Tables IV-7, C-1. Apparent consumption is based on U.S. producers' U.S. shipments and official U.S. import statistics. CR/PR at Table IV-7.

[2] Furthermore, data on apparent U.S. consumption based on U.S. producers' and importers' shipments, which appear in Appendix F of the Commission's Report, appears to show a distinctly smaller rate of growth in apparent consumption. On this basis, apparent U.S. consumption increased less rapidly, rising by 2.1 percent from 10.0 million gallons in 2019 to 10.2 million gallons in 2020 and increasing by 4.8 percent to 10.7 million gallons in 2021 for an overall increase of 7.0 percent; it was *** percent higher in interim 2022 at *** million gallons than in interim 2021 at *** million gallons. CR/PR at Tables F-1 to F-2. I treat this shipment data with some caution, however, as importers responding to questionnaires covered more than 100 percent of imports of subject imports and nonsubject imports from Argentina, Brazil, and Mexico, but only 29.8 percent of U.S. imports from "all other" nonsubject sources, which in turn accounted for *** percent of all imports in 2021. CR/PR at I-4 and Table IV-2.

[3] Table II-4. *** Ventura posthearing br. 1; ***.

[4] CR/PR at Table II-4.

[5] CR/PR at Table II-4. More specifically, all U.S. producers, a majority or plurality of importers, and a majority of purchasers agreed that demand for all types of FCLJ fluctuated over the POI, except that equal number of purchasers stated that demand for FCLJ at 400 GDL concentration had increased, stayed the same, or fluctuated. No U.S. producers, and fewer than one in eight importers, reported that demand for FCLJ of any type had increased while the only FCLJ product for which any purchaser identified an increase in demand was the 400 GDL concentration product. Table II-4.

importers, and most purchasers agreed that demand for not-from-concentrate lemon juice ("NFCLJ") increased during the POI.[6]

Accordingly, I conclude that demand for not-from-concentrate lemon juice increased over the POI while demand for FCLJ was characterized by periods of increasing and decreasing demand with no clear trend.

2. Supply Considerations

Nonsubject imports accounted for the majority of lemon juice supply in the U.S. market during the POI. Nonsubject imports supplied *** percent of apparent U.S. consumption in 2019, *** percent in 2020, and *** percent in 2021; they supplied *** percent in interim 2021 and *** percent in interim 2022.[7]

The largest single source of nonsubject imports was Argentina, which is subject to a 2016 suspension agreement intended to revise import prices to eliminate completely the injurious effects of exports of subject lemon juice to the United States.[8] From 2019 through 2021, imports from Argentina accounted for between 55 percent to 56 percent of all nonsubject imports.[9] Other sources of nonsubject imports included imports from Mexico and imports from Brazil by nonsubject producer/exporter Louis Dreyfus.[10]

U.S. producers were the second-largest source of U.S. lemon juice supply from 2019 through 2021, and were the *** source during the interim periods. They supplied 29.6 percent

[6] Three of five U.S. producers, six of 15 importers, and three of five purchasers reported that demand for not-from-concentrate lemon juice had increased. Table II-4.

[7] CR/PR at Table C-1. Based on the available shipment data, nonsubject sources supplied *** percent of apparent U.S. consumption in 2019, *** percent in 2020, and *** percent in 2021; they supplied *** percent in interim 2021 and *** percent in interim 2022. CR/PR at Table F-1. As noted above, however, shipment data for nonsubject imports is less complete than shipment data for other sources, so these percentages are likely understated.

[8] CR/PR at I-6. The statute provides for different types of suspension agreements. The suspension agreement involving Argentina involves a provision that allows Commerce to suspend an investigation under "extraordinary circumstances" if the exporters limit but do not necessarily eliminate the dumping margin, as long as the agreement will "eliminate completely the injurious effect of exports" and prevent "the suppression or undercutting of price levels of domestic products by imports of that merchandise." 19 U.S.C. § 1673c(c).

This agreement was continued on September 9, 2022, after the Commission determined that termination of the suspended antidumping duty investigation on lemon juice from Argentina would be likely to lead to a continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time. 87 Fed. Reg. 54,263 (Sept. 2, 2022).

[9] *Calculated from* CR/PR Table C-1.

[10] CR/PR at Table C-1 & VII-3.

of U.S. consumption in 2019, 27.0 percent in 2020, and 30.2 percent in 2021; they supplied *** percent of apparent consumption in interim 2021 and *** percent in interim 2022.[11]

U.S. lemon juice is produced in the three states in which lemons are grown commercially: Arizona, which has 7,000 bearing acres of lemon trees and typically grew about 5 percent of U.S. production; California, which has 50,000 bearing acres of lemon trees and which typically accounted for the remainder of U.S. lemon production until recently; and Florida.[12] Florida began commercial lemon production recently and has experienced rapidly growing production.[13]

In the United States, lemons are grown for the fresh whole lemon market (except in Florida), so that lemons that are processed into juice are generally those that fail to meet the size or other qualities demanded for use as fresh whole lemons.[14] Moreover, during the POI juice producers processed into juice all the lemons-for-processing that were harvested.[15] Accordingly, the supply of lemons-for-processing and the amount of juice produced in the United States were determined by changes in the size of the lemon crop, which can vary based on a variety of factors including crop damaging conditions such as freezes, storms, or droughts; the quality of fruit grown; and the extent to which demand for fresh whole lemons diverted lemons that would otherwise have been juiced.[16] Additionally, lemon juice can be and often is

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[11] CR/PR at Table C-1. Using apparent U.S. consumption figures based on import shipments, U.S. producers accounted for 27.8 percent of apparent consumption in 2019, 26.5 percent in 2020, and 31.3 percent in 2021; they accounted for *** percent in interim 2021 and *** percent in interim 2022. CR/PR at Table F-1. These figures are likely overstated as nonsubject import shipment data are incomplete.

[12] CR/PR at I-11, I-15 & Table III-1.

[13] *Lemon Juice from Argentina*, Inv. No. 731-TA-1105 (2d rev.), USITC Pub. 5344 at 40 n.300 (Aug. 2022); CR/PR at I-11 n.35 & I-15. ***. More Florida acreage has recently been planted and production will increase as new trees begin to fruit. CR/PR at I-11 n.35. As Florida's lemons are grown entirely for juice, Hr. Tr. 65 (Kaplan), while juice processing has recently accounted for only 20 percent to 35 percent of other lemon harvests, CR/PR at I-19, each added acre of Florida lemons will have several times the impact on U.S. juice supply as acres planted in other states.

Bearing acreage in California has also increased in recent years, reportedly ***, while acreage in Arizona has been under pressure due to high property prices in the Yuma valley. CR/PR at I-15; Table VI-9.

[14] CR/PR at I-11. The exceptions are lemons grown in Florida, all of which are grown for processing. Hrg. Tr. 65 (Kaplan).

[15] CR/PR at II-6.

[16] CR/PR at I-12, I-16, & II-4; *see also Lemon Juice from Argentina*, Inv. No. 731-TA-1105 (Second Review), USITC Pub. 5344 at 21 (Aug. 2022). Petitioner documents the extent to which growers left lemons on trees during the POI, which Petitioner asserts was "due to lower lemon juice prices." Pet. Posthearing Br. 11-12, Exh. 1 at 49-52, & Exh. 10. This documentation does not indicate, however, the (Continued...)

stored in large quantities up to two years, so that shipments and hence apparent U.S. consumption will depend not only on current supply but also U.S. production and import levels in previous years.[17]

Factors that influence lemon juice supply varied greatly over the POI. In 2021 the U.S. lemon crop decreased by 18 percent due to adverse growing conditions, but in 2019, 2020, and 2022, lemon production was at or near 50-year highs in California where the vast majority of U.S. lemons are grown.[18] In 2020, restaurant closures reduced fresh lemon demand due to COVID, thus increasing the supply of fresh lemons for juice, and 31 percent of lemons were processed for juice, but in 2021, demand for fresh lemons improved and only 20 percent of the smaller harvest was processed for juice, while in 2022, a large supply of fresh lemon imports led to a record-high proportion of domestic lemons being processed for juice, 35 percent.[19] Paralleling growth in lemon production, U.S. lemon juice production increased *** percent from 2019 to 2020; after falling *** percent in 2021, U.S. lemon juice production in the first six months of 2022 was greater than it had been in all of 2021.[20]

Cumulated subject imports comprise the third-largest source of lemon juice supply in the U.S. market. Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2019, *** percent in 2020, and *** percent in 2021; they supplied *** percent of apparent U.S. consumption in interim 2021 and *** percent in interim 2022.[21]

(…Continued)
extent to which growers left the lemons on trees due to lower lemon juice prices as opposed to lower demand and prices for fresh whole lemons, the product for which lemons are primarily grown and which constituted the large majority of the harvest during the POI, or other factors affecting harvesting such as crop quality and circumstances related to the COVID-19 pandemic. CR/PR at I-12, I-15 to I-16, I-19 & Table E-2; Hrg. Tr. 36 (Thompson). In fact, while the volume of lemons left unharvested fluctuated greatly those fluctuations were not correlated with lemon juice prices. Pet. Posthearing Br. Exh. 10; CR/PR at Table V-10.

[17] CR/PR at II-4.; see also *Lemon Juice from Argentina*, Inv. No. 731-TA-1105 (Second Review), USITC Pub. 5344 at 25 (Aug. 2022). Juice producers freeze lemon juice to store it up to two years, although juice nearing the end of its shelf-life sells for a lower price. Conf. Tr. 47 (Borges); Pet. Prehearing br. 2. Concentrated juice may be stored refrigerated rather than frozen. CR/PR at I-13. To ensure a stable supply of lemon juice if there is a lower crop yield in the future, U.S. producers usually carry over a share of about 25 percent of production from one season to the next as inventory. Conf. Tr. 48 (Borgers).

[18] CR/PR at I-15.

[19] CR/PR at I-12, I-16, I-19.

[20] CR/PR at I-15 and Table C-1.

[21] CR/PR at Table C-1. Using apparent U.S. consumption figures based on import shipments, subject imports supplied *** percent of apparent U.S. consumption in 2019, *** percent in 2020, and (Continued...)

3. Substitutability and Other Conditions

For the reasons explained in the majority's opinion, I am satisfied that there are generally not important differences between domestically produced products and imports of similar type.

There are, however, important differences between the two main categories of lemon juice, concentrated and not-from-concentrate, that influence conditions of competition between domestic products and subject imports.

Differences in supply conditions result from the different physical characteristics of the juice. Concentrated lemon juice has water removed, typically resulting in a citric acid content of 400 GPL or less commonly 500 GPL, about seven to eleven times the concentration of unconcentrated juice.[22] The concentration process reduces bulk and weight and makes juice less hospitable to microorganisms, allowing it to be stored refrigerated rather than frozen and reducing the cost of both shipping and storage.[23] Not-from-concentrate cannot be made from concentrated juice by definition, and, while not-from-concentrate is a stage in the processing of concentrated juice, there is little incentive to bear the extra expense of transporting and importing juice in not-from-concentrate form only to concentrate it later.

These differences in supply conditions at times resulted in shifts in supply from one type of product to the other. ***.[24] The supply sources for concentrate and not-for-concentrate are different, with U.S. producers accounting for a much larger share of U.S. shipments of not-from-concentrate than of concentrate, and subject sources a much smaller share of not-from-concentrate than of concentrate.[25]

(…Continued)
*** percent in 2021; they supplied *** percent in interim 2021 and *** percent in interim 2022. CR/PR Table F-1. These figures are likely overstated as nonsubject import data are incomplete.

[22] CR/PR at I-9 n. 17 & I-13.

[23] CR/PR at I-13.

[24] CR/PR at VI-14. ***. CR/PR at II-8.

[25] For not-concentrated juice, in 2021 U.S. producers supplied *** percent of all U.S. shipments, nonsubject sources supplied *** percent, and subject sources supplied *** percent; while for concentrated juice, U.S. producers supplied *** percent of all U.S. shipments, nonsubject sources supplied *** percent, and subject imports supplied *** percent. CR/PR at IV-8 *and calculated from* Table IV-4. Given incomplete data for nonsubject imports these figures understate their share of both types.

There are also differences in demand conditions relating to concentrated and not-from-concentrate lemon juice. Not-from-concentrate is marketed as a premium product, and commands a higher price.[26]

Accordingly, while concentrated and not-from-concentrate lemon juice are sufficiently interchangeable to be treated as a single like product, there are important differences between them that influence how subject imports compete with domestic like products.

B. Volume of Subject Imports

From 2019 through 2021, cumulated subject imports increased steadily in volume by *** percent from *** gallons in 2019 to *** gallons in 2021; they were *** percent greater in interim 2022 at *** gallons than they were in interim 2021 at *** gallons.[27] As a share of apparent U.S. consumption, cumulated subject imports increased from 2019 through 2021 by *** percentage points, from *** percent in 2019, *** percent in 2020, and to *** percent in 2021; their share was *** percentage points lower in interim 2022, at *** percent, than in interim 2021, at *** percent.[28]

I find that the volume of cumulated subject imports was significant in absolute terms and relative to U.S. consumption, and that the increase in cumulated subject import volume was significant in absolute terms. The increase in cumulated subject imports relative to U.S. consumption came at the expense of nonsubject imports, however, not the U.S. industry. Nonsubject imports' share of the U.S. market decreased from *** percent in 2019 to *** percent in 2021, while U.S. producers' market share increased from *** percent to *** percent.[29] Accordingly, I do not find the increase in cumulated subject imports in relation to U.S. consumption was significant.

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[26] CR/PR at I-13, VI-14. U.S. producers' price of pricing product 5, the only not-from concentrate product, varied from *** per gallon to *** per gallon, while their prices for all other products exceeded *** per gallon only in *** and were at all times lower than prices for product 5. CR/PR at Tables V-3 through V-8. This was true even though product 5 was not a clarified product, which goes through additional filtration and generally was priced higher. CR/PR at I-18; CR/PR at Tables V-3 through V-6.

[27] CR/PR at Table C-1. From 2019 to 2021, shipments of subject imports increased steadily by *** percent from *** gallons to *** gallons; they were *** percent lower in interim 2022 at *** gallons than in interim 2021 at *** gallons. *Calculated from* CR/PR at Table F-1.

[28] CR/PR at Table C-1. Using data based on shipments of imports, subject imports share of the apparent U.S. consumption increased steadily by *** percentage points from *** percent in 2019 to *** percent in 2020 to *** percent in 2021; it was *** percentage points lower in interim 2022 at *** percent than in interim 2021 at *** percent. CR/PR at Table F-1. These shares are overstated due to incomplete shipment data for nonsubject imports.

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

C. Price Effects of the Subject Imports

1. Underselling

Prices of cumulated subject imports were below those for U.S.-produced product in 33 of 52 instances (63.5 percent), with an average margin of 14.9 percent; they were above those for U.S.-produced product in the remaining 19 instances, with an average margin of 24.4 percent.[30] Out of *** gallons of subject import pricing products reported in quarters with underselling or overselling, *** gallons or *** percent undersold corresponding domestic pricing products, while the remaining *** gallons were sold at prices higher than domestic pricing products.[31]

I find these levels of underselling to be significant. The significance of the underselling, however, is mitigated by the fact that all of the underselling by cumulated subject imports occurred in concentrated juice products,[32] which accounted for only a minority of U.S. producers' shipments.[33] All of the reported underselling of domestic products by imports of not-concentrated juice was by nonsubject imports, as I discuss below.[34]

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[30] CR/PR at Table V-13.

[31] CR/PR at Table V-13.

[32] Product 1 (cloudy frozen 400 GPL concentrate in 50-gallon drums) accounted for *** of the 33 reported instances of underselling representing *** gallons or *** percent of total reported volume of subject import pricing products. CR/PR at Table V-12. Product 2 (clarified frozen 400 GPL concentrate in 50 gallon drums) accounted for *** instances of underselling representing *** gallons of subject imports, and product 3 (cloudy frozen 400 GPL concentrate in 5 gallon packs) accounted for *** instances representing *** gallons of subject imports. CR/PR at Table V-12. There were no reported examples of subject imports of product 4 (clarified frozen 400 GPL concentrate in 5 gallon packs); all reported examples of subject imports of product 5 (the only not-from-concentrate product) oversold domestic products; and there were *** of 500 GPL products (*e.g.,* product 6). CR/PR at Tables V-6 to V-8 & D-1.

[33] Concentrated juice accounted for *** percent of U.S. producers' U.S. shipments in 2001, *** percent in 2020, *** percent in 2021, *** percent in interim 2021, and *** percent in interim 2022. CR/PR at Table D-1.

[34] Appendix D of the Commission's Report provides average unit values of domestic products and imports broken out by degree of concentration. This indicates that the average unit value of non-concentrated subject imports was higher than domestic products' unit values in 2019 and 2020, and lower in 2021. CR/PR at Tables D-1, D-4. I do not place much weight on comparisons of AUVs in this case, however, because the record includes more precise pricing product data, and even AUV comparisons involving the same levels of concentration (or lack of concentration) are susceptible to differences in product mix in container size and filtration.

2. Price Depression and Suppression

U.S. producers' U.S. prices for all five pricing products followed the same general pattern to varying degrees, falling in the first part of the POI, then flattening or slightly increasing toward the end.[35]

From the start of the POI through the second quarter of 2022, U.S. producers' U.S. prices for Product 1 fell the most, 19.9 percent.[36] Prices for Products 2, 3, and 5 fell to almost the same extent, 14.1 percent, 14.3 percent, and 14.0 percent respectively; prices for product 4 fell the least, declining by 8.5 percent.[37] Notably, prices decreased for Product 5, a not-from-concentrated product; since demand for not-from-concentrate was increasing and overall demand was fluctuating, as I discuss above, changes in demand alone cannot explain price decreases.

Underselling by cumulated subject imports played at most an indirect role in decreases in price for most products, as underselling of those product by cumulated subject imports was limited or nonexistent. U.S. producers' prices decreased for Product 2 even though there was minimal underselling by subject imports of that product throughout the POI;[38] they decreased for Product 3 even though all of the decline in price for that product occurred during a two-year period when subject imports predominantly oversold the domestic like product;[39] they decreased for Product 4 even though there were no subject imports of that product;[40] and they decreased for Product 5 even though subject imports of Product 5 oversold domestic like product in every instance, and demand increased.[41] ***.

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[35] CR/PR at Tables V-3 to V-7 & Fig. V-7. *** domestic producers reported prices for product 6, a 500 GPL concentrate. CR/PR at Table V-8.

[36] CR/PR at Table V-10.

[37] CR/PR at Table V-10.

[38] There were only *** quarters of underselling by subject imports of Product 2 representing *** gallons, compared to U.S. producers' reported shipments of *** gallons. CR/PR at Tables V-4 and V-9. ***.

[39] U.S. producers' U.S. prices of product 3 fell steadily by *** percent from the first quarter of 2019 and bottomed in the fourth quarter of 2020, the greatest rate of decrease from peak to trough of any of the pricing products. CR/PR at Tables V-5 and V-9 and Fig. V-7. During that two-year period, however, subject imports oversold domestic like product in *** comparisons involving *** gallons, and undersold domestic like product in only *** of *** comparisons involving just *** gallons of subject imports. *Calculated from* CR/PR at Table V-5. Over the next six quarters, from 2021 through the end of interim 2022, subject imports of Product 2 did undersell the domestic like product in *** of *** instances, but during that same period U.S. producers' U.S. prices of product 3 increased *** percent.

[40] CR/PR at Table V-12.

[41] CR/PR at Table V-12.

Nevertheless, the large majority of underselling by cumulated subject imports involved Product 1. The larger decline in U.S. producers' U.S. prices for that product suggests that underselling by cumulated subject imports were at least partly responsible for either the reduction in the price of Product 1 in 2019 and 2020 or its failure to recover in 2021 and interim 2022. Accordingly, I find that cumulated subject imports contributed to significant price depression or suppression – although, as I discuss below, there are other causes for the decrease in U.S. lemon juice prices over the POI.

D. Impact of the Subject Imports

Despite declining prices, the domestic industry's performance improved over the POI in almost every respect.

U.S. producers' capacity increased slightly over the POI.[42] Domestic producers' production fell *** percent by volume from 2019 to 2021, but as domestic producers assert, they processed every lemon available for lemon juice production, they in effect were operating at 100 percent of potential production throughout the period.[43] Domestic producers' production was *** percent higher in interim 2022 than in interim 2021, reflecting record harvests in 2022.[44]

U.S. producers' capacity utilization decreased from *** percent in 2019 to *** percent in 2021, but low capacity utilization rates are usual in a seasonal industry devoted primarily to other crops; U.S. producers' capacity utilization fell within normal ranges, and, again, U.S.

[42] CR/PR at Table C-1. Reported capacity increased by *** percent from 2019 through 2021; it was *** percent greater in interim 2022 than in interim 2021. CR/PR at Table C-1. The industry's overall capacity on the equipment used to make lemon juice increased *** percent. CR/PR at Table III-5. ***. CR/PR at II-8, Table VI-9, and VI-16.

[43] CR/PR II-6 & Table C-1; Conf. Tr. 52 (Borgers). As noted above in my discussion of demand and supply conditions, until very recently the POI lemon production was primarily devoted to higher-value lemons produced for fresh use, and this held true even when restaurant closures resulting from COVID reduced demand for fresh lemons. Thus, the supply of lemon juice was not driven by demand for the juice itself but by supply factors. Some lemon growers might have the ability to conduct additional harvests or divert more lemons for processing in response to lemon juice prices, or reduce lemon tree planting in the long run, but overall supply trends were still dictated by factors such as weather and demand for more profitable products, and there is no evidence that harvesters actually reduced the amounts of their harvests or diverted fewer lemons to processing to any discernible degree during the POI based on lemon juice prices. To the contrary, given the POI featured back-to-back years of record or near-record harvests in 2019 and 2020, and an even larger harvest in 2022, the availability of lemons for processing expanded markedly. CR/PR at I-15 & Table VI-9. As I discuss below, however, Florida is an exception to these conditions that will become increasingly important in the imminent future.

[44] CR/PR at I-15 & Table C-1.

producers were processing every available lemon.[45] Their capacity utilization rate was *** percent in interim 2022, which was *** percentage points higher than it had been in interim 2021.[46]

U.S. producers' U.S. shipments increased 20.3 percent by volume from 2019 through 2021 and increased *** percent by value; in interim 2022 they were *** percent greater by volume and *** percent greater by value than they had been in interim 2021.[47] Domestic producers' market share increased from 29.6 percent in 2019 to 30.2 percent in 2021; it was *** percent in interim 2021 and *** percent in interim 2022.[48]

The average unit value of U.S. producers' shipments decreased *** percent from 2019 to 2021, falling *** percent in 2020 and increasing *** percent in 2021; it was *** percent higher in interim 2022 than in interim 2021.[49] Trends in net sales paralleled trends in shipments.[50] These trends were linked to the declines in prices discussed above, and I address them further below.

U.S. producers' inventories increased *** percent from 2019 to 2021; they were *** percent higher in interim 2022 than in interim 2021.[51] Their ratio of inventories to total shipments increased from *** percent in 2019 to *** percent in 2021; it was *** percent in interim 2021 and *** percent in interim 2022.[52]

The industry's workforce increased *** percent from 2019 through 2021, growing from *** workers to *** workers; there were *** workers in interim 2021 and *** in interim 2022.[53] Hours worked increased *** percent from 2019 through 2021, and were *** percent higher in interim 2022 than in interim 2021.[54] Total wages paid increased *** percent from 2019 through 2021, but were *** percent lower in interim 2022 than in interim 2021.[55] Hourly wages grew *** percent from 2019 through 2021, but were *** percent lower in interim 2022 than in

[45] CR/PR at II-4.
[46] CR/PR at Table C-1.
[47] CR/PR at Table C-1.
[48] CR/PR at Table C-1. Using data based on shipments of domestically produced products and imports, U.S. producers' market share increased from *** percent in 2019 to *** percent in 2021; it was *** percent in interim 2021 and *** percent in interim 2022. CR/PR at Table F-1. These shares are overstated due to limited reporting of nonsubject import shipments.
[49] CR/PR at Table C-1.
[50] CR/PR at Table C-1.
[51] CR/PR at Table C-1.
[52] CR/PR at Table C-1.
[53] CR/PR at Table C-1.
[54] CR/PR at Table C-1.
[55] CR/PR at Table C-1.

interim 2021.[56] Productivity declined *** percent from *** gallons per hour in 2019 to *** gallons per hour in 2021; it was *** percent higher in interim 2022 than in interim 2021.[57]

From 2019 through 2021, the U.S. industry's gross profit steadily increased *** percent, operating income steadily increased *** percent, and net income increased *** percent. Profits were sharply lower in interim 2022 than in interim 2021, but that is the result of a situation unrelated to lemon juice – ***.[58] From 2019 through 2021, the industry's unit operating income increased from *** per gallon to *** per gallon, its unit net income increased from *** per gallon to *** per gallon, its operating income margin increased from *** percent to *** percent, and its net income margin increased from *** percent to *** percent.[59]

The industry's capital expenditures increased *** percent from 2019 through 2021, although they were *** percent lower in interim 2022 than in interim 2021.[60] The industry's net assets increased *** percent from 2019 through 2021.[61]

In sum, from 2019 through 2021, the domestic industry was operating at the limit of its available lemon supply; its shipments increased by volume and value; its workforce increased in terms of number of workers, the hours they worked, their hourly wages, and total payroll; its gross profits, operating profits, and net profits increased in total, on a per-unit basis, and as a percentage of revenues; and its capital expenditures and net assets increased. Profitability was lower over the interim periods, but that was for reasons unrelated to subject imports or, indeed, to lemon juice.

Essentially, Petitioner's claim that material injury existed rests on the declining prices reflected in declining unit values of shipments, arguing that but for those decreases, the domestic industry's profits would have increased more than they did.[62]

For two reasons I do not consider that this suffices to establish material injury by reason of subject imports.

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

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

[58] ***. CR/PR at I-11, Table III-5, & VI-17 n.14.

[59] CR/PR at Table C-1. These indicators were lower in interim 2022 than in interim 2021 for the reasons explained above in regards profits.

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

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

[62] I also note that the domestic industry's inventories increased over the POI, and ended interim 2022 at high levels. However, in an industry in which production fluctuates greatly and unpredictably, finished goods can be and routinely are stored in quantity for up to two years, elevated inventories may even be beneficial if supply decreases in the future. Accordingly, I consider inventories more an indicator of threat of injury than of present material injury.

First, material injury is "harm which is not inconsequential, immaterial or unimportant."[63] The record indicates that the industry's lack of higher profits did not meet that requirement. The industry reported no plant closings, prolonged shutdowns, or curtailments during the POI, only plant openings and expansions.[64] Since the industry was already processing every available lemon, despite record-high harvests, higher profits would not have materially increased production or product-related workers or hours.

The industry's capital expenditures and assets increased substantially over the POI; there is no indication that more profits would have led to more investment in the industry. To the contrary, asked in questionnaires for "actual and anticipated negative effects of imports from subject sources on investment, growth, and development since January 1, 2018," no firms listed any cancellation, postponement, or rejection of expansion projects, denial or rejection of investment proposals, reduction in size of capital investments, or even any reductions in return on specific investments negatively impacted.[65] In fact, none identified any actual effects of imports on investment, growth, and development.[66] One firm, ***, reported "other negative effects on investments" because it asserted that ***.[67] However, that is not actually an effect on investment, and, in any case, ***.[68] ***. Petitioner argues that wages did not grow in line with inflation, but that is not unique to the lemon juice industry, and it is speculative to assume that processors would have used higher profits to increase wages.

In short, there is not evidence that the industry's failure to obtain higher prices and even higher profits yielded harmful consequences or harm of any importance.[69]

Second, to the extent that declining lemon juice prices may have constituted or caused injury that could be considered "material," it is notable that there are other explanations for the falling prices than cumulated subject imports. Although material injury may be considered "by reason of" unfairly traded imports if unfairly traded imports make anything more than a

[63] 19 U.S.C. § 1677(7)(A).

[64] CR/PR at Table III-3.

[65] CR/PR at Table VI-15.

[66] CR/PR at Tables V-15, VI-16.

[67] CR/PR at Table VI-16. *** CR/PR at Table VI-16.

[68] CR/PR at Table VI-16. ***. CR/PR at Table VI-16.

[69] The statute provides that the Commission may not determine there is no material injury to an industry "merely because that industry is profitable or because the performance of that industry has recently improved." 19 U.S.C. § 1677(7)(J). In this case, the domestic industry was profitable and its performance improved over the POI. Yet, that is not the only basis for my negative determination. Under some circumstances a profitable or improving industry may suffer harm by reason of subject imports that is not insignificant or unimportant, such as layoffs or inability to raise capital. This case, however, lacks evidence of such harm.

"minimal or tangential contribution" to the material injury,[70] where the very existence of material injury is in doubt, I consider it important to examine the role of other factors carefully to avoid basing a finding that injury narrowly rises to the level of being "material" upon injury that is in fact largely caused by factors unrelated to unfairly traded imports.

In this case, two critical factors other than cumulated subject imports were contributing to falling prices during the POI.

The first is the back-to-back record or near-record U.S. lemon harvests of 2019 and 2020, combined with the impact of COVID, which forced fresh lemons that would otherwise have been sold to restaurants and bars into processing for juice instead.[71] As processors process all available lemons, this led to a glut of domestic lemon juice. From 2019 to 2020, U.S. juice production increased by *** gallons or *** percent.[72] Record harvests would inevitably put downward pressure on prices. Moreover, all of the increase in production from 2019 to 2020 was added to producers' inventories, so it would have had continued impact for another year.[73]

The second factor was nonsubject imports. During each full year of the POI, nonsubject import volumes were significantly larger than the volume of subject imports and domestic production combined,[74] and nonsubject imports from Argentina, Mexico, and Brazil predominantly undersold domestic like products.

Over the course of the POI, nonsubject imports from Argentina were lower priced than domestic like products in *** of *** instances (*** percent) involving *** gallons of imports, and were higher priced than domestic like product in the remaining *** instances (*** percent) involving *** gallons of imports.[75] Nonsubject imports from Brazil were lower priced than domestic like products in *** of *** instances (*** percent) involving (***) gallons and were higher priced than domestic products in the remaining *** instances (*** percent) involving (*** gallons).[76] Nonsubject imports from Mexico were lower priced than domestic like products in *** of *** instances (*** percent) involving *** gallons and were higher priced than them in the remaining *** instances (*** percent) involving *** gallons.[77]

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[70] *Gerald Metals, Inc. v. United States*, 132 F.3d 716, 722 (Fed. Cir. 1997).

[71] CR/PR at I-12, I-16, I-19.

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

[73] U.S. producers' inventories increased by *** gallons or *** percent from the end of 2019 to the end of 2020. CR/PR at Table C-1.

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

[75] CR/PR at Table G-7.

[76] CR/PR at Table G-7.

[77] CR/PR at Table G-7.

All told, *** million gallons of reported nonsubject import pricing products were lower priced than domestic like products, which is nearly *** times the *** gallons of subject import pricing products that undersold domestic like products. Specifically in relation to Product 1, the product which involved the large majority of underselling by subject imports, underselling by nonsubject imports was equally consistent and twice as pervasive in volume terms.[78] Reported nonsubject imports also undersold subject imports in many instances.[79]

Accordingly, I do not find that the domestic industry was materially injured by reason of cumulated subject imports. Its performance improved in almost every respect from 2019 through 2021, except production quantity, which fell because lemon harvests in 2021 were below the record levels of 2019 and 2020, and appears now headed toward record levels; prices and unit values, which decreased; and inventories, which grew.[80] Higher prices would have led to even larger profit increases, but the industry suffered no identifiable consequences of lack of profits. To the contrary, capital investment increased and no producer could identify any actual effects of imports on investment, growth, and development, or important impacts on employment or production such as closures or layoffs. Moreover, to the extent that reduced prices had an impact that could be considered to fall above the threshold of "material" injury, it would be important to consider that most of that impact resulted from developments in much larger sources of supply than subject imports, namely nonsubject imports and domestic production.

Nevertheless, for the reasons that follow, I find that the domestic industry is threatened with material injury by reason of cumulated subject imports.

II. Threat of Material Injury

A. Legal Standards

Section 771(7)(F) of the Tariff Act directs the Commission to determine whether the domestic industry is threatened with material injury by reason of the subject imports by

[78] Nonsubject imports of Product 1 undersold domestic like product in *** of *** comparisons (***) percent involving *** gallons of subject merchandise. CR/PR at Table V-2.

[79] Nonsubject imports were priced lower than pricing products of subject imports in *** of *** instances or *** percent of comparisons. CR/PR at Table G-7.

[80] I note that larger inventories are not necessarily an indication of harm. In this case, the domestic industry's inventories as a percentage of shipments were slightly lower at *** percent at the end of interim 2022 than they had been at the end of interim 2021 at *** percent. CR/PR at Table C-1. Yet, domestic producers' inventories will become more problematic in the imminent future as subject imports increase, which is likely as I discuss below.

analyzing whether "further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted."[81] The Commission may not make such a determination "on the basis of mere conjecture or supposition" and considers the threat factors "as a whole" in making its determination whether dumped or subsidized imports are imminent and whether material injury by reason of subject imports would occur unless an order issues.[82] In considering the existence of threat of material injury, I consider all factors set forth as relevant in the statute.[83]

B. Cumulation

As discussed in section IV.B of the Commission's views, subject imports from Brazil and South Africa meet the statutory requirements for cumulation for the purposes of analyzing

[81] 19 USC 1677(7)(F)(ii).
[82] 19 USC 1677(7)(F)(ii).
[83] *See* 19 USC 1677(F)(i). These factors are as follows:
(I) if a countervailable subsidy is involved, such information as may be presented to it by the administering authority as to the nature of the subsidy (particularly as to whether the countervailable subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement), and whether imports of the subject merchandise are likely to increase,
(II) any existing unused production capacity or imminent, substantial increase in production capacity in the exporting country indicating the likelihood of substantially increased imports of the subject merchandise into the United States, taking into account the availability of other export markets to absorb any additional exports,
(III) a significant rate of increase of the volume or market penetration of imports of the subject merchandise indicating the likelihood of substantially increased imports,
(IV) whether imports of the subject merchandise are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices and are likely to increase demand for further imports,
(V) inventories of the subject merchandise,
(VI) 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,
(VIII) the actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and
(IX) any other demonstrable adverse trends that indicate the probability that there is likely to be material injury by reason of imports (or sale for importation) of the subject merchandise (whether or not it is actually being imported at the time).
19 U.S.C. § 1677(7)(F)(i). To organize my analysis, I discuss the applicable statutory threat factors using the same volume/price/impact framework that applies to our material injury analysis. Thus, I discuss factors (I), (II), (III), (V), and (VI) in the analysis of subject import volume; factor (IV) in the analysis of import price effects; and factors (VIII) and (IX) in the analysis of impact. Factor (VII) concerning agricultural products does not apply in this investigation.

present material injury. I also determine to cumulate them for purposes of the threat analysis. There were similarities in import trends from both countries during the POI. While subject imports from South Africa gained market share over the POI and subject imports from Brazil lost market share, and nearly all the *** percent increase in cumulated subject import volume over the 2019-2021 period was attributable to South Africa, subject imports from Brazil also increased in volume by *** percent in the 2019-2021 period.[84] Subject imports from Brazil and South Africa both undersold domestic products in a majority of instances during the POI whether viewed in terms of numbers of instances or volume of underselling.[85]

Greenwood, which imports lemon juice from South Africa, offers juice in smaller packages and distributes throughout the country, and there were *** reported shipments by Brazil of Pricing Product 3, cloudy frozen concentrate in 5 gallon packs, the large majority of which were shipped from ***.[86] Yet, imports from both sources were substantially represented in ***.[87]

I conclude that in the imminent future subject imports from both countries would compete under similar or overlapping conditions of competition, albeit with differences.

C. Likely Volume

Cumulated subject imports increased in volume by *** percent from 2019 through 2021 and were *** percent higher over the interim periods.[88] Their market share increased *** percentage points from *** percent in 2019 to *** percent in 2021, although it was lower in interim 2022 than in interim 2021, at *** percent.

The record indicates that cumulated subject imports will continue to increase in volume and gain market share absent relief.

