

EXTRACTOR/PROCESSORS' QUESTIONNAIRE
CERTAIN ORANGE JUICE FROM BRAZIL

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 November 4, 2005

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its antidumping investigation concerning certain orange juice from Brazil (inv. No. 731-TA-1089 (Final)). 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)).

Name of firm _____
Address _____
City _____ State _____ Zip code _____
World Wide Web address _____

Has your firm produced certain orange juice (as defined in the instruction booklet) at any time since January 1, 2002?

☐

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 this investigation in any other import-injury investigations 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 this investigation 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 this investigation 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 40 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-1a. 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

I-1b. 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. Do you support or oppose the petition? Please explain.

☐ Support ☐ Oppose ☐ Take no position

As indicated at the top of the page, your response to this question will be treated as business proprietary. However, if the Commission's final determination in the investigation is affirmative and an antidumping duty order is issued, the Commission, pursuant to section 754 of the Tariff Act of 1930 (the Continued Dumping and Subsidy Offset Act of 2000, or "Byrd Amendment"), will provide a list of firms supporting the petition to the Bureau of Customs and Border Protection for possible distribution of any antidumping duties that may be collected. If you wish to waive business proprietary treatment of your response to this question in order to make your position with respect to the petition public and allow inclusion of your firm on that list, indicate "yes" below.

☐ Yes ☐ No, I do not wish my position on the petition to be made public. I acknowledge that a "No" answer may affect my ability to receive a distribution under this Act.

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>
_____	_____	_____
_____	_____	_____

PART I.--GENERAL QUESTIONS--Continued

- I-5. Does your firm have any related firms, either domestic or foreign, which are engaged in importing certain orange juice from Brazil into the United States or which are engaged in exporting certain orange juice from Brazil 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 nonsubject certain orange juice from Brazil or from countries other than Brazil into the United States or which are engaged in exporting nonsubject certain orange juice from Brazil or from countries other than Brazil to the United States?

☐ No ☐ Yes--List the following information.

<u>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 certain orange juice?

☐ No ☐ Yes--List the following information.

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

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from Elizabeth Haines (202-205-3200). **Supply all data requested on a crop-year basis (October 1 through September 30).**

II-1. Who should be contacted regarding the requested trade and related information?

Company contact: _____
Name and title

Phone No.

E-mail address

II-2. Has your firm experienced any grove or plant openings, relocations, expansions, acquisitions, consolidations, closures, or prolonged shutdowns because of strikes or equipment failure; curtailment of production because of shortages of materials; diseases, or weather or other natural elements; or any other change in the character of your operations or organization relating to the production of certain orange juice since January 1, 2002?

☐ No

☐ Yes--Supply details as to the time, nature, and significance of such changes. Please specify whether this has affected either organic or nonorganic production of certain orange juice.

II-3. Have there been shortages of supply of U.S- grown oranges since January 1, 2002?

☐ No

☐ Yes--If so, please supply information regarding the time period of the shortages, the reason for the shortage, and whether supply was allocated.

II-4. Does your firm produce other products on the same equipment and machinery used in the production of certain orange juice?

☐ No

☐ Yes--List the following information.

Basis for allocation of capacity data (e.g., sales): _____

Products produced on same equipment and share of total production in 2004/05 (in percent):

<u>Product</u>	<u>Percent</u>	<u>Product</u>	<u>Percent</u>
FCOJM	_____	_____	_____
NFCOJ	_____	_____	_____
Organic FCOJM	_____	_____	_____
Organic NFCOJ	_____	_____	_____
Other	_____	_____	_____

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

II-5. Please describe the constraint(s) that set the limit(s) on your production capabilities.

II-6. Does your firm produce other products using the same production and related workers employed to produce certain orange juice?

☐ No ☐ Yes--List the following information.

Basis for allocation of employment data (e.g., sales): _____

Products produced using the same workers and share of total production in 2004/05 (in percent):

<u>Product</u>	<u>Percent</u>	<u>Product</u>	<u>Percent</u>
FCOJM	_____	_____	_____
NFCOJ	_____	_____	_____
Organic FCOJM	_____	_____	_____
Organic NFCOJ	_____	_____	_____

II-7. Since January 1, 2002, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of certain orange juice?

☐ No ☐ Yes--Name firm: _____

II-8. Does your firm produce certain orange juice in a foreign trade zone (FTZ)?

