

MILLERS' 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 9, 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. **This report is mandatory and failure to reply as directed can result in a subpoena** or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)).

<p>Name of firm _____</p> <p>Address _____</p> <p>City _____ State _____ Zip code _____</p> <p>World Wide Web address _____</p> <p>Has your firm produced sugar (as defined in the instruction booklet) at any time since January 1, 1999?</p> <p><input type="checkbox"/> NO (Sign the certification below and promptly return only this page of the questionnaire to the Commission)</p> <p><input type="checkbox"/> YES (Read the instruction booklet carefully, complete all parts of the questionnaire, sign the certification, and return the entire questionnaire to the Commission)</p>

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

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 25 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 pages 3-4 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

I-3. (a) Do you support or oppose continuation of the countervailing duty order currently in place for sugar from the European Union? Please explain, and indicate whether your position has been influenced by the accession to the EU of 10 new member states (see instruction booklet for a list of states).

Support Oppose Take no position

(b) Do you support or oppose continuation of the antidumping findings currently in place for sugar from Belgium, France, and Germany? Please explain.

Support for all three Oppose for all three.
 Take no position Support/oppose continuation for one or two only (please specify country(ies) and position(s) below).

PART I.--GENERAL QUESTIONS--Continued

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

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Extent of ownership</u>
_____	_____	_____
_____	_____	_____

I-5. Does your firm have any related firms, either domestic or foreign, which are engaged in importing sugar from the European Union into the United States, or which are engaged in exporting sugar from the European Union to the United States?

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

I-6. Does your firm have any related firms, either domestic or foreign, which are engaged in importing sugar into the United States from countries outside the European Union, or which are engaged in exporting sugar to the United States from countries outside the European Union?

No Yes--List the following information.

<u>Country/firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

I-7. Does your firm have any related firms, either domestic or foreign, which are engaged in the production of sugar?

No Yes--List the following information.

<u>Firm name</u>	<u>Address</u>	<u>Affiliation</u>
_____	_____	_____
_____	_____	_____

PART I.--GENERAL QUESTIONS--Continued

I-8. In Part II 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 your company's two most recent business plans. If you are not providing the requested documents, please explain why not.

I-9. Does your firm have a contractual or other legal relationship with growers and/or refiners of sugar, including cooperatives?

- No Yes--Please provide the names and addresses of growers and/or refiners your firm has a relationship with, and describe the terms and length of your relationship(s).

I-10. Is your firm a member of a sugar cooperative?

- No Yes--Please describe the investment requirement and membership character of your cooperative, and the impact of membership on your firm's production and/or sales.

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

II-5. Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the milling of raw 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. Also indicate whether your response has been influenced by the accession to the EU of 10 new member states.

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 raw sugar and/or using the same production and related workers employed to produce raw sugar?

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

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of capacity and employment data (indicate if different)</u>
_____	_____	_____
_____	_____	_____

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

II-7. Please describe the constraint(s) that set the limit(s) on your production capacity.

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

II-8. Is your firm able to switch production between raw sugar and other products in response to a relative change in the price of sugar vis-a-vis the price of other products, using the same equipment and labor?

- No Yes--Please identify 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 raw sugar.

II-9. Since 1999, have improvements in technology or methods of processing raw sugar increased your firm's productivity or efficiency, or reduced your firm's production costs as they relate to your firm's production of raw sugar?

- No Yes--Please describe changes in technology or process, specific investments made by your firm with respect to these changes, and the results for your firm's operations on sugar.

II-10. Since January 1, 1999, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of raw sugar?

- No Yes--Name firm(s): _____

II-11. Does your firm produce raw sugar in a foreign trade zone (FTZ)?

- No Yes--Identify FTZ(s): _____

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

II-12. Since 1999, has the structure of the U.S. sugar industry changed with respect to the size, number, and or integration of sugar producing firms?

- No Yes--Please describe industry changes, the time period in which they occurred, and any impact these changes have had on your firm's operations on sugar.

II-13. Since 1999, has your firm experienced, or does your firm anticipate, any changes in its production, shipments, employment, revenues, profitability, investment, or ability to raise capital relating to the production of sugar because of:

(a) Marketing allotments resulting from enactment of the Farm Security and Rural Investment Act of 2002 (Farm Bill)?

