

**FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE**  
**SUGAR FROM THE EUROPEAN UNION;**  
**SUGAR FROM BELGIUM, FRANCE, AND GERMANY**

*Return completed questionnaire to:*

**UNITED STATES INTERNATIONAL TRADE COMMISSION**  
Office of Investigations, Room 615  
500 E Street, SW, Washington, DC 20436

**So as to be received by the Commission by no later than May 16, 2005**

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its reviews concerning the countervailing duty order on sugar from the European Union (Inv. No. 104-TAA-7 (Second Review)) and the antidumping findings on sugar from Belgium, France, and Germany (Invs. Nos. AA1921-198-200 (Second Review)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII.

Name of firm \_\_\_\_\_

Address \_\_\_\_\_

World Wide Web address \_\_\_\_\_

Has your firm produced or exported sugar (as defined in the instruction booklet) at any time since January 1, 1999?

**NO** (Sign the certification below and promptly return only this page of the questionnaire to the Commission)

**YES** (Read the instruction booklet carefully, complete all parts of the questionnaire, sign the certification, and return the entire questionnaire to the Commission)

**CERTIFICATION**

*I certify that the information herein supplied in response to this questionnaire is complete and correct to the best of my knowledge and belief and understand that the information submitted is subject to audit and verification by the Commission.*

*By signing this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this questionnaire and throughout these reviews in any other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise. (If you do not consent to such use, please note the certification accordingly.)*

*I acknowledge that information submitted in this questionnaire response and throughout these reviews may be used by the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of these reviews or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3. I understand that all contract personnel will sign non-disclosure agreements.*

\_\_\_\_\_  
*Name and Title of Authorized Official*

\_\_\_\_\_  
*Date*

\_\_\_\_\_  
*Signature of Authorized Official*

( ) \_\_\_\_\_  
*Phone*

( ) \_\_\_\_\_  
*Fax*

\_\_\_\_\_  
*E-mail address*

**PART I.--GENERAL QUESTIONS**

The questions in this questionnaire have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this questionnaire is estimated to average 20 hours per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the questionnaire. Send comments regarding the accuracy of this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436.

I-1. (a) Please report below the actual number of hours required and the cost to your firm of preparing the reply to this questionnaire and completing the form.  
\_\_\_\_\_ hours \_\_\_\_\_ dollars

(b) We are interested in any comments you may have for improving this questionnaire in general or the clarity of specific questions. Please attach such comments to your response or send them to the above address.

I-2. Provide the name and address of establishment(s) covered by this questionnaire (see page 3 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I-3. Please provide the names and addresses of the **FIVE** largest U.S. importers of your firm's sugar in 2004.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

I-4. In Parts II and III of this questionnaire we request a copy of your company's business plan. Does your company or any related firm have a business plan or any internal documents that describe, discuss, or analyze expected future market conditions for sugar?

No       Yes--Please provide the requested documents. If you are not providing the requested documents, please explain why not.

\_\_\_\_\_  
\_\_\_\_\_

**PART I.--GENERAL QUESTIONS--Continued**

I-5. Does your firm or any related firm produce, have the capability to produce, or have any plans to produce sugar in the United States or other countries?

No

Yes--Please name the firm(s) and country(ies) below and, if U.S. producer(s), ensure that they complete the Commission's producer questionnaire (contact Jai Motwane for copies of that questionnaire).

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I-6. Does your firm or any related firm(s) import or have any plans to import sugar into the United States?

No

Yes--Please name the firm(s) below and ensure that they complete the Commission's importer questionnaire (contact Jai Motwane for copies of that questionnaire).

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

II-1. Has your firm experienced any plant openings, relocations, expansions, acquisitions, consolidations, closures, or prolonged shutdowns because of strikes or equipment failure; curtailment of production because of shortages of materials; or any other change in the character of your operations or organization relating to the production of sugar since 1999 (the year in which the countervailing duty order and antidumping findings under review were continued)?