☐ No ☐ Yes--Identify FTZ(s): _____

II-9. Since January 1, 2002, has your firm imported certain orange juice?

☐ No ☐ Yes--**COMPLETE AND RETURN THE ENCLOSED IMPORTERS' QUESTIONNAIRE**

II-10. Please describe any contracts or other legal relationships (e.g., cooperatives and participation plans) your firm may have with orange growers, including names, dates, and terms.

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

II-11. Please comment on any trends in vertical integration in the orange industry since January 1, 2002.

II-12. a) Does your firm purchase oranges for the production of FCOJM and NFCOJ from the same growers?

☐ No ☐ Yes--Name firms:_____

b) Do you buy the same oranges for FCOJM and NFCOJ?

☐ No ☐ Yes

c) Does your firm purchase nonorganic and organic oranges for the production of FCOJM or NFCOJ from the same growers?

☐ No ☐ Yes--Name firms:_____

II-13. Does your firm blend imports/domestic purchases of orange solids with solids extracted in your U.S. establishment?

☐ No ☐ Yes--Please describe the reasons for blending, the types of oranges used, and the blending process.

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

II-14. **COMPARABILITY OF FCOJM AND NFCOJ.**--Please describe the differences and similarities between **FCOJM** and **NFCOJ** with respect to the following factors: (a) **characteristics and uses**--describe the differences and similarities in the physical characteristics and end uses; (b) **interchangeability**--discuss the interchangeability in end use of the two products; (c) **manufacturing processes**--describe the two processes and include a discussion of the interchangeability of production inputs, machinery and equipment, and skilled labor; (d) **channels of distribution**--describe the specific end use/customer requirements and channels of distribution/market situation in which the products are sold; (e) **customer and producer perceptions**--describe any perceived differences in the two products (e.g., sales/marketing practices); and (f) **price**--provide a discussion and specific examples of prices for the two products. Use additional pages as necessary.

(a) Characteristics and uses:

(b) Interchangeability:

(c) Manufacturing processes:

(d) Channels of distribution:

(e) Customer and producer perceptions:

(f) Price:

PART II.--TRADE AND RELATED INFORMATION--Continued**II-15. COMPARABILITY OF ORGANIC AND NONORGANIC CERTAIN ORANGE JUICE.--Does your firm produce organic certain orange juice?**☐ No☐ Yes--Please describe the differences and similarities between nonorganicand organic certain orange juice with respect to the following factors: (a) **characteristics and****uses**--describe the differences and similarities in the physical characteristics and end uses; (b)**interchangeability**--discuss the interchangeability in end use of the two products; (c)**manufacturing processes**--describe the two processes and include a discussion of the

interchangeability of production inputs, machinery and equipment, and skilled labor; (d)

channels of distribution--describe the specific end use/customer requirements and channels ofdistribution/market situation in which the products are sold; (e) **customer and producer****perceptions**--describe any perceived differences in the two products (e.g., sales/marketingpractices); and (f) **price**--provide a discussion and specific examples of prices for the twoproducts. Use additional pages as necessary. **PLEASE COMPLETE SECTION II-22 OF****THIS QUESTIONNAIRE REGARDING YOUR U.S. ORGANIC OPERATIONS.****(a) Characteristics and uses:**

(b) Interchangeability:

(c) Manufacturing processes:

(d) Channels of distribution:

(e) Customer and producer perceptions:

(f) Price:

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

II-16. Please report the cost of sales for your firm's FCOJM and NFCOJ operations during your most recent fiscal year.

Fiscal year: _____ Fiscal year end (month and day): _____

Value (1,000 dollars), except as noted

Item	Nonorganic		Organic	
	FCOJM	NFCOJ	FCOJM	NFCOJ
Raw materials:				
US fresh oranges				
US orange solids				
Orange solids from Brazil				
Other imported orange solids				
Other raw materials				
Total raw material costs				
Processing (direct labor and other factory costs):				
Grading/sizing				
Juice extraction				
Finishing				
Evaporation/pasteurization				
Storage				
Packing				
Transportation				
Other ¹				
Total processing costs				
Total costs				
Total net sales quantity (1,000 pounds solids equivalent)				
¹ Describe: _____.				

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

II-17. **FCOJM.**--Report your firm's production capacity, production, shipments, inventories, and employment related to the production of FCOJM in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.) **Report separately for FCOJM produced by your firm, reporting for each page by checking one box per category below.** Organic orange juice should **not** be included in this table, please report organic orange juice data in question II-22.