First, production capacity in the cumulated industries (South Africa and subject production in Brazil) increased from *** gallons in 2019 to *** million gallons in 2021, and is projected to reach *** million gallons in 2023.[89] Their capacity utilization ratio decreased from *** percent in 2019 to *** percent in 2021, and is projected to decrease further to *** percent in 2023.[90] Accordingly, their available unused capacity has increased from *** gallons in 2019

[84] CR/PR at Table C-1.
[85] CR/PR at Table V-13.
[86] Greenwood Prehearing Br. 9-17 & Greenwood Posthearing Br. 4-6; CR/PR at Table V-10.
[87] CR/PR at Table V-3.
[88] CR/PR at Table C-1.
[89] CR/PR at Table VII-9.
[90] CR/PR at Table VII-9.

to *** million gallons in 2021, and is projected to reach *** million gallons in 2023.[91] While 100 percent capacity utilization may not be feasible in this industry, if the cumulated industries returned in 2023 to the capacity utilization rate they achieved in 2019, they would produce approximately *** more in 2023 than they did in 2021, which would approximate *** percent of 2021 apparent U.S. consumption, enough to achieve a further substantial increase in their U.S. market share. This additional capacity, and projected increase in available capacity, will give the cumulated industries both incentive and ability to increase exports to the United States.

Additionally, the share of cumulated producers' total shipments that was shipped to the United States increased over the POI, from *** percent in 2019 to *** percent in 2021, and reached *** percent in the first half of 2022.[92]

Furthermore, inventories of subject imports held in the United States and abroad have been increasing. Subject foreign producers' inventories have increased and are projected to increase sharply, both in terms of volume and ratio to total shipments.[93] Importers' inventories of subject merchandise in the United States also increased *** percent over the POI, reaching *** gallons at the end of 2021.[94] These increased inventories necessarily presage increased shipments as the juice will deteriorate over the next year or two.

Greenwood argues that South African production is geared to fresh lemons, and no lemon that can be used as a fresh whole lemon will be used for juice.[95] Greenwood provides a December 2022 USDA report forecasting that the quantity of South African lemons and limes delivered for processing will decrease from 103,000 metric tons in 2021/2022 to 60,000 tons by the 2022/23 market year due to an upsurge in whole fruit exports resulting from rising foreign demand, particularly in the Middle East.[96]

Yet, this projected diversion away from the U.S. market has yet to materialize, as shown by the increase in imports from South Africa over the POI. Moreover, according to the same

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[91] *Calculated from CR/PR* at Table VII-9.

[92] CR/PR at Table VII-9.

[93] Cumulated subject producers reported inventories of *** gallons at the end of 2019, falling to *** at the end of 2021, but inventories increased to *** gallons at the end of interim 2022 and are projected to reach *** gallons at the end of 2023. Table VII-9. As a percentage of total shipments, their inventories decreased from *** percent at the end of 2019 to *** percent at the end of 2021 but reached *** percent at the end of interim 2022 and are projected to reach *** percent at the end of 2023. Table VII-9.

[94] These inventories increased from *** gallons at the end of 2019 to *** gallons at the end of 2021, and to *** gallons at the end of interim 2022. CR/PR at Table C-1.

[95] Greenwood Final Comments 15.

[96] Greenwood posthearing brief answers 15 & Exh. 2 at 21.

report, over 40 percent of South Africa's lemon plantings are less than five years old, so "growing volumes of lemons will be reaching the market in the next five years."[97] I do not find evidence of a switch in South African exports away from the U.S. market to be sufficiently developed.

Previously, increases in subject imports have come at the expense of nonsubject imports but that is not likely to be true to the same extent in the imminent future. Inventories of nonsubject merchandise held in the United States were *** percent larger at the end of interim 2022 than they had been in interim 2021, and nonsubject import volumes were *** percent higher over the same period.[98] Thus, nonsubject imports are less likely to make way for subject imports in the imminent future and future gains in subject imports' market share are likely to come at the expense of the domestic industry unlike in the recent past.[99]

D. Likely Price Effects

As discussed above cumulated subject imports generally undersold domestic like products, and I would expect this pattern to continue absent relief. Moreover, as discussed above, subject imports have had some impact on U.S. producers' prices, and this price impact would likely increase as cumulated subject import volume increases in absolute terms and relative to the U.S. market, which is not expanding as rapidly as production.

E. Likely Impact

In assessing the likely impact of cumulated subject imports on the domestic industry, I consider the domestic industry to be vulnerable for several reasons.

First, U.S. lemon harvests in 2022 likely have approached or broken previous records.[100] U.S. lemon juice production in the first half of 2022 exceeded ***.[101] U.S. producers' inventories at the end of interim 2022 were *** percent higher than at the end of interim

[97] Greenwood posthearing brief answers Exh. 2 at 20.

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

[99] I also note that importers report having arranged to import an additional *** gallons of subject imports in the second half of 2022 and the first half of 2023, or approximately *** percent of their total imports for 2019, and have substantial exports to markets other than the United States, giving them scope to shift exports from other markets to the United States. CR/PR at Tables VII-9, VII-11.

[100] CR/PR at I-15.

[101] CR/PR at I-15 & Table C-1.

2021.[102] This will put downward pressure on U.S. prices, making U.S. producers more vulnerable to the risks of increased underselling by subject and nonsubject imports.

One reason for the increased production is the recent and rapid acceleration of harvests in Florida. ***.[103] As lemons in Florida are grown wholly for juice, Florida output will be more sensitive to the price effects of imports rather than being dictated primarily by other factors such as the price of fresh lemons.

Additionally, domestic producers' profits were considerably lower in interim 2022 than in interim 2021 with operating margins of just *** percent in interim 2022 compared to *** percent in interim 2021.[104] Although this reflected ***,[105] this problem has impacted ***. The industry relies primarily on processing of other citrus to fill its capacity and employ workers.[106] ***.

Under these circumstances I would anticipate that increased volumes of cumulated subject imports that undersell domestic product will have the types of impact in the imminent future that were lacking in the POI. For example, capital expenditures were sharply lower in interim 2022 than in previous periods; lower profits would prevent them from rebounding.[107] Lemon harvests in Florida could be affected by lower prices, which would in turn lead to less production and less need for workers.

III. Conclusion

For the foregoing reasons, and based on the record in the final phase of these investigations, I conclude that a domestic industry is threatened with material injury by reason of subject imports of lemon juice from Brazil and South Africa that are sold in the United States at less than fair value.

[102] CR/PR at Table C-1. U.S. producers' inventories as a percentage of total shipments in interim 2022 were slightly lower than in interim 2021, *id.*, and may not pose a problem if U.S. producers can continue to sell large volumes, but as discussed above subject import volumes are likely to increase absent relief.

[103] CR/PR at Table III-3 & III-3 n.1

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

[105] VI-17 n.14.

[106] CR/PR at Table III-5.

[107] CR/PR at Table C-1. Capital expenditures in interim 2021 were *** and in interim 2022 were ***. CR/PR at Table C-1.

Part I: Introduction

Background

These investigations result from petitions filed with the U.S. Department of Commerce ("Commerce") and the U.S. International Trade Commission ("USITC" or "Commission") by Ventura Coastal LLC ("Ventura Coastal"), Ventura, California, on December 30, 2021, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value ("LTFV") imports of lemon juice[1] from Brazil and South Africa. Table I-1 presents information relating to the background of these investigations.[2] [3]

Table I-1
Lemon juice: Information relating to the background and schedule of this proceeding

Effective date	Action
December 30, 2021	Petitions filed with Commerce and the Commission; institution of the Commission's investigations (87 FR 992, January 7, 2022)
January 19, 2022	Commerce's notice of initiation (87 FR 3768, January 25, 2022)
February 15, 2022	Commission's preliminary determinations (87 FR 9378, February 18, 2022)
August 4, 2022	Commerce's preliminary determinations (87 FR 47697 and 87 FR 47707, August 4, 2022)
July 28, 2022	Scheduling of final phase of Commission investigations (87 FR 51701, August 23, 2022)
September 15, 2022	Commerce's postponement of final determination for South Africa (87 FR 56631, September 15, 2022)
September 22, 2022	Revised scheduling of final phase of Commission investigations (87 FR 58821, September 28, 2022)
December 15, 2022	Commission's hearing
December 23, 2022	Commerce's final determination for South Africa (87 FR 78928, December 23, 2022)
December 23, 2022	Commerce's final determination for Brazil (87 FR 78939, December 23, 2022)
January 23, 2023	Commission's vote
February 6, 2023	Commission's views

[1] See the section entitled "The subject merchandise" in Part I of this report for a complete description of the merchandise subject in this proceeding.

[2] Pertinent Federal Register notices are referenced in appendix A, and may be found at the Commission's website (www.usitc.gov).

[3] Appendix B presents the witnesses who appeared at the Commission's hearing.

Statutory criteria

Section 771(7)(B) of the Tariff Act of 1930 (the "Act") (19 U.S.C. § 1677(7)(B)) provides that in making its determinations of injury to an industry in the United States, the Commission--

> *shall consider (I) the volume of imports of the subject merchandise, (II) the effect of imports of that merchandise on prices in the United States for domestic like products, and (III) the impact of imports of such merchandise on domestic producers of domestic like products, but only in the context of production operations within the United States; and. . . may consider such other economic factors as are relevant to the determination regarding whether there is material injury by reason of imports.*

Section 771(7)(C) of the Act (19 U.S.C. § 1677(7)(C)) further provides that--[4]

> *In evaluating the volume of imports of merchandise, the Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States is significant.. . .In evaluating the effect of imports of such merchandise on prices, the Commission shall consider whether. . .(I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.. . . In examining the impact required to be considered under subparagraph (B)(i)(III), the Commission shall evaluate (within the context of the business cycle and conditions of competition that are distinctive to the affected industry) all relevant economic factors which have a bearing on the state of the industry in the United States, including, but not limited to. . . (I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity, (II) factors affecting domestic prices, (III) actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment, (IV) actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and (V) in {an antidumping investigation}, the magnitude of the margin of dumping*

[4] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

In addition, Section 771(7)(J) of the Act (19 U.S.C. § 1677(7)(J)) provides that—[5]

(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.

Organization of report

Part I of this report presents information on the subject merchandise, dumping margins, and domestic like product. Part II of this report presents information on conditions of competition and other relevant economic factors. Part III presents information on the condition of the U.S. industry, including data on capacity, production, shipments, inventories, and employment. Parts IV and V present the volume of subject imports and pricing of domestic and imported products, respectively. Part VI presents information on the financial experience of U.S. producers. Part VII presents the statutory requirements and information obtained for use in the Commission's consideration of the question of threat of material injury as well as information regarding nonsubject countries.

Market summary

Lemon juice in all forms is generally bottled as lemon juice or used as an ingredient in various beverages (lemonade and soft drinks), foods (salad dressings, sauces, and baked goods), or non-food products (household cleaners).[6] The leading U.S. producer of lemon juice is ***, while leading producers of lemon juice from subject sources include *** of Brazil and ***, ***, and *** of South Africa. The leading U.S. importer of lemon juice from subject sources in Brazil is ***, while the leading importer of lemon juice from South Africa is ***. Leading importers of lemon juice from nonsubject sources include ***, ***

[5] Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.
[6] Petition, pp. 1, 9.

***. U.S. purchasers of lemon juice are firms that manufacture food and beverages or distribute lemon juice; leading purchasers include *** and ***.

Apparent U.S. consumption of lemon juice totaled approximately 11.1 million gallons concentrated basis @ 400 GPL ("gallons @ 400 GPL") ($***) in 2021. Currently, five firms are known to produce lemon juice in the United States. U.S. producers' U.S. shipments of lemon juice totaled 3.4 million gallons @ 400 GPL ($***) in 2021, and accounted for 30.2 percent of apparent U.S. consumption by quantity and *** percent by value. U.S. imports from subject sources totaled *** gallons @ 400 GPL ($***) in 2021 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value. U.S. imports from nonsubject sources totaled *** gallons @ 400 GPL ($***) in 2021 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value.

Summary data and data sources

A summary of data collected in these investigations is presented in appendix C, table C-1. Except as noted, U.S. industry data are based on questionnaire responses of five firms that accounted for the vast majority of U.S. production of lemon juice during 2021. U.S. imports are based on Commerce's official import statistics under HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040 and data submitted in response to Commission questionnaires. Additional data regarding imported lemon juice are based on the responses of 30 U.S. importers which accounted over 100.0 percent, by quantity, of imports from Brazil, South Africa, Argentina and Mexico and 29.8 percent of U.S. imports from all other nonsubject sources. Additionally, the Commission received eight usable questionnaire responses from firms that have purchased lemon juice since 2019. The Commission received seven foreign producer questionnaires from firms in both subject countries that accounted for all known exports of subject lemon juice to the United States.[7]

[7] Coverage figures were calculated comparing reported figures from foreign producer questionnaires and official import statistics.

Previous and related investigations

Lemon juice has been the subject of prior antidumping duty investigations in the United States concerning Argentina and Mexico. Those investigations resulted from petitions filed on September 21, 2006, with Commerce and the Commission by Sunkist, Sherman Oaks, California, alleging that an industry in the United States was materially injured and threatened with material injury by reason of LTFV imports of lemon juice from Argentina and Mexico.[8] On September 10, 2007, before the Commission reached determinations in the final phase of the original investigations, Commerce suspended the antidumping duty investigation involving lemon juice from Argentina. Commerce entered into a suspension agreement with San Miguel and Citrusvil to revise their prices to eliminate completely sales of lemon juice to the United States at less than fair value.[9] On September 10, 2007, Commerce also suspended the antidumping duty investigation involving lemon juice from Mexico. Commerce entered into a suspension agreement with Coca-Cola and The Coca-Cola Export Corporation, Mexico Branch to revise their prices to eliminate completely sales of lemon juice to the United States at LTFV.[10]

On November 5, 2012, the Commission determined that it would conduct full reviews to determine whether termination of the suspended investigations on lemon juice from Argentina and Mexico would be likely to lead to continuation or recurrence of material injury within a reasonable foreseeable time.[11] On December 7, 2012, following an expedited five-year review on the suspended investigation on lemon juice from Argentina, Commerce determined termination of that suspended antidumping duty investigation would be likely to lead to continuation or recurrence of dumping.[12] On June 28, 2013, following a full five-year review on the suspended investigation on lemon juice from Mexico, Commerce determined that termination of that suspended antidumping duty investigation would be likely to lead to continuation or recurrence of dumping.[13] On July 26, 2013, following full five-year reviews, the Commission determined that termination of the suspended antidumping duty investigation on

[8] Lemon Juice from Argentina and Mexico, Investigation Nos. 731-TA-1105-1106 (Preliminary), USITC Publication 3891, November 2006, p. I-1.

[9] 72 FR 53991, September 21, 2007. On September 17, 2009, Citromax SACI acceded to the 2007 suspension agreement. On July 11, 2014, La Moraleja and COTA acceded to the 2007 suspension agreement. 81 FR 74395, October 26, 2016.

[10] 72 FR 53995, September 21, 2007.

[11] 77 FR 67833, November 14, 2012.

[12] 77 FR 73021, December 7, 2012.

[13] 78 FR 38944, June 28, 2013.

lemon juice from Argentina would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.[14] The Commission also determined on July 26, 2013 that termination of the suspended antidumping duty investigation on lemon juice from Mexico 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.[15] As a result of the determinations by Commerce and the Commission, effective August 7, 2013, Commerce issued a continuation of the suspended antidumping duty investigation on lemon juice from Argentina.[16] As a result of the determination by the Commission, effective September 21, 2012, Commerce terminated the suspended antidumping duty investigation of lemon juice from Mexico and the agreement suspending the antidumping investigation on lemon juice from Mexico.[17] On October 20, 2016, Commerce issued another continuation of the suspended antidumping duty investigation on lemon juice from Argentina and signed a new suspension agreement with substantially all growers/exporters of lemon juice from Argentina, replacing the 2007 suspension agreement. The 2016 suspension agreement is between Commerce and signatory producers/exporters accounting for substantially all imports of lemon juice from Argentina, wherein each signatory producer/exporter agreed to revise its prices to eliminate completely the injurious effects of exports of the subject merchandise to the United States.[18]

On December 6, 2021, the Commission determined that it would conduct a second full review to determine whether termination of the suspended antidumping duty investigation on lemon juice from Argentina would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time.[19] On January 4, 2022, following an expedited five-year review on the suspended investigation on lemon juice from Argentina, Commerce determined that termination of the suspended antidumping duty investigation would be likely to lead to continuation or recurrence of dumping.[20] On August 29, 2022, following a full five-year review, the Commission determined that termination of the suspended antidumping duty

[14] 78 FR 46610, August 1, 2013. Commissioner Daniel R. Pearson made a negative determination with respect to the suspended investigation on lemon juice from Argentina.

[15] 78 FR 46610, August 1, 2013.

[16] 78 FR 48145, August 7, 2013.

[17] 78 FR 48148, August 7, 2013.

[18] 81 FR 74395, October 26, 2016.

[19] 86 FR 71916, December 20, 2021.

[20] 87 FR 215, January 4, 2022.

investigation on lemon juice from Argentina 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] As a result of the determinations by Commerce and the Commission, effective September 9, 2022, Commerce issued a continuation of the 2016 suspension agreement.[22]

Nature and extent of sales at LTFV

On December 23, 2022, Commerce published a notice in the Federal Register of its final determinations of sales at LTFV with respect to imports from Brazil[23] and South Africa.[24] Tables I-2 and I-3 present Commerce's dumping margins with respect to imports of lemon juice from Brazil and South Africa.

Table I-2
Lemon juice: Commerce's final weighted-average LTFV margins with respect to imports from Brazil

Exporter	Producer	Final dumping margin (percent)
Citrus Juice Eireli	Citrus Juice Eireli	22.31
Louis Dreyfus Company Sucos S.A	Louis Dreyfus Company Sucos S.A	0.00
All others	All others	22.31

Source: 87 FR 78939, December 23, 2022.

Table I-3
Lemon juice: Commerce's final weighted-average LTFV margins with respect to imports from South Africa

Exporter	Producer	Final dumping margin (percent)
Cape Fruit Processors (Pty) Ltd.	Cape Fruit Processors (Pty) Ltd.	47.89
Granor Passi (Pty) Ltd.	Granor Passi (Pty) Ltd.	73.69
All others	All others	47.89

Source: 87 FR 78928, December 23, 2022.

[21] 87 FR 54263, September 2, 2022.
[22] 87 FR 55397, September 9, 2022
[23] 87 FR 78939, December 23, 2022.
[24] 87 FR 78928, December 23, 2022.

The subject merchandise

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:[25]

> *The product covered by this investigation is certain lemon juice. Lemon juice is covered: (1) with or without addition of preservatives, sugar, or other sweeteners; (2) regardless of the GPL (grams per liter of citric acid) level of concentration, brix level, brix/acid ratio, pulp content, clarity; (3) regardless of the grade, horticulture method (e.g., organic or not), processed form (e.g., frozen or not-from-concentrate), the size of the container in which packed, or the method of packing; and (4) regardless of the U.S. Department of Agriculture Food and Drug Administration (FDA) standard of identity (as defined under 19 CFR 146.114 et seq.) (i.e., whether or not the lemon juice meets an FDA standard of identity).*
>
> *Excluded from the scope are: (1) lemon juice at any level of concentration packed in retail-sized containers ready for sale to consumers; and (2) beverage products, such as lemonade, that contain 20 percent or less lemon juice as an ingredient by actual volume. "Retail-sized containers" are defined as lemon juice products sold in ready-for-sale packaging (e.g., clearly visible branding, nutritional facts listed, etc.) containing up to 128 ounces of lemon juice by actual volume.*
>
> *The scope also includes certain lemon juice that is blended with certain lemon juice from sources not subject to this investigation. Only the subject lemon juice component of such blended merchandise is covered by the scope of this investigation. Blended lemon juice is defined as certain lemon juice with two distinct component parts of differing country(s) of origin mixed together to form certain lemon juice where the component parts are no longer individually distinguishable.*

[25] 87 FR 78928 and 87 FR 78939, December 23, 2022.

Tariff treatment

Lemon juice is provided for in HTS subheadings 2009.31.40, 2009.31.60, and 2009.39.60; the first two subheadings cover juice of a Brix value not exceeding 20, while the third covers juice with a higher Brix value. Subject lemon juice is imported under HTS statistical reporting numbers 2009.31.4000 (not concentrated juice), 2009.31.6020 (concentrated juice, frozen), 2009.31.6040 (concentrated juice, other than frozen), 2009.39.6020 (lemon juice, frozen), and 2009.39.6040 (other lemon juice). Unconcentrated lemon juice classified in HTS 2009.31.40 from Brazil and South Africa is subject to a column 1-general duty rate of 3.4 cents per liter.[26] Concentrated lemon juice (whether frozen or not) of HTS 2009.31.60 from Brazil and South Africa is subject to a column 1-general duty rate of 7.9 cents per liter.[27] Finally, lemon juice of a higher Brix value (whether frozen or not) of HTS 2009.39.60 from Brazil and South Africa is subject to a column 1-general duty rate of 7.9 cents per liter.[28] In addition, imports classified under 2009.31.40, 2009.31.60, and 2009.39.60 are eligible for special duty treatment under the African Growth and Opportunity Act (AGOA). The Republic of South Africa is a designated beneficiary for purposes of AGOA; therefore, lemon juice produced in South Africa and classified under 2009.31.40, 2009.31.60, and 2009.39.60 is eligible for duty-free treatment under column 1-special rates of duty.[29]

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[26] The Brix value measures how much dissolved sugar is in a liquid solution; one degree of brix means that 100 grams of liquid solution contains 1 gram of sugar. With respect to lemon juice in subheading 2009.41 of these investigations, the expression "Brix value" means the direct reading of degrees Brix obtained from a Brix hydrometer or of refractive index expressed in terms of percentage sucrose content obtained from a refractometer, at a temperature of 20 degrees centigrade or corrected for 20 degrees centigrade if the reading is made at a different temperature. Wikipedia, "Brix," https://en.wikipedia.org/wiki/Brix, accessed February 2, 2022; USTIC, *Harmonized Tariff Schedule of the United States (Basic Edition 2022),* Subheading Note 3, IV, 20-1.

[27] The Brix level of unconcentrated lemon juice in the trade and commerce of the United States is 8.9 with a citric acid content generally ranging from about 45 to 60 grams per liter of anhydrous citric acid ("GPL"). Thus, at standard lemon juice concentration rates of 400 GPL and 500 GPL, Brix levels would generally exceed 20. 19 CFR § 151.91, https://www.ecfr.gov/current/title-19/chapter-I/part-151/subpart-G/section-151.91, accessed January 24, 2022; Greenwood Associates, "Products," https://www.greenwoodassociates.com/products, accessed January 24, 2022; Ventura Coastal, "Products, Lemon," https://venturacoastal.com/lemon-products, accessed January 24, 2022.

[28] USITC, *Harmonized Tariff Schedule of the United States (2023 Basic Edition),* IV, 20-28.

[29] While lemon juice produced in South Africa are eligible for duty-free treatment under AGOA, this benefit is not applied automatically. Importers must apply for and submit appropriate documentation to U.S. Customs and Border Protection to receive duty-free treatment under AGOA. The vast majority of imports from South Africa classified under HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040 during January 2019 through November

(continued...)

Duties on concentrated lemon juice and lemon juice of a Brix value exceeding 20 under subheadings 2009.31.60, and 2009.39.6040 are determined under the provisions of Additional U.S. Note One to Chapter 20 ("U.S. Note One").[30] This note states that with respect to HTS heading 2009, the term "liter" for the purposes of rates of duty is applicable to fruit juices in their natural unconcentrated or reconstituted form.[31] Furthermore, reconstituted means product which can be obtained by mixing imported concentrate with water in such a proportion that the product will have a Brix value equal to that found by the Secretary of the Treasury from time to time to be the average Brix value of like natural unconcentrated juice in the trade and commerce of the United States.[32] The Brix value of unconcentrated natural lemon juice in the trade and commerce of the United States for purposes of this note is 8.9.[33] Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

(…continued)

2021 were identified as having been imported under the AGOA program. Of total lemon juice imports from South Africa, 2.6 percent by value and 2.2 percent by volume entered without claiming AGOA benefits. USITC, *Harmonized Tariff Schedule of the United States (2022 Basic Edition)*, General Note 16, GN pp. 164–165; USITC, DataWeb database, accessed January 18, 2022.

[30] HTS 2009.31.4000 includes "not concentrated" fruit juices and, therefore, "liters" of lemon juice imported under this statistical subheading already comply with the provisions of Additional U.S. Note One to Chapter 20. The acid content on various specification sheets for not from concentrate lemon juice mostly range from about 4.5 percent to about 6.0 percent or GPL levels of about 45 to 60. The Brix level of various 400 GPL lemon juice concentrate specification sheets generally ranges from 46 to 60 Brix. Greenwood Associates, "Products," https://www.greenwoodassociates.com/products, accessed January 24, 2022; Ventura Coastal, "Products, Lemon," https://venturacoastal.com/lemon-products, accessed January 24, 2022.

[31] USITC, *Harmonized Tariff Schedule of the United States (Basic Edition 2022),* IV, 20-1–20-2.

[32] USITC, *Harmonized Tariff Schedule of the United States (Basic Edition 2022),* IV, 20-1–20-2.

[33] 19 CFR § 151.91, https://www.ecfr.gov/current/title-19/chapter-I/part-151/subpart-G/section-151.91, accessed January 24, 2022.

The product

Description and applications[34]

Lemon juice is extracted from fresh lemons (*citrus limon*). U.S. commercial production of fresh lemons is currently concentrated in California (50,000 bearing acres) and Arizona (7,000 bearing acres).[35] There are three regions in California and Arizona that supply lemons at different times of the year to assure a year-round supply.[36] Lemons in California and Arizona are grown primarily for the fresh market; those with imperfections or that fail to meet size or grade standards are culled from the fresh market and shipped for processing into various

[34] Unless otherwise noted, this information is based on Lemon Juice from Argentina, Investigation No. 731-TA-1105 (Second Review), Staff Report, November 23, 2021 ("Adequacy Report INV-TT-132"), pp. I-7–I-9.

[35] Lemon acreage and lemon juice production in Florida is apparently increasing as lemon trees are less suspectable to citrus greening disease (*Candidatus Liberibacter asiaticus*; also known as Huanglongbing (HLB) or yellow dragon disease) which has reduced other citrus acreage (primarily orange and grapefruit) reducing citrus processing capacity utilization and making citrus processing capacity available for processing lemons. Florida Citrus Budwood Program reports show that lemon tree propagation increased rapidly from 37,987 propagations during 2014-15 peaking at 397,858 propagations during 2017-18 and averaged 198,881 propagations in the three following years. USDA Commercial Citrus Inventory reports show that other citrus acres, which includes lemons, average about 140 trees per acre. During 2020-21, other citrus bearing acreage was 2,118 acres and non-bearing acreage was 3,419 acres. Non-bearing acres set or planted during 2018, 2019, and 2020 were 1,990 acres, 782 acres, and 647 acres, respectively. USDA non-bearing planted acre data are consistent with annual propagation data from the Citrus Budwood Program, based on average trees per acre, and assuming some propagations are for non-commercial sales, as well as replacements. USDA, NASS, Quick Stats database, https://quickstats.nass.usda.gov/, accessed January 14, 2022; USDA, NASS, Commercial Citrus Inventory Report, September 8, 2021, https://www.nass.usda.gov/Statistics_by_State/Florida/Publications/Citrus/Commercial_Citrus_Inventory/index.php, accessed January 26, 2022; Florida Department of Agriculture and Consumer Services, Citrus Budwood Program, Citrus Budwood Annual Reports, various issues, https://www.fdacs.gov/Agriculture-Industry/Pests-and-Diseases/Plant-Pests-and-Diseases/Citrus-Health-Response-Program/Citrus-Budwood-Program, accessed January 26, 2022.

[36] Desert areas supply fresh lemons in the fall and winter, the central valley of California supplies fresh lemons during March through May, and coastal areas of California supply fresh lemons from late April through October. Conference transcript, p. 31 (Borgers).

products including lemon juice.[37] Historically, when the quantity of fresh lemons meeting fresh market standards exceeded the quantity of fresh lemons demanded, additional lemons would be diverted to processing; this practice, however, may have diminished as growth in demand for fresh lemons and limes has exceeded growth in U.S. domestic production. [38] Nonetheless, the COVID-19 pandemic sufficiently impacted demand during 2020 to affect the diversion of fresh lemons to processing. During most of 2020, reduction in demand from the food-service industry related to COVID-19 restrictions affected the ratio of fresh lemons used for processing as not all lemons ordinarily delivered to the food-service channel—50 to 65 percent of fresh lemon demand is ordinarily from foodservice—were able to be redirected to the consumer retail channel for fresh distribution.[39] This shift from food service demand to retail demand—in addition to other supply chain issues created by the COVID-19 pandemic—was not unique to the fresh lemon market.[40]

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[37] Other processed lemon products include lemon oil and its fractions, lemon peel, and pectin. Over 400 specialty products can be made from lemons, but a much smaller number have established commercial markets. Pectin, derived from lemon peel, is widely used in the food industry as a thickening agent, and pectin pomace is used as a source of dietary fiber that, when pelletized, can be fed to cattle. Pulp wash is used in the beverage industry to add fruit solids and a cloudy appearance to juice drinks, while vitamin C, folic acid, carotenoids, flavonoids, naringin, and hesperidin can be extracted from lemon peel to be used in the health food and vitamin industries.

[38] Fresh lemon and lime production averaged nearly 833,000 MT from marketing year 2012/13 to MY2020/21, ranging from 748,000 MT in MY2013/14 to 983,000 MT in MY2019/20. Meanwhile, fresh domestic consumption averaged nearly 1.2 million MT over the same period, ranging from 926,000 MT in MY 2012/13 to more than 1.4 million MT in MY2019/20. Thus, the shortfall between domestic supply to the domestic fresh market and domestic fresh lemon and lime consumption has increased from 99,000 MT in MY2012/13 to 622,000 MT in MY 2020/21, thus making it less likely that fresh lemons are diverted to processing for lack of demand. The U.S. marketing year for fresh lemons and limes is August through July. USDA, FAS, "Production, Supply, and Demand database," https://apps.fas.usda.gov/psdonline/app/index.html#/app/home, accessed January 14, 2022.

[39] Wilcox, Len, "Lemons Hit Hard by COVID-19 Losses," Citrus Industry, AgNet Media, May 14, 2020, https://citrusindustry.net/2020/05/14/lemons-hit-hard-by-covid-19-losses/, accessed January 14, 2022; Burfield, Tom, "Lemons: Foodservice Sales Plummet," The Packer, April 29, 2020, https://www.thepacker.com/news/retail/foodservice-lemon-sales-plummet-amid-covid-19, accessed January 14, 2022; Hecteman, Kevin, "Lemon Farmers Hopeful for Rebound Despite Drought," AgAlert, California Farm Bureau, August 4, 2021, https://www.agalert.com/story/?id=15194, accessed January 14, 2022; Conference transcript, p. 60, (Borgers).

[40] Karst, Tom, "2021 Year in Review — Supply Chain Troubles," The Packer, December 23, 2021; OECD, "Food Supply Chains and COVID-19: Impacts and Policy Lessons," June 2, 2020, https://www.oecd.org/coronavirus/policy-responses/food-supply-chains-and-covid-19-impacts-and-policy-lessons-71b57aea/, accessed January 25, 2022.

Lemon juice has a particularly high acid content compared to other citrus juices, typically above 4.5 percent by weight; thus, it is not typically consumed alone at full strength like orange juice. Lemon juice is primarily used as an ingredient in beverages, particularly lemonade and soft drinks, and other foods such as salad dressings, sauces, and baked goods. Lemon juice is sold to be used as an ingredient by food and beverage manufacturing companies but is also sold to producers of non-food products such as household cleaners. Lemon juice is also sold at retail grocers to be used as an ingredient for in-home food and beverage preparation.

Fresh lemons are processed into juice with varying concentration levels, acidity, and sugar content. Concentrated lemon juice and not-from-concentrate ("NFC") lemon juice are the two main types produced. Concentrated lemon juice has water removed to reduce bulk and weight. In addition, highly concentrated lemon juice is less susceptible to growth of microorganisms and may be stored refrigerated rather than frozen. These characteristics of concentrated lemon juice reduce costs related to shipping and storage. Concentrated lemon juice can be marketed as cloudy—containing up to 12 percent pulp—or clear or clarified, which has no visible pulp. Grams per liter of anhydrous citric acid ("GPL") is the primary measure of concentration. The typical GPL levels for concentrated lemon juice are acidity levels of 400 GPL and 500 GPL, but concentration level can be customized to customer specifications.[41] Concentrated juice is typically used as an ingredient in lemonades or other lemon-flavored beverages or reconstituted to single strength for packaging and sale.

Not-from-concentrate juice is marketed as a premium product, higher priced, alternative to frozen concentrated or reconstituted juices as it has no water removed and does not require reconstitution. After extraction and pasteurization, NFC lemon juice is packaged for sale or stored aseptically (oxygen-purged environment). The market for NFC lemon juice is growing as lemon juice becomes a leading ingredient and flavor of choice in premium lemonades and juice blends demanded by consumers.[42]

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[41] Historically 400 GPL was the U.S. domestic industry standard concentration level and continues to be the standard concentration level for petitioner's production and petitioner's customers. Conference transcript, pp. 62–65 (Borgers). In contrast, respondent purchasers indicated that their purchases shifted from 400 GPL product to 500 GPL product between 2006 and 2019. Conference transcript, pp. 136–139. (Maxfield, Berman, and Lewis).

[42] Conference transcript, p. 39, (Borgers). Calder, Caroline, "A Star Is Born. Lemon Juice Gets the Red-Carpet Treatment," Fruit Juice Focus, January 18, 2018, http://www.fruitjuicefocus.com/a-star-is-born-lemon-juice-gets-the-red-carpet-treatment/, accessed January 25, 2022.

Organic lemon juice is also sold commercially.[43] The lemons used for juice labeled as organic must be grown and processed based on USDA's National Organic Program (NOP) provisions. These provisions specify cultivation methods in the lemon orchard that prohibit the use of various pesticides or chemical fertilizers and require segregation of lemons at the processing plant. Moreover, manufacturing equipment that has been exposed to non-organic juice must be thoroughly cleaned before being used to process organic juice. Organic lemon juice generally sells for a higher price than non-organic juice, reflecting a higher cost of growing organic lemons, which typically have lower yields and efficiencies in growing and harvesting than conventionally grown lemons. Organic lemon juice accounts for a small percentage of annual sales in the United States.

Lemon juice and lemon oil are considered co-products in that production of one generally necessitates production of the other, though the pricing of the two products is generally independent of each other.[44] Lemon juice and lemon oil have different chemical profiles. Lemon juice is extracted from the lemon's pulp while oil is extracted from the lemon's peel. Lemon oil is generally used as a flavor enhancer in beverages, foods, and household cleaning supplies. While both can be used in beverages; lemon oil is used to impart flavor, while lemon juice is used to impart acidic tartness.

[43] Ventura Coastal and Greenwood Associates product lists include organic lemon juice products. Greenwood Associates, "Products," https://www.greenwoodassociates.com/products, accessed January 24, 2022; Ventura Coastal, "Products, Lemon," https://venturacoastal.com/lemon-products, accessed January 24, 2022.

[44] In general, citrus fruit processing is designed for the collection of juice, with the peel oil being a by-product, as is the case with lemons, oranges, grapefruit, and Persian limes. The growth of lemon juice production in Argentina has, historically, been driven by increased global demand for lemon oil, a key ingredient in cola soft drinks. Approximately 50 percent of Argentina's essential lemon oil production is marketed with a leading soft drink company under a long-term agreed price scheme that is not subject to market supply and demand. Performing oil extraction without juicing is not generally considered commercially viable, since without the additional revenue from juice, the cost of extracting the lemon oil would be prohibitive. Futch and Singerman, "Citrus Production in Argentina," September 29, 2017; Calvo, Daniel, "Lemon Juice… to buy, or not to buy, that is the question," Fruit Juice Focus, July/August 2020.