No             Yes--Supply details as to the time, nature, and significance of such changes.

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II-2. Does your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of sugar in the future?

No             Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue. **Include in your response a specific projection of your firm's capacity to produce sugar (in 1,000 short tons) for 2005 and 2006.**

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II-3. Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of sugar in the future if the countervailing duty order on sugar from the European Union or the antidumping findings on sugar from Belgium, France, and Germany were to be revoked?

No             Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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

II-4. Does your firm have any plans to add, expand, curtail, or shut down production capacity and/or production of sugar in the European Union in the future?

- No                       Yes--Please describe those plans, including planned dates and capacity/production quantities involved, and the reason(s) for such change(s). If the plans are to add or expand capacity or production, list (in descending order of importance) the markets (countries) to which such additional capacity or production would be directed. Provide relevant portions of business plans or other supporting documentation that addresses this issue.

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II-5. Describe the production technology used in the production of sugar in the European Union and identify major production inputs. Also discuss any significant changes in production technology since 1999 (the year in which the countervailing duty order and antidumping findings under review were continued).

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II-6. Since 1999, has your firm produced, or does your firm anticipate producing in the future, other products on the same equipment and machinery used in the production of sugar?

- No                       Yes--List the following information and report your firm's **combined** production capacity and production of these products and sugar in the periods indicated.

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of capacity data</u>
_____	_____	_____
_____	_____	_____

<i>(Quantity in 1,000 short tons raw value)</i>						
Item	1999	2000	2001	2002	2003	2004
<b>COMBINED AVERAGE PRODUCTION CAPACITY</b>						
<b>COMBINED PRODUCTION</b>						

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

II-7. Since 1999, has your firm produced, or does your firm anticipate producing in the future, other products using the same production and related workers employed to produce sugar?

No             Yes--List the following information.

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of employment data</u>
_____	_____	_____
_____	_____	_____

II-8. Please describe the constraint(s) that set the limit(s) on your production capacity.

\_\_\_\_\_

\_\_\_\_\_

II-9. What percentage of your firm's total sales in its most recent fiscal year was represented by sales of sugar?

\_\_\_\_\_ Percent

II-10. Is your firm able to switch production between sugar and other products in response to a relative price change in the price of sugar vis-a-vis the price of other products, using the same equipment and labor?

No             Yes--Please identify below the other products, the approximate time and cost involved in switching, and the minimum relative price change required for your firm to switch production to or from sugar.

\_\_\_\_\_

\_\_\_\_\_

II-11. Has your firm maintained any inventories of sugar in the United States (not including inventories held by firms identified in questions I-3, I-5, or I-6 above<sup>1</sup>) since 1999?

No             Yes--Report the quantity (in short tons) of such **end-of-period** inventories below.

<u>1999</u>	<u>2000</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>	<u>2004</u>
_____	_____	_____	_____	_____	_____

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<sup>1</sup> Such firms will report inventories in the Commission's importer or producer questionnaire.

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

II-12. (a) Are your firm's exports of sugar subject to tariff or non-tariff barriers to trade (for example, antidumping or countervailing duty findings or remedies, tariffs, quotas, or regulatory barriers) in any countries other than the United States?

No  Yes--List the products(s), country(ies), the year each such barrier was imposed, and the type of barrier.

Product	Country	Year imposed	Barrier (if tariff, give rate)
_____	_____	_____	_____
_____	_____	_____	_____

(b) Are your firm's exports of sugar subject to current investigations in any countries other than the United States that might result in tariff or non-tariff barriers to trade?

No  Yes--List the products(s), country(ies), and type of investigation.

Product	Country	Type of investigation
_____	_____	_____
_____	_____	_____

II-13. Identify export markets (other than the United States) that you have developed or where you have increased your sales of sugar as a result of the countervailing duty order on sugar from the European Union or the antidumping findings on sugar from Belgium, France and Germany. Please identify and discuss below.