☐ U.S.-produced oranges/solids ☐ Blend with solids from Brazil ☐ Blend with other Import solids

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)				
Item	Crop years (October-September)			
	2001/02	2002/03	2003/04	2004/05
AVERAGE PRODUCTION CAPACITY¹ (quantity)				
BEGINNING-OF-PERIOD INVENTORIES (quantity)				
PRODUCTION from-- (quantity)				
U.S. fresh oranges				
Purchases of U.S. orange solids				
Orange solids from Brazil (subject producers)				
Orange solids from Brazil (COINBRA/Dreyfus)				
Other orange solids imports ²				
Total production				
U.S. SHIPMENTS:				
Commercial shipments:				
Quantity of commercial shipments				
Value of commercial shipments				
Internal consumption:				
Quantity of internal consumption				
Value ³ of internal consumption				
Transfers to related firms:				
Quantity of transfers to related firms				
Value ³ of transfers to related firms				
EXPORT SHIPMENTS:⁴				
Quantity of export shipments				
Value of export shipments				
Duty drawback received on export shipments (value)				
END-OF-PERIOD INVENTORIES⁵ (quantity)				
AVERAGE NUMBER OF PRWs				
HOURS WORKED BY PRWs (1,000 hours)				
WAGES PAID TO PRWs (value)				

¹ The production capacity (see definitions in instruction 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).

² Identify the other source(s) (country): _____

³ Internal consumption and transfers to related firms must be valued at fair market value. In the event that you use a different basis for valuing these transactions, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for 2001, 2002, and 2003 below:

⁴ Identify your principal export markets: _____

⁵ Reconciliation of data.--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?

☐ Yes ☐ No--Please explain: _____

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

II-18. **NFCOJ.**--Report your firm's production capacity, production, shipments, inventories, and employment related to the production of NFCOJ in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.) **Report separately for NFCOJ produced by your firm, reporting for each page by checking one box per category below.** Organic orange juice should **not** be included in this table, please report organic orange juice data in question II-22.

☐ U.S.-produced oranges/solids ☐ Blend with solids from Brazil ☐ Blend with other Import solids

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)				
Item	Crop years (October-September)			
	2001/02	2002/03	2003/04	2004/05
AVERAGE PRODUCTION CAPACITY¹ (quantity)				
BEGINNING-OF-PERIOD INVENTORIES (quantity)				
PRODUCTION from-- (quantity)				
U.S. fresh oranges				
Purchases of U.S. orange solids				
Orange solids from Brazil (subject producers)				
Orange solids from Brazil (COINBRA/Dreyfus)				
Other orange solids imports ²				
Total production				
U.S. SHIPMENTS:				
Commercial shipments:				
Quantity of commercial shipments				
Value of commercial shipments				
Internal consumption:				
Quantity of internal consumption				
Value ³ of internal consumption				
Transfers to related firms:				
Quantity of transfers to related firms				
Value ³ of transfers to related firms				
EXPORT SHIPMENTS:⁴				
Quantity of export shipments				
Value of export shipments				
Duty drawback received on export shipments (value)				
END-OF-PERIOD INVENTORIES⁵ (quantity)				
AVERAGE NUMBER OF PRWs				
HOURS WORKED BY PRWs (1,000 hours)				
WAGES PAID TO PRWs (value)				
¹ The production capacity (see definitions in instruction 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).				
² Identify the other source(s) (country): _____				
³ Internal consumption and transfers to related firms must be valued at fair market value. In the event that you use a different basis for valuing these transactions, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for 2001, 2002, and 2003 below:				
⁴ Identify your principal export markets: _____				
⁵ Reconciliation of data. --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 II.--TRADE AND RELATED INFORMATION--Continued

- II-19. If you reported transfers to related firms in questions II-17 and II-18, please indicate the nature of the relationship between your firm and the related firms (e.g., joint venture, wholly owned subsidiary), whether the transfers were priced at market value or by a non-market formula, whether your firm retained marketing rights to all transfers, and whether the related firms also processed inputs from sources other than your firm.

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

II-20. **Channels of Distribution.**--Report your firm's U.S. shipments (commercial shipments, internal consumption, and transfers to related parties) of certain orange juice produced in your U.S. establishment(s) during the specified periods.¹ (See definitions in the instruction booklet.)