Manufacturing processes[45]

Lemons are grown in orchards, harvested, and transported to a packing house for grading and sorting. Unlike other citrus fruits, such as limes and juice oranges that are typically grown in humid tropical climates, lemons tend to grow in arid, subtropical regions such as those in California and Arizona in the United States. In the United States, the lemon harvest is spread throughout the year across several growing regions and lemons are grown primarily for the fresh market, with around 30 percent typically processed into juice each year.[46]

The supply and demand for fresh lemons may vary from year to year based on growing and market conditions, which can then impact the availability of fresh lemons available for processing. The 2021 U.S. lemon crop decreased by 18 percent from the prior year due to adverse growing conditions. [47] Production in Arizona, which produces about five percent of the U.S. lemon crop, was severely impacted by record high temperatures in the spring of 2020 when the trees were flowering and setting fruit for the next year.[48] Production in Arizona continues to face headwinds from older trees producing fewer lemons and declining acreage due to high property prices in the Yuma Valley.[49] Lemon Production in California was at or near 50-year highs in 2019, 2020, and 2022 at around one million short tons.[50]

Demand for lemons in different markets can impact the availability of lemons for processing. COVID-19 restrictions on bars, restaurants, schools, cruise lines, and other

[45] Unless otherwise noted, this information is based on Lemon Juice from Argentina, Investigation No. 731-TA-1105 (Second Review), Staff Report, November 23, 2021 ("Adequacy Report INV-TT-132"), pp. I-10–I-13.

[46] USDA, Foreign Agricultural Service, PS&D database, accessed June 8, 2022.

[47] U.S. production of fresh lemons was 884,000 short tons in 2021, a 12 percent decrease since 1,002,000 short tons in 2019. The U.S lemon crop in 2022 increased 17 percent over the prior year to 1,034,000 short tons (note: annual data runs August to July). USDA, NASS Quickstats, accessed December 27, 2022; Kramer, Simnitt, & Calvin, *Fruit and Tree Nuts Outlook: September* 2021, USDA ERS Situation and Outlook Report No. FTS-373, September 29, 2021; Kramer, Simnitt, & Weber, *Fruit and Tree Nuts Outlook: September* 2022, USDA ERS Situation and Outlook Report No. FTS-375, September 29, 2022.

[48] Kramer, Simnitt, & Calvin, *Fruit and Tree Nuts Outlook: September* 2021, USDA ERS Situation and Outlook Report No. FTS-373, September 29, 2021.

[49] Kramer, Simnitt, & Weber, *Fruit and Tree Nuts Outlook: September* 2022, USDA ERS Situation and Outlook Report No. FTS-375, September 29, 2022.

[50] Kramer, Simnitt, & Weber, *Fruit and Tree Nuts Outlook: September* 2022, USDA ERS Situation and Outlook Report No. FTS-375, September 29, 2022; USDA, NASS Quickstats, accessed December 27, 2022.

commercial food-service operations that were subject to closures and limited capacities almost eliminated the demand for an entire class and size of fresh lemons.[51] In 2020, 31 percent of lemons produced in the U.S. were processed.[52] If there are too many fresh lemons of a particular class or size, they may be culled into the processing market, thus expanding the supply of lemon juice. In 2022, 35 percent of lemons were processed, the highest in ten years.[53] The USDA's Economic Research Service suggests this may be due to several factors, including record-high fresh lemon imports that are up 29 percent over 2021, which may have had an impact on fresh lemon prices, which were down $3 per box from the 2020/21 season.[54]

Generally, the packing house is where fresh-market lemons are distinguished from lemons for processing. Lemons for processing are usually culled from fresh-market lemons based on imperfections in appearance or failure to meet size or grade standards.[55] After grading and sorting at the packing shed, lemons designated for processing are shipped via truck to processing plants. Commercial processing plants that produce lemon juice may also process other citrus fruits such as oranges, grapefruit, and limes.[56] Fruit is unloaded from the trucks,

[51] By some estimates, 50–65 percent of lemons sold in the United States go to the foodservice sector, where demand was 30–35 percent of normal during 2020. Wilcox, Len, "Lemons Hit Hard by COVID-19 Losses," Citrus Industry, AgNet Media, May 14, 2020, https://citrusindustry.net/2020/05/14/lemons-hit-hard-by-covid-19-losses/, accessed January 14, 2022; Burfield, Tom, "Lemons: Foodservice Sales Plummet," The Packer, April 29, 2020, https://www.thepacker.com/news/retail/foodservice-lemon-sales-plummet-amid-covid-19, accessed January 14, 2022; Hecteman, Kevin, "Lemon Farmers Hopeful for Rebound Despite Drought," AgAlert, California Farm Bureau, August 4, 2021, https://www.agalert.com/story/?id=15194, accessed January 14, 2022.

[52] USDA, NASS Quickstats, accessed December 27, 2022.

[53] USDA, NASS Quickstats, accessed December 27, 2022; Kramer, Simnitt, & Weber, *Fruit and Tree Nuts Outlook: September* 2022, USDA ERS Situation and Outlook Report No. FTS-375, September 29, 2022.

[54] Kramer, Simnitt, & Weber, *Fruit and Tree Nuts Outlook: September* 2022, USDA ERS Situation and Outlook Report No. FTS-375, September 29, 2022; USITC/DOC, DataWeb, HTS 0805.50.20, accessed December 27, 2022.

[55] Lemons for the fresh market are often sorted to meet exact size requirements over a large range of sizes. For example, many of the largest lemons produced in the United States are exported to Japan for use as gifts, whereas small lemons are often sold to bars and restaurants for use as condiments for drinks and garnish for food.

[56] In most countries, lemon processing takes place only during several months of the year immediately following harvest and, therefore, citrus juicing plants process other fruits on the off-season from lemons. U.S. lemons, however, are harvested throughout most of the year due to variations in growing conditions in three primary locations in California and Arizona. Nonetheless, U.S. plants also process other citrus in addition to lemons.

brush-washed, and is again graded and sized before entering the juice/oil extractors. Several lemon extraction systems are used globally; the most widely used in the United States is the FMC (now JBT) system but Brown extraction systems are also used in the United States.[57] The per gallon cost of processing lemons with the JBT or Brown system are roughly equivalent.[58]

JBT produces four different extractor models designed to extract juice and oil from citrus fruit of specific sizes, ranging from one inch in diameter to 5.5 inches in diameter, including limes, lemons, oranges, and grapefruit.[59] The JBT extraction method is the only method that does not involve first cutting the fruit into halves.[60] The fruit is first inserted into a two-part fingered cup that supports and squeezes the exterior of the fruit throughout the squeeze cycle. Plugs are cut into the top and bottom of the fruit to allow separation of the internal components from the peel. Pressure from the cups forces the juice and pulp into a strainer tube inserted into the bottom plug. While pulp and juice are forced into the strainer tube, the peel is cut into strips and sprayed with a fine water mist to extract the oil and create an emulsion that flows away from the peel. Juice never contacts the peel during this process. Fruit is separated into four streams, juice, peels, cores (pulp, rag, and seeds), and oil emulsion.[61]

The Brown Oil Extractor (BOE) is another extraction method used in the United States and South America. The BOE method differs from the JBT method in that juice and oil are extracted in sequential steps rather than simultaneously. The BOE method extracts oil first by gently puncturing the peel of the whole fruit with thousands of stainless-steel needle points,

[57] JBT was spun-off from FMC Technologies into a separate publicly traded company in 2008. JBT's Liquid Foods Division designs, manufactures, tests, and services systems for processing fruit and vegetable juices and has operations in 15 countries. JBT Citrus Systems claims its extractors are used to produce 75 percent of the world's juice production in 35 countries. JBT Liquid Foods, "An Overview: Fruit and Vegetable Processing, Preservation Solutions, Dairy Solutions, High Pressure Processing (HPP)," https://www.jbtc.com/foodtech/markets/juices-and-beverages/, accessed November 2, 2021; JBT Food Tech, "Citrus Juice Extractor," https://www.jbtc.com/foodtech/products-and-solutions/products/juicers-finishers-and-extractors/citrus-juice-extractor/, accessed November 2, 2021; conference transcript, pp. 15–17, (Borgers).

[58] Conference transcript, pp. 16–17, (Borgers).

[59] JBT Food Tech, "Citrus Juice Extractor," https://www.jbtc.com/foodtech/products-and-solutions/products/juicers-finishers-and-extractors/citrus-juice-extractor/, accessed November 2, 2021.

[60] Citrech, "Citrus Juices Processing Technology," accessed November 2, 2021.

[61] Rag is the stringy central portion and membranous walls of a citrus fruit. Citrech, "Citrus Juices Processing Technology," accessed November 2, 2021.

rupturing the oil sacks, and releasing the oil, which is emulsified in a water spray. Juice is extracted by then cutting the fruit in half, positioning the halves in cups, and then extracting juice and pulp with serrated reamers.[62]

A third extraction method, used primarily in Europe, is called the Pelatrice method. This method does not require a preliminary size calibration of the fruit and is also sequential rather than simultaneous. Oil is recovered by passing the fruit through a stainless-steel grating system under a water spray creating an oil emulsion. The de-oiled fruit is then cut in half and pressed against a fixed sieve by counter-rotating steel cylinders. Juice quality and yield is lower than with the JBT and Brown systems.[63]

After extraction, lemon juice is further processed in a centrifuge to remove any remaining bits of seed, peel, and excess pulp. At this point, juice may be pasteurized (175 to 185 degrees for 10 to 15 seconds)[64] resulting in NFC lemon juice, or it can be evaporated to remove water to produce lemon juice concentrate of a specified GPL and then pasteurized.[65] Clarified lemon juice is ultrafiltered before pasteurization to eliminate all pulp content, and then concentrated through evaporation and pasteurization. Concentrated and NFC lemon juice are stored in silos, bins, or steel drums, under frozen or aseptically chilled conditions.

The difference in the amount of heat applied to juices, including lemon juice, affects various characteristics including flavor and color.[66] Thus, one of the primary differences between NFC and concentrated lemon juice is the amount of heat applied creating different flavor profiles for NFC and concentrated lemon juice.[67] Concentration via evaporation uses more drastic time-temperature conditions than pasteurization, creating considerable changes in flavor and sensory profiles of concentrated juices.[68]

The extraction of additional lemon derivatives or oil fractions requires further specialized equipment. This equipment must generally have been incorporated into a plant's

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[62] Citrech, "Citrus Juices Processing Technology," accessed November 2, 2021.
[63] Citrech, "Citrus Juices Processing Technology," accessed November 2, 2021.
[64] Conference transcript, pp. 17, 35 (Borgers).
[65] Conference transcript, p. 18, (Borgers).
[66] Conference transcript, pp. 35-36, (Borgers).
[67] Conference transcript, p. 18 (Borgers).
[68] Facundo et. al. identified several sources that supported this conclusion including Spoto et. al (1997), Varming et. al. (2004), Elss et. al. (2005), Clary et.al. (2006, and Steinhaus et. al. (2006). Facundo, HelioFabia Virginia de Vasconcelos et. al., "Changes in Flavor Quality of Pineapple Juice During Processing," *Journal of Food Processing & Preservation,* June 2010, Vol. 34, No. 3, pp. 508–519, https://eds.s.ebscohost.com/eds/Citations/FullTextLinkClick?sid=f4aabe6a-1bbe-4e46-8c72-600c7290cab6@redis&vid=0&id=pdfFullText.

design to produce these specialized products. Lemon processing plant design must also be careful to plan for economical disposal of the peel and other solid wastes from the lemons, usually in compliance with local and national environmental requirements. Lemons cannot be disposed of in landfills because of their high moisture content but may be composted. Lemon juice disposal is regulated in the United States at the Federal, State, and local levels and must be pretreated prior to disposal due to its high sugar and acid content.

Lemon processing generally takes place at juice/oil extraction plants near growing areas which are concentrated in California and Arizona in the United States. Since 2013 an annual average of about 239,000 tons of lemons have been processed representing 26 percent of total U.S. lemon production. While total production of lemons and the quantity used in the fresh market have generally remained flat since 2013, the quantity used in the fresh market has increased by 15 percent.[69] Processing quantities and shares have also varied. Over the POI, the quantity of lemons that were processed peaked in 2020 at 332,000 tons (30.6 percent), higher than the shares in both 2013 and 2015, which exceeded 32.0 percent.[70] In 2022, the share of fresh lemons that were processed was 35.1 percent. The quantity of lemons processed, and the share processed were both the lowest in 2021 when 174,000 tons (19.7 percent) were processed.[71]

Traditional citrus juice sales—primarily orange juice—have been in decline for several years because of changing consumer habits such as reduced breakfast consumption opportunities.[72] Lemon juice, however, is benefiting from increased demand for new and unique flavors, including lemon, in the food and beverage industries.[73] Lemon juice demand has typically been greatest during the summer months when more lemonade is consumed. U.S. per capita availability of lemon juice is low relative to orange juice, averaging 0.19 gallons per capita

[69] Total production of fresh lemons decreased by 3 percent between 2013 and 2021 but increased 19 percent between 2013 and 2020.

[70] In 2019, 265,000 short tons of fresh lemons were processed, 26.4 percent of total lemon production.

[71] USDA, NASS, "Quick Stats database," accessed November 2, 2021.

[72] Fruit Juice Focus, "USA Juice Market Update," March/April 2020, http://www.fruitjuicefocus.com/, accessed November 2 ,2021.

[73] Calder, "A Star Is Born. Lemon Juice Gets the Red-Carpet Treatment," January 18, 2018; Fruit Juice Focus, "Citrus Pectin Market," November/December 2019, http://www.fruitjuicefocus.com/, accessed November 2, 2021.

for lemon juice compared with 2.73 gallons per capita for orange juice since 2013.[74] While per capita availability varied between 0.12 to 0.21 gallons per person since 2007, it has generally increased at an average annual rate of 0.06 gallons per capita.

Domestic like product issues

In the preliminary phase of these investigations, the Commission considered whether it should define frozen concentrated lemon juice and NFC lemon juice as separate domestic like products, but found that no clear dividing line existed between these two products. Thus, it defined a single domestic like product, including both conventional and organic frozen concentrated lemon juice and NFC lemon juice, coextensive with the scope of these investigations.[75] Respondents did not raise any objections to a single domestic like product coextensive with the scope for the purpose of the preliminary phase of these investigations.[76] No potential separate domestic like products were identified and no requests for data or other information necessary for analysis of the domestic like product were provided in party comments on the draft final phase questionnaires.

[74] USDA, ERS, "Food Availability (Per Capita) Data System, Fruit Juices," https://www.ers.usda.gov/data-products/food-availability-per-capita-data-system/, accessed November 7, 2021.

[75] Lemon Juice from Brazil and South Africa, Inv. Nos. 731-TA-1578-1579 (Preliminary), USITC Publication 5284, February 2022, p. 12.

[76] Conference transcript, pp. 120-121 (Noonan).

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

U.S. market characteristics

Lemon juice is sold in two forms: lemon juice concentrate (FCLJ) and not from concentrate lemon juice (NFCLJ). These forms may be either clarified or cloudy, as identified by the pulp content. Lemon juice is used as an ingredient in beverages, particularly lemonade and soft drinks, and other foods, such as salad dressings, sauces, and baked goods. Lemon juice is sold to food and beverage processing companies, for use as an ingredient, as well as to producers of non-food products, such as household cleaners. Repackaged, reconstituted lemon juice is also sold at retail grocers to be used as an ingredient in home food and beverage preparation.[1]

Apparent U.S. consumption in 2021 was 18.0 percent higher in terms of quantity and *** percent higher in terms of value than in 2019. Apparent U.S. consumption in the first two quarters of 2022 was *** percent higher in terms of quantity and *** percent higher in terms of value compared to the first two quarters of 2021.

U.S. purchasers

The Commission received eight usable questionnaire responses from firms that had purchased lemon juice during January 2019-June 2022.[2] [3] Five of the responding purchasers are beverage manufacturers, one is a food manufacturer, and two are distributors. In general, responding U.S. purchasers were located in the Southeast, Midwest, and Pacific Coast regions of the United States. Seven of eight responding purchasers reported that they purchase U.S.-produced lemon juice while five of eight responding purchasers reported that they purchase lemon juice from subject countries.[4] Large purchasers of lemon juice include beverage manufacturer ***, which accounted for over *** percent of total reported purchases

[1] Lemon Juice from Argentina and Mexico, 731-TA-1105-1106 (Review), USITC Publication 4418, June 24, 2013, p. II-1.

[2] The following firms provided purchaser questionnaire responses: ***.

[3] Seven purchasers indicated they had marketing/pricing knowledge of domestic product, six of Brazilian product, three of South African product, and seven of product from nonsubject countries. Purchasers identified Argentina, Bolivia, Egypt, Italy, Mexico, and Spain as nonsubject countries from which they had purchased lemon juice.

[4] Two purchasers reported purchasing lemon juice produced in Brazil, one reported purchasing lemon juice produced in South Africa, and two reported purchasing lemon juice from both Brazil and South Africa.

throughout the period followed by food manufacturer *** and ***, which each accounted for over *** percent of total reported purchases throughout the period.[5]

Channels of distribution

U.S. producers and importers sold mainly to food and drink manufacturers, as shown in table II-1.

Table II-1
Lemon juice: Share of U.S. shipments by source, channel of distribution, and period

Shares in percent

* * * * * * *

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

[5] *** reported purchasing lemon juice produced in the United States, Brazil including from nonsubject producer/importer Louis Dreyfus, and nonsubject countries.

Geographic distribution

U.S. producers reported selling lemon juice to all regions of the United States (table II-2). Importers reported selling to all regions of the contiguous United States. For U.S. producers, *** percent of sales were within 100 miles of their production facility, *** percent were between 101 and 1,000 miles, and *** percent were over 1,000 miles. Importers sold *** percent within 100 miles of their U.S. point of shipment, *** percent between 101 and 1,000 miles, and *** percent over 1,000 miles.

Table II-2
Lemon juice: Count of U.S. producers' and U.S. importers' geographic markets

Region	U.S. producers	Brazil	South Africa	Subject sources
Northeast	3	6	4	9
Midwest	3	4	2	5
Southeast	5	6	3	9
Central Southwest	3	0	1	1
Mountain	3	1	1	2
Pacific Coast	4	5	3	7
Other	2	0	0	0
All regions (except Other)	3	0	1	1
Reporting firms	5	8	4	11

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

Note: Other U.S. markets include AK, HI, PR, and VI.

Supply and demand considerations

U.S. supply

Table II-3 provides a summary of the supply factors regarding lemon juice from U.S. producers and from subject countries.

Lemon juice production depends on the amount of lemons grown and the share of those lemons that go to processing. Lemons typically go to processing because they are unsuitable for the fresh lemon market because of defects or failure to meet the size or grade standards for sale as fresh lemons.[6] As lemons are perishable, lemon juice processors have to have sufficient capacity to process the volumes of lemons that growers deliver during peak harvest seasons.[7] Approximately 65 to 70 percent of lemons are processed within 24 to 48 hours of harvesting, with the remaining 30 to 35 percent processed within 2 to 4 weeks.[8] U.S. lemon juice producers idle processing capacity at periods during the harvest when the volumes of lemons delivered are lower and there are lower volumes of lemons to process.[9] This leads to spikes in the capacity utilization and periods of under-utilization based on agricultural production schedules. An annual capacity utilization rate of 15 to 25 percent is considered normal and 35 to 40 percent would be considered high.[10]

Lemon juice producers freeze lemon juice to store it for up to two years[11] to provide a constant supply of lemon juice to the U.S. market. Fresh lemon crop size can vary from year to year based on a variety of factors including crop damaging conditions such as freezes, storms, or droughts.[12] In order to provide a stable supply of lemon juice in years of lower crop yield, U.S. producers usually carry over 25 percent of production from one season to the next as inventory.[13] [14]

[6] Hearing transcript, p. 16 (Borgers).
[7] Conference transcript, p. 51 (McDermott).
[8] Conference transcript, p. 15 (Borgers).
[9] Conference transcript, p. 50 (Borgers).
[10] Conference transcript, p. 49 (Arkan) and p. 51 (McDermott).
[11] Conference transcript, p. 47 (Borgers).
[12] Conference transcript, p. 88 (Maxfield).
[13] Conference transcript, p. 48 (Borgers).
[14] Petitioners stated that producers are incentivized to sell inventories above the levels required to ensure a stable supply of lemon juice as there are costs associated with storing lemon juice. Petitioners also reported that they are incentivized to limit the size of inventories as lemon juice that is reaching the end of its shelf-life sells for a lower price. Petitioners prehearing brief, p. 2.

Table II-3
Lemon juice: Supply factors that affect the ability to increase shipments to the U.S. market, by country

Quantity in 1,000 gallons concentrated basis @400 GPL; ratios and shares in percent; Count in number of firms reporting

* * * * * * *

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

Note: Responding U.S. producers accounted for the vast majority of U.S. production of lemon juice in 2021. Responding foreign producer/exporter firms accounted for all of U.S. imports of lemon juice from Brazil and South Africa 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.”

Domestic production

Based on available information, U.S. producers of lemon juice have the ability to respond to changes in demand with small-to-moderate changes in the quantity of shipments of lemon juice to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the availability of some unused capacity and moderate inventory levels. The very limited ability to divert shipments from other markets and the limited quantities of lemons available for processing mitigate the responsiveness of supply.

U.S. producers reported nearly constant levels of production capacity and decreased production, leading to decreased capacity utilization from 2019 to 2021. U.S. producers stated that they could continue to increase capacity utilization if more lemons were available for processing.[15] U.S. lemon juice production is constrained by the availability of lemons as the domestic industry stated that they used all lemons available for lemon juice production.[16] U.S. producers' inventories relative to total shipments increased from 2019 to 2021. It is unlikely that U.S. producers would reduce inventories below a certain level regardless of price due to the seasonal nature of lemon juice production and the business necessity of providing a steady supply of lemon juice to the U.S. market. Exports remained below *** percent of U.S. producers' total shipments throughout the period. The majority of responding U.S. producers reported that they were able to process other citrus varieties (such as oranges and grapefruit) on the same equipment used to process lemons. However, U.S. producers *** reported that due to different agricultural production cycles, citrus varieties do not displace each other as they are not available for processing at the same time of year.[17] Therefore, the ability to switch production to or from other products to lemon juice does not impact U.S. producers' ability to respond to changes in demand.

Subject imports from Brazil

Based on available information, subject producers of lemon juice from Brazil have the ability to respond to changes in demand with moderate changes in the quantity of shipments of lemon juice to the U.S. market. The main contributing factors to this degree of responsiveness of supply are availability of some unused capacity, the ability to shift shipments from alternate markets, and the ability to switch production to or from alternate products. Limited quantities

[15] Conference transcript, p. 52 (Borgers).
[16] Conference transcript, p. 52 (Borgers).
[17] Conference transcript, p. 15 (Arkan).

of lemons available for processing and a lack of inventories mitigates the responsiveness of supply.

Brazilian producers reported no change to production capacity and decreased production, leading to decreased capacity utilization from 2019 to 2021. Brazilian producers' inventories relative to total shipments decreased from 2019 to 2021. Brazilian producers reported selling under *** percent of their total shipments in their home market, under *** to markets other than the United States, and just over *** to the U.S. market, in 2021. *** responding Brazilian producer reported that it was able to process other citrus varieties (such as oranges) on the same equipment used to process lemons. Foreign producer *** reported that it shifts production based on juice and fruit prices to achieve the highest profit margins.

Subject imports from South Africa

Based on available information, producers of lemon juice from South Africa have the ability to respond to changes in demand with moderate changes in the quantity of shipments of lemon juice to the U.S. market. The main contributing factors to this degree of responsiveness of supply are availability of some unused capacity, high inventory levels, and the ability to shift shipments from alternate markets. Limited quantities of lemons available for processing mitigates the responsiveness of supply.

South African producers reported increased capacity, production, and capacity utilization from 2019 to 2021. South African producers' inventories relative to total shipments decreased from 2019 to 2021. Responding South African producers reported selling just under *** of total shipments in their home market, just over *** to markets other than the United States, and over *** to the U.S. market, in 2021. *** responding South African producers (***) reported that they were able to process other citrus varieties (such as oranges or grapefruit) on the same equipment used to process lemons. However, South African producers reported that production was driven by the supply of fruit being rejected by the fresh market. South African producers reported that they were generally not in control of the citrus varietal they are possessing or have control over the cost associated with switching between processing citrus varietal as they generally shift production between varietals in accordance with packhouse operations. Therefore, the ability to switch to or from other products to lemon juice does not impact South African producers' ability to respond to changes in demand.

Imports from nonsubject sources

Nonsubject imports accounted for *** percent of total U.S. imports in 2021. The largest sources of nonsubject imports in 2021 were Argentina and Mexico. Combined, these countries accounted for 53.6 percent of nonsubject imports in 2021.

Supply constraints

All of the responding U.S. producers and the majority of importers reported that they had not experienced supply constraints since January 1, 2019, or since the petition was filed on December 20, 2021. Importers ***, ***, and *** reported experiencing supply constraints since January 1, 2019 that were caused by the lack of available transportation such as the lack of shipping containers or space on cargo vessels.

Half of responding purchasers (4 of 8) reported that they had experienced supply constraints since January 1, 2019. Purchaser *** reported that *** did not have enough lemon juice to meet its demand so it imported additional lemon juice from Mexico. Purchaser *** reported that lemon production is impacted by factors such as weather and pests and that the production of lemon juice is impacted by demand for fresh lemons. Purchaser *** reported that *** was unable to supply it with NFC lemon juice. Purchaser *** reported that the allocation of lemons into the fresh market and blended stock availability had caused shortages in the U.S. market. Two purchasers reported that they had experienced supply constraints since the petition was filed on December 30, 2021. Purchaser *** reported supply constraints caused by delays in unloading ships in Long Beach and Los Angeles. Purchaser *** reported that *** had been unable to supply sufficient quantities of lemon juice since the spring of 2022.

New suppliers

Two of 8 purchasers indicated that new suppliers entered the U.S. market since January 1, 2019. Purchaser *** reported that it had added suppliers from Uruguay, Argentina, and Florida since January 1, 2019.

U.S. demand

Based on available information, the overall demand for lemon juice is likely to experience small changes in response to changes in price. The main contributing factors to the low responsiveness of demand to price are the limited range of substitute products and the

difficulty of using substitutes in food products (which would require changing labels and might affect the flavor or other characteristics of the food or drink).[18]

End uses and cost share

U.S. demand for lemon juice depends on the demand for U.S.-produced downstream products. Reported end uses include beverages, sauces, and dressings.

Lemon juice accounts for a varying cost of the end-use products in which it is used, depending on the amount of lemon juice used in the end-use product. Firms generally reported cost shares in beverages (including lemonade) of 2 to 21 percent, although one firm reported a cost share of 91 percent. Some firms reported that the cost share in lemon juice concentrate was 100 percent. One importer reported that lemon juice accounted for 5 percent of the cost of sauces.

Business cycles

Three of 5 U.S. producers, 19 of 29 importers, and 5 of 8 purchasers indicated that the market was subject to business cycles. Specifically, U.S. producer *** reported that seasonal crop fluctuations, logistical costs, and demand factors all create business cycles. U.S. producer *** reported that there is an increase in demand in the summer when there is a higher demand for lemonade. Importers and purchasers generally reported that supply was subject to growing seasons and fluctuations in annual crop yields while demand was seasonal with increased demand in summer for products like lemonade.

One of 5 U.S. producers, 7 of 29 importers, and 1 of 8 purchasers indicated that the market was subject to distinct conditions of competition. U.S. producer *** reported that there are different crop seasons in Spain, the United States, and Mexico. Importers *** and *** reported that environmental conditions created distinct conditions of competition in the U.S. market. Importers ***, ***, and *** reported that demand from the fresh market impacting lemon juice production was a distinct condition of competition.

Two of four responding U.S. producers, 13 of 22 responding importers, and 2 of 7 responding purchasers reported that business cycles or conditions of competition had changed since January 1, 2019. U.S. producer *** reported that the entrance of U.S. lemon juice producers in Florida had changed the U.S. market as these producers are geographically closer to key lemon juice markets and therefore have lower shipping costs. U.S. producer ***

[18] Lemon Juice from Argentina and Mexico, 731-TA-1105-1106 (Review), USITC Publication 4418, June 24, 2013, p. II-13.

reported that freight costs from Spain, Mexico, and Brazil have dramatically increased (by up to 4 times in some cases) since the COVID-19 pandemic. Importer *** reported that farmers in Florida were planting lemon trees instead of orange trees. Importer *** reported that Ventura Coastal had only recently been able to supply lemon juice with a concentration of 500 GPL.

Demand trends

All responding U.S. producers reported domestic demand for FCLJ in all concentration levels had fluctuated and the majority reported that domestic demand for NFCLJ had increased since January 1, 2019. All responding U.S. producers reported that overall domestic demand fluctuated (table II-4). At least half of responding importers reported that domestic demand for FCLJ in all concentration levels had fluctuated and the majority of responding importers reported that domestic demand for NFCLJ had increased or remained constant since January 1, 2019. The majority of importers reported that overall demand for lemon juice had increased or remained constant. The majority of purchasers reported that domestic demand for FCLJ with a concentration of 400 GPL had increased or remained constant, while domestic demand for lemon juice with a concentration of 500 GPL and other concentration levels had fluctuated. The majority of purchasers had reported that domestic demand for NFCLJ and overall demand for lemon juice had increased or remained constant since January 1, 2019.

All responding U.S. producers reported that foreign demand for FCLJ in all levels of concentration, NFCLJ, and overall foreign demand for lemon juice had fluctuated since January 1, 2019. Half of responding importers reported that foreign demand for FCLJ with a concentration of 400 and 500 GPL had increased or remained constant, while foreign demand for FCLJ with other concentration levels had fluctuated. The majority of importers reported that foreign demand for NFCLJ had increased or remained constant. Importer responses on the overall foreign demand for lemon juice were mixed. Only two purchasers provided information on foreign demand.[19] The majority of purchasers reported that the demand for their end-use products had increased since January 1, 2019.

[19] One purchaser reported that foreign demand for FCLJ with a concentration of 400 GPL fluctuated while the other reported that there had been no change in demand since January 1, 2019. The sole responding purchaser reported that foreign demand for FCLJ with a concentration of 500 GPL and FCLJ with other concentration levels had fluctuated, while foreign demand for NFCLJ and the overall foreign demand for lemon juice had increased.

Table II-4
Lemon juice: Count of firms' responses regarding overall domestic and foreign demand, by firm type
Count in number of firms reporting

Market	Firm type	Increase	No change	Decrease	Fluctuate
FCLJ @ 400 GDL: Domestic demand	U.S. producers	0	0	0	3
FCLJ @ 500 GDL: Domestic demand	U.S. producers	0	0	0	3
FCLJ @ other GDL: Domestic demand	U.S. producers	0	0	0	3
NFCLJ: Domestic demand	U.S. producers	3	0	0	2
All lemon juice: Domestic demand	U.S. producers	0	0	0	3
FCLJ @ 400 GDL: Domestic demand	Importers	2	4	2	9
FCLJ @ 500 GDL: Domestic demand	Importers	1	5	1	8
FCLJ @ other GDL: Domestic demand	Importers	1	4	1	6
NFCLJ: Domestic demand	Importers	6	4	1	4
All lemon juice: Domestic demand	Importers	8	4	1	8
FCLJ @ 400 GDL: Domestic demand	Purchasers	2	2	0	2
FCLJ @ 500 GDL: Domestic demand	Purchasers	0	1	0	2
FCLJ @ other GDL: Domestic demand	Purchasers	0	1	0	3
NFCLJ: Domestic demand	Purchasers	3	1	0	1
All lemon juice: Domestic demand	Purchasers	2	1	0	1
FCLJ @ 400 GDL: Foreign demand	U.S. producers	0	0	0	3
FCLJ @ 500 GDL: Foreign demand	U.S. producers	0	0	0	3
FCLJ @ other GDL: Foreign demand	U.S. producers	0	0	0	3
NFCLJ: Foreign demand	U.S. producers	0	0	0	3
All lemon juice: Foreign demand	U.S. producers	0	0	0	3
FCLJ @ 400 GDL: Foreign demand	Importers	2	5	2	5
FCLJ @ 500 GDL: Foreign demand	Importers	2	4	1	5
FCLJ @ other GDL: Foreign demand	Importers	1	4	1	6
NFCLJ: Foreign demand	Importers	4	4	1	4
All lemon juice: Foreign demand	Importers	5	3	1	7
FCLJ @ 400 GDL: Foreign demand	Purchasers	0	1	0	1
FCLJ @ 500 GDL: Foreign demand	Purchasers	0	0	0	1
FCLJ @ other GDL: Foreign demand	Purchasers	0	0	0	1
NFCLJ: Foreign demand	Purchasers	1	0	0	0
All lemon juice: Foreign demand	Purchasers	1	0	0	0
Demand for end use products	Purchasers	4	1	0	1

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

Substitute products

All responding U.S. producers (5 of 5), and most importers (19 of 22) and purchasers (6 of 8) reported that there were no substitutes for lemon juice. Three importers (***, *** and ***) and one purchaser (***) reported that citric acid, lime juice, and/or vinegar could be substituted for lemon juice in some end uses. All three of these importers reported that the price of these substitutes had not affected the price of

lemon juice, while one purchaser *** reported that the price of substitutes had affected the price of lemon juice.

Substitutability issues

This section assesses the degree to which U.S.-produced lemon juice and imports of lemon juice from subject countries can be substituted for one another by examining the importance of certain purchasing factors and the comparability of lemon juice 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 lemon juice and lemon juice imported from subject sources.[20] Factors contributing to this level of substitutability include similar qualities and physical properties. Factors reducing substitutability are differences in the flavor profile of lemon juice from each country, different lead times from domestic and subject sources, and differences in the cost of freight from domestic and subject producers to purchasers.[21]

Factors affecting purchasing decisions based on source

As shown in table II-5, purchaser responses on making purchasing decisions based on the producer were mixed: half always make decisions based on the producer and half sometimes or never do. The majority of purchasers sometimes or never make purchasing decisions based on the country of origin. The majority of purchasers reported that their customers sometimes or never make decisions based on the producer or country of origin.

[20] The degree of substitution between domestic and imported lemon juice depends upon the extent of product differentiation between the domestic and imported products and reflects how easily purchasers can switch from domestically produced lemon juice to the lemon juice imported from subject countries (or vice versa) when prices change. The degree of substitution may include such factors as relative prices (discounts/rebates), quality differences (e.g., grade standards, defect rates, etc.), and differences in sales conditions (e.g., lead times between order and delivery dates, reliability of supply, product services, etc.).

[21] Lemon juice with higher levels of water content have higher transportation costs compared to lemon juice with lower water content levels. This reduces subject importers' ability to supply the U.S. market with NFCLJ and encourages foreign producers to export FCLJ with higher concentration levels. Hearing transcript p. 158 (Maxfield)

Table II-5
Lemon juice: 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	4	0	1	3
Customer	Producer	0	1	2	5
Purchaser	Country	0	1	4	3
Customer	Country	0	0	4	4

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

Importance of purchasing domestic product

Six of 8 purchasers reported that most or all of their purchases did not require purchasing U.S.-produced product. None of the responding purchasers reported that domestic product was required by law. Two reported it was required by their customers (for 20 to 90 percent of their purchases), and one reported other preferences for domestic product for 10 percent of its purchases.

Most important purchase factors

The most often cited top three factors firms consider in their purchasing decisions for lemon juice were price/cost, quality, and availability/supply (6 firms each), as shown in table II-6. Quality was the most frequently cited first-most important factor (cited by 5 firms), followed by availability/supply (2 firms); price/cost (2 firms) and availability/supply (2 firms) were the most frequently reported second-most important factors; and price/cost was the most frequently reported third-most important factor (4 firms).

Table II-6
Lemon juice: Count of ranking of factors used in purchasing decisions as reported by purchasers, by factor

Factor	First	Second	Third	Total
Quality	5	1	0	6
Availability / Supply	2	2	2	6
Price / Cost	0	2	4	6
All other factors	1	3	2	6

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

Note: Other factors include contracts for volume, longstanding business relationship, shortage format, processor approval, and sustainability.

The majority of purchasers (6 of 8) reported that they sometimes purchase the lowest-priced product.

Importance of specified purchase factors

Purchasers were asked to rate the importance of 25 factors in their purchasing decisions (table II-7). The factors rated as very important by more than half of responding purchasers were availability, flavor profile, product consistency, quality meets industry standards, reliability of supply (8 firms each); U.S. transportation cost (7 firms); price (6 firms); and availability of frozen FCLJ @ 400 GPL, delivery time, payment terms, and technical support/service (5 firms each).