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II-14. Describe the significance of the existing countervailing duty order covering imports of sugar from the European Union, and the antidumping findings covering imports of sugar from Belgium, France, and Germany in terms of their effect on your firm's production capacity, production, home market shipments, exports to the United States and other markets, and inventories. You may wish to compare your firm's operations before and after the imposition of the order/findings.

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

II-15. Would your firm anticipate any changes in its production capacity, production, home market shipments, exports to the United States and other markets, or inventories relating to the production of sugar in the future if the countervailing duty order on sugar from the European Union or the antidumping findings on sugar from Belgium, France, and Germany were to be revoked?

- No                       Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with relevant portions of business plans or other supporting documentation, for any trends or projections you may provide.

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II-16. Since 1999, has your firm received export restitution payments under the EU's Common Agricultural Policy (CAP)?

- No                       Yes--Please indicate the value of export restitution payments received for each year between 1999 and 2004.

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**QUESTION II-17 APPLIES ONLY TO FIRMS OPERATING IN THE 10 NEW MEMBER STATES (NMS) OF THE EU:**

II-17. Are your operations on sugar in the NMS subject to the provisions of the EU's Common Agricultural Policy (CAP)?

- No                       Yes--Please describe the application of provisions of the CAP to your operations on sugar in the NMS.

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

II-18A. Please report production capacity, production, shipments, and inventories of sugar produced by your firm in the European Union between 1999 and 2004. Report separately for each EU member-country (copy this page as necessary).

EU member-country: \_\_\_\_\_

<i>(Quantity in 1,000 short tons raw value, value in 1,000 U.S. dollars)</i>						
Item	1999	2000	2001	2002	2003	2004
AVERAGE PRODUCTION CAPACITY <sup>1</sup> ( <i>quantity</i> )						
BEGINNING-OF-PERIOD INVENTORIES <sup>2</sup> ( <i>quantity</i> )						
PRODUCTION <sup>3</sup> ( <i>quantity</i> )						
<b>SHIPMENTS:</b>						
<b>Home market (EU):</b>						
Internal consumption/transfers ( <i>quantity</i> )						
Commercial shipments: <i>Quantity</i>						
<i>Value</i>						
<b>Exports to--</b>						
United States: <sup>4</sup> <i>Quantity</i>						
<i>Value</i>						
Asia: <i>Quantity</i>						
<i>Value</i>						
All other export markets: <sup>5</sup> <i>Quantity</i>						
<i>Value</i>						
Total exports ( <i>quantity</i> )						
Total shipments ( <i>quantity</i> )						
END-OF-PERIOD INVENTORIES ( <i>quantity</i> )						
<sup>1</sup> The production capacity (see definitions in instructions booklet) reported is based on operating _____ hours per week, _____ weeks per year. Please describe the methodology used to calculate production capacity, and explain any changes in reported capacity (use additional pages as necessary). <hr/> <sup>2</sup> <b>Reconciliation of data.</b> --Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile? <input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____ <sup>3</sup> Please estimate the percentage of total production of sugar in 1) the country of production, and 2) the EU accounted for by your firm's production in 2004: _____ Percent (country of production)    _____ Percent (EU-wide) <sup>4</sup> Please estimate the percentage of total exports to the United States of sugar from the country of production, and from the EU as a whole, accounted for by your firm's exports in 2004: _____ Percent (country of production)    _____ Percent (EU-wide) <sup>5</sup> Identify principal <i>other</i> export markets. _____						

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

II-18B. Please report production capacity, production, shipments, and inventories of sugar produced by your firm in the European Union in January-March 2004 and January-March 2005. Report separately for each EU member-country (copy this page as necessary).