Quantity (1,000 pounds solids equivalent)				
Item	Crop years (October 1-September 30)			
	2001/02	2002/03	2003/04	2004/05
U.S. shipments of nonorganic FCOJM to:				
Distributors				
Remanufacturers and packagers				
Food processors (including nonjuice drink and fruit drink producers)				
Other end users ¹				
Total nonorganic FCOJM ²				
U.S. shipments of nonorganic NFCOJ to:				
Distributors				
Remanufacturers and packagers				
Food processors (including nonjuice drink and fruit drink producers)				
Other end users ¹				
Total nonorganic NFCOJ ²				
U.S. shipments of organic FCOJM to:				
Distributors				
Remanufacturers and packagers				
Food processors (including nonjuice drink and fruit drink producers)				
Other end users ³				
Total organic FCOJM ²				
U.S. shipments of organic NFCOJ to:				
Distributors				
Remanufacturers and packagers				
Food processors (including nonjuice drink and fruit drink producers)				
Other end users ³				
Total organic NFCOJ ²				
¹ Please describe: _____ ² Totals should equal data reported for U.S. shipment quantities in sections II-17, II-18, and II-22. ³ Please describe: _____				

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

II-21. **Purchases.**--Other than direct imports, has your firm otherwise purchased certain orange juice since October 2001? (See definitions in the instruction booklet.) **Report separately for organic and nonorganic FCOJM and NFCOJ purchases, reporting for each page by checking one box per category below.**

☐ Organic ☐ Nonorganic ☐ No ☐ Yes--Report such purchases below for the specified periods.^{1 2}

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)								
Item	FCOJM				NFCOJ			
	2001/02	2002/03	2003/04	2004/05	2001/02	2002/03	2003/04	2004/05
PURCHASES FROM U.S. IMPORTERS³ OF PRODUCT FROM--								
Brazil (subject):								
Quantity								
Value								
Brazil (COINBRA-Frutesp/Louis Dreyfus):								
Quantity								
Value								
Brazil (all other nonsubject):								
Quantity								
Value								
ALL OTHER COUNTRIES:								
Quantity								
Value								
PURCHASES FROM DOMESTIC PRODUCERS:³								
Quantity								
Value								
PURCHASES FROM OTHER SOURCES:³								
Quantity								
Value								
¹ Please indicate your reasons for purchasing this product(s). If your reasons differ by product and/or source, please elaborate.								
² If your firm purchased Brazilian juice for processing please explain why you purchase Brazilian juice for processing and state the percentage of Brazilian juice purchased. If the percentage of Brazilian juice purchased by your firm changed significantly from period to period, please indicate the reasons for the change.								
³ Please list the name of the firm(s) from which you purchased this product(s). If your suppliers differ by product, please identify the source for each listed supplier.								

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

II-22. **Organic certain orange juice.**—Report for your firm's organic certain orange juice operations. Report separately for FCOJM and NFCOJ, reporting for each page by checking one box per category below.

☐ FCOJM ☐ NFCOJ

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)				
Item	Crop years (October 1-September 30)			
	2001/02	2002/03	2003/04	2004/05
AVERAGE PRODUCTION CAPACITY (<i>quantity</i>)				
BEGINNING-OF-PERIOD INVENTORIES (<i>quantity</i>)				
PRODUCTION (<i>quantity</i>)				
U.S. SHIPMENTS:				
Commercial shipments:				
Quantity of commercial shipments				
Value of commercial shipments				
Internal consumption:				
Quantity of internal consumption				
Value ¹ of internal consumption				
Transfers to related firms:				
Quantity of transfers to related firms				
Value ¹ of transfers to related firms				
EXPORT SHIPMENTS:²				
Quantity of export shipments				
Value of export shipments				
END-OF-PERIOD INVENTORIES³ (<i>quantity</i>)				
AVERAGE NUMBER OF PRWs				
HOURS WORKED BY PRWs (<i>1,000 hours</i>)				
WAGES PAID TO PRWs (<i>value</i>)				
FINANCIAL INFORMATION:⁴				
Net sales:⁵				
Quantity				
Value				
Cost of goods sold (<i>value</i>)				
Gross profit or (loss) (<i>value</i>)				
Selling, general, and administrative expenses				
Operating income or (loss) (<i>value</i>)				
Capital expenditures (<i>value</i>)				
Research and development expenses (<i>value</i>)				
¹ Sales to related firms (including internal consumption and transfers) must be valued at fair market value. ² Identify your principal export markets: _____ ³ Reconciliation of data.--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: _____ ⁴ Report financial information on a fiscal-year basis (year ending _____). ⁵ Including internal consumption and transfers to related firms and net of discounts, returns, allowances, and prepaid freight.				