- No Yes--Please describe how marketing allotments have impacted, or may impact, your firm's operations on sugar.

(b) U.S. free trade agreements (FTAs)?

- No Yes--Please specify the FTA(s) and describe how it has impacted, or may impact, your firm's operations on sugar.

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

(c) Any other federal or state legislative farm or trade program?

No Yes--Please specify the federal or state program(s), and describe how it has impacted, or may impact, your farm's operations on sugar.

II-14. Since 1999, has your firm participated in the USDA Commodity Credit Corporation's (CCC) payment-in-kind (PIK) program relating to voluntary curtailment of production?

No Yes--Please describe the time and nature of your sugar production curtailment, and any sugar payments received from the CCC.

II-15. Since 1999, has your firm made any forfeitures of sugar to the CCC?

No Yes--Please indicate the time and quantity of your forfeitures.

PART III.--FINANCIAL INFORMATION

Address questions on this part of the questionnaire to Justin Jee (202-205-3186 or justin.jee@usitc.gov).

III-1. Identify the individual who prepared or has knowledge of the requested financial information.

Company contact: _____
 Name and title _____
 Phone No. _____ Fax No. _____
 E-mail address _____ Company web address _____

III-2. Briefly describe your financial accounting system.

- (a) When does your fiscal year end (month and day)? _____
 If your fiscal year changed during the period examined, explain below: _____
- (b)1. Describe the lowest level of operations (e.g., plant, division, company-wide) for which financial statements are prepared that include subject merchandise: _____
- 2. Does your firm prepare profit/loss statements for the subject merchandise: Yes___No___
- 3. How often did your firm (or parent company) prepare financial statements (including annual reports, 10Ks)? Please check relevant items below.
 Audited ___ unaudited ___ annual reports ___ 10Ks ___ 10Qs ___
 Monthly ___ quarterly ___ semi-annually ___ annually ___
- 4. Accounting basis: GAAP ___ cash ___ tax ___ other comprehensive (specify) _____

Note: The Commission may request that your company submit copies of its financial statements, including internal profit-and-loss statements for the division or product group that includes sugar, as well as those statements and worksheets used to compile data for your firm's questionnaire response.

III-3. Briefly describe your cost accounting system (e.g., standard cost, job order cost, etc.).

III-4. Briefly describe your allocation basis, if any, for COGS, SG&A, and interest expense and other income and expenses.

III-5. Other products.--Please list any other products you produced in the facilities in which you produced sugar, and provide the share of net sales accounted for by these other products in your most recent fiscal year:

Product(s)	Share of sales
_____	_____
_____	_____
_____	_____

PART III.--FINANCIAL INFORMATION--Continued

III-6. Operations on sugar--Report the revenue and related cost information requested below on the sugar operations of your U.S. establishment(s).¹ Do not report resales of product. Note that internal consumption and transfers to related firms must be valued at fair market value and purchases from related firms must be at valued at cost. Provide data for your six most recently completed fiscal years in chronological order from left to right, and for the specified interim periods.

<i>(Quantity in 1,000 short tons raw value, value in \$1,000)</i>								
Item	1999	2000	2001	2002	2003	2004	Jan-Mar 2004	Jan-Mar 2005
Net sales quantities:²								
Commercial sales								
Internal consumption								
Transfers to related firms								
Total net sales quantities								
Net sales values:²								
Commercial sales								
Internal consumption								
Transfers to related firms								
Total net sales values								
Cost of goods sold (including internal consumption and transfers to related firms):								
Raw materials								
Direct labor								
Other factory costs								
Total cost of goods sold								
Gross profit or (loss)								
Selling, general, and administrative (SG&A) expenses:								
Selling expenses								
General and administrative expenses								
Total SG&A expenses								
Operating income or (loss)								
Other income and expenses:								
Interest expense								
All other expense items								
Continued Dumping and Subsidy Offset Act funds received ³								
All other income items								
All other income or expenses, net								
Net income or (loss) before income taxes								
Depreciation/amortization included above								

¹ Include only sales (whether domestic or export) and costs related to your U.S. manufacturing operations.

² Less discounts, returns, allowances, and prepaid freight. The quantities and values should approximate the corresponding shipment quantities and values reported in Part II of this questionnaire.

³ Please report funds received under this act in the period(s) in which they were received. Do not report these funds as an offset to operating expenses.