EU member-country: \_\_\_\_\_

<i>(Quantity in 1,000 short tons, value in 1,000 U.S. dollars)</i>		
Item	January-March 2004	January-March 2005
<b>AVERAGE PRODUCTION CAPACITY</b> ( <i>quantity</i> )		
<b>BEGINNING-OF-PERIOD INVENTORIES<sup>1</sup></b> ( <i>quantity</i> )		
<b>PRODUCTION</b> ( <i>quantity</i> )		
<b>SHIPMENTS:</b>		
<b>Home market:</b>		
<b>Internal consumption/transfers</b> ( <i>quantity</i> )		
<b>Commercial shipments:</b> <i>Quantity</i>		
<i>Value</i>		
<b>Exports to--</b>		
<b>United States:</b> <i>Quantity</i>		
<i>Value</i>		
<b>Asia:</b> <i>Quantity</i>		
<i>Value</i>		
<b>All other export markets:</b> <i>Quantity</i>		
<i>Value</i>		
<b>Total exports</b> ( <i>quantity</i> )		
<b>Total shipments</b> ( <i>quantity</i> )		
<b>END-OF-PERIOD INVENTORIES</b> ( <i>quantity</i> )		
<sup>1</sup> <b>Reconciliation of data.</b> --Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile? <input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____		

**PART III.--MARKET FACTORS**

III-1. Approximately what share of your firm's sales of sugar to U.S. customers in 2004 were on a (1) long-term contract basis (multiple deliveries for more than 12 months), (2) short-term contract basis (multiple deliveries up to 12 months), and (3) spot sales basis (for a single delivery)?

Type of sale	Share of sales (percent)
Long-term contracts	
Short-term contracts	
Spot sales	

III-2. If you sell on a long-term contract basis, please answer the following questions with respect to provisions of a typical long-term contract.

- (a) What is the average duration of a contract? \_\_\_\_\_
- (b) Can prices be renegotiated during the contract period? \_\_\_\_\_
- (c) Does the contract fix quantity, price, or both? \_\_\_\_\_
- (d) Does the contract have a meet or release provision? \_\_\_\_\_

III-3. If you sell on a short-term contract basis, please answer the following questions with respect to provisions of a typical short-term contract.

- (a) What is the average duration of a contract? \_\_\_\_\_
- (b) Can prices be renegotiated during the contract period? \_\_\_\_\_
- (c) Does the contract fix quantity, price, or both? \_\_\_\_\_
- (d) Does the contract have a meet or release provision? \_\_\_\_\_

III-4. What is the average lead time between a U.S. customer's order and the date of delivery for your firm's sales of sugar?

Source	Share of 2004 sales	Lead time
From inventory		
Produced to order		
<b>Total</b>	<b>100%</b>	

**PART III.--MARKET FACTORS--Continued**

III-5. To what extent have changes in the prices of raw materials affected your firm's selling prices for sugar during January 1999-March 2005? Also discuss any anticipated changes in your raw material costs in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-6. Please discuss the potential impact -- in terms of your firm's operations on sugar and the wider EU sugar market -- of proposed changes to the EU sugar regime, particularly as it relates to export payments and internal price support. Describe in particular, any potential impact on sugar production, shipments, exports to the United States, and exports to third-countries.

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III-7. Have any changes occurred in any other factors affecting supply (e.g., changes in availability or prices of energy or labor; transportation conditions; production capacity and/or methods of production; technology; export markets; or alternative production opportunities) that affected the availability of sugar produced in the European Union in the U.S. market since 1999?

No             Yes--Please note the time period(s) of any such changes, the factors(s) involved, and the impact such changes had on your shipment volumes and prices.

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III-8. Please discuss the impact on the EU sugar industry of the recent accession of 10 new member-states (EU-NMS) into the European Union, in terms of product range, product mix, price, marketing of sugar in the EU, production, shipments, and exports to the United States and third-countries.

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**PART III.--MARKET FACTORS--Continued**

III-9. (a) Does your firm anticipate any changes in terms of the availability of sugar produced in the European Union in the U.S. market in the future?