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 certain orange juice group that includes certain orange juice, 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 certain orange juice, 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 nonorganic FCOJM.--Report the revenue and related cost information requested below on the nonorganic FCOJM 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 cost. Provide data for your three most recently completed fiscal years and interim periods in chronological order from left to right. If your firm was involved in tolling operations (either as the toller or as the tollee) please contact Justin Jee at (202) 205-3186 before completing this section of the questionnaire. Report separately for corporations and cooperatives.

☐

CORPORATIONS

☐

COOPERATIVES

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)					
Item	_____	_____	_____	Jan.-Sept. 2004	Jan.-Sept. 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:					
U.S. fresh oranges					
Purchased U.S. orange solids					
Brazilian orange solids					
Other imported orange solids					
Other raw materials					
Total raw materials					
Direct labor					
Other factory costs					
Total cost of goods sold					
Gross profit or (loss)					
Table continued on next page.					

PART III.--FINANCIAL INFORMATION--Continued**III-6. Operations on nonorganic FCOJM.--Continued**

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)					
Item	_____	_____	_____	Jan.-Sept. 2004	Jan.-Sept. 2005
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					
Net gain (loss) on futures transactions⁴					
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 (and associated time periods) that are <u>not</u> included in the financial results above: ⁴ Provide details on a separate sheet, when any gain/loss is reported.					

PART III.--FINANCIAL INFORMATION--Continued

III-7. Operations on nonorganic NFCOJ.--Report the revenue and related cost information requested below on the nonorganic NFCOJ 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 cost. Provide data for your three most recently completed fiscal years and interim periods in chronological order from left to right. If your firm was involved in tolling operations (either as the toller or as the tollee) please contact Justin Jee at (202) 205-3186 before completing this section of the questionnaire. Report separately for corporations and cooperatives.

☐

CORPORATIONS

☐

COOPERATIVES

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)					
Item	_____	_____	_____	Jan.-Sept. 2004	Jan.-Sept. 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: U.S. fresh oranges					
Purchased U.S. orange solids					
Brazilian orange solids					
Other imported orange solids					
Other raw materials					
Total raw materials					
Direct labor					
Other factory costs					
Total cost of goods sold					
Gross profit or (loss)					
Table continued on next page.					

PART III.--FINANCIAL INFORMATION--Continued**III-7. Operations on nonorganic NFCOJ.--Continued**

(Quantity in 1,000 pounds solids equivalent, value in \$1,000)					
Item	_____	_____	_____	Jan.-Sept. 2004	Jan.-Sept. 2005
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					
Net gain (loss) on futures⁴ transactions⁴					
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 (and associated time periods) that are <u>not</u> included in the financial results above:					
⁴ Provide details on a separate sheet, when any gain/loss is reported.					

PART III.--FINANCIAL INFORMATION--Continued

III-8. Capital expenditures and research and development expenditures.--Report your firm's capital expenditures and research and development expenditures on nonorganic certain orange juice. Provide data for your three most recently completed fiscal years in chronological order from left to right, and for the specified interim periods. Please report information on organic operations in question II-22.

(Value in \$1,000)					
Item	FY____	FY____	FY____	Jan.-Sept.	
				2004	2005
FCOJM:					
Capital expenditures					
Research and development expenditures					
NFCOJ:					
Capital expenditures					
Research and development expenditures					

III-9. Asset values.--Report the total assets associated with the production, warehousing, and sale of certain orange juice. If your firm does not maintain some or all of the specific asset data in the normal course of business, please estimate it based upon some rational method (such as production, sales, or costs) that is consistent with your cost allocations in the previous question. Your finished goods inventory value should reconcile with the inventory quantity data reported in Part II. Provide data as of the end of your four most recently completed fiscal years in chronological order from left to right.