Table II-7
Lemon juice: Count of purchasers' responses regarding importance of purchase factors, by factor

Factor	Very important	Somewhat important	Not important
Availability	8	0	0
Availability of nonfrozen FCLJ @ 400 GPL	0	1	7
Availability of frozen FCLJ @ 400 GPL	5	1	2
Availability of nonfrozen FCLJ @ 500 GPL	1	0	7
Availability of frozen FCLJ @ 500 GPL	2	0	6
Availability of frozen NFCLJ	2	2	2
Availability of nonfrozen NFCLJ	2	1	5
Color	3	5	0
Delivery terms	2	5	0
Delivery time	5	3	0
Discounts offered	2	3	3
Flavor profile	8	0	0
Labeling requirements of country of origin	3	4	1
Blending requirements of country of origin	1	4	3
Minimum quantity requirements	3	3	2
Packaging	3	5	0
Payment terms	5	2	1
Price	6	2	0
Product consistency	8	0	0
Product range	1	5	2
Quality meets industry standards	8	0	0
Quality exceeds industry standards	4	3	1
Reliability of supply	8	0	0
Technical support/service	5	2	1
U.S. transportation cost	7	1	0

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

Lead times

Lemon juice produced in the United States is primarily sold from inventory while lemon juice from Brazil and South Africa is mostly produced-to-order. U.S. producers reported that *** percent of their commercial shipments came from inventories, with orders being filled on demand with little or no lead time. The remaining *** percent of commercial shipments were produced to order with lead times averaging *** days. Importers reported that *** percent of

lemon juice from Brazil and South Africa was produced-to-order with lead times averaging *** days. The remaining *** percent came from U.S. inventories with lead times of *** days.

Supplier certification

All eight responding purchasers require their suppliers to become certified or qualified to sell lemon juice to their firm. Purchasers reported that the time to qualify a new supplier ranged from 10 to 270 days.[22] Purchasers reported requiring food safety and quality certifications from their suppliers. Three purchasers reported that a domestic or foreign supplier had failed in its attempt to qualify or had lost its approved status since 2019. *** reported that *** did not pass its four-week quality study and *** reported that a South African supplier failed to meet quality standards.

Minimum quality specifications

As can be seen from table II-8; the majority of responding purchasers reported that domestically produced, Brazilian, South African, and nonsubject lemon juice always or usually met minimum quality specifications.

Table II-8
Lemon juice: 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	4	2	1	1	0
Brazil	2	2	2	1	1
South Africa	1	2	0	0	5
All other sources	2	4	0	0	1

Source: Compiled from data submitted in response to Commission questionnaires.
Note: Purchasers were asked how often domestically produced or imported lemon juice meets minimum quality specifications for their own or their customers' uses.

Purchasers reported factors that determined quality were flavor, thickness-viscosity, color, pulp content, aroma, acidity levels, oil content, and minimum content requirements (such as limits on heavy metals, pesticides, and agricultural residues).

Changes in purchasing patterns

Three of 7 responding purchasers reported that they had changed suppliers since January 1, 2019. Purchaser *** reported that it now sources lemon juice through a

[22] Five responding purchasers reported that supplier certification took between 30-45 days. Purchaser *** reported the longest supplier certification period of 9 months.

cooperative of growers. Purchaser *** reported that it developed Peace River in Florida as an additional U.S. source to ensure a steady supply of lemon juice. Purchaser *** reported that it had dropped Prodalim, which imported Brazilian lemon juice from Louis Dreyfus, because of the low quality of lemon juice and unreliable supply lines. Purchaser *** added World Food & Flavor, which imports Spanish lemon juice, because the cost of transportation from Spain is less than the cost of transportation from the West Coast of the United States.

Purchasers were asked about changes in their purchasing patterns from different sources since 2019 (table II-9). Purchasers reported a variety of responses for purchases from the United States, Brazil, and nonsubject countries; while the two purchasers that purchased lemon juice from South Africa reported that these purchases increased. *** reported that it had decreased purchases from the United States because product was not available. *** and *** reported increased purchases from the United States because of reliability of supply and the prevalence of international supply chain issues. *** reported constant purchases of lemon juice from the United States as it sources lemon juice from a variety of sources to ensure a constant supply. *** reported decreased purchases of Brazilian lemon juice because of its bitter flavor. *** reported increased purchases from South Africa for favorable pricing and supply assurance.

Table II-9
Lemon juice: 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	1	2	2	2	1
Brazil	2	1	0	1	4
South Africa	0	2	0	0	6
All other sources	2	2	1	2	1
Sources unknown	0	0	0	0	6

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

Purchase factor comparisons of domestic products, subject imports, and nonsubject imports

Purchasers were asked a number of questions comparing lemon juice produced in the United States, subject countries, and nonsubject countries. First, purchasers were asked for a country-by-country comparison on the same 25 factors (tables II-10) for which they were asked to rate the importance.

Purchaser responses were mixed when comparing U.S.-produced lemon juice and lemon juice from Brazil. At least half of purchasers reported that U.S. and South African lemon juice were comparable on the majority of factors. At least half of responding purchasers reported that lemon juice from the United States was inferior to lemon juice produced in South Africa in terms of availability of frozen FCLJ with a concentration of 500 GPL, price, and U.S. transportation costs. At least half of responding purchasers reported that lemon juice from the United States was superior to lemon juice from South Africa in terms of delivery terms, delivery time, reliability of supply and technical support. Purchaser responses were mixed in comparing Brazilian and South African lemon juice.

The majority of purchasers reported that U.S. and nonsubject lemon juice was comparable on all factors except for many of the availability factors. The majority of responding purchasers reported that U.S. lemon juice was inferior to nonsubject lemon juice in terms of availability of nonfrozen FCLJ with a concentration of 500 GPL, availability of frozen FCLJ with a concentration of 500 GPL, and availability of frozen NFCLJ. Purchaser responses on the availability of frozen FCLJ with a concentration of 400 GPL were mixed. At least half of purchasers reported that Brazilian, South African, and nonsubject sources were comparable on the majority of factors.

Table II-10
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Brazil	2	2	2
Availability of nonfrozen FCLJ @ 400 GPL	U.S. vs Brazil	1	2	0
Availability of frozen FCLJ @ 400 GPL	U.S. vs Brazil	2	2	1
Availability of nonfrozen FCLJ @ 500 GPL	U.S. vs Brazil	0	1	1
Availability of frozen FCLJ @ 500 GPL	U.S. vs Brazil	0	1	2
Availability of frozen NFCLJ	U.S. vs Brazil	2	1	1
Availability of nonfrozen NFCLJ	U.S. vs Brazil	2	1	1
Color	U.S. vs Brazil	2	3	1
Delivery terms	U.S. vs Brazil	3	2	1
Delivery time	U.S. vs Brazil	3	2	1
Discounts offered	U.S. vs Brazil	2	2	0
Flavor profile	U.S. vs Brazil	3	2	1
Labeling requirements of country of origin	U.S. vs Brazil	1	5	0
Blending requirements of country of origin	U.S. vs Brazil	1	5	0
Minimum quantity requirements	U.S. vs Brazil	2	3	0
Packaging	U.S. vs Brazil	0	6	0
Payment terms	U.S. vs Brazil	2	4	0
Price	U.S. vs Brazil	0	3	1
Product consistency	U.S. vs Brazil	3	2	1
Product range	U.S. vs Brazil	2	3	1
Quality meets industry standards	U.S. vs Brazil	3	2	1
Quality exceeds industry standards	U.S. vs Brazil	3	2	1
Reliability of supply	U.S. vs Brazil	3	2	1
Technical support/service	U.S. vs Brazil	2	3	1
U.S. transportation cost	U.S. vs Brazil	2	1	3

Table continued.

Table II-10 Continued
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs South Africa	0	2	1
Availability of nonfrozen FCLJ @ 400 GPL	U.S. vs South Africa	0	1	0
Availability of frozen FCLJ @ 400 GPL	U.S. vs South Africa	0	2	1
Availability of nonfrozen FCLJ @ 500 GPL	U.S. vs South Africa	0	0	0
Availability of frozen FCLJ @ 500 GPL	U.S. vs South Africa	0	0	1
Availability of frozen NFCLJ	U.S. vs South Africa	0	2	0
Availability of nonfrozen NFCLJ	U.S. vs South Africa	0	1	0
Color	U.S. vs South Africa	0	2	1
Delivery terms	U.S. vs South Africa	2	1	1
Delivery time	U.S. vs South Africa	2	1	1
Discounts offered	U.S. vs South Africa	1	2	0
Flavor profile	U.S. vs South Africa	0	2	1
Labeling requirements of country of origin	U.S. vs South Africa	1	3	0
Blending requirements of country of origin	U.S. vs South Africa	1	3	0
Minimum quantity requirements	U.S. vs South Africa	1	3	0
Packaging	U.S. vs South Africa	0	4	0
Payment terms	U.S. vs South Africa	1	2	1
Price	U.S. vs South Africa	0	1	2
Product consistency	U.S. vs South Africa	1	2	1
Product range	U.S. vs South Africa	2	2	0
Quality meets industry standards	U.S. vs South Africa	1	2	1
Quality exceeds industry standards	U.S. vs South Africa	1	2	1
Reliability of supply	U.S. vs South Africa	2	1	1
Technical support/service	U.S. vs South Africa	2	1	1
U.S. transportation cost	U.S. vs South Africa	1	1	2

Table continued.

Table II-10 Continued
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	Brazil vs South Africa	0	2	1
Availability of nonfrozen FCLJ @ 400 GPL	Brazil vs South Africa	0	0	1
Availability of frozen FCLJ @ 400 GPL	Brazil vs South Africa	0	1	1
Availability of nonfrozen FCLJ @ 500 GPL	Brazil vs South Africa	0	0	0
Availability of frozen FCLJ @ 500 GPL	Brazil vs South Africa	0	1	0
Availability of frozen NFCLJ	Brazil vs South Africa	0	1	1
Availability of nonfrozen NFCLJ	Brazil vs South Africa	0	0	1
Color	Brazil vs South Africa	1	1	1
Delivery terms	Brazil vs South Africa	0	2	1
Delivery time	Brazil vs South Africa	0	2	1
Discounts offered	Brazil vs South Africa	0	1	1
Flavor profile	Brazil vs South Africa	0	1	2
Labeling requirements of country of origin	Brazil vs South Africa	0	2	1
Blending requirements of country of origin	Brazil vs South Africa	0	2	1
Minimum quantity requirements	Brazil vs South Africa	0	2	1
Packaging	Brazil vs South Africa	0	2	1
Payment terms	Brazil vs South Africa	0	1	2
Price	Brazil vs South Africa	0	2	1
Product consistency	Brazil vs South Africa	0	1	2
Product range	Brazil vs South Africa	1	1	1
Quality meets industry standards	Brazil vs South Africa	1	1	1
Quality exceeds industry standards	Brazil vs South Africa	1	1	1
Reliability of supply	Brazil vs South Africa	0	2	1
Technical support/service	Brazil vs South Africa	0	2	1
U.S. transportation cost	Brazil vs South Africa	0	2	1

Table continued.

Table II-10 Continued
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Nonsubject sources	1	4	1
Availability of nonfrozen FCLJ @ 400 GPL	U.S. vs Nonsubject sources	0	2	0
Availability of frozen FCLJ @ 400 GPL	U.S. vs Nonsubject sources	2	2	1
Availability of nonfrozen FCLJ @ 500 GPL	U.S. vs Nonsubject sources	0	0	1
Availability of frozen FCLJ @ 500 GPL	U.S. vs Nonsubject sources	0	0	2
Availability of frozen NFCLJ	U.S. vs Nonsubject sources	0	0	1
Availability of nonfrozen NFCLJ	U.S. vs Nonsubject sources	0	1	0
Color	U.S. vs Nonsubject sources	1	4	1
Delivery terms	U.S. vs Nonsubject sources	1	4	1
Delivery time	U.S. vs Nonsubject sources	2	3	1
Discounts offered	U.S. vs Nonsubject sources	1	5	0
Flavor profile	U.S. vs Nonsubject sources	1	5	0
Labeling requirements of country of origin	U.S. vs Nonsubject sources	0	0	0
Blending requirements of country of origin	U.S. vs Nonsubject sources	0	0	0
Minimum quantity requirements	U.S. vs Nonsubject sources	1	5	0
Packaging	U.S. vs Nonsubject sources	1	5	0
Payment terms	U.S. vs Nonsubject sources	1	4	1
Price	U.S. vs Nonsubject sources	0	4	1
Product consistency	U.S. vs Nonsubject sources	1	5	0
Product range	U.S. vs Nonsubject sources	1	4	1
Quality meets industry standards	U.S. vs Nonsubject sources	1	5	0
Quality exceeds industry standards	U.S. vs Nonsubject sources	1	5	0
Reliability of supply	U.S. vs Nonsubject sources	1	4	1
Technical support/service	U.S. vs Nonsubject sources	1	4	1
U.S. transportation cost	U.S. vs Nonsubject sources	1	2	3

Table continued.

Table II-10 Continued
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	Brazil vs Nonsubject sources	0	4	1
Availability of nonfrozen FCLJ @ 400 GPL	Brazil vs Nonsubject sources	0	1	1
Availability of frozen FCLJ @ 400 GPL	Brazil vs Nonsubject sources	0	3	1
Availability of nonfrozen FCLJ @ 500 GPL	Brazil vs Nonsubject sources	0	1	0
Availability of frozen FCLJ @ 500 GPL	Brazil vs Nonsubject sources	0	2	0
Availability of frozen NFCLJ	Brazil vs Nonsubject sources	0	1	0
Availability of nonfrozen NFCLJ	Brazil vs Nonsubject sources	1	0	1
Color	Brazil vs Nonsubject sources	1	2	2
Delivery terms	Brazil vs Nonsubject sources	0	3	1
Delivery time	Brazil vs Nonsubject sources	0	4	1
Discounts offered	Brazil vs Nonsubject sources	0	3	1
Flavor profile	Brazil vs Nonsubject sources	1	2	1
Minimum quantity requirements	Brazil vs Nonsubject sources	0	4	1
Packaging	Brazil vs Nonsubject sources	0	4	1
Payment terms	Brazil vs Nonsubject sources	0	4	1
Price	Brazil vs Nonsubject sources	0	4	1
Product consistency	Brazil vs Nonsubject sources	1	2	2
Product range	Brazil vs Nonsubject sources	0	4	1
Quality meets industry standards	Brazil vs Nonsubject sources	1	2	2
Quality exceeds industry standards	Brazil vs Nonsubject sources	1	2	2
Reliability of supply	Brazil vs Nonsubject sources	0	3	2
Technical support/service	Brazil vs Nonsubject sources	0	4	1
U.S. transportation cost	Brazil vs Nonsubject sources	2	2	1

Table continued.

Table II-10 Continued
Lemon juice: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	South Africa vs Nonsubject sources	0	2	1
Availability of nonfrozen FCLJ @ 400 GPL	South Africa vs Nonsubject sources	0	0	1
Availability of frozen FCLJ @ 400 GPL	South Africa vs Nonsubject sources	0	1	1
Availability of nonfrozen FCLJ @ 500 GPL	South Africa vs Nonsubject sources	0	0	0
Availability of frozen FCLJ @ 500 GPL	South Africa vs Nonsubject sources	0	1	0
Availability of frozen NFCLJ	South Africa vs Nonsubject sources	0	1	0
Availability of nonfrozen NFCLJ	South Africa vs Nonsubject sources	0	0	0
Color	South Africa vs Nonsubject sources	0	2	1
Delivery terms	South Africa vs Nonsubject sources	0	2	0
Delivery time	South Africa vs Nonsubject sources	0	3	0
Discounts offered	South Africa vs Nonsubject sources	0	2	0
Flavor profile	South Africa vs Nonsubject sources	0	3	0
Minimum quantity requirements	South Africa vs Nonsubject sources	0	3	0
Packaging	South Africa vs Nonsubject sources	0	3	0
Payment terms	South Africa vs Nonsubject sources	0	3	0
Price	South Africa vs Nonsubject sources	0	3	0
Product consistency	South Africa vs Nonsubject sources	0	3	0
Product range	South Africa vs Nonsubject sources	0	2	1
Quality meets industry standards	South Africa vs Nonsubject sources	0	3	0
Quality exceeds industry standards	South Africa vs Nonsubject sources	0	3	0
Reliability of supply	South Africa vs Nonsubject sources	0	3	0
Technical support/service	South Africa vs Nonsubject sources	0	3	0
U.S. transportation cost	South Africa vs Nonsubject sources	0	3	0

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: Both nonsubject and subject imports of lemon juice from Brazil are classified as imports from Brazil in this table as breakout was not available.

Comparison of U.S.-produced and imported lemon juice

In order to determine whether U.S.-produced lemon juice can generally be used in the same applications as imports from Brazil, South Africa, and nonsubject countries; U.S. producers, importers, and purchasers were asked whether the products can always, frequently, sometimes, or never be used interchangeably. As shown in tables II-11 to II-13, at least half of U.S. producers, the majority of importers, and at least half of purchasers reported that lemon juice from the United States, Brazil, South Africa, and nonsubject countries were always or frequently interchangeable. U.S. producer *** reported that Brazilian lemon juice was sometimes interchangeable with lemon juice from other countries when used as an ingredient but was not interchangeable as a final product because the limonene content gives it a tart and off flavor. Importer *** reported that variation in the brix-acidity ratio limits the interchangeability of lemon juice from different countries. Importer *** reported that differences in weather and soil from country to country limits the interchangeability of lemon juice from different countries. Importer *** reported that interchangeability is limited because the U.S. market demands a narrower range of concentration levels than other countries, which requires imported lemon juice to be processed prior to retail sale. Importer *** reported that firms have a lengthy certification process and tend to certify suppliers in areas with sufficient production capacity to meet their demand for a steady supply of lemon juice. Purchaser *** reported that differences in the flavor and color of lemon juice limit interchangeability between sources.

Table II-11
Lemon juice: Count of U.S. producers 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. Brazil	1	1	2	0
United States vs. South Africa	1	0	0	0
Brazil vs. South Africa	1	0	0	0
United States vs. Other	2	1	1	0
Brazil vs. Other	1	1	1	0
South Africa vs. Other	1	0	0	0

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

Table II-12
Lemon juice: Count of 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. Brazil	4	10	5	0
United States vs. South Africa	2	7	6	0
Brazil vs. South Africa	2	6	6	0
United States vs. Other	3	12	6	0
Brazil vs. Other	3	9	7	0
South Africa vs. Other	0	7	6	0

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

Table II-13
Lemon juice: 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. Brazil	1	3	2	0
United States vs. South Africa	0	2	1	0
Brazil vs. South Africa	0	1	1	0
United States vs. Other	2	4	2	0
Brazil vs. Other	0	2	1	0
South Africa vs. Other	0	1	1	0

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

U.S. producers, importers, and purchasers were asked if lemon juice with a concentration of 400 GPL and 500 GPL were interchangeable and if there was a process to convert lemon juice with one concentration level to another concentration level (table II-14). The majority of U.S. producers, importers, and purchasers reported that there were not different end uses for lemon juices of different concentration levels. The majority of U.S. producers and importers, and a plurality of purchasers reported that there is a process to convert lemon juice from one concentration level to another. U.S. producer *** reported that lemon juice with a concentration of 500 GPL allows for freight and logistical savings. U.S. producer *** reported that lemon juice with a concentration of 500 GPL can be diluted to a concentration of 400 GPL. Importer *** reported that lemon juice with a concentration of 400 GPL is used to create a variety of drinks while lemon juice with a concentration of 500 GPL is used for specifically for clear drinks. Importer *** reported that while lemon juice of both 400 GPL and 500 GPL concentration are used to produce beverages, its production facility is geared towards using 500 GPL and that using 400 GPL would require capital investments, increased shipping costs, operational costs of changing

product formula, and increased inventory costs. Importers reported that lemon juice with a concentration of 500 GPL can be converted to lemon juice with a concentration of 400 GPL by diluting it and that 400 GPL can be converted to 500 GPL by further evaporating water. Purchaser *** reported that the color of lemon juice with a concentration of 500 GPL has limited uses. Purchaser *** reported that lemon juice could be converted from one concentration level to another by changing the production formula but that this required knowledge of the acidity, gravity, and brix of the specific juice.

Table II-14
Lemon juice: Count of responses regarding interchangeability between lemon juice with a concentration of 400 GPL and 500 GPL, by item and firm type

Country pair	Firm type	No	Yes
Differences in end uses	U.S. producers	4	0
Differences in end uses	Importers	21	5
Differences in end uses	Purchasers	4	3
Process to convert concentration level	U.S. producers	1	3
Process to convert concentration level	Importers	11	14
Process to convert concentration level	Purchasers	4	3

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

The majority of U.S. producers, importers, and purchasers reported that customers neither require nor prefer lemon juice with a concentration of 500 GPL (table II-15). U.S. producer *** reported that some customers prefer lemon juice with a concentration of 500 GPL if they want more acidity. Importer *** reported that food and beverage companies prefer lemon juice with a concentration of 500 GPL. Importer *** reported that it requires lemon juice with a concentration of 500 GPL and has worked with *** to develop its ability to produce lemon juice with this level of concentration. *** reported that *** has customers with a preference for lemon juice with a concentration of 400 GPL and does not have the capacity or interest to produce lemon juice with a concentration of 500 GPL to supply the volumes *** requires while maintaining their share of the NFCLJ market.

Half of U.S. producers, a plurality of importers, and a majority of purchasers reported that there was a difference in shipping/packaging costs between lemon juice with a concentration of 400 GPL and 500 GPL. U.S. producers *** and *** reported that it is cheaper to ship lemon juice with higher concentration levels because it weighs less since it has less water. Importers and purchasers reported that the lower liquid contents of lemon juice with a concentration of 500 GPL results in lower packaging and shipping costs compared to lemon juice with a concentration of 400 GPL.

Table II-15
Lemon juice: Count of responses regarding if customers require or prefer 500 GPL products and differences in shipping/packaging costs between 400 GPL and 500 GPL, by item and firm type

Item	Firm type	No	Yes
Customers require 500 GPL	U.S. producers	4	0
Customers prefer 500 GPL	U.S. producers	3	1
Difference in shipping/packaging costs	U.S. producers	2	2
Customers require 500 GPL	Importers	15	13
Customers prefer 500 GPL	Importers	22	6
Difference in shipping/packaging costs	Importers	17	10
Customers require 500 GPL	Purchasers	7	1
Customers prefer 500 GPL	Purchasers	8	0
Difference in shipping/packaging costs	Purchasers	2	5

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

In addition, U.S. producers, importers, and purchasers were asked to assess how often differences other than price were significant in sales of lemon juice from the United States, subject, or nonsubject countries. As seen in tables II-16 to II-18, at least half of U.S. producers reported there are never differences other than price between lemon juice produced in the United States, subject, and nonsubject countries. The majority of importers reported that there are sometimes or never differences other than price between lemon juice from the United States, subject, and nonsubject countries. The majority of purchasers reported that there are always or frequently differences other than price between lemon juice from the United States, subject, and nonsubject countries. U.S. producer *** reported that freight was a major factor other than price that differentiated lemon juice from different sources. Importer *** reported that brix flavor, color, and other sensory qualities that are key aspects of the qualification process differentiate lemon juice from different sources. Importer *** reported that long-term relationships that ensure a steady supply have a large impact on purchasing decisions. It also reported that U.S. and Argentine producers had refused to supply it with lemon juice in the past but Brazilian suppliers had supplied it in times of supply constraints due to their long-standing relationship.

Table II-16
Lemon juice: Count of U.S. producers 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. Brazil	0	2	0	2
United States vs. South Africa	0	1	0	2
Brazil vs. South Africa	0	1	0	2
United States vs. Other	0	1	0	3
Brazil vs. Other	0	2	0	2
South Africa vs. Other	0	1	0	2

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

Table II-17
Lemon juice: Count of importers reporting the significance of differences between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Brazil	5	3	6	3
United States vs. South Africa	1	2	9	2
Brazil vs. South Africa	2	2	5	2
United States vs. Other	5	4	7	4
Brazil vs. Other	1	4	9	2
South Africa vs. Other	1	3	6	3

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

Table II-18
Lemon juice: Count of purchasers reporting the significance of differences between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Brazil	3	2	1	0
United States vs. South Africa	2	0	1	0
Brazil vs. South Africa	2	0	0	0
United States vs. Other	3	1	0	2
Brazil vs. Other	1	2	0	0
South Africa vs. Other	1	1	0	0

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

Elasticity estimates

This section discusses elasticity estimates. Petitioners and respondents did not comment on these estimates

U.S. supply elasticity

The domestic supply elasticity for lemon juice measures the sensitivity of the quantity supplied by U.S. producers to changes in the U.S. market price of lemon juice. 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 lemon juice. Analysis of these factors above indicates that the U.S. industry has the ability to increase or decrease shipments a small-to-moderate amount to the U.S. market; an estimate in the range of 2 to 4 is suggested. Since inventories can vary greatly, supply elasticity may change from year to year as inventories change.

U.S. demand elasticity

The U.S. demand elasticity for lemon juice measures the sensitivity of the overall quantity demanded to a change in the U.S. market price of lemon juice. This estimate depends on factors discussed above such as the existence, availability, and commercial viability of substitute products, as well as the component share of the lemon juice in the production of any downstream products. Based on the available information, the aggregate demand for lemon juice is likely to be moderately inelastic; a range of -0.25 to -0.75 is suggested.

Substitution elasticity

The elasticity of substitution depends upon the extent of product differentiation between the domestic and imported products.[23] Product differentiation, in turn, depends upon such factors as quality (e.g., chemistry, appearance, etc.) and conditions of sale (e.g., availability, sales terms/discounts/promotions, etc.). Based on available information, the elasticity of substitution between U.S.-produced lemon juice and imported lemon juice is likely to be in the range of 2.5 to 4.0. Flavor profiles, and differences in lead times and freight costs limit the substitutability of lemon juice from the United States, Brazil, and South Africa.

[23] 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: U.S. producers' production, shipments, and employment

The Commission analyzes a number of factors in making injury determinations (see 19 U.S.C. §§ 1677(7)(B) and 1677(7)(C)). Information on the dumping margins was presented in Part I of this report and information on the volume and pricing of imports of the subject merchandise is presented in Part IV and Part V. Information on the other factors specified is presented in this section and/or Part VI and (except as noted) is based on the questionnaire responses of five firms that accounted for the vast majority of U.S. production of lemon juice during 2021.

U.S. producers

The Commission issued a U.S. producer questionnaire to five firms based on information contained in the petition, information from the preliminary phase of these investigations and industry sources. All five firms provided usable data on their operations. Staff believes that these responses represent the vast majority of U.S. production of lemon juice.

Table III-1 lists U.S. producers of lemon juice, their production locations, positions on the petition, and shares of total production.

Table III-1
Lemon juice: U.S. producers, their positions on the petition, production locations, and shares of reported production, 2021

Firm	Position on petition	Production location(s)	Share of production
Peace River	***	Bartow FL	***
Perricone	***	Vero Beach, FL	***
Sun Orchard	***	Haines City, FL Tempe, AZ	***
Ventura Coastal	Petitioner	Visalia, CA Tipton, CA	***
Vita-Pakt	***	Lindsay, CA	***
All firms	Various	Various	100.0

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

Table III-2 presents information on U.S. producers' ownership, related and/or affiliated firms.

Table III-2
Lemon juice: 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.

As indicated in table III-2, no U.S. producers are related to foreign producers of the subject merchandise and no U.S. producers are related to U.S. importers of the subject merchandise. In addition, as discussed in greater detail below, no U.S. producers directly import the subject merchandise and two U.S. producers, *** purchase small amounts of the subject merchandise from U.S. importers. Three U.S. producers purchase lemon juice from other U.S. domestic producers and three U.S. producers purchase nonsubject lemon juice from U.S. importers.

There were no major developments in the U.S. lemon juice industry since January 1, 2019 identified by interested parties in this proceeding and no relevant information via outside sources was found.

Producers in the United States were asked to report any change in the character of their operations or organization relating to the production of lemon juice since 2019. Three of five producers indicated in their questionnaires that they had experienced such changes. Table III-3 presents the changes identified by these producers. Appendix E presents the U.S. producers' narrative responses regarding the effects of COVID-19 pandemic on business operations.

Table III-3
Lemon juice: U.S. producers' reported changes in operations, since January 1, 2019

Item	Firm name and narrative response on changes in operations
Plant openings	***
Expansions	***
Expansions	***
Acquisitions	***

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

U.S. production, capacity, and capacity utilization

Table III-4 and figure III-1 present U.S. producers' production, capacity, and capacity utilization. During 2019-21, January-June 2021 ("interim 2021"), and January-June 2022 ("interim 2022") U.S. producers' production capacity ***. U.S. producers' lemon juice production increased by *** percent from 2019 to 2020 before decreasing by *** percent in 2021, for a total decrease of *** percent during 2019-21. U.S. producers' production during interim 2022 was *** compared to the production during interim 2021. While four of the five U.S. producers of lemon juice producers reported lower production figures in 2021[1] compared to 2019 the industry trends were driven by ***.

U.S. producers' capacity utilization increased by *** percentage points from 2019 to 2020 then decreased by *** percentage points from 2020 to 2021 for an overall decrease of *** percentage points during 2019-21. Capacity utilization was *** percentage point higher in interim 2022 compared to interim 2021.

Table III-4
Lemon juice: Firm-by-firm U.S. producers' average production capacity, by period

Capacity

Capacity in 1,000 gallons concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

[1] ***.

Table III-4 Continued
Lemon juice: Firm-by-firm U.S. producers' production, by period

Production

Production in 1,000 gallons concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table III-4 Continued
Lemon juice: Firm-by-firm U.S. producers' capacity utilization, by period

Capacity utilization

Capacity utilization ratios in percent

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Note: Capacity utilization ratio represents the ratio of the U.S. producer's production to its production capacity.

Table III-4 Continued
Lemon juice: Firm-by-firm share of production, by period

Share of production

Share of production in percent

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	100.0	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 "---".

Figure III-1
Lemon juice: U.S. producers' capacity, production, and capacity utilization, by period

* * * * * * *

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

Alternative products

As shown in table III-5, *** percent of the product produced on the same equipment during 2019-21 by U.S. producers was lemon juice. All five U.S. lemon juice producers reported producing out of scope products on the same equipment and machinery used to produce lemon juice. During 2019-21, orange juice production accounted for *** of the production of fruit juice produced while tangerine juice accounted for *** percent, grapefruit juice for *** percent, mandarin juice for *** percent, and all other products for *** percent, respectively.

U.S. producers' overall capacity increased from 1.8 million short tons in 2019 to 2.0 million short tons in 2021, a 12.3 percent increase from 2019-21. Reported overall capacity was the same during the interim periods. Overall production increased by *** percent from 2019 to 2020 before decreasing by *** percent in 2021, for an overall increase of *** percent during 2019-21. Overall production was lower in interim 2022 compared to interim 2021. Production of all reported products was lower in 2021 compared to 2019, with the exception of tangerine juice where production *** during 2019-21 (tangerine juice production was *** percent lower in interim 2022 compared to interim 2021).

Overall capacity utilization increased from *** percent in 2019 to *** percent in 2020 before declining to *** percent in 2021. Overall capacity utilization was lower in interim 2022 compared to interim 2021.

Table III-5
Lemon juice: U.S. producers' overall capacity and production on the same equipment as subject production, by period

Quantity in short tons; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Overall capacity	Quantity	1,803,632	1,803,632	2,025,246	1,037,623	1,037,623
Production: Lemon juice	Quantity	***	***	***	***	***
Production: Grapefruit juice	Quantity	96,279	75,576	74,705	44,397	33,586
Production: Lime juice	Quantity	***	***	***	***	***
Production: Mandarin juice	Quantity	***	***	***	***	***
Production: Orange juice	Quantity	***	***	***	***	***
Production: Tangerine juice	Quantity	***	***	***	***	***
Production: Other products	Quantity	***	***	***	***	***
Production: All out-of-scope products	Quantity	***	***	***	***	***
Production: All products	Quantity	***	***	***	***	***
Overall capacity utilization	Ratio	***	***	***	***	***
Production: Lemon juice	Share	***	***	***	***	***
Production: Grapefruit juice	Share	***	***	***	***	***
Production: Lime juice	Share	***	***	***	***	***
Production: Mandarin juice	Share	***	***	***	***	***
Production: Orange juice	Share	***	***	***	***	***
Production: Tangerine juice	Share	***	***	***	***	***
Production: Other products	Share	***	***	***	***	***
Production: All out-of-scope products	Share	***	***	***	***	***
Production: All products	Share	100.0	100.0	100.0	100.0	100.0

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

Note: The Commission asked U.S. producers to report overall capacity for fruit juice processing in short tons of fruit. Volumes of lemon juice are reported in this table in short tons, a weight measure, while volumes of lemon juice are reported in other tables in 1,000 gallons concentrated basis @400 GPL, a volume measure. 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 "---".

Table III-6 presents U.S. producers' narrative responses on factors impacting U.S. producers' ability to switch between lemon juice and out-of-scope products. U.S. producers *** reported that due to different agricultural production cycles, citrus varieties do not displace each other as they are not available for processing at the same time of year.[2]

Table III-6
Lemon juice: U.S. producers' factors impacting ability to switch production of out-of-scope products

Firm	Narrative response on reasons in ability to switch production
***	***
***	***
***	***

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

Table III-7 presents U.S. producers' narrative responses regarding production constraints. Four of five U.S. producers reported constraints that set limits on their production capacity. Such constraints included ***. All five U.S. producers reported that production decisions for lemon juice are driven solely or primarily by lemon juice, with two U.S. producers, (***), reporting lemon oil as being a secondary by-product of limited value.

Table III-7
Lemon juice: U.S. producers' narratives regarding production constraints

Firm	Narrative response
***	***
***	***
***	***
***	***

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

[2] Conference transcript, p. 15 (Arkan).

U.S. producers' U.S. shipments and exports

Table III-8 presents U.S. producers' U.S. shipments, export shipments, and total shipments. U.S. shipments accounted for over *** percent of total shipments in each period by responding U.S. producers during 2019-21 and the interim periods. *** reported export shipments to *** with *** accounting for most of these shipments. During 2019-21, U.S. producers' U.S. shipments increased by 20.3 percent, by quantity, and were *** percent higher in interim 2022 compared to interim 2021. In terms of value, U.S. producers' U.S. shipments decreased by *** percent from 2019 to 2020 before increasing by *** percent in 2021, and were *** percent higher in interim 2022 compared to interim 2021.

During 2019-21, the unit value of U.S. producers' U.S. shipments, in dollars per 1,000 gallons concentrated basis @400 GPL, decreased by from $*** to $***, a *** percent decrease. U.S. producers' U.S. shipments' unit value was *** percent higher in interim 2022 (at $***) compared to interim 2021 ($***).

Table III-8
Lemon juice: U.S. producers' total shipments, by destination and period

Quantity in 1,000 gallons concentrated basis @400 GPL; value in 1,000 dollars; unit value in dollars per 1,000 gallons concentrated basis @400 GPL; shares in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. shipments	Quantity	2,786	2,710	3,351	***	***
Export shipments	Quantity	***	***	***	***	***
Total shipments	Quantity	***	***	***	***	***
U.S. shipments	Value	***	***	***	***	***
Export shipments	Value	***	***	***	***	***
Total shipments	Value	***	***	***	***	***
U.S. shipments	Unit value	***	***	***	***	***
Export shipments	Unit value	***	***	***	***	***
Total shipments	Unit value	***	***	***	***	***
U.S. shipments	Share of quantity	***	***	***	***	***
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	***	***	***	***	***
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.

Table III-9 presents U.S. producers' U.S. shipments by shipment type. Commercial U.S. shipments accounted for the majority (at least *** percent in all periods for which the Commission collected data) of U.S. producers' U.S. shipments, both in terms of quantity and value. During 2019-21, U.S. producers' commercial U.S. shipments increased, in terms of quantity, by *** percent and were higher in interim 2022 compared to interim 2021. The unit value of U.S. producers' commercial U.S. shipments, in dollars per 1,000 gallons concentrated basis @400 GPL, decreased from $*** 2019 to $*** during 2019-21 and were $*** in interim 2022 compared to $*** in interim 2021.

Two U.S. producers reported U.S. shipments of lemon juice as internal consumption and no U.S. producer reported transfers to related firms during the period for which data were collected.[3]

[3] *** reported internal consumption shipments representing ***. ***'s producer questionnaire response, sections II-7 and II-19. ***.