- Increase                       No Change                       Decrease

(b) If you anticipate changes in supply, please identify the changes including the time period and the impact of such changes on shipment volumes and prices. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-10. Describe how easily your firm can shift its sales of sugar between the U.S. market and other markets outside the EU. In your discussion, please describe any contracts, other sales arrangements, or other constraints (including any third-country trade barriers such as tariffs, quotas, or other non-tariff barriers) that would prevent or retard your firm from shifting sugar between the U.S. and alternative country markets within a 12-month period. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-11. Is the product range, product mix, or marketing of sugar in your home market significantly different from the product range, product mix, or marketing of sugar for export to the United States or to third-country markets? Have there been any significant changes in the product range, product mix, or marketing of sugar in your home market, for export to the United States, or for export to third-country markets since 1999?

- No                                       Yes--Please describe and quantify if possible.

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**PART III.--MARKET FACTORS--Continued**

III-12. Please discuss any anticipated changes in terms of the product range, product mix, or marketing of sugar in your home market, for export to the United States, or for export to third-country markets in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-13. (a) Please list in order of importance any products that may be substituted for sugar.

(1) \_\_\_\_\_ (2) \_\_\_\_\_ (3) \_\_\_\_\_

(b) For each possible substitute product, please give examples of applications and end uses for which they are substitutes.

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(c) Have changes in the prices of these products affected the price for sugar?

No       Yes--To what degree do changes in their prices affect the price for sugar? Does this effect have a time lag? If so, how long is the time lag for each substitute product? Does this vary by type of sugar or final end use?

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III-14. Have there been any changes in the number or types of products that can be substituted for sugar since 1999?

No       Yes--Please explain.

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**PART III.--MARKET FACTORS--Continued**

III-15. Do you anticipate any changes in terms of the substitutability of other products for sugar in the future?

- No                       Yes--Please describe. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-16. Is the sugar produced by your firm and sold in its home market interchangeable (i.e., can be used in the same applications) with your firm's sugar sold to the United States and/or to third-country markets?

- Yes                       No--Identify the market(s) and any differences in the products.

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III-17. Describe the end uses of the sugar that you manufacture and sell to your home market. If these end uses differ from those of the sugar you sell to the U.S. market or to third-country markets, explain.

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III-18. Have there been any changes in the end uses of sugar since 1999?

- No                       Yes--Please describe.

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**PART III.--MARKET FACTORS--Continued**

III-19. Do you anticipate any changes in terms of the end uses of sugar in the future?

- No                       Yes--Please describe and identify the time period. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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III-20. How has demand within your home market and the United States (and outside the United States, if known) for sugar changed since 1999?

- Increased                       Unchanged                       Decreased

Other (describe) \_\_\_\_\_

What were the principal factors affecting changes in demand?

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III-21. Do you anticipate any future changes in sugar demand in your home market and the United States and, if known, the rest of the world?

- No                       Yes--Please describe and identify the time period. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation, that address this issue.

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**PART III.--MARKET FACTORS--Continued**

III-22. Please compare market prices of sugar in your home market, the United States, and third-country markets, if known. Provide specific information as to time periods and regions for any price comparisons.

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III-23. Describe briefly your home market for sugar, including the number of, and competition between, producers.

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III-24. Do you face competition from imports of sugar in your home market?

No       Yes--Please identify the country sources of any imports of sugar into your home market.

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III-25. Please provide as a separate attachment to this request any studies, surveys, etc. that you are aware of that quantify and/or otherwise discuss sugar supply (including production capacity and capacity utilization) and demand in (1) the United States, (2) each of the other major producing/consuming countries, including the European Union, and (3) the world as a whole. Of particular interest is such data from 1999 to the present and forecasts for the future.

III-26. Does your firm sell sugar over the internet?

No       Yes--Please describe, noting the estimated percentage of your firm's total sales of sugar in 2004 accounted for by internet sales.

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