☐ Organic ☐ Nonorganic

(Value in \$1,000)				
Value of	_____	_____	_____	_____
Assets associated with the production, warehousing, and sale of product:				
1. Current assets:				
A. Cash and equivalents				
B. Accounts receivable, net				
C. Inventories				
D. All other current assets (describe_____)				
Total current assets (lines 1.A. through 1.D.)				
2. Non-current assets:				
A. Original cost of property, plant, and equipment				
B. Less: Accumulated depreciation				
C. Equals: Book value of property, plant, and equipment				
D. All other non-current assets (describe_____)				
Total non-current assets (lines 2.A through 2.D)				
Total assets				

PART III.--FINANCIAL INFORMATION--Continued

III-10. Since January 1, 2002, has your firm experienced any actual negative effects on its return on investment or its growth, investment, ability to raise capital, existing development and production efforts (including efforts to develop a derivative or more advanced version of the product), or the scale of capital investments as a result of imports of certain orange juice from Brazil?

☐ No ☐ Yes--My firm has experienced actual negative effects as follows:

Cancellation, postponement, or rejection of expansion projects ☐

Denial or rejection of investment proposal ☐

Reduction in the size of capital investments ☐

Rejection of bank loans ☐

Lowering of credit rating ☐

Problem related to the issue of stocks or bonds ☐

Other (specify) _____

III-11. Does your firm anticipate any negative impact of imports of certain orange juice from Brazil?

☐ No ☐ Yes--My firm anticipates negative effects as follows:

PART IV.--PRICING AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from James Fetzer (202-708-5403 or james.fetzer@usitc.gov).

IV-1. Who should be contacted regarding the requested pricing and related information?

Company contact: _____
Name and title

Phone No. E-mail address

Section IV-A.--PRICE DATA

This section requests monthly quantity and value data on your firm's U.S. shipments of the following products during October 2001-September 2005. Values should be for arms-length sales to unrelated U.S. customers, f.o.b. U.S. point of shipment, net of returns, refunds, discounts, and credits.

Product 1.—Frozen concentrated orange juice for manufacturing (FCOJM) of 65 degrees Brix and six or seven strength concentrate, not organic

Product 2.—Single strength, not from concentrate, orange juice (NFCOJ) that is pasteurized by flash heating immediately after squeezing the fruit, not organic

Product 3.—Frozen concentrated orange juice for manufacturing (FCOJM) of 65 degrees Brix and six or seven strength concentrate, organic

Please note that total dollar values should be for arms-length sales to unrelated U.S. customers, f.o.b., U.S. point of shipment and should not include U.S.-inland transportation costs. Total dollar values should reflect the FINAL NET amount paid to you (i.e., should be net of all deductions for discounts or rebates). See instruction booklet.

COPY THE FOLLOWING PAGE AS NECESSARY. Complete a separate page for each of the specified products produced and sold by your firm. Indicate in the space provided at the top of the page the certain orange juice for which pricing is reported.

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-A.--PRICE DATA--Continued**

COPY THESE TWO PAGES AS NECESSARY. Complete both pages for each of the specified products produced and sold by your firm to unrelated U.S. customers.

Product 1 ☐ Product 2 ☐ Product 3 ☐

(Quantity in thousands of pounds solids equivalent, value in thousands of dollars)		
Period of shipment	Quantity	Value ¹
2001:		
October		
November		
December		
2002:		
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
2003:		
January		
February		
March		
April		
May		
June		
July		
August		
September		
¹ Net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment.		
Continued on next page		

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-A.--PRICE DATA--Continued**Product 1 ☐ Product 2 ☐ Product 3 ☐

(Quantity in thousands of pounds solids equivalent, value in thousands of dollars)		
Period of shipment	Quantity	Value ¹
2003:		
October		
November		
December		
2004:		
January		
February		
March		
April		
May		
June		
July		
August		
September		
October		
November		
December		
2005:		
January		
February		
March		
April		
May		
June		
July		
August		
September		
¹ Net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment.		

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-B.--PRICE-RELATED QUESTIONS**

Note: For section IV-B please indicate if your response differs for FCOJM and NFCOJ products, as well as nonorganic and organic products.

- IV-B-1. Please describe how your firm determines the prices that it charges for sales of certain orange juice (transaction by transaction negotiation, contracts for multiple shipments, set price lists, etc.). If your firm issues price lists, please include a copy of a recent price list with your submission. If your price list is large, please submit sample pages.

- IV-B-2. Please describe your firm's discount policy (quantity discounts, annual total volume discounts, etc.).