Table III-9
Lemon juice: U.S. producers' U.S. shipments, by type and period

Quantity in 1,000 gallons concentrated basis @400 GPL; value in 1,000 dollars; unit value in dollars per 1,000 gallons concentrated basis @400 GPL; shares in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Commercial U.S. shipments	Quantity	***	***	***	***	***
Internal consumption	Quantity	***	***	***	***	***
Transfers to related firms	Quantity	***	***	***	***	***
U.S. shipments	Quantity	2,786	2,710	3,351	***	***
Commercial U.S. shipments	Value	***	***	***	***	***
Internal consumption	Value	***	***	***	***	***
Transfers to related firms	Value	***	***	***	***	***
U.S. shipments	Value	***	***	***	***	***
Commercial U.S. shipments	Unit value	***	***	***	***	***
Internal consumption	Unit value	***	***	***	***	***
Transfers to related firms	Unit value	***	***	***	***	***
U.S. shipments	Unit value	***	***	***	***	***
Commercial U.S. shipments	Share of quantity	***	***	***	***	***
Internal consumption	Share of quantity	***	***	***	***	***
Transfers to related firms	Share of quantity	***	***	***	***	***
U.S. shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
Commercial U.S. shipments	Share of value	***	***	***	***	***
Internal consumption	Share of value	***	***	***	***	***
Transfers to related firms	Share of value	***	***	***	***	***
U.S. 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: 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 "---".

The Commission also asked U.S. producers to report their U.S. shipments of lemon juice by concentration levels (non-concentrated, concentrated @400 GPL, concentrated @500 GPL, and concentrated at other GPL levels). During 2019-21 and the interim periods, the majority of U.S. producers' U.S. shipments of lemon juice were *** lemon juice with *** lemon juice U.S. shipments consisting of concentrated @400 GPL. *** reported only non-concentrated U.S. shipments of lemon juice, *** reported only concentrated U.S. shipments of lemon juice, and *** reported both non-concentrated and concentrated U.S. shipments of lemon juice. These data are presented in table IV-4 in part IV of this report and in appendix D.

U.S. producers' inventories

Table III-10 presents U.S. producers' end-of-period inventories and the ratio of these inventories to U.S. producers' production, U.S. shipments, and total shipments**.** U.S. producers' end-of-period inventories increased by *** percent from 2019 to 2020 before decreasing by *** percent in 2021, for a *** percent increase during 2019-21 and were *** percent higher in interim 2022 compared to interim 2021. U.S. producers' end-of-period inventories as a ratio to U.S. production increased from *** percent in 2019 to *** percent in 2020 before decreasing to *** percent in 2022 and were *** percent in interim 2022 compared to *** percent in interim 2021. U.S. producers' end-of-period inventories as a ratio to U.S. shipments also increased from *** percent in 2019 to *** percent in 2020 before decreasing to *** percent in 2022 and were *** percent in interim 2022 compared to *** percent in interim 2021.[4]

Table III-10
Lemon juice: U.S. producers' inventories and their ratio to select items, by period

Quantity in 1,000 gallons concentrated basis @ 400 GPL; inventory ratios in percent

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
End-of-period inventory quantity	***	***	***	***	***
Inventory ratio to U.S. production	***	***	***	***	***
Inventory ratio to U.S. shipments	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***

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

[4] Inventory trends were driven by ***.

The Commission also asked U.S. producers and U.S. importers to report end-of-period inventories of lemon juice by month for 2021. Table III-11 and Figure III-2 present these data. In 2021, U.S. producers' end-of-period inventories decreased month-to-month from January to October before increasing in November and December. End-of-period inventories from Brazilian subject sources were higher in the first and fourth quarters of 2021 compared to the second and third quarters. End-of-period inventories from South Africa remained relatively constant in 2021 before increasing in the fourth quarter. End-of-December 2021 inventories of imports of lemon juice from South Africa as a ratio to total 2021 subject imports were *** percent. End-of-period inventories from nonsubject sources in 2021 decreased from January to April and increased from April to October (with the exception of July) before decreasing from October to December.

Table III-11
Lemon juice: U.S. producers' and U.S. importers' monthly U.S. inventories, 2021

Quantity in 1,000 gallons concentrated basis @400 GPL

Item	U.S. producers	Brazil, subject	South Africa	Subject sources	Nonsubject sources
January	***	***	***	***	***
February	***	***	***	***	***
March	***	***	***	***	***
April	***	***	***	***	***
May	***	***	***	***	***
June	***	***	***	***	***
July	***	***	***	***	***
August	***	***	***	***	***
September	***	***	***	***	***
October	***	***	***	***	***
November	***	***	***	***	***
December	***	***	***	***	***

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

Figure III-2
Lemon juice: U.S. producers' and U.S. importers' monthly U.S. inventories, 2021

* * * * * * *

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

U.S. producers' imports from subject sources

No U.S. producers' reported imports of lemon juice from subject sources. [5]

U.S. producers' purchases of imports from subject sources

Two U.S. producers reported purchases of imports from subject sources. One U.S. producer, ***, purchased a minimal amount, *** gallons, of lemon juice in 2021. The data for the other U.S. producer, ***, are presented in table III-12 and the reported reasons for the purchases are presented in table III-13. ***'s purchases of subject imports of lemon juice from ***, as a ratio of overall subject imports of lemon juice from Brazil were *** percent in 2019 and *** percent in 2020 with no purchases of subject imports of lemon juice reported in 2021.

[5] One U.S. producer, ***, reported U.S. imports and purchases of lemon juice from a nonsubject source, ***. *See* Part VI for additional details.

Table III-12
Lemon juice: *'s U.S. production, U.S. purchases of imports of subject merchandise, by period**

Quantity in 1,000 gallons concentrated basis @400 GPL; inventory Ratios in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. production	Quantity	***	***	***	***	***
U.S. purchases of imports from Brazil (imported by ***)	Quantity	***	***	***	***	***
U.S. importers' *** U.S. imports from Brazil	Quantity	***	***	***	***	***
Producer's purchases to importers' imports from Brazil (***)	Ratio	***	***	***	***	***
Overall U.S. subject imports from Brazil	Quantity	***	***	***	***	***
Producer's purchases to overall subject imports from Brazil	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values. A conversion factor of 0.03359 was used to convert liters to gallons.

Note: *** reported that the U.S. producer ***. ***' purchases from ***. *** identified ***, a subject Brazilian producer as the foreign producer of its imports of lemon juice from Brazil. *** did not identify a foreign producer for its lemon juice imports from Brazil, however, *** listed *** as a customer accounting for an estimated *** percent of 2021 sales.

Table III-13
Lemon juice: U.S. producers' reasons for purchasing imports, by firm

Item	Narrative response on reasons for purchasing
***'s reason for purchasing	***

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

U.S. producers' lemon procurement and blending

U.S. producers' reported procurement of lemons used to produce lemon juice are presented in table III-14. U.S. producers' procurement of lemons increased by *** percent from 2019 to 2020 before declining by *** percent in 2021 and was more than double during interim 2022 compared to interim 2021. Average unit values, in dollars per short ton, declined by *** percent from 2019 to 2020 before increasing by *** percent in 2021 for a total

decrease of *** percent during 2019-21 and were *** percent lower in interim 2022 compared to interim 2021.

Four of five U.S. producers reported blending lemon juice extracted in their U.S. facilities with purchased and/or imported lemon juice. Reasons for such blending are presented in table III-15. Each responding U.S. producer stated that their suppliers do not sell lemons exclusively to their firm but also sell to other processors as well as the fresh lemon juice market.

Table III-14
Lemon juice: U.S. producers' procurement of lemons for use as raw materials for lemon juice production

Quantity in short tons; Value in 1,000 dollars; Unit values in dollars per short ton

Firm	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	Quantity	***	***	***	***	***
Perricone	Quantity	***	***	***	***	***
Ventura Coastal	Quantity	***	***	***	***	***
Sun Orchard	Quantity	***	***	***	***	***
Vita-Pakt	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
Peace River	Value	***	***	***	***	***
Perricone	Value	***	***	***	***	***
Ventura Coastal	Value	***	***	***	***	***
Sun Orchard	Value	***	***	***	***	***
Vita-Pakt	Value	***	***	***	***	***
All sources	Value	***	***	***	***	***
Peace River	Unit value	***	***	***	***	***
Perricone	Unit value	***	***	***	***	***
Ventura Coastal	Unit value	***	***	***	***	***
Sun Orchard	Unit value	***	***	***	***	***
Vita-Pakt	Unit value	***	***	***	***	***
All sources	Unit value	***	***	***	***	***
Peace River	Share of quantity	***	***	***	***	***
Perricone	Share of quantity	***	***	***	***	***
Ventura Coastal	Share of quantity	***	***	***	***	***
Sun Orchard	Share of quantity	***	***	***	***	***
Vita-Pakt	Share of quantity	***	***	***	***	***
All sources	Share of quantity	100.0	100.0	100.0	100.0	100.0
Peace River	Share of value	***	***	***	***	***
Perricone	Share of value	***	***	***	***	***
Ventura Coastal	Share of value	***	***	***	***	***
Sun Orchard	Share of value	***	***	***	***	***
Vita-Pakt	Share of value	***	***	***	***	***
All sources	Share of value	100.0	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 “---“.

Table III-15
Lemon juice: U.S. producers' narratives on blending of lemon juice, by source

Firm	Source and narrative
***	***
***	***
***	***
***	***
***	***
***	***
***	***

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

Note: *** did not report any lemon juice imports during the period of investigations.

U.S. employment, wages, and productivity

Table III-16 shows U.S. producers' employment-related data. During 2019-21, the number of production related workers ("PRWs") increased by *** percent, from *** to ***. Total hours worked and wages paid increased as well, by *** percent and *** percent, respectively. Hourly wages decreased from $*** in 2019 to $*** in 2020 before increasing to $*** in 2021 but were lower in interim 2022 compared to interim 2021. Productivity increased by *** percent from 2019 to 2020 before declining by *** percent in 2021 for an overall decrease of *** percent during 2019-21. However, productivity was almost twice as high in interim 2022 compared to interim 2021. Unit labor costs decreased from $*** to $*** dollars per gallon from 2019 to 2020 before increasing to $*** dollars per gallon in 2021 and were $*** dollars per gallon in interim 2022 compared to $*** dollars per gallon in interim 2021.

Table III-16
Lemon juice: U.S. producers' employment related information, by period

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Production and related workers (PRWs) (number)	***	***	***	***	***
Total hours worked (1,000 hours)	***	***	***	***	***
Hours worked per PRW (hours)	***	***	***	***	***
Wages paid ($1,000)	***	***	***	***	***
Hourly wages (dollars per hour)	***	***	***	***	***
Productivity (gallons per hour)	***	***	***	***	***
Unit labor costs (dollars per gallon)	***	***	***	***	***

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

Part IV: U.S. imports, apparent U.S. consumption, and market shares

U.S. importers

The Commission issued importer questionnaires to 67 firms believed to be potential importers of lemon juice, as well as to all U.S. producers of lemon juice.[1] Usable questionnaire responses were received from 30 companies, representing over 100.0 percent, by quantity, of U.S. imports from both Brazil and South Africa in 2021 under HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, respectively.[2] Table IV-1 lists all responding U.S. importers of lemon juice from Brazil , South Africa, and other sources, their locations, and their shares of U.S. imports, by quantity, in 2021.

[1] The Commission issued questionnaires to those firms identified in the petition, along with firms that, based on a review of data from third-party sources, may have accounted for more than one percent of total imports under HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040 in 2021.

[2] Questionnaire responses also represent over 100.0 percent of U.S. imports in 2021 from Argentina and Mexico, and 29.8 percent of U.S. imports from all other nonsubject sources. Thirteen firms reported that they did not import lemon juice into the United States during the period of the investigations.

Table IV-1
Lemon juice: U.S. importers, their headquarters, and share of total imports, by quantity, within each source, 2021

Shares in percent

Firm	Headquarters	Brazil, subject	South Africa	Subject sources	Nonsubject sources	All import sources
Argenti Lemon	Tucuman, Argentina	***	***	***	***	***
BMT Foods	New York, NY	***	***	***	***	***
Citrofrut	Mcallen, TX	***	***	***	***	***
Citromax	Carlstadt, NJ	***	***	***	***	***
Citrus Argentina	New York, NY	***	***	***	***	***
Citrus Team	Austin, TX	***	***	***	***	***
Citrusvil	Tucuman, TU	***	***	***	***	***
Coca-Cola	Atlanta, GA	***	***	***	***	***
Doehler	Cartersville, GA	***	***	***	***	***
Export Packers	Brampton, ON, Canada	***	***	***	***	***
Food Partners	Winter Haven, FL	***	***	***	***	***
Foodguys	Seattle, WA	***	***	***	***	***
Global Natural Foods	Livingston Manor, NY	***	***	***	***	***
Greenwood	Niles, IL	***	***	***	***	***
Lamex	Miami, FL	***	***	***	***	***
Ledesma	Buenos Aires, Argentina	***	***	***	***	***
Louis Dreyfus	Orlando, FL	***	***	***	***	***
Phoenix	Ontario, CA	***	***	***	***	***
Premier Juices	Clearwater, FL	***	***	***	***	***
Prodalim	Winter Gardan, FL	***	***	***	***	***
Purkel	Markham, ON	***	***	***	***	***
Rahal	Oakbrook Terrace, IL	***	***	***	***	***
Refresco	Tampa, FL	***	***	***	***	***
San Miguel	Buenos Aires, Argentina	***	***	***	***	***
Sicar	Mcallen, TX	***	***	***	***	***
Trading Organic	Scotts Valley, CA	***	***	***	***	***
Trapani	Tafí Viejo, Argentina	***	***	***	***	***
United Lemon	Cornelius, NC	***	***	***	***	***
Ventura Coastal	Ventura, CA	***	***	***	***	***
World Foods and Flavors	Jupiter, FL	***	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0	100.0

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

U.S. imports

Table IV-2 presents data for U.S. imports of lemon juice from Brazil, South Africa, and all other sources. During 2019-21, U.S. imports of lemon juice from subject sources increased *** percent, by quantity, and *** percent, by value, and were higher, by both measures, in interim 2022 compared to interim 2021. U.S. imports of lemon juice from nonsubject sources increased *** percent, by quantity, and *** percent, by value, from 2019 to 2020 before decreasing *** percent by quantity and *** percent by value in 2021 and were higher in interim 2022 compared to interim 2021.

U.S. subject imports of lemon juice from Brazil decreased, both by quantity and value, from 2019 to 2020 before increasing in 2021 and were lower in interim 2022 compared to interim 2021. They declined, on a quantity basis, as a share of total imports from *** percent in 2019 to *** percent in 2020 before increasing to *** percent in 2021, and were lower in interim 2022 (*** percent) compared to interim 2021 (*** percent). U.S. imports of lemon juice from Brazil as a share of U.S. production decreased from *** percent in 2019 to *** percent in 2020 before increasing to *** percent in 2021 and were *** percent in interim 2022 compared to *** percent in interim 2021.

U.S. imports of lemon juice from South Africa increased, both by quantity and value, every year during 2019-21 and were higher in interim 2022 compared to interim 2021. They increased, on a quantity basis, as a share of total imports from *** percent to *** percent during 2019-21, and were lower in interim 2021 (*** percent) compared to interim 2022 (*** percent). U.S. imports of lemon juice from South Africa as a share of U.S. production increased from *** percent in 2019 to *** percent in 2021 and were *** percent in interim 2022 compared to *** percent in interim 2021.

The largest sources of nonsubject U.S. imports of lemon juice were Argentina and Mexico, which accounted for 43.4 percent and 10.2 percent, respectively, of total U.S. imports of lemon juice in 2021. U.S. imports of lemon juice from nonsubject sources as a share of total imports decreased from *** percent to *** percent during 2019-21 and were *** percent in interim 2022 compared to *** percent in interim 2021. U.S. imports of lemon juice from nonsubject sources as a share of U.S. production decreased from *** percent in 2019 to *** percent in 2020 before increasing to *** percent in 2021 and were *** percent in interim 2022 compared to *** percent in interim 2021.

Table IV-2
Lemon juice: U.S. imports by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; value in 1,000 dollars; unit values in dollars per 1,000 gallons concentrated basis @400 GPL

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	250	629	999	438	561
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	3,193	3,498	3,369	1,093	1,574
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	1,193	1,129	788	224	254
All other sources	Quantity	1,068	1,298	1,439	657	881
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	6,622	7,341	7,754	2,781	3,522
Brazil, subject	Value	***	***	***	***	***
South Africa	Value	4,340	9,444	12,333	4,916	6,295
Subject sources	Value	***	***	***	***	***
Argentina	Value	69,690	69,232	65,486	21,376	28,669
Brazil, nonsubject	Value	***	***	***	***	***
Mexico	Value	22,438	25,529	18,436	5,394	5,582
All other sources	Value	35,435	40,038	47,060	21,902	29,769
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	151,825	158,546	164,168	59,691	75,394
Brazil, subject	Unit value	***	***	***	***	***
South Africa	Unit value	17.37	15.01	12.34	11.22	11.23
Subject sources	Unit value	***	***	***	***	***
Argentina	Unit value	21.82	19.79	19.44	19.55	18.22
Brazil, nonsubject	Unit value	***	***	***	***	***
Mexico	Unit value	18.81	22.61	23.39	24.07	21.99
All other sources	Unit value	33.16	30.84	32.71	33.36	33.80
Nonsubject sources	Unit value	***	***	***	***	***
All import sources	Unit value	22.93	21.60	21.17	21.46	21.41

Table continued.

Table IV-2 Continued
Lemon juice: Share of U.S. imports by source and period

Shares and ratios in percent; Ratios represent the ratio to U.S. production

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Brazil, subject	Share of quantity	***	***	***	***	***
South Africa	Share of quantity	3.8	8.6	12.9	15.8	15.9
Subject sources	Share of quantity	***	***	***	***	***
Argentina	Share of quantity	48.2	47.7	43.4	39.3	44.7
Brazil, nonsubject	Share of quantity	***	***	***	***	***
Mexico	Share of quantity	18.0	15.4	10.2	8.1	7.2
All other sources	Share of quantity	16.1	17.7	18.6	23.6	25.0
Nonsubject sources	Share of quantity	***	***	***	***	***
All import sources	Share of quantity	100.0	100.0	100.0	100.0	100.0
Brazil, subject	Share of value	***	***	***	***	***
South Africa	Share of value	2.9	6.0	7.5	8.2	8.3
Subject sources	Share of value	***	***	***	***	***
Argentina	Share of value	45.9	43.7	39.9	35.8	38.0
Brazil, nonsubject	Share of value	***	***	***	***	***
Mexico	Share of value	14.8	16.1	11.2	9.0	7.4
All other sources	Share of value	23.3	25.3	28.7	36.7	39.5
Nonsubject sources	Share of value	***	***	***	***	***
All import sources	Share of value	100.0	100.0	100.0	100.0	100.0
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Imports value data reflect landed duty-paid values. A conversion factor of 0.03359 was used to convert liters to gallons.

Note: Share of quantity is the share of U.S. imports by quantity; share of value is the share of U.S. imports by value; ratio are U.S. imports to production.

Figure IV-1
Lemon juice: U.S. import quantities and average unit values, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Imports value data reflect landed duty-paid values. A conversion factor of 0.03359 was used to convert liters to gallons.

During 2019-21, the unit values of U.S. subject imports of lemon juice from Brazil increased by *** percent while the unit values for South Africa decreased by 29.0 percent. During the same period, unit values of U.S. imports of lemon juice decreased by 10.9 percent for imports from Argentina, decreased by *** percent for nonsubject imports from Brazil, increased by 24.4 percent for imports from Mexico, and decreased by 1.4 percent for imports from all other nonsubject sources. In interim 2022, unit values of U.S. subject imports of lemon juice from Brazil were higher compared to interim 2021, while the unit values of imports from South Africa and nonsubject sources were comparable in the interim periods.

Negligibility

The statute requires that an investigation be terminated without an injury determination if imports of the subject merchandise are found to be negligible.[3] Negligible imports are generally defined in the Act, as amended, as imports from a country of merchandise corresponding to a domestic like product where such imports account for less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or the initiation of the investigation. However, if there are imports of such merchandise from a number of countries subject to investigations initiated on the same day that individually account for less than 3 percent of the total volume of the subject merchandise, and if the imports from those countries collectively account for more than 7 percent of the volume of all such merchandise imported into the United States during the applicable 12-month period, then imports from such countries are deemed not to be negligible.[4] Subject imports of lemon juice from Brazil and South Africa accounted for *** percent and 12.7 percent, respectively, of total imports of lemon juice by quantity during the 12-month period preceding the filing of the petition, December 2020 to November 2021.[5]

Table IV-3
Lemon juice: U.S. imports in the twelve-month period preceding the filing of the petition, December 2020 through November 2021

Quantity in 1,000 gallons concentrated basis @400 GPL; share in percent

Source of imports	Quantity	Share of quantity
Brazil, subject	***	***
South Africa	993	12.7
Argentina	3,246	41.4
Brazil, nonsubject	***	***
Mexico	749	9.5
All other sources	***	***
All import sources	7,848	100.0

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

[3] Sections 703(a)(1), 705(b)(1), 733(a)(1), and 735(b)(1) of the Act (19 U.S.C. §§ 1671b(a)(1), 1671d(b)(1), 1673b(a)(1), and 1673d(b)(1)).

[4] Section 771 (24) of the Act (19 U.S.C § 1677(24)).

[5] Subject imports from Brazil and South Africa accounted for *** percent and 12.9 percent, respectively, of total imports of lemon juice by quantity during 2021. The petition was filed on December 30, 2021.

Cumulation considerations

In assessing whether imports should be cumulated, the Commission determines whether U.S. imports from the subject countries compete with each other and with the domestic like product and 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-4 presents U.S. importers' and U.S. producers' U.S. shipments of lemon juice in 2021 by concentration status.[6] U.S. producers' U.S. shipments of lemon juice in 2021 were *** percent non-concentrated lemon juice and *** percent concentrated lemon juice (vast majority concentrated at 400 GPL). U.S. shipments of lemon juice imported from subject sources were mostly concentrated lemon juice, at *** percent. Concentrated lemon juice accounted for *** percent and *** percent of U.S. shipments of subject lemon juice imported from Brazil and South Africa, respectively. Concentrated lemon juice accounted for *** percent of U.S. shipments of lemon juice imported from nonsubject sources – *** percent for Argentina, *** percent for Brazil nonsubject, *** percent for Mexico, and *** percent for lemon juice imported from all other sources, respectively.

U.S. producers accounted for *** percent of U.S. shipments of lemon juice concentrated @ 400 GPL, reported no U.S. shipments of lemon juice concentrated @ 500 GPL, and accounted for *** percent of U.S. shipments of lemon juice concentrated at all other levels. Lemon juice imported from subject sources accounted for *** percent, *** percent, and *** percent of U.S. shipments lemon juice concentrated @ 400 GPL, @ 500 GPL, and concentrated at all other levels, respectively. U.S. producers accounted for *** percent of U.S. shipments of non-concentrated lemon juice, while imports from subject and nonsubject sources accounted for *** percent and *** percent, respectively.

[6] Full period of investigations data for U.S. importers' and U.S. producers' U.S. shipments of lemon juice by source, concentration level, and period are presented in appendix D.

U.S. producers and U.S. importers of lemon juice from subject sources reported a total number of *** customer names in their questionnaire responses. The customer overlap between U.S. producers and U.S. importers from subject sources in Brazil was ***, the overlap between U.S. producers and U.S. importers from South Africa was ***, with the overlap between U.S. producers and U.S. importers from all subject sources being ***.[7] The customer overlap between U.S. importers from subject sources in Brazil and U.S. importers from South Africa was ***.

Table IV-4
Lemon juice: U.S. producers' and U.S. importers' U.S. shipments in 2021, by source and concentration status

Quantity in 1,000 gallons concentrated basis @400 GPL

Source	Non-concentrated	Concentrated @ 400 GPL	Concentrated @ 500 GPL	Concentrated @ other GPL levels	All concentration statuses
U.S. producers	***	***	***	***	3,351
Brazil, subject	***	***	***	***	***
South Africa	***	***	***	***	***
Subject sources	***	***	***	***	***
Argentina	***	***	***	***	***
Brazil, nonsubject	***	***	***	***	***
Mexico	***	***	***	***	***
All other sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	***
All import sources	***	***	***	***	***
All sources	***	***	***	***	***

Table continued.

[7] Importers from solely nonsubject sources are excluded from this analysis, as well as U.S. producers and U.S. importers from subject sources that did not provide a customer list. Additionally, one U.S. importer, ***, that imported very small volumes from subject sources in Brazil was counted only for its imports from South Africa (***).

Table IV-4 Continued
Lemon juice: U.S. producers' and U.S. importers' U.S. shipments in 2021, by source and concentration status

Shares across in percent

Source	Non-concentrated	Concentrated @ 400 GPL	Concentrated @ 500 GPL	Concentrated @ other GPL levels	All concentration statuses
U.S. producers	***	***	***	***	100.0
Brazil, subject	***	***	***	***	100.0
South Africa	***	***	***	***	100.0
Subject sources	***	***	***	***	100.0
Argentina	***	***	***	***	100.0
Brazil, nonsubject	***	***	***	***	100.0
Mexico	***	***	***	***	100.0
All other sources	***	***	***	***	100.0
Nonsubject sources	***	***	***	***	100.0
All import sources	***	***	***	***	100.0
All sources	***	***	***	***	100.0

Table continued.

Table IV-4 Continued
Lemon juice: U.S. producers' and U.S. importers' U.S. shipments in 2021, by source and concentration status

Shares down in percent

Source	Non-concentrated	Concentrated @ 400 GPL	Concentrated @ 500 GPL	Concentrated @ other GPL levels	All concentration statuses
U.S. producers	***	***	***	***	***
Brazil, subject	***	***	***	***	***
South Africa	***	***	***	***	***
Subject sources	***	***	***	***	***
Argentina	***	***	***	***	***
Brazil, nonsubject	***	***	***	***	***
Mexico	***	***	***	***	***
All other sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	***
All import sources	***	***	***	***	***
All sources	100.0	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 “---“.

Figure IV-2
Lemon juice: U.S. producers' and U.S. importers' U.S. shipments in 2021, by source and concentration status

* * * * * * *

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

Geographical markets

Lemon juice produced in the United States is shipped nationwide.[8] In 2021, official import statistics show that 65.3 percent of U.S. imports of lemon juice from subject sources entered through the Eastern border of entry of the United States, followed by the Southern and Western borders of entry with 30.9 and 3.8 percent, respectively. Imports from both Brazil and South Africa entered each U.S. region in 2021 with the exception of the Northern border of entry. Imports from nonsubject sources entered each U.S. region in 2021 though only 1.1 percent entered through the Northern border of entry. Table IV-5 presents U.S. import quantities of lemon juice by sources and border of entry during 2021.

Table IV-5
Lemon juice: U.S. imports by source and border of entry, 2021

Quantity in 1,000 gallons concentrated basis @400 GPL

Source	East	North	South	West	All borders
Brazil	621	---	520	18	1,159
South Africa	788	---	147	65	999
Subject sources	1,409	---	667	83	2,159
Argentina	1,999	12	772	586	3,369
Mexico	10	---	754	23	788
All other sources	759	47	506	126	1,439
Nonsubject sources	2,768	59	2,033	736	5,596
All import sources	4,177	59	2,699	819	7,754

Table continued.

Table IV-5 Continued
Lemon juice: U.S. imports by source and border of entry, 2021

Shares across in percent

Source	East	North	South	West	All borders
Brazil	53.6	---	44.9	1.6	100.0
South Africa	78.9	---	14.7	6.5	100.0
Subject sources	65.3	---	30.9	3.8	100.0
Argentina	59.3	0.3	22.9	17.4	100.0
Mexico	1.3	---	95.7	2.9	100.0
All other sources	52.8	3.3	35.2	8.8	100.0
Nonsubject sources	49.5	1.1	36.3	13.1	100.0
All import sources	53.9	0.8	34.8	10.6	100.0

Table continued.

[8] See Part II for additional information on geographic markets.

Table IV-5 Continued
Lemon juice: U.S. imports by source and border of entry, 2021

Shares down in percent

Source	East	North	South	West	All borders
Brazil	14.9	---	19.3	2.2	14.9
South Africa	18.9	---	5.4	7.9	12.9
Subject sources	33.7	---	24.7	10.1	27.8
Argentina	47.8	19.8	28.6	71.6	43.4
Mexico	0.2	---	27.9	2.8	10.2
All other sources	18.2	80.2	18.7	15.4	18.6
Nonsubject sources	66.3	100.0	75.3	89.9	72.2
All import sources	100.0	100.0	100.0	100.0	100.0

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Note: Both nonsubject and subject imports of lemon juice from Brazil are classified as imports from Brazil in this table as breakout was not available. 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 “---“.

Presence in the market

Table IV-6 and figures IV-3 and IV-4 present monthly official U.S. import statistics for subject countries and nonsubject sources. The monthly import statistics indicate that U.S. imports of lemon juice from both subject and nonsubject sources were present in each month from January 2019 to June 2022, with the exception of April 2019 and September 2022 for South Africa.

Table IV-6
Lemon juice: U.S. imports, by month and source

Quantity in 1,000 gallons concentrated basis @400 GPL

Year	Month	Brazil	South Africa	Subject sources
2019	January	41	35	77
2019	February	57	1	58
2019	March	54	9	63
2019	April	115	---	115
2019	May	93	25	119
2019	June	70	5	75
2019	July	93	33	125
2019	August	343	26	369
2019	September	23	49	72
2019	October	8	26	34
2019	November	10	14	24
2019	December	10	26	36
2020	January	32	37	69
2020	February	28	57	85
2020	March	54	74	128
2020	April	21	120	141
2020	May	62	61	123
2020	June	17	17	33
2020	July	32	36	68
2020	August	35	44	79
2020	September	50	16	66
2020	October	37	34	71
2020	November	93	65	158
2020	December	325	70	394

Table continued.

Table IV-6 Continued
Lemon juice: U.S. imports, by source and month

Quantity in 1,000 gallons concentrated basis @400 GPL

Year	Month	Brazil	South Africa	Subject sources
2021	January	42	50	92
2021	February	71	67	138
2021	March	71	68	139
2021	April	58	93	151
2021	May	35	71	107
2021	June	92	88	180
2021	July	108	89	198
2021	August	103	75	178
2021	September	150	92	242
2021	October	321	126	446
2021	November	55	103	158
2021	December	53	76	129
2022	January	42	96	138
2022	February	46	104	151
2022	March	45	195	240
2022	April	47	84	132
2022	May	25	8	34
2022	June	48	73	120
2022	July	13	82	95
2022	August	36	7	43
2022	September	10	---	10
2022	October	342	3	345

Table continued.

Table IV-6 Continued
Lemon juice: U.S. imports, by source and month

Quantity in 1,000 gallons concentrated basis @400 GPL

Year	Month	Argentina	Mexico	All other sources	Nonsubject sources	All import sources
2019	January	374	115	90	578	655
2019	February	190	66	56	311	370
2019	March	219	37	68	324	387
2019	April	186	34	80	299	415
2019	May	245	30	90	366	484
2019	June	219	26	130	376	451
2019	July	293	22	118	434	559
2019	August	230	59	126	415	784
2019	September	382	87	76	544	616
2019	October	325	166	79	570	604
2019	November	257	248	73	578	602
2019	December	274	303	83	660	695
2020	January	452	79	93	624	693
2020	February	196	88	57	340	425
2020	March	257	75	106	439	567
2020	April	178	57	140	374	515
2020	May	254	40	147	441	564
2020	June	238	54	114	405	439
2020	July	246	40	100	387	454
2020	August	331	42	107	481	559
2020	September	440	124	84	649	715
2020	October	369	357	78	805	875
2020	November	352	114	144	610	768
2020	December	184	58	129	371	766

Table continued.

Table IV-6 Continued
Lemon juice: U.S. imports, by source and month

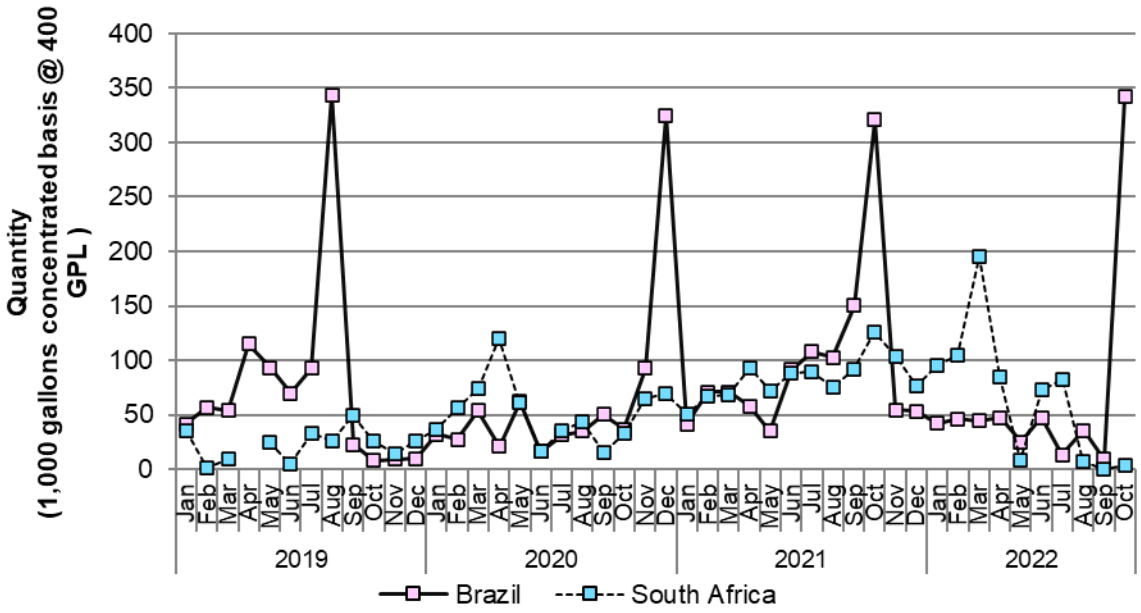
Quantity in 1,000 gallons concentrated basis @400 GPL

Year	Month	Argentina	Mexico	All other sources	Nonsubject sources	All import sources
2021	January	152	50	115	317	409
2021	February	178	43	71	292	430
2021	March	188	25	105	318	457
2021	April	163	36	108	307	458
2021	May	208	32	132	372	479
2021	June	204	38	125	368	548
2021	July	305	30	177	512	710
2021	August	412	52	151	614	793
2021	September	365	80	94	539	781
2021	October	361	157	116	634	1,081
2021	November	526	148	106	780	938
2021	December	306	98	138	543	672
2022	January	368	35	149	552	690
2022	February	179	23	149	351	502
2022	March	296	48	171	516	755
2022	April	273	37	116	427	558
2022	May	174	53	150	377	410
2022	June	283	58	145	486	606
2022	July	485	44	151	681	776
2022	August	297	62	136	495	538
2022	September	320	84	170	574	584
2022	October	741	130	197	1,068	1,413

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Note: Both nonsubject and subject imports of lemon juice from Brazil are classified as imports from Brazil in this table as breakout was not available. 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 "---".

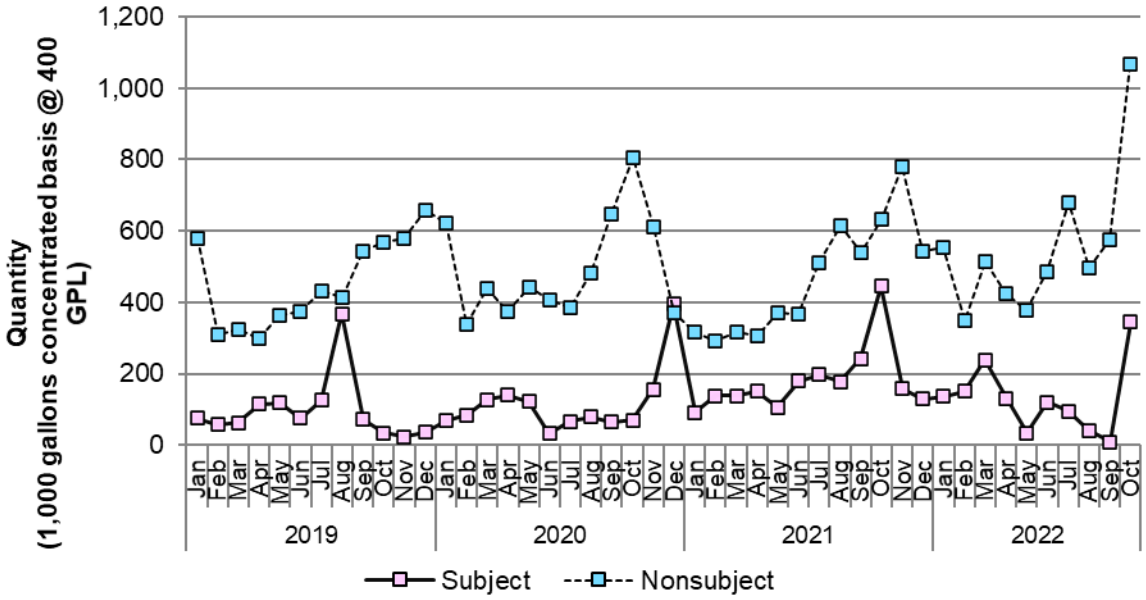
Figure IV-3
Lemon juice: U.S. imports from individual subject sources, by source and by month



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Note: Both nonsubject and subject imports of lemon juice from Brazil are classified as imports from Brazil in this figure as breakout was not available.