- IV-B-3. What are your firm's typical sales terms for its U.S.-produced certain orange juice (e.g., 2/10 net 30 days)? _____. On what basis are your prices of domestic certain orange juice usually quoted (e.g., f.o.b. warehouse, or delivered)? _____

- IV-B-4. (a) Approximately what share of your firm's sales of its U.S.-produced certain orange juice 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	

- (b) Approximately what share of your firm's sales of its U.S.-produced FCOJM in 2004 were delivered into the futures market? _____

- IV-B-5. 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? _____

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-B.--PRICE-RELATED QUESTIONS**

IV-B-6. 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? _____

IV-B-7. What is the average lead time between a customer's order and the date of delivery for your firm's sales of your U.S.-produced certain orange juice?

Source	Share of 2004 sales	Lead time
From inventory		
Produced to order		
Total	100%	

IV-B-8. (a) What is the approximate percentage of the total delivered cost of certain orange juice that is accounted for by U.S. inland transportation costs? _____ percent.

(b) Who generally arranges the transportation to your customers' locations? Your firm _____ or purchaser _____ (check one).

(c) What proportion of your sales occur within 100 miles of your storage or production facility? _____ percent. 101 to 1,000 miles? _____ percent. Over 1,000 miles? _____ percent.

IV-B-9. What is the geographic market area in the United States served by your firm's certain orange juice?

☐ Northeast ☐ Mid-Atlantic ☐ Midwest ☐ Southeast

☐ Southwest ☐ Rocky Mountains ☐ West Coast ☐ Northwest

☐ National ☐ Other (describe) _____

IV-B-10. Describe the end uses of the certain orange juice that you manufacture. For each end-use product, what percentage of the total cost is accounted for by certain orange juice?

End use Share of total cost accounted for by certain orange juice (percent)

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-11. a) Please list in order of importance any products that may be substituted for certain orange juice.

(1) _____ (2) _____ (3) _____

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

c) Have changes in the prices of these products affected the price for certain orange juice?

☐ No

☐ Yes--To what degree do changes in their prices affect the price for certain orange juice? 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 certain orange juice or final end use?

IV-B-12. a) How has the demand within the United States (and outside the United States if known-please answer separately) for certain orange juice changed since January 1, 2002? What principal factors affect changes in demand?

☐ Increased ☐ Unchanged ☐ Decreased ☐ Other (please explain below)

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-B.--PRICE-RELATED QUESTIONS--Continued**

- IV-B-12. b) In addition to changes in demand, what supply factors have impacted apparent consumption (total U.S. market shipments from all sources) of certain orange juice within the United States since January 1, 2002 (check all that apply)?

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT IMPORTANT
Brazilian juice orange crop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Disease	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Nonsubject imports of certain orange juice .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Packaging	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Subject imports of certain orange juice	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U.S. juice orange crop	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
U.S. inventories of certain orange juice . . .	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Weather	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other supply factors (specify):			
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
_____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

- c) Please discuss the degree to which demand and each of these supply factors had an impact on both apparent consumption in the U.S. market and the price and shipments of U.S. produced certain orange juice.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

- IV-B-12. d) Since January 2002, to what extent did changes in U.S. inventories of certain orange juice affect the futures price of FCOJM, and to what extent did changes in the futures price of FCOJM affect U.S. inventories of certain orange juice? Please explain. Also include a discussion of any impact the futures price of FCOJM had on the price of NFCOJ.

- IV-B-13. Have there been any significant changes in the product range or marketing of certain orange juice since January 1, 2002?

☐ No ☐ Yes--Please describe.

- IV-B-14. Does your firm sell certain orange juice over the internet?

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

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-15. a) Is blending U.S. produced certain orange juice with subject imports from Brazil necessary to satisfy U.S. industry standards for meeting supply deficiencies or other reasons? Please explain below.

☐ No

☐ Yes--Please identify the reason for blending
(i.e. meeting U.S. industry standards and supply deficiencies).

b) List any end use products for which certain orange juice produced by blending U.S.-produced certain orange juice and subject imports of certain orange juice from Brazil cannot be used or for which its use is limited. Does blended certain orange juice sell at a discount or premium to unblended certain orange juice? If so, how much is the typical discount or premium?

IV-B-16. If your firm processes organic orange juice, would your customers accept nonorganic orange juice if organic orange juice were unavailable?