Figure IV-4
Lemon juice: U.S. imports from aggregated subject and nonsubject sources, by month



Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Note: Both nonsubject and subject imports of lemon juice from Brazil are classified as imports from subject sources in this figure as breakout was not available.

Apparent U.S. consumption and market shares

Quantity

Table IV-7 and figure IV-5 present data on apparent U.S. consumption and U.S. market shares by quantity for lemon juice. During 2019-21, U.S. apparent consumption, by quantity, increased by 18.0 percent, and was *** percent higher in interim 2022 compared to interim 2021. U.S. producers' market share decreased from 29.6 percent in 2019 to 27.0 percent in 2020 before increasing to 30.2 percent in 2021. U.S. producers' market share was *** percent during interim 2022 compared to *** percent during interim 2021. The market share of subject imports increased from *** percent to *** percent during 2019-21 but was lower in interim 2022 compared to interim 2021. During 2019-21, the market share of subject imports from Brazil decreased by *** percentage points while the market share of subject imports from South Africa increased by 6.3 percentage points. The market share of nonsubject imports decreased from *** percent in 2019 to *** percent in 2021 and was higher in interim 2022 compared to interim 2021.

Table IV-7
Lemon juice: Apparent U.S. consumption and market shares based on quantity, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; Shares in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. producers	Quantity	2,786	2,710	3,351	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	250	629	999	438	561
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	3,193	3,498	3,369	1,093	1,574
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	1,193	1,129	788	224	254
All other sources	Quantity	1,068	1,298	1,439	657	881
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	6,622	7,341	7,754	2,781	3,522
All sources	Quantity	9,408	10,051	11,105	***	***
U.S. producers	Share	29.6	27.0	30.2	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	2.7	6.3	9.0	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	33.9	34.8	30.3	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	12.7	11.2	7.1	***	***
All other sources	Share	11.4	12.9	13.0	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	70.4	73.0	69.8	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Note: Data on apparent U.S. consumption and U.S. market shares, by quantity, for lemon juice based on U.S. shipments of imports compiled from data submitted in response to Commission questionnaires is presented in Appendix F.

Figure IV-5
Lemon juice: Apparent U.S. consumption based on quantity, by source and period

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series.

Value

Table IV-8 and figure IV-6 present data on apparent U.S. consumption and U.S. market shares by value for lemon juice. During 2019-21, U.S. apparent consumption, by value, decreased from *** dollars in 2019 to *** dollars in 2020 before increasing to *** dollars in 2021. It was *** dollars in interim 2022 compared to *** dollars in interim 2021. U.S. producers' market share decreased from *** percent in 2019 to *** percent in 2020 before increasing to *** percent in 2021 and was *** percent in interim 2022 compared to *** percent in interim 2021. The market share of subject imports increased from *** percent to *** percent during 2019-21 but was lower in interim 2022 compared to interim 2021. During 2019-21, the market share of subject imports from Brazil increased by *** percentage points while the market share of subject imports from South Africa increased by *** percentage points. The market share of nonsubject imports increased from *** percent in 2019 to *** percent in 2020 before decreasing to *** percent in 2021 and was *** percent in interim 2022 compared to *** percent in interim 2021.

Table IV-8
Lemon juice: Apparent U.S. consumption and market shares based on value, by source and period

Value in 1,000 dollars; shares in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. producers	Value	***	***	***	***	***
Brazil, subject	Value	***	***	***	***	***
South Africa	Value	4,340	9,444	12,333	4,916	6,295
Subject sources	Value	***	***	***	***	***
Argentina	Value	69,690	69,232	65,486	21,376	28,669
Brazil, nonsubject	Value	***	***	***	***	***
Mexico	Value	22,438	25,529	18,436	5,394	5,582
All other sources	Value	35,435	40,038	47,060	21,902	29,769
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	151,825	158,546	164,168	59,691	75,394
All sources	Value	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Imports value data reflect landed duty-paid values.

Note: Data on apparent U.S. consumption and U.S. market shares, by value, for lemon juice based on U.S. shipments of imports compiled from data submitted in response to Commission questionnaires is presented in Appendix F.

Figure IV-6
Lemon juice: Apparent U.S. consumption based on value, by source and period

* * * * * * *

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

Source: Compiled from data submitted in response to Commission questionnaires and official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Imports value data reflect landed duty-paid values.

Part V: Pricing data

Factors affecting prices

Raw material costs

The principal raw material used in the production of lemon juice is lemons. Lemons typically go to processing because they are unsuitable for the fresh lemon market because of defects or failure to meet the size or grade standards for sale as fresh lemons.[1] There is no correlation between the price of fresh lemons and the lemons used to produce lemon juice.[2] The price of lemons used in the production of lemon juice is not publicly available. Other input costs are equipment, labor, and energy.[3]

All responding U.S. producers (5 of 5) reported purchasing raw materials. Four U.S. producers (including ***) reported that they transferred funds to pay for raw materials and one reported using other methods. U.S. producer *** reported that it sources raw materials under long-term contracts that require all lemons grown and harvested to be supplied for processing under fixed prices. Three U.S. producers reported that the price of raw materials had fluctuated, one reported that raw material prices had increased, and one reported that raw material prices had remained constant.

The majority of U.S. producers reported that they had not experienced constraints in the availability of raw materials since January 1, 2019. U.S. producer *** reported that regulations on fumigation of lemons has increased the cost of using lemons from California and made using lemons grown elsewhere more attractive. U.S. producer *** reported that there had been an increase in the availability of fresh lemons for processing as the number of acres planted with lemons in California has increased. The majority of U.S. producers (4 of 5) reported that they had not changed the region from which they source raw materials since January 1, 2019, but one U.S. producer *** reported that it had sourced raw materials from South America.

Transportation costs to the U.S. market

Transportation costs for lemon juice shipped from subject countries to the United States averaged 10.2 percent for Brazil and 8.9 percent for South Africa during 2021. These estimates

[1] Conference transcript, p. 15 (Borgers).
[2] Conference transcript, p. 53 (Borgers).
[3] Lemon Juice from Argentina and Mexico, 731-TA-1105-1106 (Review), USITC Publication 4418, June 24, 2013, p. V-1.

were derived from official import data and represent the transportation and other charges on imports.[4]

U.S. inland transportation costs

Twenty-one importers reported that they typically arrange transportation for their customers, while all responding U.S. producers (5 of 5) and five importers reported that the purchaser typically arranges transportation. U.S. producers reported that their U.S. inland transportation costs ranged from *** to *** percent while most importers reported costs of 2.0 to 15.0 percent.

Pricing practices

Pricing methods

U.S. producers reported setting prices using transaction-by-transaction negotiations, contracts, and set price lists. Importers reported setting prices using transaction-by-transaction negotiations, contracts, and other methods (table V-1). Importer *** reported that it used the floor price set in the Suspension Agreement with Argentina to set prices.

Table V-1
Lemon juice: Count of U.S. producers' and importers' reported price setting methods

Method	U.S. producers	Importers
Transaction-by-transaction	3	18
Contract	4	26
Set price list	2	0
Other	0	4
Responding firms	5	30

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.

U.S. producers reported selling the vast majority of lemon juice under short-term contracts and in the spot market. Importers reported selling the vast majority of lemon juice under short-term and annual contracts (table V-2).

[4] The estimated transportation costs were obtained by subtracting the customs value from the c.i.f. value of the imports for 2021 and then dividing by the customs value based on the HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040.

Table V-2
Lemon juice: U.S. producers' and importers' shares of commercial U.S. shipments by type of sale, 2021

Share in percent

Type of sale	U.S. producers	Subject importers
Long-term contracts	***	***
Annual contracts	***	***
Short-term contracts	***	***
Spot sales	***	***
Total	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.

Three U.S. producers (including ***) reported using short-term contracts to sell lemon juice and these contracts typically lasted between *** days. All responding U.S. producers reported that these contracts fix price and quantity and two reported that prices are not indexed to raw materials. The majority of U.S. producers reported that that they do not renegotiate price during a short-term contract.

One U.S. producer reported using annual contracts, and that these contracts fix price and quantity, are not indexed to raw materials, and that it does renegotiate price during annual contracts.

Two responding U.S. producers reported that their long-term contracts generally last between 360 days and several years. One responding U.S. producers reported that they fix only price for long-term contracts and the other responding U.S. producer reported fixing both price and quantity. None of the responding U.S. producers reported indexing pricing to raw materials. All responding U.S. producers reported that they did not renegotiate price for long-term contracts.

Eleven importers reported using short-term contracts to sell lemon juice and that these contracts typically last between 30 to 180 days. The majority of importers reported that these contracts fix price and quantity, that they do not renegotiate price or quantity during a short-term contract, and prices are not indexed to raw materials.

Seven importers reported using annual contracts to sell lemon juice. The majority reported that they do not renegotiate prices, fix both price and quantity, and prices are not indexed to raw materials for annual contracts.

One purchaser reported that it purchases lemon juice daily, two purchase weekly, three purchase monthly, and two purchase annually. Six of eight responding purchasers reported that their purchasing frequency had not changed since January 1, 2019. Most purchasers (7 of 8) contact between 2 to 12 suppliers before making a purchase.

Sales terms and discounts

All responding U.S. producers (5 of 5) and the majority of importers (8 of 13) typically quote prices on an f.o.b. basis. U.S. producer *** reported that it typically uses *** to quote f.o.b. prices. U.S. producer *** reported that it typically uses *** to quote f.o.b. prices. Importers ***, ***, ***, and *** reported that they typically use their U.S. warehouse or U.S. storage facility to quote f.o.b. prices. Importer *** reported that it typically uses *** to quote f.o.b. prices.

The majority of responding U.S. producers and importers reported that they do not offer discounts. U.S. producer *** reported offering both quantity and total volume discounts. Importer *** reported offering quantity discounts and importer *** reported offering a discount for timely payment (i.e., a one percent discount if payment is made within 10 days).

Packaging

Packaging influences the price of lemon juice to where lemon juice shipped in 50 gallon drums will have a notably different price than lemon juice shipped in a tanker.[5] Sales of smaller volumes of lemon juice can command a higher average unit price than bulk sales of lemon juice.[6] Shipping costs can be further differentiated when higher liquid content adds to the shipping costs of lemon juice, as higher concentration requires shipping less volume.[7] *** reported that it has invested in its own freight vessel designed to transport refrigerated NFCLJ to reduce shipping costs.[8]

Price leadership

Five purchasers reported that Ventura Coastal was a price leader in the lemon juice market, while one reported that San Miguel, Citromax, Citrusvil, and Capefruit Processors were price leaders in the lemon juice market. Purchaser *** reported that *** was a price leader because of its relationship to *** and that it was the largest supplier to the U.S. market and had the ability to set the market. Purchaser *** reported that *** controlled the majority of the NFCLJ market. Purchaser ***

[5] Conference transcript, p. 56 (McDermott).
[6] Staff phone call with *** of ***, February 1, 2022.
[7] Conference transcript, p. 137 (Lewis).
[8] Post conference brief of ***, p. 5.

reported that *** had the most knowledge of the U.S. market and the largest production capacity.

Price data

The Commission requested U.S. producers and importers provide quarterly data for the total quantity and f.o.b. value of the following lemon juice products shipped to unrelated U.S. customers during January 2019-June 2022.

Product 1.-- Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 400 GPL.

Product 2.-- Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 400 GPL.

Product 3.-- Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5-gallon packs (e.g., pails) with a concentration of 400 GPL.

Product 4.-- Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5-gallon packs (e.g., pails) with a concentration of 400 GPL.

Product 5.—Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000-gallon tanker.

Product 6.—Cloudy frozen concentrate lemon juice, non-organic, for further manufacture sold in 50-gallon drums with a concentration of 500 GPL.

Three U.S. producers and 25 importers provided usable pricing data for sales of the requested products, although not all firms reported pricing for all products for all quarters.[9] [10] Pricing data reported by these firms accounted for approximately *** percent of U.S. producers' U.S. commercial shipments of lemon juice, *** percent of U.S. commercial shipments of subject imports from Brazil, and *** of U.S. commercial shipments of subject imports from South Africa in 2021.[11]

[9] Per-unit pricing data are calculated from total quantity and total value data provided by U.S. producers and importers. The precision and variation of these figures may be affected by rounding, limited quantities, and producer or importer estimates.

[10] Importers reported pricing data for imports of lemon juice from South Africa only for products 1 and 3.

[11] Pricing coverage is based on U.S. shipments reported in questionnaires.

Price data for products 1-6 are presented in tables V-3 to V-8 and figures V-1 to V-6. Nonsubject country and nonsubject importer prices are presented in Appendix G.

Table V-3
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 1 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 1: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Figure V-1
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject 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: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL

Table V-4
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 2 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 2: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Figure V-2
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject 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: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Table V-5
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 3 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 3: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Figure V-3
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject 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: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Table V-6
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 4 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 4: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Figure V-4
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject 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: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Table V-7
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 5 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 5: Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000 gallon tanker.

Figure V-5
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 5, by source and quarter

Price of product 5

* * * * * * *

Volume of product 5

* * * * * * *

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

Note: Product 5: Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000 gallon tanker.

Table V-8
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 6 and margins of underselling/(overselling), by source and quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 6: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 500 GPL

Figure V-6
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and subject imported product 6, by source and quarter

Price of product 6

* * * * * * *

Volume of product 6

* * * * * * *

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

Note: Product 6: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 500 GPL

Price trends

In general, prices decreased during January 2019 to June 2022. Table V-9 summarizes the price trends, by country and by product. As shown in the table, domestic price decreases ranged from *** to *** percent while import price decreases ranged from *** to *** percent. Product 5, the only NFCLJ product, was the largest volume pricing product for U.S. producers, while product 1 was the largest volume pricing product for subject imports.

Table V-9
Lemon juice: Summary of price data, by product and source, January 2019 through June 2022

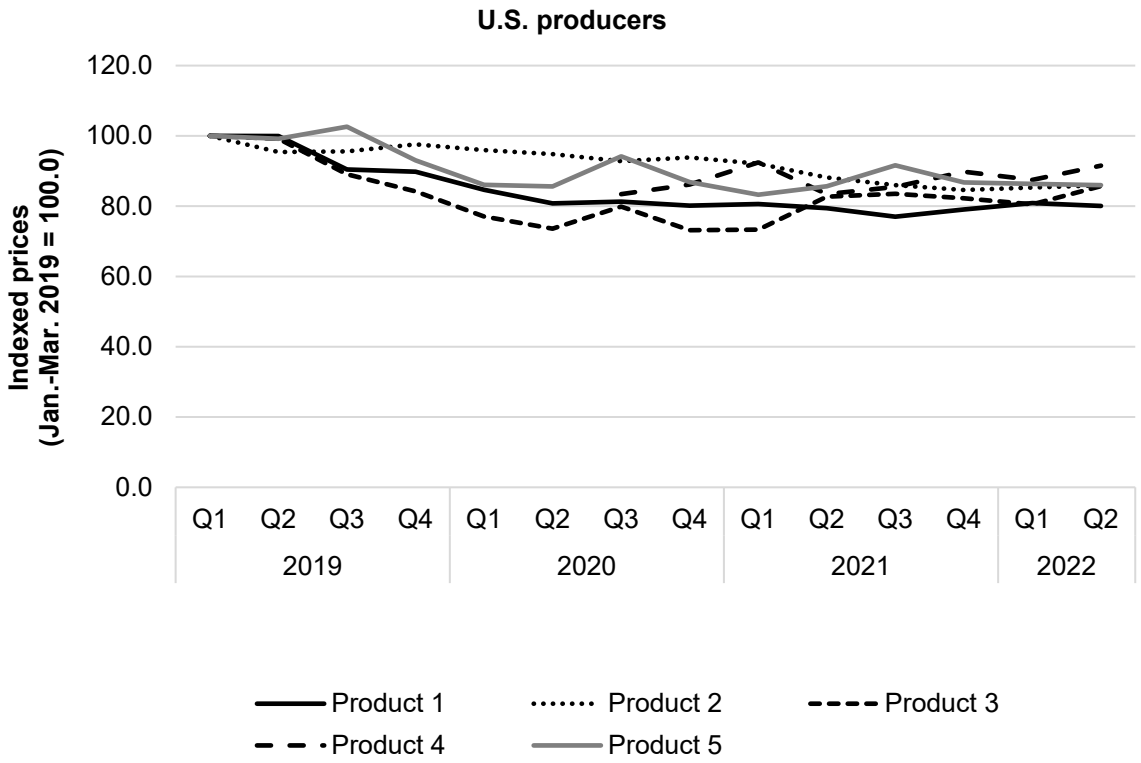
Prices in dollars per gallon concentrated basis @400 GPL; Quantity in gallons concentrated basis @400 GPL; Change in percent

* * * * * * *

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

Note: Percent change column is percentage change from the first quarter 2019 to the second quarter in 2022.

Figure V-7
Lemon juice: Indexed U.S. producer prices, by quarter



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

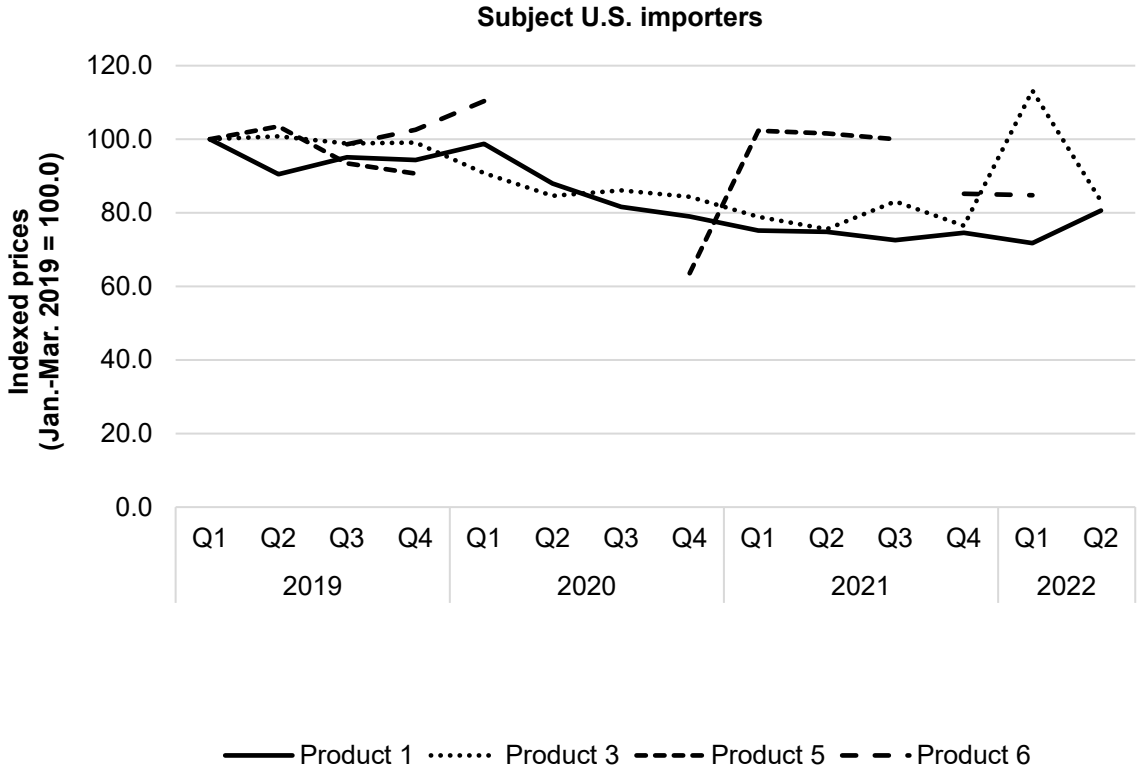
Table V-10
Lemon juice: Indexed U.S. producer prices, by quarter

Index in percent

Period	Product 1	Product 2	Product 3	Product 4	Product 5	Product 6
2019 Q1	100.0	100.0	100.0	100.0	100.0	---
2019 Q2	100.0	95.4	99.2	---	99.2	---
2019 Q3	90.4	95.6	89.1	91.8	102.6	---
2019 Q4	89.8	97.6	84.2	---	93.0	---
2020 Q1	84.7	96.0	77.0	95.9	86.0	---
2020 Q2	80.8	94.8	73.6	---	85.6	---
2020 Q3	81.3	92.8	79.9	83.4	94.2	---
2020 Q4	80.1	93.8	73.2	86.2	86.9	---
2021 Q1	80.6	92.1	73.3	92.4	83.3	---
2021 Q2	79.4	88.2	82.7	83.4	85.7	---
2021 Q3	77.0	86.0	83.5	85.5	91.6	---
2021 Q4	79.0	84.6	82.2	89.8	86.7	---
2022 Q1	80.9	85.3	80.5	87.5	86.3	---
2022 Q2	80.1	85.9	85.7	91.5	86.0	---

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

Figure V-8
Lemon juice: Indexed U.S. importer prices, by quarter



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

Table V-11
Lemon juice: Indexed U.S. importer prices, by quarter

Index in percent

Period	Product 1	Product 2	Product 3	Product 4	Product 5	Product 6
2019 Q1	100.0	---	100.0	---	100.0	100.0
2019 Q2	90.5	---	100.8	---	103.5	55.4
2019 Q3	95.1	---	98.8	---	93.5	
2019 Q4	94.4	---	99.1	---	90.6	54.6
2020 Q1	98.7	---	90.8	---	---	56.8
2020 Q2	88.0	---	84.6	---	---	61.1
2020 Q3	81.6	---	86.1	---		
2020 Q4	79.0	---	84.4	---	63.6	---
2021 Q1	75.2	---	78.9	---	102.3	49.7
2021 Q2	74.8	---	75.6	---	101.6	49.7
2021 Q3	72.6	---	83.1	---	100.0	---
2021 Q4	74.6	---	76.5	---	---	43.7
2022 Q1	71.8	---	113.2	---		---
2022 Q2	80.6	---	83.2	---	---	---

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

Price comparisons

As shown in tables V-12 and V-13, prices for product imported from subject countries were below those for U.S.-produced product in 33 of 52 instances (1.85 million gallons); margins of underselling ranged from 1.1 to 34.3 percent. In the remaining 19 instances (*** gallons), prices for product from subject countries were between 0.2 and 68.3 percent above prices for the domestic product. Product 1 had the most instances of underselling. Some products had few or no pricing comparisons.

Table V-12
Lemon juice: Instances of underselling and overselling and the range and average of margins, by product

Quantity in gallons; margin in percent

Product	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Product 1	Underselling	***	***	***	***	***
Product 2	Underselling	***	***	***	***	***
Product 3	Underselling	***	***	***	***	***
Product 4	Underselling	***	***	***	***	***
Product 5	Underselling	***	***	***	***	***
Product 6	Underselling	***	***	***	***	***
Total, all products	Underselling	33	***	14.9	1.1	34.3
Product 1	Overselling	***	***	***	***	***
Product 2	Overselling	***	***	***	***	***
Product 3	Overselling	***	***	***	***	***
Product 4	Overselling	***	***	***	***	***
Product 5	Overselling	***	***	***	***	***
Product 6	Overselling	***	***	***	***	***
Total, all products	Overselling	19	***	(24.4)	(0.2)	(68.3)

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

Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Table V-13
Lemon juice: Instances of underselling and overselling and the range and average of margins, by source

Quantity in gallons; margin in percent

Source	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Brazil, subject	Underselling	***	***	***	***	***
South Africa	Underselling	***	***	***	***	***
Total, all subject sources	Underselling	33	***	14.9	1.1	34.3
Brazil, subject	Overselling	***	***	***	***	***
South Africa	Overselling	***	***	***	***	***
Total, all subject sources	Overselling	19	***	(24.4)	(0.2)	(68.3)

Source: Compiled from data submitted in response to Commission questionnaires.
Note: These data include only quarters in which there is a comparison between the U.S. and subject product.

Lost sales and lost revenue

In the preliminary phase of the investigation, the Commission requested that U.S. producers of lemon juice report purchasers with which they experienced instances of lost sales or revenue due to competition from imports of lemon juice from subject countries during January 2019-June 2022. One responding U.S. producer (***) reported that it had to either reduce prices or roll back announced price increases, and it also reported that it had lost sales. None of the remaining responding U.S. producers submitted lost sales and lost revenue allegations.

In the final phase of the investigation, one of the five responding firms (***) reported that it had to either reduce prices or roll back announced price increases and reported that it had lost sales.

Staff contacted 18 purchasers and received responses from 8 purchasers. Responding purchasers reported purchasing *** gallons of lemon juice during January 2019- June 2022 (table V-14).

Of the eight responding purchasers, three reported that, since January 1, 2019, they had purchased imported lemon juice from subject countries instead of U.S.-produced product. One purchaser reported purchasing lemon juice from Brazil, one reported purchasing lemon juice from South Africa, and one reported purchasing lemon juice from both Brazil and South Africa instead of U.S.-produced lemon juice. One of these purchasers reported that subject import prices were lower than U.S.-produced product, and this purchaser reported that price was a primary reason for the decision to purchase imported product rather than U.S.-produced

product. This purchaser estimated the quantity of lemon juice from Brazil and South Africa purchased instead of domestic product was *** (table V-15). Purchasers identified lack of available supply of domestic lemon juice as non-price reasons for purchasing imported rather than U.S.-produced product.

Of the seven responding purchasers, three reported that U.S. producers had not reduced prices in order to compete with lower-priced imports from Brazil and South Africa; four reported that they did not know (table V-16).[12]

Table V-14
Lemon juice: Purchasers' reported purchases and imports, by firm and source

Quantity in gallons, share in percent

* * * * * * *

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

Note: All other includes all other sources and unknown sources. Change is the percentage point change in the share of the firm's total purchases of domestic and/or subject country imports between first and last years.

Note: Reported purchases may include nonsubject quantities from Brazil.

[12] One firm did not respond to the question.

Table V-15
Lemon juice: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in gallons

Purchaser	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Explanation
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	Yes--3; No--5	Yes--1; No--2	Yes--1; No--3	***	NA

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

Table V-16
Lemon juice: Purchasers' responses to U.S. producer price reductions, by firm

Purchaser	Reported producers lowered prices	Estimated percent of U.S. price reduction	Explanation
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
All firms	Yes--0; No--3	***	NA

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

Part VI: Financial experience of U.S. producers

Background[1]

Five U.S. producers, Ventura Coastal,[2] Sun Orchard, Peace River,[3] Perricone, and Vita-Pakt provided usable financial results on their lemon juice operations. All firms reported financial data on a calendar year basis.[4] *** responding U.S. producers provided their financial data on the basis of GAAP. The net sales of lemon juice, by quantity, consisted of commercial sales (*** percent) and internal consumption (*** percent) during the reporting period.[5]

Figure VI-1 presents each responding firm's share of the total reported net sales quantity in 2021.

[1] The following abbreviations may be used in the tables and/or text of this section: generally accepted accounting principles ("GAAP"), fiscal year ("FY"), 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"), not from concentrate lemon juice ("NFCLJ"), and from concentrate lemon juice ("FCLJ").

[2] Commission staff verified the questionnaire response of ***.

[3] ***. U.S. producers' questionnaire response of ***, question II-2a. See also footnote 7 in this section of the report.

[4] ***.

[5] Two firms, ***. ***. Email from ***, December 1, 2022. ***. Emails from ***, September 22, 2022 and December 1, 2022.

Figure VI-1
Lemon juice: Share of net sales quantity in 2021, by firm

* * * * * * *

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

Operations on lemon juice

Table VI-1 presents aggregated data on U.S. producers' operations in relation to lemon juice, while table VI-2 presents corresponding changes in AUVs. Table VI-3 presents selected company-specific financial data.[6]

[6] 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 VI-1
Lemon juice: Results of operations of U.S. producers, by item and period

Quantity in 1,000 gallons concentrated basis @400 GPL; value in 1,000 dollars; ratios in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Commercial sales	Quantity	***	***	***	***	***
Internal consumption	Quantity	***	***	***	***	***
Transfers to related firms	Quantity	***	***	***	***	***
Total net sales	Quantity	***	***	***	***	***
Commercial sales	Value	***	***	***	***	***
Internal consumption	Value	***	***	***	***	***
Transfers to related firms	Value	***	***	***	***	***
Total net sales	Value	***	***	***	***	***
COGS: Raw materials	Value	***	***	***	***	***
COGS: Direct labor	Value	***	***	***	***	***
COGS: Other factory	Value	***	***	***	***	***
COGS: Less: by-product revenue	Value	***	***	***	***	***
COGS: Total	Value	***	***	***	***	***
Gross profit or (loss)	Value	***	***	***	***	***
SG&A expenses	Value	***	***	***	***	***
Operating income or (loss)	Value	***	***	***	***	***
Other expense / (income), net	Value	***	***	***	***	***
Net income or (loss)	Value	***	***	***	***	***
Depreciation/amortization	Value	***	***	***	***	***
Cash flow	Value	***	***	***	***	***
COGS: Raw materials	Ratio to NS	***	***	***	***	***
COGS: Direct labor	Ratio to NS	***	***	***	***	***
COGS: Other factory	Ratio to NS	***	***	***	***	***
COGS: Less: by-product revenue	Ratio to NS	***	***	***	***	***
COGS: Total	Ratio to NS	***	***	***	***	***
Gross profit	Ratio to NS	***	***	***	***	***
SG&A expense	Ratio to NS	***	***	***	***	***
Operating income or (loss)	Ratio to NS	***	***	***	***	***
Net income or (loss)	Ratio to NS	***	***	***	***	***

Table continued on next page.

Table VI-1 Continued
Lemon juice: Results of operations of U.S. producers, by item and period

Shares in percent; unit values in dollars per gallon concentrated basis @400 GPL; count in number of firms reporting

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
COGS: Raw materials	Share	***	***	***	***	***
COGS: Direct labor	Share	***	***	***	***	***
COGS: Other factory	Share	***	***	***	***	***
COGS: Total	Share	***	***	***	***	***
Commercial sales	Unit value	***	***	***	***	***
Internal consumption	Unit value	***	***	***	***	***
Transfers to related firms	Unit value	***	***	***	***	***
Total net sales	Unit value	***	***	***	***	***
COGS: Raw materials	Unit value	***	***	***	***	***
COGS: Direct labor	Unit value	***	***	***	***	***
COGS: Other factory	Unit value	***	***	***	***	***
COGS: Less: by-product revenue	Unit value	***	***	***	***	***
COGS: Total	Unit value	***	***	***	***	***
Gross profit or (loss)	Unit value	***	***	***	***	***
SG&A expenses	Unit value	***	***	***	***	***
Operating income or (loss)	Unit value	***	***	***	***	***
Net income or (loss)	Unit value	***	***	***	***	***
Operating losses	Count	***	***	***	***	***
Net losses	Count	***	***	***	***	***
Data	Count	***	***	***	***	***

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

Note: Shares represent the share of COGS before by-product offset. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table VI-2
Lemon juice: Changes in AUVs between comparison periods

Changes in percent

Item	2019-21	2019-20	2020-21	Jan-Jun 2021-22
Commercial sales	***	***	***	***
Internal consumption	***	***	***	***
Transfers to related firms	***	***	***	***
Total net sales	***	***	***	***
COGS: Raw materials	***	***	***	***
COGS: Direct labor	***	***	***	***
COGS: Other factory	***	***	***	***
COGS: Less: by-product revenue	***	***	***	***
COGS: Total	***	***	***	***

Table continued.

Table VI-2 Continued
Lemon juice: Changes in AUVs between comparison periods

Changes in dollars per gallon concentrated basis @400 GPL

Item	2019-21	2019-20	2020-21	Jan-Jun 2021-22
Commercial sales	***	***	***	***
Internal consumption	***	***	***	***
Transfers to related firms	***	***	***	***
Total net sales	***	***	***	***
COGS: Raw materials	***	***	***	***
COGS: Direct labor	***	***	***	***
COGS: Other factory	***	***	***	***
COGS: Less: by-product revenue	***	***	***	***
COGS: Total	***	***	***	***
Gross profit or (loss)	***	***	***	***
SG&A expense	***	***	***	***
Operating income or (loss)	***	***	***	***
Net income or (loss)	***	***	***	***

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

Note: Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table VI-3
Lemon juice: Firm-by-firm total net sales quantity, by period

Net sales quantity

Quantity in 1,000 gallons concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm total net sales value, by period

Net sales value

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm cost of goods sold ("COGS"), by period

COGS

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: Firm-by-firm gross profit or (loss), by period

Gross profit or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm selling, general, and administrative ("SG&A") expenses, by period

SG&A expenses

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm operating income or (loss), by period

Operating income or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: Firm-by-firm net income or (loss), by period

Net income or (loss)

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm ratio of COGS to net sales value, by period

COGS to net sales ratio

Ratios in percent

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: 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-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: 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-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: 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-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: 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-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit net sales value, by period

Unit net sales value

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit raw material cost, by period

Unit raw material costs

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit direct labor cost, by period

Unit direct labor costs

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit other factory costs, by period

Unit other factory costs

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit COGS, by period

Unit COGS

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit gross profit or (loss), by period

Unit gross profit or (loss)

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued on next page.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit SG&A expenses, by period

Unit SG&A expenses

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit operating income or (loss), by period

Unit operating income or (loss)

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

Table continued.

Table VI-3 Continued
Lemon juice: Firm-by-firm unit net income or (loss), by period

Unit net income or (loss)

Unit values in dollars per gallon concentrated basis @400 GPL

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

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

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

Net sales

As shown in table VI-1, total net sales quantity and value overall increased from 2019 to 2021. As shown in table VI-3, the increases were mostly from ***. Total net sales by quantity and value were higher in January-June 2022 ("interim 2022") than in January-June 2021 ("interim 2021"). ***.[7]

The net sales AUV for the industry as a whole declined overall from $*** per gallon in 2019 to $*** per gallon in 2021, an overall decrease of *** percent, and it was higher in interim 2022 (at $*** per gallon) than in interim 2021 (at $*** per gallon). With regard to the AUVs of net sales, ***.[8]

[7] ***. Email from ***. September 6, 2022.

[8] ***. Email from ***, November 9, 2022.

Cost of goods sold and gross profit or loss

Raw materials

Raw materials represented the largest component of total COGS during the reporting period except interim 2022, accounting for between *** percent (interim 2022) and *** percent (2020) of total COGS during the period examined. On a per-gallon basis, raw material costs declined from 2019 ($***) to 2021 ($***) and were lower in interim 2022 (at $***) than in interim 2021 (at $***). As shown in table VI-3, Ventura Coastal and Vita-Pakt reported an overall decrease while Perricone and Sun Orchard reported an overall increase in their average unit values of raw material costs from 2019 to 2021. Peace River reported an increase in its average unit values of raw material costs from 2020 to 2021. ***.[9] ***. ***'s raw material costs per gallon declined noticeably in 2020 compared with 2019. ***.[10] ***

[9] ***. U.S. producers' questionnaire response of ***, section II-13 and U.S. importers' questionnaire response of ***, section II-7a, and email from ***, September 13, 2022.

[10] Email from ***, November 9, 2022.

***.[11]

Raw materials consist of lemons, including *** and other material inputs such as ***.[12] Table VI-4 presents raw materials, by type.

Table VI-4
Lemon juice: Raw material costs in 2021

Value in 1,000 dollars; unit values in dollars per gallon concentrated basis @400 GPL; share of value in percent

Item	Value	Share of value
Lemons	***	***
Other raw materials	***	***
All raw materials	***	***

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

[11] Email from ***, November 9, 2022.
[12] ***. Emails from ***, September 13, 2022, and from ***, December 7, 2022.

Table VI-5 presents a description of the terms and conditions by which U.S. processors obtained lemons.[13]

Table VI-5
Lemon juice: Descriptions of terms and conditions for obtaining lemons

Firm	Narrative response
Peace River	***
Perricone	***
Sun Orchard	***
Ventura Coastal	***
Vita-Pakt	***

Source: Compiled from data submitted in response to Commission questionnaires and email from ***, September 13 and November 16, 2022.

Note: ***. Email from ***, November 04, 2022.

[13] ***. U.S. producers' questionnaire responses, section III-7a.

Direct labor and other factory costs

Direct labor, the smallest component of COGS, ranged from *** percent (2020) to *** percent (2019). On an average per gallon basis, direct labor costs declined irregularly from 2019 to 2021 (from $*** per gallon to $*** per gallon), but were higher in interim 2022 (at $*** per gallon) than in interim 2021 (when they were $*** per gallon).

Other factory costs, the second largest component of COGS during the reporting period except interim 2022 when they were the single largest component, ranged from *** percent (2019) of total COGS to *** percent (interim 2022); as a ratio to net sales revenue, other factory costs increased from *** percent in 2019 to *** percent in 2021 and were *** percent in interim 2022 compared with *** percent in interim 2021. On a per gallon basis, other factory costs decreased irregularly from 2019 ($***) to 2021 ($***), but were noticeability higher in interim 2022 ($***) than in interim 2021 ($***). As shown in table VI-3, ***.[14]

By-product revenue consisted of the sale of *** produced during the course of producing lemon juice and represented between *** percent (interim 2021) and *** percent (interim 2022) of total revenue (net sales value plus by-product revenue) during the reporting period. *** reported by-product revenue. Processors also produce lemon oil as a co-product of their lemon juice production. While firms were requested to deduct the

[14] ***. Email from ***, November 13, 2022. It should be noted that ***. Calculated from *** U.S. producers questionnaire response, section II-3a.

revenues of by-products in the Commission's questionnaire, firms were requested to allocate and not report revenues or joint production costs of co-products.[15]

COGS and gross profit or loss

The average COGS to net sales ratio declined irregularly from *** percent in 2019 to *** percent in 2021 and was higher in interim 2022 (*** percent) than in interim 2021 (*** percent). As seen in table VI-1, on a per-gallon basis, total COGS declined irregularly from $*** in 2019 to $*** in 2021, reflecting the increase in the quantity of total net sales despite the irregular increase in the value of total COGS from 2019 to 2021. It was higher in interim 2022 ($***), reflecting the higher total COGS despite the higher net sales quantity between the interim periods.

As shown in table VI-1, the irregular increase in net sales value from 2019 to 2021 exceeded the corresponding increase in COGS, thus the industry's gross profit increased from 2019 to 2021. However, gross profit was lower in interim 2022 than in interim 2021 as COGS increased more than net sales value. Reflecting the trends in value, the gross profit margin (gross profit as a ratio to net sales) increased irregularly from *** in 2019 to *** percent in 2021 but was lower in interim 2022 (*** percent) than in interim 2021 (*** percent). As seen in table VI-3, ***. In 2020, ***

[15] In accounting terms, revenues of by-products are generally small in relation to the revenue of the main product and by-products generally do not have costs as their costs are embodied in the cost of the main product. The production costs of a co-product are shared with the main product and are generally allocated from the total to the co-product at a determined split off point. ***. U.S. processors' questionnaire responses of ***, section III-8 and emails from ***, September 22, 2022 and December 19, 2022. ***. U.S. processors' questionnaire response of ***, section III-8.

***. Between 2020 and 2021, increased gross profit of ***. ***.

SG&A expenses and operating income or loss

As shown in table VI-1, the industry's SG&A expenses ratios (i.e., total SG&A expenses divided by total revenue) declined from 2019 (*** percent) to 2021 (*** percent). Table VI-3 shows that the SG&A expense ratio for *** moved within a relatively narrow range from 2019 to 2021. The industry's ratio was lower in interim 2022 (*** percent) than in interim 2021 (when it was *** percent). Directionally, there was only a little difference between the firms.

Operating income increased from $*** in 2019 to $*** in 2021 but was lower in interim 2022 ($***) than interim 2021 ($***). The operating income margin (operating income as a ratio to net sales) increased irregularly from *** percent in 2019 to *** percent in 2021 and was lower in interim 2022 (*** percent) than in interim 2021 (*** percent). Average unit values followed the trend of the underlying data, increasing irregularly from $*** per gallon in 2019 to $*** per gallon in 2021, but was lower at $*** per gallon in interim 2022 than it was in interim 2021 at $*** per gallon. As shown in table VI-3, ***. These changes were reflected in the directional trends in terms of operating income margin from 2019 to 2021 and between the interim periods.

All other expenses and net income or loss

Classified below the operating income level are interest expense, other expense, and other income. In table VI-1, these items are aggregated with the net amount shown. The industry's net "all other expenses," increased irregularly from 2019 to 2021 and were lower in interim 2022 than in interim 2021.

Net income increased irregularly from $*** in 2019 to $*** in 2021, and was lower in interim 2022 ($***) than interim 2021 ($***). The net income margin (net income as a ratio to net sales) increased irregularly from *** percent in 2019 to *** percent in 2021 but was lower in interim 2022 (*** percent) than in interim 2021 (*** percent). On a company-specific basis, ***.

Table VI-6 presents the U.S. producers' narrative responses provided in their questionnaires regarding the effects of COVID-19 pandemic on their financial performance.[16]

Table VI-6
Lemon juice: Firms' narrative responses relating to COVID-19 pandemic effects on U.S. producers' financial performance

Firm	Narrative response
Peace River	***
Perricone	***
Sun Orchard	***
Ventura Coastal	***
Vita-Pakt	***

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

[16] See discussion above for description of effect of COVID-19 on *** and ***'s net sales and raw material costs, as provided in email correspondence with staff.

Capital expenditures and research and development expenses

Table VI-8 presents capital expenditures, by firm, and table VI-10 presents R&D expenses, by firm. Tables VI-9 and VI-11 present the firms' narrative explanations of the nature, focus, and significance of their capital expenditures and R&D expenses, respectively.

Table VI-8
Lemon juice: U.S. producers' capital expenditures, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Peace River	***	***	***	***	***
Perricone	***	***	***	***	***
Sun Orchard	***	***	***	***	***
Ventura Coastal	***	***	***	***	***
Vita-Pakt	***	***	***	***	***
All firms	***	***	***	***	***

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

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

Table VI-9
Lemon juice: Narrative descriptions of U.S. producers' capital expenditures, by firm

Firm	Narrative on capital expenditures
Peace River	***
Perricone	***
Sun Orchard	***
Ventura Coastal	***
Vita-Pakt	***

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

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

Table VI-10
Lemon juice: U.S. producers' R&D expenses, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
***	***	***	***	***	***
All firms	***	***	***	***	***

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

Table VI-11
Lemon juice: Narrative descriptions of U.S. producers' R&D expenses, by firm

Firm	Narrative on R&D expenses
***	***

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

Assets and return on assets

Table VI-12 presents data on the U.S. producers' total assets while table VI-13 presents their operating ROA.[17] Table VI-14 presents U.S. producers' narrative responses explaining their major asset categories and any significant changes in asset levels over time.

Table VI-12
Lemon juice: U.S. producers' total net assets, by firm and period

Value in 1,000 dollars

Firm	2019	2020	2021
Peace River	***	***	***
Perricone	***	***	***
Sun Orchard	***	***	***
Ventura Coastal	***	***	***
Vita-Pakt	***	***	***
All firms	***	***	***

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

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

Table VI-13
Lemon juice: U.S. producers' ROA, by firm and period

Ratio in percent

Firm	2019	2020	2021
Peace River	***	***	***
Perricone	***	***	***
Sun Orchard	***	***	***
Ventura Coastal	***	***	***
Vita-Pakt	***	***	***
All firms	***	***	***

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

[17] 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 lemon juice.

Table VI-14
Lemon juice: Narrative descriptions of U.S. producers' total net assets, by firm

Firm	Narrative on assets
Peace River	***
Perricone	***
Sun Orchard	***
Ventura Coastal	***
Vita-Pakt	***

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

Capital and investment

The Commission requested U.S. producers of lemon juice to describe any actual or potential negative effects of imports of lemon juice from Brazil and South Africa on their firms' growth, investment, ability to raise capital, development and production efforts, or the scale of capital investments. Table VI-15 presents the number of firms reporting an impact in each category and table VI-16 provides the U.S. producers' narrative responses.

Table VI-15
Lemon juice: Count of firms indicating actual and anticipated negative effects of imports from subject sources on investment, growth, and development since January 1, 2018, by effect

Count in number of firms reporting

Effect	Category	Count
Cancellation, postponement, or rejection of expansion projects	Investment	0
Denial or rejection of investment proposal	Investment	0
Reduction in the size of capital investments	Investment	0
Return on specific investments negatively impacted	Investment	0
Other investment effects	Investment	1
Any negative effects on investment	Investment	1
Rejection of bank loans	Growth	0
Lowering of credit rating	Growth	0
Problem related to the issue of stocks or bonds	Growth	0
Ability to service debt	Growth	0
Other growth and development effects	Growth	1
Any negative effects on growth and development	Growth	1
Anticipated negative effects of imports	Future	2

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

Note: ***.

Table VI-16
Lemon juice: Narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2018

Item	Firm name and narrative on impact of imports
Other negative effects on investments	***
Other effects on growth and development	***
Anticipated effects of imports	***
Anticipated effects of imports	***

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

Part VII: Threat considerations and information on nonsubject countries

Section 771(7)(F)(i) of the Act (19 U.S.C. § 1677(7)(F)(i)) provides that—

> *In determining whether an industry in the United States is threatened with material injury by reason of imports (or sales for importation) of the subject merchandise, the Commission shall consider, among other relevant economic factors*[1]*--*
>
> *(I) if a countervailable subsidy is involved, such information as may be presented to it by the administering authority as to the nature of the subsidy (particularly as to whether the countervailable subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement), and whether imports of the subject merchandise are likely to increase,*
>
> *(II) any existing unused production capacity or imminent, substantial increase in production capacity in the exporting country indicating the likelihood of substantially increased imports of the subject merchandise into the United States, taking into account the availability of other export markets to absorb any additional exports,*
>
> *(III) a significant rate of increase of the volume or market penetration of imports of the subject merchandise indicating the likelihood of substantially increased imports,*
>
> *(IV) whether imports of the subject merchandise are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices, and are likely to increase demand for further imports,*
>
> *(V) inventories of the subject merchandise,*

[1] Section 771(7)(F)(ii) of the Act (19 U.S.C. § 1677(7)(F)(ii)) provides that "The Commission shall consider {these factors} . . . as a whole in making a determination of whether further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted under this title. The presence or absence of any factor which the Commission is required to consider . . . shall not necessarily give decisive guidance with respect to the determination. Such a determination may not be made on the basis of mere conjecture or supposition."

(VI) 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,

(VII) in any investigation under this title which involves imports of both a raw agricultural product (within the meaning of paragraph (4)(E)(iv)) and any product processed from such raw agricultural product, the likelihood that there will be increased imports, by reason of product shifting, if there is an affirmative determination by the Commission under section 705(b)(1) or 735(b)(1) with respect to either the raw agricultural product or the processed agricultural product (but not both),

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

(IX) any other demonstrable adverse trends that indicate the probability that there is likely to be material injury by reason of imports (or sale for importation) of the subject merchandise (whether or not it is actually being imported at the time).[2]

Information on the volume and pricing of imports of the subject merchandise is presented in Parts IV and V; and information on the effects of imports of the subject merchandise on U.S. producers' existing development and production efforts is presented in Part VI. Information on inventories of the subject merchandise; foreign producers' operations, including the potential for "product-shifting;" any other threat indicators, if applicable; and any dumping in third-country markets, follows. Also presented in this section of the report is information obtained for consideration by the Commission on nonsubject countries.

[2] Section 771(7)(F)(iii) of the Act (19 U.S.C. § 1677(7)(F)(iii)) further provides that, in antidumping investigations, ". . . the Commission shall consider whether dumping in the markets of foreign countries (as evidenced by dumping findings or antidumping remedies in other WTO member markets against the same class or kind of merchandise manufactured or exported by the same party as under investigation) suggests a threat of material injury to the domestic industry."

The industry in Brazil

The Commission issued foreign producers' or exporters' questionnaires to two firms believed to produce and/or export lemon juice from Brazil.[3] Usable responses to the Commission's questionnaire were received from both firms: Citrus Juice Eireli, a subject producer/exporter of lemon juice from Brazil, and Louis Dreyfus Company Sucos S.A. ("Louis Dreyfus"), a nonsubject producer/exporter of lemon juice from Brazil.[4] These firms' exports to the United States accounted for all known U.S. imports of lemon juice from Brazil in 2021. According to estimates requested of the responding producers in Brazil, the production of lemon juice in Brazil reported in questionnaires accounts for all known production of lemon juice in Brazil. Table VII-1 presents information on the lemon juice operations of the responding subject producer/exporter in Brazil.

Table VII-1
Lemon juice: Summary data for subject producer in Brazil, 2021

Firm	Production (1,000 gallons concentrated basis @400 GPL)	Share of reported subject production (percent)	Exports to the United States (1,000 gallons concentrated basis @400 GPL)	Share of reported subject exports to the United States (percent)	Total shipments (1,000 gallons concentrated basis @400 GPL)	Share of firm's total shipments exported to the United States (percent)
Citrus Juice Eireli	***	100.0	***	100.0	***	***
All firms	***	100.0	***	100.0	***	***

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

There were no major developments in the Brazilian lemon juice industry since January 1, 2019 identified by interested parties in this proceeding and no relevant information via outside sources was found.

Changes in operations

Producers in Brazil were asked to report any changes in the character of their operations or organization relating to the production of lemon juice since 2019. The responding Brazilian subject producer did not report in its questionnaire that it had experienced such changes.

[3] These firms were identified through a review of information submitted in the petition, preliminary phase of these investigations, and presented in third-party sources.

[4] In its final determination with regard to Brazil, Commerce determined that the estimated weighted-average dumping margin for Louis Dreyfus is zero. 87 FR 78939, December 23, 2022.

Operations on lemon juice

Table VII-2 presents information on the lemon juice operations of the responding subject producer/exporter in Brazil. Citrus Juice Eireli's lemon juice production capacity *** during 2019-21 and is reportedly projected to *** in 2022 and 2023, at approximately *** gallons concentrated @400 GPL.

Citrus Juice Eireli's production of lemon juice *** percent from 2019 to 2020 before *** percent in 2021 and was *** in interim 2022 compared to interim 2021. It is projected to *** percent from 2021 to 2022 and by *** percent from 2022 to 2023 when it is projected to be approximately *** gallons concentrated @400 GPL.

Citrus Juice Eireli's capacity utilization *** percent to *** percent during 2019-21. It was *** percent during interim 2022 compared to *** percent during interim 2021 and is projected to *** percent in 2023.

Table VII-2
Lemon juice: Data on subject industry in Brazil, by period

Quantity in 1,000 gallons concentrated basis @400 GPL

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity	***	***	***	***	***	***	***
Production	***	***	***	***	***	***	***
End-of-period inventories	***	***	***	***	***	***	***
Internal consumption	***	***	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***	***	***
Home market shipments	***	***	***	***	***	***	***
Exports to the United States	***	***	***	***	***	***	***
Exports to all other markets	***	***	***	***	***	***	***
Export shipments	***	***	***	***	***	***	***
Total shipments	***	***	***	***	***	***	***

Table continued.

Table VII-2 Continued
Lemon juice: Data on subject industry in Brazil, by period

Shares and ratios in percent

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity utilization ratio	***	***	***	***	***	***	***
Inventory ratio to production	***	***	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***	***	***
Internal consumption share	***	***	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***	***	***
Home market shipments share	***	***	***	***	***	***	***
Exports to the United States share	***	***	***	***	***	***	***
Exports to all other markets share	***	***	***	***	***	***	***
Export shipments share	***	***	***	***	***	***	***
Total shipments share	100.0	100.0	100.0	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 "---".

Citrus Juice Eireli's home market shipments *** percent during 2019-21 and were *** in interim 2022 compared to interim 2021. However, they are projected to *** percent during 2021-23 to *** gallons concentrated @400 GPL. Its lemon juice production is ***, as share of total shipments, increased from *** percent in 2019 to *** percent in 2021 and were *** in interim 2022 compared to interim 2021. Exports to the United States comprised an *** share of all export shipments during 2019-21, *** their share of total shipments from *** percent to *** percent.

Alternative products

As shown in table VII-3, the responding subject producer/exporter in Brazil produced other products on the same equipment and machinery used to produce lemon juice. Other reported production included *** with lemon juice production accounting for between *** percent and *** percent of total production during 2019-21. However, during the interim periods, the share of lemon juice production was *** production figures were *** during those periods.

Table VII-3
Lemon juice: Subject producer in Brazil overall capacity and production on the same equipment as subject production, by period

Quantity in 1,000 gallons concentrated basis @400 GPL; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Overall capacity	Quantity	***	***	***	***	***
Production: Lemon juice	Quantity	***	***	***	***	***
Production: Grapefruit juice	Quantity	***	***	***	***	***
Production: Lime juice	Quantity	***	***	***	***	***
Production: Mandarin juice	Quantity	***	***	***	***	***
Production: Orange juice	Quantity	***	***	***	***	***
Production: Tangerine juice	Quantity	***	***	***	***	***
Production: Other products	Quantity	***	***	***	***	***
Production: All out-of-scope products	Quantity	***	***	***	***	***
Production: All products	Quantity	***	***	***	***	***
Overall capacity utilization	Ratio	***	***	***	***	***
Production: Lemon juice	Share	***	***	***	***	***
Production: Grapefruit juice	Share	***	***	***	***	***
Production: Lime juice	Share	***	***	***	***	***
Production: Mandarin juice	Share	***	***	***	***	***
Production: Orange juice	Share	***	***	***	***	***
Production: Tangerine juice	Share	***	***	***	***	***
Production: Other products	Share	***	***	***	***	***
Production: All out-of-scope products	Share	***	***	***	***	***
Production: All products	Share	100.0	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 “---“.

Citrus Juice Eireli reported the ability to switch production (capacity) between lemon juice and the other products using the same equipment and/or labor. The primary production constraint reported was ***. Reported factors affecting the ability to switch production included ***. Citrus Juice Eireli's narrative response on the factors affecting the ability to switch production is presented in table VII-4.

Table VII-4
Lemon juice: Subject producer in Brazil factors affecting the ability to switch production

Firm	Narrative response
***	***

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

The industry in South Africa

The Commission issued foreign producers' or exporters' questionnaires to five firms believed to produce and/or export lemon juice from South Africa.[5] Usable responses to the Commission's questionnaire were received from all five firms: Cape Fruit Processors (Pty) Ltd ("Cape Fruit "), Granor Passi (Pty) Ltd ("Granor Passi "), Magaliesberg Citrus Company (PTY) LTD ("Magaliesberg"), Onderberg Verwerkingskooperasie Beperk ("Onderberg"), and Venco Fruit Processors (Pty) Ltd. ("Venco"). These firms' exports to the United States accounted for all known U.S. imports of lemon juice from South Africa in 2021. According to estimates requested of the responding producers in South Africa, the production of lemon juice in South Africa reported in questionnaires accounts for approximately 85 percent of overall production of lemon juice in South Africa. Table VII-5 presents information on the lemon juice operations of the responding producers and exporters in South Africa.

[5] These firms were identified through a review of information submitted in the petition, preliminary phase of these investigations, and presented in third-party sources.

Table VII-5
Lemon juice: Summary data for producers in South Africa, 2021

Firm	Production (1,000 gallons concentrated basis @400 GPL)	Share of reported production (percent)	Exports to the United States (1,000 gallons concentrated basis @400 GPL)	Share of reported exports to the United States (percent)	Total shipments (1,000 gallons concentrated basis @400 GPL)	Share of firm's total shipments exported to the United States (percent)
Cape Fruit	***	***	***	***	***	***
Granor Passi	***	***	***	***	***	***
Magaliesberg	***	***	***	***	***	***
Onderberg	***	***	***	***	***	***
Venco	***	***	***	***	***	***
All firms	2,645	100.0	***	100.0	2,796	***

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

There were no major developments in the South African lemon juice industry since January 1, 2019 identified by interested parties in this proceeding and no relevant information via outside sources was found.

Changes in operations

Producers in South Africa were asked to report any change in the character of their operations or organization relating to the production of lemon juice since 2019. Only one producer indicated in their questionnaires that they had experienced such changes. *** reported that ***.

Operations on lemon juice

Table VII-6 presents information on the lemon juice operations of the responding producers and exporters in South Africa. South African producers' lemon juice production capacity increased by 8.0 percent during 2019-21, was essentially the same in interim 2022 compared to interim 2021 and is projected by respondents to remain at similar levels in 2022 and 2023, at approximately 6.5 million gallons concentrated @400 GPL.

South African producers' production of lemon juice decreased by 1.3 percent from 2019 to 2020 before increasing by 15.6 percent in 2021 and was 34.3 percent higher in interim 2022 compared to interim 2021. South African producers projected lemon juice production to increase by 17.2 percent from 2021 to 2023 when it is projected to be approximately 3.1 million gallons concentrated @400 GPL.

South African producers' capacity utilization decreased from 38.6 percent in 2019 to 35.7 percent in 2020 before increasing to 40.8 percent in 2021. It was 36.6 percent during interim 2022 compared to 27.3 percent during interim 2021 and is projected to increase to 47.4 percent in 2023.

Table VII-6
Lemon juice: Data on industry in South Africa, by period

Quantity in 1,000 gallons concentrated basis @400 GPL

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity	6,002	6,410	6,480	4,918	4,926	6,490	6,539
Production	2,319	2,289	2,645	1,343	1,804	3,220	3,101
End-of-period inventories	1,705	1,742	1,568	1,303	1,637	2,117	2,980
Internal consumption	***	***	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***	***	***
Home market shipments	379	526	680	312	225	476	490
Exports to the United States	319	814	1,149	***	***	***	***
Exports to all other markets	353	896	967	***	***	***	***
Export shipments	672	1,710	2,116	998	1,018	2,187	1,757
Total shipments	1,051	2,236	2,796	1,310	1,243	2,663	2,247
Resales exported to the United States	***	***	***	***	***	***	***
Adjusted total exports to the United States	***	***	***	***	***	***	***

Table continued.

Table VII-6 Continued
Lemon juice: Data on industry in South Africa, by period

Shares and ratios in percent

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity utilization ratio	38.6	35.7	40.8	27.3	36.6	49.6	47.4
Inventory ratio to production	73.5	76.1	59.3	48.5	45.4	65.7	96.1
Inventory ratio to total shipments	162.2	77.9	56.1	49.7	65.8	79.5	132.6
Internal consumption share	***	***	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***	***	***
Home market shipments share	36.1	23.5	24.3	23.8	18.1	17.9	21.8
Exports to the United States share	30.4	36.4	41.1	***	***	***	***
Exports to all other markets share	33.6	40.1	34.6	***	***	***	***
Export shipments share	63.9	76.5	75.7	76.2	81.9	82.1	78.2
Total shipments share	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Producers share of adjusted exports to the United States	***	***	***	***	***	***	***
Resellers share of adjusted exports to the United States	***	***	***	***	***	***	***
Adjusted exports to the United States share of total shipments	***	***	***	***	***	***	***

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 “---“.

Note: In 2019, in order to meet a contractual obligation to supply more lemon juice than was produced, one South African producer, ***, purchased lemon juice from another South African producer, ***, that was subsequently exported to the United States.

South African producers' home market shipments, ***, increased by 79.4 percent during 2019-21 and were lower in interim 2022 compared to interim 2021. They are projected by respondents to decrease by 27.9 percent during 2021-23 to 490 thousand gallons concentrated @400 GPL. Exports shipments, as share of total shipments, increased from 63.9 percent in 2019 to 75.7 percent in 2021 and were higher in interim 2022 compared to interim 2021. Exports to the United States comprised an increasing share of all export shipments during 2019-21[6], increasing their share of total shipments from 30.4 percent to 41.1 percent and were *** percent in interim 2022 compared to *** percent in interim 2021. Exports of lemon juice to the United States, by quantity, increased by 260.2 percent during 2019-21 and were higher in interim 2022 compared to interim 2021.

Alternative products

As shown in table VII-7, responding firms in South Africa produced other products on the same equipment and machinery used to produce lemon juice. Other reported production included *** with lemon juice production accounting for between 21.2 percent and 25.5 percent of total production during 2019-21. However, during the interim periods, the share of lemon juice production was higher as *** production figures were lower during those periods.

[6] South African producers identified *** as other principal export markets.

Table VII-7
Lemon juice: Producers in South Africa overall capacity and production on the same equipment as subject production, by period

Quantity in 1,000 gallons concentrated basis @400 GPL; ratio and share in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Overall capacity	Quantity	84,969	88,048	88,195	44,998	45,435
Production: Lemon juice	Quantity	11,975	11,360	13,146	6,097	8,537
Production: Grapefruit juice	Quantity	***	***	***	***	***
Production: Lime juice	Quantity	***	***	***	***	***
Production: Mandarin juice	Quantity	***	***	***	***	***
Production: Orange juice	Quantity	23,569	15,284	19,447	4,355	5,061
Production: Tangerine juice	Quantity	***	***	***	***	***
Production: Other products	Quantity	***	***	***	***	***
Production: All out-of-scope products	Quantity	44,547	34,320	38,453	14,932	19,472
Production: All products	Quantity	56,522	45,680	51,599	21,029	28,009
Overall capacity utilization	Ratio	66.5	51.9	58.5	46.7	61.6
Production: Lemon juice	Share	21.2	24.9	25.5	29.0	30.5
Production: Grapefruit juice	Share	***	***	***	***	***
Production: Lime juice	Share	***	***	***	***	***
Production: Mandarin juice	Share	***	***	***	***	***
Production: Orange juice	Share	41.7	33.5	37.7	20.7	18.1
Production: Tangerine juice	Share	***	***	***	***	***
Production: Other products	Share	***	***	***	***	***
Production: All out-of-scope products	Share	78.8	75.1	74.5	71.0	69.5
Production: All products	Share	100.0	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 "---".

All five South African producers reported the ability to switch production (capacity) between lemon juice and the other products using the same equipment and/or labor. The principal production constraints reported were ***. Reported factors affecting the ability to switch production include ***. South African producers' narrative responses on the factors affecting the ability to switch production are presented in table VII-8.

Table VII-8
Lemon juice: Producers in South Africa factors affecting the ability to switch production

Firm	Narrative response
***	***
***	***
***	***
***	***
***	***

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

Subject sources combined

Table VII-9 presents summary data on lemon juice operations of the reporting subject producers in the subject countries.

Responding subject foreign producers' collective annual production capacity in Brazil and South Africa increased by *** percent during 2019-21 and was *** during the two interim periods. Production capacity for the foreign producers in the subject countries is projected to *** in 2022 and 2023 as in 2021.

Foreign producers' production of lemon juice decreased by *** percent from 2019 to 2020 before increasing by *** percent in 2021 and was *** percent higher in interim 2022 compared to interim 2021. Production is projected to decrease by *** percent from 2021 to 2023. Responding foreign producers' capacity utilization fluctuated between *** percent and *** percent during 2019-21 and is projected to be in this range in 2022 and 2023.

Table VII-9
Lemon juice: Data on the industry in aggregated subject countries, by period

Quantity in 1,000 gallons concentrated basis @400 GPL

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity	***	***	***	***	***	***	***
Production	***	***	***	***	***	***	***
End-of-period inventories	***	***	***	***	***	***	***
Internal consumption	***	***	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***	***	***
Home market shipments	***	***	***	***	***	***	***
Exports to the United States	***	***	***	***	***	***	***
Exports to all other markets	***	***	***	***	***	***	***
Export shipments	***	***	***	***	***	***	***
Total shipments	***	***	***	***	***	***	***
Resales exported to the United States	***	***	***	***	***	***	***
Adjusted total exports to the United States	***	***	***	***	***	***	***

Table continued.

Table VII-9 Continued
Lemon juice: Data on the industry in aggregated subject countries, by period

Shares and ratios in percent

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity utilization ratio	***	***	***	***	***	***	***
Inventory ratio to production	***	***	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***	***	***
Internal consumption share	***	***	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***	***	***
Home market shipments share	***	***	***	***	***	***	***
Exports to the United States share	***	***	***	***	***	***	***
Exports to all other markets share	***	***	***	***	***	***	***
Export shipments share	***	***	***	***	***	***	***
Total shipments share	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Producers share of adjusted exports to the United States	***	***	***	***	***	***	***
Resellers share of adjusted exports to the United States	***	***	***	***	***	***	***
Adjusted exports to the United States share of total shipments	***	***	***	***	***	***	***

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

U.S. inventories of imported merchandise

Table VII-10 presents data on U.S. importers' reported inventories of lemon juice. During 2019-21, U.S. importers' inventories of subject imports of lemon juice from Brazil *** by *** percent while U.S. importers' inventories of subject lemon juice from South Africa increased by *** percent. U.S. importers' inventories of subject imports of lemon juice from Brazil and South Africa were respectively *** percent *** and *** percent higher in interim 2022 compared to interim 2021. Meanwhile, U.S. importers' inventories of lemon juice from nonsubject sources increased by *** percent during 2019-21 and were *** percent higher in interim 2022 compared to interim 2021.

During 2019-21, as a ratio to imports, U.S. shipments of imports and total shipments of imports, U.S. importers' reported inventories of subject imports of lemon juice from Brazil *** from 2019 to 2020 before *** in 2021 while reported inventories of subject imports of lemon juice from South Africa *** from 2019 to 2020 before *** in 2021.

Table VII-10
Lemon juice: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; Ratios in percent

Measure	Source	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Inventories quantity	Brazil, subject	***	***	***	***	***
Ratio to imports	Brazil, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Brazil, subject	***	***	***	***	***
Ratio to total shipments of imports	Brazil, subject	***	***	***	***	***
Inventories quantity	South Africa	***	***	***	***	***
Ratio to imports	South Africa	***	***	***	***	***
Ratio to U.S. shipments of imports	South Africa	***	***	***	***	***
Ratio to total shipments of imports	South Africa	***	***	***	***	***
Inventories quantity	Subject	***	***	***	***	***
Ratio to imports	Subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Subject	***	***	***	***	***
Ratio to total shipments of imports	Subject	***	***	***	***	***
Inventories quantity	Argentina	***	***	***	***	***
Ratio to imports	Argentina	***	***	***	***	***
Ratio to U.S. shipments of imports	Argentina	***	***	***	***	***
Ratio to total shipments of imports	Argentina	***	***	***	***	***
Inventories quantity	Brazil, nonsubject	***	***	***	***	***
Ratio to imports	Brazil, nonsubject	***	***	***	***	***
Ratio to U.S. shipments of imports	Brazil, nonsubject	***	***	***	***	***
Ratio to total shipments of imports	Brazil, nonsubject	***	***	***	***	***
Inventories quantity	Mexico	***	***	***	***	***
Ratio to imports	Mexico	***	***	***	***	***
Ratio to U.S. shipments of imports	Mexico	***	***	***	***	***
Ratio to total shipments of imports	Mexico	***	***	***	***	***
Inventories quantity	All other	***	***	***	***	***
Ratio to imports	All other	***	***	***	***	***
Ratio to U.S. shipments of imports	All other	***	***	***	***	***
Ratio to total shipments of imports	All other	***	***	***	***	***
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	1,007	1,146	1,428	1,075	1,442
Ratio to imports	All	14.0	14.9	18.6	18.5	23.2
Ratio to U.S. shipments of imports	All	13.9	15.3	19.4	18.1	23.8
Ratio to total shipments of imports	All	13.8	15.2	19.3	18.0	23.6

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

U.S. importers' outstanding orders

The Commission requested importers to indicate whether they imported or arranged for the importation of lemon juice after June 30, 2022. Their reported data are presented in table VII-11. Twenty-one of 30 responding importers reported such imports. Overall, arranged imports from nonsubject sources accounted for the majority of such imports with subject imports of lemon juice from Brazil and South Africa accounting for *** percent and *** percent of arranged imports, respectively.

Table VII-11
Lemon juice: U.S. importers' arranged imports, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL

Source	Jul-Sept 2022	Oct-Dec 2022	Jan-Mar 2023	Apr-Jun 2023	Total
Brazil, subject	***	***	***	***	***
South Africa	***	***	***	***	***
Subject sources	***	***	***	***	***
Argentina	***	***	***	***	***
Brazil, nonsubject	***	***	***	***	***
Mexico	***	***	***	***	***
All other sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	***
All import sources	1,881	2,343	1,127	754	6,105

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

Third-country trade actions

Based on available information, lemon juice from Brazil and South Africa has not been subject to other antidumping or countervailing duty investigations outside the United States.

Information on nonsubject countries

In most regions of the world, lemons are primarily grown for the fresh market. The leading producers of fresh lemons and limes include India, Mexico, China, Argentina, Brazil, Turkey, Spain, the United States, South Africa, and Iran.[7] The leading exporters of fresh lemons and limes include Mexico, Spain, Turkey, South Africa, Argentina, Netherlands, the United

[7] Selected production data comparable across countries available from the United States Department of Agriculture and the Food and Agriculture Organization of the United Nations typically do not report data for lemons and limes separately. UN FAO, FAOSTATS database, accessed January 21, 2022.

States, Brazil, Egypt, and China.[8] Leading producers of fresh citrus, including fresh lemons, also tend to be major processors because not all fresh citrus fruit is suitable for the fresh market and disposal costs tend to be high.

Most lemon and lime producers focus on the fresh market, tending to process less than a third of their total lemon and lime production (table VII-12); Argentina, is an exception and processes more than 70 percent of its total lemon and lime production. According to GTA data, leading exporters of juice from any other (not orange, grapefruit, or lime juice) single citrus fruit include Italy, Argentina, and Spain (table VII-13). According to FAO data, the leading exporters of concentrated lemon juice in 2020 were Argentina ($137.3 million), South Africa ($27.0 million), Mexico ($26.9 million), and Peru ($10.6 million).[9] Also according to FAO data, the leading exporters of single-strength lemon juice in 2020 were Italy ($11.2 million), Brazil ($9.1 million), South Korea ($5.6 million), and Uruguay ($3.3 million).[10]

Table VII-12
Fresh lemons and limes: Production and processing, by country and marketing year

Quantity in 1,000 metric tons; Shares in percent

Country/Region	2019-20 Quantity Produced	2019-20 Quantity Processed	2020-21 Quantity Produced	2020-21 Quantity Processed	2021-22 Quantity Produced	2021-22 Quantity Processed	2021-22 Share Processed
South Africa	620	138	627	103	670	114	17.0
Mexico	2,851	507	2,998	350	3,217	400	12.4
European Union	1,481	314	1,720	392	1,571	287	18.3
Argentina	1,491	1,078	1,800	1,388	1,900	1,491	78.5
Turkey	950	51	1,100	50	1,337	50	3.7
United States	983	301	757	158	882	205	23.2
Israel	75	9	53	3	70	5	7.1
Japan	48	28	48	28	48	28	58.3

Source: Source: USDA, FAS, PSD Database

Note: Marketing years vary by country, the U.S. lemon/lime marketing year is August to July while the South Africa marketing year is April to March, and the Brazil marketing year is July to June; USDA does not report lemon/lime data for Brazil.

[8] UN FAO, FAOSTATS database, accessed January 21, 2022.

[9] UN FAO, FAOSTATS database, accessed January 21, 2022.

[10] This data is reported as single-strength lemon juice, thus, it is unknown if it includes just not-from-concentrate juice or also includes reconstituted lemon juice. UN FAO, FAOSTATS database, accessed January 21, 2022.

Table VII-13
Juice from any other (not orange, grapefruit, or lime juice) single citrus fruit: Global exports, by reporting country and by period

Value in 1,000 dollars

Exporting country	Measure	2019	2020	2021
United States	Value	44,851	41,715	44,895
Italy	Value	151,919	156,339	160,367
Argentina	Value	132,844	115,291	117,457
Spain	Value	119,222	122,723	128,081
Netherlands	Value	112,689	110,982	114,722
Israel	Value	37,314	35,826	35,730
Brazil	Value	35,248	36,800	38,572
Mexico	Value	29,882	41,109	72,536
Ireland	Value	24,444	23,590	25,582
South Africa	Value	22,419	28,478	29,361
Germany	Value	17,297	17,468	18,070
Japan	Value	12,844	11,736	17,044
All other exporters	Value	146,932	123,572	132,746
All reporting exporters	Value	887,906	865,629	935,162
United States	Share of value	5.1	4.8	4.8
Italy	Share of value	17.1	18.1	17.1
Argentina	Share of value	15.0	13.3	12.6
Spain	Share of value	13.4	14.2	13.7
Netherlands	Share of value	12.7	12.8	12.3
Israel	Share of value	4.2	4.1	3.8
Brazil	Share of value	4.0	4.3	4.1
Mexico	Share of value	3.4	4.7	7.8
Ireland	Share of value	2.8	2.7	2.7
South Africa	Share of value	2.5	3.3	3.1
Germany	Share of value	1.9	2.0	1.9
Japan	Share of value	1.4	1.4	1.8
All other exporters	Share of value	16.5	14.3	14.2
All reporting exporters	Share of value	100.0	100.0	100.0

Source: Official exports statistics under HS subheadings 2009.31 and 2009.39 as reported by various national statistical authorities in the Global Trade Atlas database, accessed September 30, 2022.

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 "---". United States is shown at the top followed by the countries under investigation, all remaining top exporting countries in descending order of 2021 data.

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 992, January 7, 2022	*Lemon Juice From Brazil and South Africa; Institution of Antidumping Duty Investigations and Scheduling of Preliminary Phase Investigations*	https://www.govinfo.gov/content/pkg/FR-2022-01-07/pdf/2022-00084.pdf
87 FR 3768, January 25, 2022	*Lemon Juice From Brazil and South Africa: Initiation of Less-Than-Fair-Value Investigations*	https://www.govinfo.gov/content/pkg/FR-2022-01-25/pdf/2022-01411.pdf
87 FR 9378, February 18, 2022	*Lemon Juice From Brazil and South Africa; Determinations*	https://www.govinfo.gov/content/pkg/FR-2022-02-18/pdf/2022-03559.pdf
87 FR 30452, May 19, 2022	*Certain Lemon Juice From Brazil and the Republic of South Africa: Postponement of Preliminary Determinations in the Less-Than-Fair-Value Investigations*	https://www.govinfo.gov/content/pkg/FR-2022-05-19/pdf/2022-10788.pdf
87 FR 47697, August 4, 2022	*Certain Lemon Juice From Brazil: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2022-08-04/pdf/2022-16640.pdf
87 FR 47707, August 4, 2022	*Certain Lemon Juice From the Republic of South Africa: Preliminary Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2022-08-04/pdf/2022-16641.pdf
87 FR 51701, August 23, 2022	*Lemon Juice From Brazil and South Africa, Scheduling of the Final Phase of Anti-Dumping Duty Investigations*	https://www.govinfo.gov/content/pkg/FR-2022-08-23/pdf/2022-18107.pdf

Citation	Title	Link
87 FR 56631, September 15, 2022	*Certain Lemon Juice From the Republic of South Africa: Postponement of Final Determination and Extension of Provisional Measures*	https://www.govinfo.gov/content/pkg/FR-2022-09-15/pdf/2022-19967.pdf
87 FR 58821, September 28, 2022	*Lemon Juice From Brazil and South Africa; Revised Schedule for the Subject Investigations*	https://www.govinfo.gov/content/pkg/FR-2022-09-28/pdf/2022-20913.pdf
87 FR 78928, December 23, 2022	*Certain Lemon Juice From the Republic of South Africa: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2022-12-23/pdf/2022-28012.pdf
87 FR 78939, December 23, 2022	*Certain Lemon Juice From Brazil: Final Affirmative Determination of Sales at Less Than Fair Value*	https://www.govinfo.gov/content/pkg/FR-2022-12-23/pdf/2022-28009.pdf

APPENDIX B

LIST OF HEARING WITNESSES

CALENDAR OF PUBLIC HEARING

Those listed below appeared as witnesses at the United States International Trade Commission's hearing:

Subject: Lemon Juice from Brazil and South Africa

Inv. Nos.: 731-TA-1578 and 1579 (Final)

Date and Time: December 15, 2022 - 9:30 a.m.

OPENING REMARKS:

In Support of Imposition (**Mert E. Arkan**, Buchanan Ingersoll & Rooney PC)

In Opposition to Imposition (**Nancy Noonan**, ArentFox Schiff LLP)

In Support of the Imposition of the Antidumping Duty Orders:

Buchanan Ingersoll & Rooney PC
Washington, DC
on behalf of

Ventura Coastal LLC

William Borgers, Chief Executive Officer, Ventura Coastal LLC

David McDermott (**remote witness**), Chief Financial Officer, Ventura Coastal LLC

Rayne Thompson, Vice President, Government Relations and Public Policy, Sunkist Growers, Inc. and Fruit Growers Supply Co.

Seth Kaplan, President, International Economic Research LLC

Travis Pope, Project Manager, Capital Trade, Inc.

Nathan Smith, Research Analyst, Capital Trade, Inc.

Daniel B. Pickard)
) – OF COUNSEL
Mert E. Arkan)

In Opposition to the Imposition of the Antidumping Duty Orders:

Covington & Burling LLP
Washington, DC
on behalf of

Greenwood Associates Inc.

James H. Berman, Chief Operating Officer, Greenwood Associates Inc.

James M. Smith) – OF COUNSEL

In Opposition to the Imposition of the Antidumping Duty Orders (continued):

ArentFox Schiff LLP
Washington, DC
on behalf of

The Coca-Cola Company

Jason Maxfield, Procurement Manager, The Coca-Cola Company

Nancy Noonan)
) – OF COUNSEL
Yun Gao)

White & Case LLP
Washington, DC
on behalf of

Louis Dreyfus Company Sucos S.A.
Louis Dreyfus Company Juices NA LLC

Gabriel Alonso, Head of Juice North America,
Louis Dreyfus Company Juices NA LLC

Ron Kendler)
) – OF COUNSEL
Jessica E. Lynd)

Trade Law Chambers
Cape Town, South Africa
on behalf of

South African Fruit Juice Association

Rian Geldenhuys (remote witness), Counsel, South African Fruit Juice Association

REBUTTAL/CLOSING REMARKS:

In Support of Imposition (**Daniel B. Pickard**, Buchanan Ingersoll & Rooney PC)
In Opposition to Imposition (**Jessica E. Lynd**, White & Case LLP)

-END-

APPENDIX C

SUMMARY DATA

Table C-1
Lemon juice: Summary data concerning the U.S. market, by item and period

Quantity=1,000 gallons concentrated basis @400 GPL; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per gallon concentrated basis @400 GPL; Period changes=percent--exceptions noted

Item	Reported data: Calendar year 2019	2020	2021	Jan-Jun 2021	2022	Period changes: Comparison years 2019-21	2019-20	2020-21	Jan-Jun 2021-22
U.S. consumption quantity:									
Amount	9,408	10,051	11,105	***	***	▲18.0	▲6.8	▲10.5	▲***
Producers' share (fn1)	29.6	27.0	30.2	***	***	▲0.6	▼(2.7)	▲3.2	▲***
Importers' share (fn1):									
Brazil, subject	***	***	***	***	***	▼***	▼***	▲***	▼***
South Africa	2.7	6.3	9.0	***	***	▲6.3	▲3.6	▲2.7	▼***
Subject sources	***	***	***	***	***	▲***	▲***	▲***	▼***
Argentina	33.9	34.8	30.3	***	***	▼(3.6)	▲0.9	▼(4.5)	▲***
Brazil, nonsubject	***	***	***	***	***	▲***	▲***	▲***	▼***
Mexico	12.7	11.2	7.1	***	***	▼(5.6)	▼(1.4)	▼(4.1)	▼***
All other sources	11.4	12.9	13.0	***	***	▲1.6	▲1.6	▲0.0	▲***
Nonsubject sources	***	***	***	***	***	▼***	▲***	▼***	▲***
All import sources	70.4	73.0	69.8	***	***	▼(0.6)	▲2.7	▼(3.2)	▼***
U.S. consumption value:									
Amount	***	***	***	***	***	▲***	▼***	▲***	▲***
Producers' share (fn1)	***	***	***	***	***	▲***	▼***	▲***	▲***
Importers' share (fn1):									
Brazil, subject	***	***	***	***	***	▲***	▼***	▲***	▼***
South Africa	***	***	***	***	***	▲***	▲***	▲***	▼***
Subject sources	***	***	***	***	***	▲***	▼***	▲***	▼***
Argentina	***	***	***	***	***	▼***	▼***	▼***	▲***
Brazil, nonsubject	***	***	***	***	***	▼***	▼***	▼***	▼***
Mexico	***	***	***	***	***	▼***	▲***	▼***	▼***
All other sources	***	***	***	***	***	▲***	▲***	▲***	▲***
Nonsubject sources	***	***	***	***	***	▼***	▲***	▼***	▼***
All import sources	***	***	***	***	***	▼***	▲***	▼***	▼***
U.S. imports from:									
Brazil, subject:									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Value	***	***	***	***	***	▲***	▼***	▲***	▼***
Unit value	***	***	***	***	***	▲***	▲***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▼***	▼***	▲***	▼***
South Africa:									
Quantity	250	629	999	438	561	▲300.1	▲151.8	▲58.9	▲28.0
Value	4,340	9,444	12,333	4,916	6,295	▲184.2	▲117.6	▲30.6	▲28.0
Unit value	$17.37	$15.01	$12.34	$11.22	$11.23	▼(29.0)	▼(13.6)	▼(17.8)	▲0.1
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
Subject sources:									
Quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
Value	***	***	***	***	***	▲***	▼***	▲***	▲***
Unit value	***	***	***	***	***	▼***	▼***	▲***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
Argentina:									
Quantity	3,193	3,498	3,369	1,093	1,574	▲5.5	▲9.5	▼(3.7)	▲44.0
Value	69,690	69,232	65,486	21,376	28,669	▼(6.0)	▼(0.7)	▼(5.4)	▲34.1
Unit value	$21.82	$19.79	$19.44	$19.55	$18.22	▼(10.9)	▼(9.3)	▼(1.8)	▼(6.8)
Ending inventory quantity	***	***	***	***	***	▼***	▼***	▲***	▲***
Brazil, nonsubject:									
Quantity	***	***	***	***	***	▲***	▲***	▲***	▼***
Value	***	***	***	***	***	▼***	▼***	▼***	▼***
Unit value	***	***	***	***	***	▼***	▼***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▼***
Mexico:									
Quantity	1,193	1,129	788	224	254	▼(33.9)	▼(5.4)	▼(30.2)	▲13.2
Value	22,438	25,529	18,436	5,394	5,582	▼(17.8)	▲13.8	▼(27.8)	▲3.5
Unit value	$18.81	$22.61	$23.39	$24.07	$21.99	▲24.4	▲20.2	▲3.5	▼(8.6)
Ending inventory quantity	***	***	***	***	***	▼***	▲***	▼***	▼***
All other sources:									
Quantity	1,068	1,298	1,439	657	881	▲34.7	▲21.5	▲10.8	▲34.2
Value	35,435	40,038	47,060	21,902	29,769	▲32.8	▲13.0	▲17.5	▲35.9
Unit value	$33.16	$30.84	$32.71	$33.36	$33.80	▼(1.4)	▼(7.0)	▲6.1	▲1.3
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***

Table continued.

Table C-1 Continued
Lemon juice: Summary data concerning the U.S. market, by item and period

Quantity=1,000 gallons concentrated basis @400 GPL; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per gallon concentrated basis @400 GPL; Period changes=percent--exceptions noted

	Reported data					Period changes			
	Calendar year			Jan-Jun		Comparison years			Jan-Jun
Item	2019	2020	2021	2021	2022	2019-21	2019-20	2020-21	2021-22
U.S. imports from: Continued									
Nonsubject sources:									
Quantity	***	***	***	***	***	▲***	▲***	▼***	▲***
Value	***	***	***	***	***	▲***	▲***	▼***	▲***
Unit value	***	***	***	***	***	▼***	▼***	▼***	▼***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▲***	▲***
All import sources:									
Quantity	6,622	7,341	7,754	2,781	3,522	▲17.1	▲10.9	▲5.6	▲26.7
Value	151,825	158,546	164,168	59,691	75,394	▲8.1	▲4.4	▲3.5	▲26.3
Unit value	$22.93	$21.60	$21.17	$21.46	$21.41	▼(7.7)	▼(5.8)	▼(2.0)	▼(0.3)
Ending inventory quantity	1,007	1,146	1,428	1,075	1,442	▲41.8	▲13.8	▲24.6	▲34.1
U.S. producers':									
Average capacity quantity	***	***	***	***	***	▲***	▼***	▲***	▲***
Production quantity	***	***	***	***	***	▼***	▲***	▼***	▲***
Capacity utilization (fn1)	***	***	***	***	***	▼***	▲***	▼***	▲***
U.S. shipments:									
Quantity	2,786	2,710	3,351	***	***	▲20.3	▼(2.7)	▲23.7	▲***
Value	***	***	***	***	***	▲***	▼***	▲***	▲***
Unit value	***	***	***	***	***	▼***	▼***	▲***	▲***
Export shipments:									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▼***
Value	***	***	***	***	***	▲***	▼***	▲***	▼***
Unit value	***	***	***	***	***	▼***	▲***	▼***	▲***
Ending inventory quantity	***	***	***	***	***	▲***	▲***	▼***	▲***
Inventories/total shipments (fn1)	***	***	***	***	***	▲***	▲***	▼***	▼***
Production workers	***	***	***	***	***	▲***	▲***	▲***	▲***
Hours worked (1,000s)	***	***	***	***	***	▲***	▲***	▼***	▲***
Wages paid ($1,000)	***	***	***	***	***	▲***	▲***	▲***	▼***
Hourly wages (dollars per hour)	***	***	***	***	***	▲***	▼***	▲***	▼***
Productivity (gallons per hour)	***	***	***	***	***	▼***	▲***	▼***	▲***
Unit labor costs	***	***	***	***	***	▲***	▼***	▲***	▼***
Net sales:									
Quantity	***	***	***	***	***	▲***	▼***	▲***	▲***
Value	***	***	***	***	***	▲***	▼***	▲***	▲***
Unit value	***	***	***	***	***	▼***	▼***	▲***	▲***
Cost of goods sold (COGS)	***	***	***	***	***	▲***	▼***	▲***	▲***
Gross profit or (loss) (fn2)	***	***	***	***	***	▲***	▲***	▲***	▼***
SG&A expenses	***	***	***	***	***	▲***	▼***	▲***	▲***
Operating income or (loss) (fn2)	***	***	***	***	***	▲***	▲***	▲***	▼***
Net income or (loss) (fn2)	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit COGS	***	***	***	***	***	▼***	▼***	▲***	▲***
Unit SG&A expenses	***	***	***	***	***	▼***	▼***	▼***	▼***
Unit operating income or (loss) (fn2)	***	***	***	***	***	▲***	▲***	▼***	▼***
Unit net income or (loss) (fn2)	***	***	***	***	***	▲***	▲***	▼***	▼***
COGS/sales (fn1)	***	***	***	***	***	▼***	▼***	▲***	▲***
Operating income or (loss)/sales (fn1)	***	***	***	***	***	▲***	▲***	▼***	▼***
Net income or (loss)/sales (fn1)	***	***	***	***	***	▲***	▲***	▼***	▼***
Capital expenditures	***	***	***	***	***	▲***	▲***	▼***	▼***
Research and development expenses	***	***	***	***	***	***	***	***	***
Net assets	***	***	***	***	***	▲***	▲***	▲***	***

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 2009.31.4000, 2009.31.6020, 2009.31.6040, 2009.39.6020, and 2009.39.6040, accessed on December 15, 2022. Imports are based on the imports for consumption data series. Imports value data reflect landed duty-paid values. 508-compliant tables containing these data are contained in parts III, IV, VI, and VII of this report.

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.

fn1.--Reported data are in percent and period changes are in percentage points.
fn2.--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.

APPENDIX D

U.S. SHIPMENTS OF LEMON JUICE BY CONCENTRATION LEVELS

Table D-1
Lemon juice: U.S. producers' U.S. shipments, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	2,786	2,710	3,351	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-1 Continued
Lemon juice: U.S. producers' U.S. shipments, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-1
Lemon juice: U.S. producers' U.S. shipments, by concentration level and period

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

Table D-2
Lemon juice: U.S. importers' U.S. shipments of subject imports from Brazil, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-2 Continued
Lemon juice: U.S. importers' U.S. shipments of subject imports from Brazil, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-2
Lemon juice: U.S. importers' U.S. shipments of subject imports from Brazil, by concentration level and period

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

Table D-3
Lemon juice: U.S. importers' U.S. shipments of imports from South Africa, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-3 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from South Africa, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-3
Lemon juice: U.S. importers' U.S. shipments of imports from South Africa, by concentration level and period

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

Table D-4
Lemon juice: U.S. importers' U.S. shipments of imports from subject sources, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-4 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from subject sources, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-4
Lemon juice: U.S. importers' U.S. shipments of imports from subject sources, by concentration level and period

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

Table D-5
Lemon juice: U.S. importers' U.S. shipments of imports from Argentina, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-5 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from Argentina, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-5
Lemon juice: U.S. importers' U.S. shipments of imports from Argentina, by concentration level and period

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

Table D-6
Lemon juice: U.S. importers' U.S. shipments of nonsubject imports from Brazil, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-6 Continued
Lemon juice: U.S. importers' U.S. shipments of nonsubject imports from Brazil, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-6
Lemon juice: U.S. importers' U.S. shipments of nonsubject imports from Brazil, by concentration level and period

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

Table D-7
Lemon juice: U.S. importers' U.S. shipments of imports from Mexico, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-7 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from Mexico, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-7
Lemon juice: U.S. importers' U.S. shipments of imports from Mexico, by concentration level and period

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

Table D-8
Lemon juice: U.S. importers' U.S. shipments of imports from all other sources, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-8 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from all other sources, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-8
Lemon juice: U.S. importers' U.S. shipments of imports from all other sources, by concentration level and period

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

Table D-9
Lemon juice: U.S. importers' U.S. shipments of imports from nonsubject sources, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	***	***	***	***	***
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	***	***	***	***	***
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	***	***	***	***	***

Table continued.

Table D-9 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from nonsubject sources, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-9
Lemon juice: U.S. importers' U.S. shipments of imports from nonsubject sources, by concentration level and period

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

Table D-10
Lemon juice: U.S. importers' U.S. shipments of imports from all sources, by concentration level and period

Quantity in 1,000 gallons; Value in 1,000 dollars; Unit values in dollars per gallon

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Quantity	***	***	***	***	***
Concentrated @ 400 GPL	Quantity	***	***	***	***	***
Concentrated @ 500 GPL	Quantity	***	***	***	***	***
Concentrated @ other GPL	Quantity	***	***	***	***	***
All concentrated levels	Quantity	***	***	***	***	***
Total, all types	Quantity	7,231	7,511	7,361	2,967	3,024
Non-concentrated	Value	***	***	***	***	***
Concentrated @ 400 GPL	Value	***	***	***	***	***
Concentrated @ 500 GPL	Value	***	***	***	***	***
Concentrated @ other GPL	Value	***	***	***	***	***
All concentrated levels	Value	***	***	***	***	***
Total, all types	Value	135,236	126,707	120,077	47,496	50,225
Non-concentrated	Unit value	***	***	***	***	***
Concentrated @ 400 GPL	Unit value	***	***	***	***	***
Concentrated @ 500 GPL	Unit value	***	***	***	***	***
Concentrated @ other GPL	Unit value	***	***	***	***	***
All concentrated levels	Unit value	***	***	***	***	***
Total, all types	Unit value	18.70	16.87	16.31	16.01	16.61

Table continued.

Table D-10 Continued
Lemon juice: U.S. importers' U.S. shipments of imports from all sources, by concentration level and period

Share in percent

Concentration level	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Non-concentrated	Share of quantity	***	***	***	***	***
Concentrated @ 400 GPL	Share of quantity	***	***	***	***	***
Concentrated @ 500 GPL	Share of quantity	***	***	***	***	***
Concentrated @ other GPL	Share of quantity	***	***	***	***	***
All concentrated levels	Share of quantity	***	***	***	***	***
Total, all types	Share of quantity	100.0	100.0	100.0	100.0	100.0
Non-concentrated	Share of value	***	***	***	***	***
Concentrated @ 400 GPL	Share of value	***	***	***	***	***
Concentrated @ 500 GPL	Share of value	***	***	***	***	***
Concentrated @ other GPL	Share of value	***	***	***	***	***
All concentrated levels	Share of value	***	***	***	***	***
Total, all types	Share of value	100.0	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 “---“.

Figure D-10
Lemon juice: U.S. importers' U.S. shipments of imports from all sources, by concentration level and period

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

Table D-11
Lemon juice: Non-concentrated U.S. producers' and U.S. importers' U.S. shipments, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; shares and ratios in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2021
U.S. producers	Quantity	***	***	***	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0
U.S. producers	Ratio	***	***	***	***	***
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***
All sources	Ratio	***	***	***	***	***

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 “---“. Ratios are the ratios to apparent consumption as presented in part IV.

Table D-12
Lemon juice: Concentrated @ 400 GPL U.S. producers' and U.S. importers' U.S. shipments, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; shares and ratios in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2021
U.S. producers	Quantity	***	***	***	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0
U.S. producers	Ratio	***	***	***	***	***
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***
All sources	Ratio	***	***	***	***	***

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 “---“. Ratios are the ratios to apparent consumption as presented in part IV.

Table D-13
Lemon juice: Concentrated @ 500 GPL U.S. producers' and U.S. importers' U.S. shipments, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; shares and ratios in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2021
U.S. producers	Quantity	***	***	***	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0
U.S. producers	Ratio	***	***	***	***	***
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***
All sources	Ratio	***	***	***	***	***

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 “---“. Ratios are the ratios to apparent consumption as presented in part IV.

Table D-14
Lemon juice: Other concentrated levels' U.S. producers' and U.S. importers' U.S. shipments, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; shares and ratios in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2021
U.S. producers	Quantity	***	***	***	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0
U.S. producers	Ratio	***	***	***	***	***
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***
All sources	Ratio	***	***	***	***	***

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 “---“. Ratios are the ratios to apparent consumption as presented in part IV.

Table D-15
Lemon juice: All concentrated levels' U.S. producers' and U.S. importers' U.S. shipments, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; shares and ratios in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2021
U.S. producers	Quantity	***	***	***	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	***	***	***	***	***
All sources	Quantity	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0
U.S. producers	Ratio	***	***	***	***	***
Brazil, subject	Ratio	***	***	***	***	***
South Africa	Ratio	***	***	***	***	***
Subject sources	Ratio	***	***	***	***	***
Argentina	Ratio	***	***	***	***	***
Brazil, nonsubject	Ratio	***	***	***	***	***
Mexico	Ratio	***	***	***	***	***
All other sources	Ratio	***	***	***	***	***
Nonsubject sources	Ratio	***	***	***	***	***
All import sources	Ratio	***	***	***	***	***
All sources	Ratio	***	***	***	***	***

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 “---“. Ratios are the ratios to apparent consumption as presented in part IV.

APPENDIX E

IMPACT OF COVID-19 NARRATIVES

Table E-1
Lemon juice: U.S. producers' narratives regarding impact of COVID-19

Firm	Narrative response
***	***
***	***
***	***

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

Table E-2
Lemon juice: U.S. importers' narratives regarding impact of COVID-19

Firm	Narrative response
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

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

APPENDIX F

APPARENT CONSUMPTION AND MARKET SHARES USING U.S. SHIPMENTS OF IMPORTS QUESTIONNAIRE DATA

Table F-1
Lemon juice: Apparent U.S. consumption and market shares based on U.S. shipments quantity data, by source and period

Quantity in 1,000 gallons concentrated basis @400 GPL; Shares in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. producers	Quantity	2,786	2,710	3,351	***	***
Brazil, subject	Quantity	***	***	***	***	***
South Africa	Quantity	***	***	***	***	***
Subject sources	Quantity	***	***	***	***	***
Argentina	Quantity	***	***	***	***	***
Brazil, nonsubject	Quantity	***	***	***	***	***
Mexico	Quantity	***	***	***	***	***
All other sources	Quantity	***	***	***	***	***
Nonsubject sources	Quantity	***	***	***	***	***
All import sources	Quantity	7,230	7,511	7,361	2,966	3,026
All sources	Quantity	10,016	10,221	10,712	***	***
U.S. producers	Share	27.8	26.5	31.3	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	72.2	73.5	68.7	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

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

Figure F-1
Lemon juice: Apparent U.S. consumption based on U.S. shipments quantity data, by source and period

* * * * * * *

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

Table F-2
Lemon juice: Changes in U.S. shipments quantity and share of apparent U.S. consumption, by source and period

% Δ in percent; ppt Δ = Percentage point change

Source	Measure	2019-21	2019-20	2020-21	Jan-Jun 2021-22
U.S. producers	% Δ Quantity	▲20.3	▼(2.7)	▲23.7	▲***
Brazil, subject	% Δ Quantity	▼***	▼***	▲***	▼***
South Africa	% Δ Quantity	▲***	▲***	▲***	▼***
Subject sources	% Δ Quantity	▲***	▲***	▲***	▼***
Argentina	% Δ Quantity	▼***	▲***	▼***	▲***
Brazil, nonsubject	% Δ Quantity	▲***	▲***	▼***	▲***
Mexico	% Δ Quantity	▼***	▲***	▼***	▼***
All other sources	% Δ Quantity	▲***	▼***	▲***	▲***
Nonsubject sources	% Δ Quantity	▼***	▲***	▼***	▲***
All import sources	% Δ Quantity	▲1.8	▲3.9	▼(2.0)	▲2.0
U.S. producers	ppt Δ Share	▲3.5	▼(1.3)	▲4.8	▲***
Brazil, subject	ppt Δ Share	▼***	▼***	▲***	▼***
South Africa	ppt Δ Share	▲***	▲***	▲***	▼***
Subject sources	ppt Δ Share	▲***	▲***	▲***	▼***
Argentina	ppt Δ Share	▼***	▲***	▼***	▼***
Brazil, nonsubject	ppt Δ Share	▲***	▲***	▼***	▲***
Mexico	ppt Δ Share	▼***	▼***	▼***	▼***
All other sources	ppt Δ Share	▲***	▼***	▲***	▼***
Nonsubject sources	ppt Δ Share	▼***	▲***	▼***	▼***
All import sources	ppt Δ Share	▼(3.5)	▲1.3	▼(4.8)	▼***

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

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.

Table F-3
Lemon juice: Apparent U.S. consumption and market shares based on U.S. shipments value data, by source and period

Value in 1,000 dollars; Shares in percent

Source	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
U.S. producers	Value	***	***	***	***	***
Brazil, subject	Value	***	***	***	***	***
South Africa	Value	***	***	***	***	***
Subject sources	Value	***	***	***	***	***
Argentina	Value	***	***	***	***	***
Brazil, nonsubject	Value	***	***	***	***	***
Mexico	Value	***	***	***	***	***
All other sources	Value	***	***	***	***	***
Nonsubject sources	Value	***	***	***	***	***
All import sources	Value	135,342	126,939	120,241	47,575	50,500
All sources	Value	***	***	***	***	***
U.S. producers	Share	***	***	***	***	***
Brazil, subject	Share	***	***	***	***	***
South Africa	Share	***	***	***	***	***
Subject sources	Share	***	***	***	***	***
Argentina	Share	***	***	***	***	***
Brazil, nonsubject	Share	***	***	***	***	***
Mexico	Share	***	***	***	***	***
All other sources	Share	***	***	***	***	***
Nonsubject sources	Share	***	***	***	***	***
All import sources	Share	***	***	***	***	***
All sources	Share	100.0	100.0	100.0	100.0	100.0

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

Figure F-2
Lemon juice: Apparent U.S. consumption based on U.S. shipments value data, by source and period

* * * * * * *

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

Table F-4
Lemon juice: Changes in U.S. shipments value and share of apparent U.S. consumption, by source and period

% Δ in percent; ppt Δ = Percentage point change

Source	Measure	2019-21	2019-20	2020-21	Jan-Jun 2021-22
U.S. producers	% Δ Value	▲***	▼***	▲***	▲***
Brazil, subject	% Δ Value	▼***	▼***	▲***	▼***
South Africa	% Δ Value	▲***	▲***	▲***	▼***
Subject sources	% Δ Value	▲***	▲***	▲***	▼***
Argentina	% Δ Value	▼***	▼***	▼***	▲***
Brazil, nonsubject	% Δ Value	▼***	▼***	▼***	▲***
Mexico	% Δ Value	▼***	▼***	▼***	▲***
All other sources	% Δ Value	▼***	▼***	▲***	▲***
Nonsubject sources	% Δ Value	▼***	▼***	▼***	▲***
All import sources	% Δ Value	▼(11.2)	▼(6.2)	▼(5.3)	▲6.1
U.S. producers	ppt Δ Share	▲***	▼***	▲***	▲***
Brazil, subject	ppt Δ Share	▼***	▼***	▲***	▼***
South Africa	ppt Δ Share	▲***	▲***	▲***	▼***
Subject sources	ppt Δ Share	▲***	▲***	▲***	▼***
Argentina	ppt Δ Share	▼***	▲***	▼***	▼***
Brazil, nonsubject	ppt Δ Share	▼***	▲***	▼***	▲***
Mexico	ppt Δ Share	▼***	▼***	▼***	▼***
All other sources	ppt Δ Share	▼***	▼***	▲***	▼***
Nonsubject sources	ppt Δ Share	▼***	▲***	▼***	▼***
All import sources	ppt Δ Share	▼***	▲***	▼***	▼***

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

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.

APPENDIX G

NONSUBJECT COUNTRY PRICE DATA

Sixteen importers reported price data for Argentina, 5 reported pricing data for Mexico, and five importers reported nonsubject price data from Brazil. Price data reported by these firms accounted for *** percent of U.S. shipments from Argentina and *** percent of U.S. shipments from Mexico. These price items and accompanying data are comparable to those presented in tables V-3 to V-8. Price and quantity data for Argentina, Mexico, and Brazil (nonsubject) are shown in tables G-1 to G-6 and in figures G-1 to G-6 (with domestic and subject sources).

In comparing nonsubject country pricing data with U.S. producer pricing data, prices for product imported from Argentina were lower than prices for U.S.-produced product in *** instances and higher in *** instances. Prices for product imported from Mexico were lower than prices for U.S.-produced product in *** and higher in *** instances. Nonsubject imports from Brazil were lower than prices for U.S.-produced product in *** instances and higher in *** instances. In comparing nonsubject pricing data with subject country pricing data, prices for product imported from Argentina were lower than prices for product imported from subject countries in *** instances and higher in *** instances. Prices for product imported from Mexico were lower than prices for product imported from subject countries in *** instances and higher in *** instances. Prices for nonsubject Brazilian product were lower than prices of subject imports in *** instances and higher in *** instances. A summary of price differentials is presented in table G-7.

Table G-1
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 1, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

Source: Compiled from data submitted in response to Commission questionnaires.
Note: Product 1: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Figure G-1
Lemon juice: Weighted-average prices and quantities of domestic and imported product 1, by quarter

Price of product 1

* * * * * * *

Volume of product 1

* * * * * * *

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

Note: Product 1: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Table G-2
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 2, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 2: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Figure G-2
Lemon juice: Weighted-average prices and quantities of domestic and imported product 2, by quarter

Price of product 2

* * * * * * *

Volume of product 2

* * * * * * *

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

Note: Product 2: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 400 GPL.

Table G-3
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 3, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 3: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Figure G-3
Lemon juice: Weighted-average prices and quantities of domestic and imported product 3, by quarter

Price of product 3

* * * * * * *

Volume of product 3

* * * * * * *

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

Note: Product 3: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Table G-4
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 4, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 4: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Figure G-4
Lemon juice: Weighted-average prices and quantities of domestic and imported product 4, by quarter

Price of product 4

* * * * * * *

Volume of product 4

* * * * * * *

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

Note: Product 4: Clarified frozen concentrated lemon juice, non-organic, for further manufacture sold in 5 gallon packs (e.g. pails) with a concentration of 400 GPL.

Table G-5
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 5, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 5: Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000 gallon tanker.

Figure G-5
Lemon juice: Weighted-average prices and quantities of domestic and imported product 5, by quarter

Price of product 5

* * * * * * *

Volume of product 5

* * * * * * *

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

Note: Product 5: Cloudy not from concentrate lemon juice (NFCLJ), non-organic, for further manufacture sold in 6000 gallon tanker.

Table G-6
Lemon juice: Weighted-average f.o.b. prices and quantities of domestic and imported product 6, by quarter

Quantity in gallons concentrated basis @400 GPL; Prices in dollars per gallon concentrated basis @400 GPL; Margins in percent

* * * * * * *

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

Note: Product 6: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 500 GPL

Figure G-6
Lemon juice: Weighted-average prices and quantities of domestic and imported product 6, by quarter

Price of product 6

* * * * * * *

Volume of product 6

* * * * * * *

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

Note: Product 6: Cloudy frozen concentrated lemon juice, non-organic, for further manufacture sold in 50 gallon drums with a concentration of 500 GPL

Table G-7
Lemon juice: Summary of higher/(lower) unit values for nonsubject price data, by source, January 2019 through June 2022

Quantity in gallons concentrated basis @400 GPL

* * * * * * *

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

APPENDIX H

THE INDUSTRY IN BRAZIL (NONSUBJECT)

Table H-1
Lemon juice: Summary data for nonsubject producers in Brazil, 2021

Firm	Production (1,000 gallons concentrated basis @400 GPL)	Share of reported production (percent)	Exports to the United States (1,000 gallons concentrated basis @400 GPL)	Share of reported exports to the United States (percent)	Total shipments (1,000 gallons concentrated basis @400 GPL)	Share of firm's total shipments exported to the United States (percent)
Louis Dreyfus	***	***	***	***	***	***
All firms	***	100.0	***	100.0	***	***

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

Table H-2
Lemon juice: Data on nonsubject industry in Brazil, by period

Quantity in 1,000 gallons concentrated basis @400 GPL

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity	***	***	***	***	***	***	***
Production	***	***	***	***	***	***	***
End-of-period inventories	***	***	***	***	***	***	***
Internal consumption	***	***	***	***	***	***	***
Commercial home market shipments	***	***	***	***	***	***	***
Home market shipments	***	***	***	***	***	***	***
Exports to the United States	***	***	***	***	***	***	***
Exports to all other markets	***	***	***	***	***	***	***
Export shipments	***	***	***	***	***	***	***
Total shipments	***	***	***	***	***	***	***

Table continued.

Table H-2
Lemon juice: Data on nonsubject industry in Brazil, by period

Shares and ratios in percent

Item	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022	Projection 2022	Projection 2023
Capacity utilization ratio	***	***	***	***	***	***	***
Inventory ratio to production	***	***	***	***	***	***	***
Inventory ratio to total shipments	***	***	***	***	***	***	***
Internal consumption share	***	***	***	***	***	***	***
Commercial home market shipments share	***	***	***	***	***	***	***
Home market shipments share	***	***	***	***	***	***	***
Exports to the United States share	***	***	***	***	***	***	***
Exports to all other markets share	***	***	***	***	***	***	***
Export shipments share	***	***	***	***	***	***	***
Total shipments share	100.0	100.0	100.0	100.0	100.0	100.0	100.0

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

Table H-3
Lemon juice: Nonsubject producers in Brazil, overall capacity and production on the same equipment as subject production, by period

Quantities in 1,000 gallons concentrated basis @400 GPL; shares and Ratios in percent

Item	Measure	2019	2020	2021	Jan-Jun 2021	Jan-Jun 2022
Overall capacity	Quantity	***	***	***	***	***
Production: Lemon juice	Quantity	***	***	***	***	***
Production: Grapefruit juice	Quantity	***	***	***	***	***
Production: Lime juice	Quantity	***	***	***	***	***
Production: Mandarin juice	Quantity	***	***	***	***	***
Production: Orange juice	Quantity	***	***	***	***	***
Production: Tangerine juice	Quantity	***	***	***	***	***
Production: Other products	Quantity	***	***	***	***	***
Production: All out-of-scope products	Quantity	***	***	***	***	***
Production: All products	Quantity	***	***	***	***	***
Overall capacity utilization	Ratio	***	***	***	***	***
Production: Lemon juice	Share	***	***	***	***	***
Production: Grapefruit juice	Share	***	***	***	***	***
Production: Lime juice	Share	***	***	***	***	***
Production: Mandarin juice	Share	***	***	***	***	***
Production: Orange juice	Share	***	***	***	***	***
Production: Tangerine juice	Share	***	***	***	***	***
Production: Other products	Share	***	***	***	***	***
Production: All out-of-scope products	Share	***	***	***	***	***
Production: All products	Share	100.0	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 "---".

Table H-4
Lemon juice: Producers in Brazil factors affecting the ability to switch production

Item	Narrative response on factors affecting the ability to switch production
***'s factors affecting the ability to switch production	***

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

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