☐ No

☐ Yes--Please explain.

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-17. Is certain orange juice produced in the United States and in other countries interchangeable (i.e., can they physically be used in the same applications)? Please indicate below, using “A” to indicate that the products from a specified country-pair are *always* interchangeable, “F” to indicate that the products are *frequently* interchangeable,“S” to indicate that the products are *sometimes* interchangeable,“N” to indicate that the products are *never* interchangeable, and “O” to indicate *no familiarity* with products from a specified country-pair.¹

Country-pair	United States	Brazil	Other countries
FCOJM:			
United States			
Brazil			
NFCOJ:			
United States			
Brazil			

¹ For any country-pair producing certain orange juice which is *sometimes or never* interchangeable, please explain the factors that limit or preclude interchangeable use:

PART IV.--PRICING AND RELATED INFORMATION--Continued

Section IV-B.--PRICE-RELATED QUESTIONS--Continued

IV-B-18. Are differences other than price (i.e., quality, availability, transportation network, product range, technical support, etc.) between certain orange juice produced in the United States and in other countries a significant factor in your firm’s sales of the products? Please indicate below, using “A” to indicate that such differences are *always* significant, “F” to indicate that such differences are *frequently* significant, “S” to indicate that such differences are *sometimes* significant, “N” to indicate that such differences are *never* significant, and “O” to indicate *no familiarity* with products from a specified country-pair.¹

Country-pair	United States	Brazil	Other countries
FCOJM:			
United States			
Brazil			
NFCOJ:			
United States			
Brazil			

¹ For any country-pair for which factors other than price *always or frequently* are a significant factor in your firm’s sales of certain orange juice, identify the country-pair and report the advantages or disadvantages imparted by such factors:

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-C.--CUSTOMER IDENTIFICATION**

Please identify below the names and addresses of your firm's 10 largest customers for certain orange juice during January 2002-September 2005. Please also provide the name and telephone number of a contact person and the share of the quantity of your firm's total shipments of certain orange juice that each of these customers accounted for in 2004.

No.	Customer's name	Street address (<u>not</u> P.O. box), city, state, and zip code	Contact person	Area code and telephone number	Share of 2004 FCOJM sales (%)	Share of 2004 NFCOJ sales (%)
1						
2						
3						
4						
5						
6						
7						
8						
9						
10						

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-D.--COMPETITION FROM IMPORTS--LOST REVENUES**

THIS SECTION IS TO BE COMPLETED ONLY BY NON-PETITIONERS. (Note: petitioners may provide allegations involving quotes made AFTER the filing of the petition.)

Since January 1, 2002: To avoid losing sales to competitors selling certain orange juice from did your firm:

Reduce prices

☐ Yes☐ No

Roll back announced price increases

☐ Yes☐ No

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost revenues whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). **Please note that the Commission may contact the firms named to verify the allegations reported.**

Customer name, contact person, phone and fax numbers

Specific product(s) involved

Date of your initial price quotation

Quantity involved

Your initial *rejected* price quotation (total delivered value)Your *accepted* price quotation (total delivered value)

The country of origin of the competing imported product

The competing price quotation of the imported product (total delivered value)

Customer name, contact person, phone and fax numbers	Product	Date of quote	Quantity (pounds solids equivalent)	Initial rejected U.S. price (total value-- dollars)	Accepted U.S. price (total value-- dollars)	Country of origin	Competing import price (total value-- dollars)

PART IV.--PRICING AND RELATED INFORMATION--Continued**Section IV-E.--COMPETITION FROM IMPORTS--LOST SALES**

THIS SECTION IS TO BE COMPLETED ONLY BY NON-PETITIONERS. (Note: petitioners may provide allegations involving quotes made AFTER the filing of the petition.)

Since January 1, 2002: Did your firm lose sales of certain orange juice to imports of these products from Brazil?

☐ Yes

☐ No

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost sales whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). **Please note that the Commission may contact the firms named to verify the allegations reported.**

Customer name, contact person, phone and fax numbers

Specific product(s) involved

Date of your price quotation

Quantity involved

Your rejected price quotation (total delivered value)

The country of origin of the competing imported product

The accepted price quotation of the imported product (total delivered value)

Customer name, contact person, phone and fax numbers	Product	Date of quote	Quantity (pounds solids equivalent)	Rejected U.S. price (total value--dollars)	Country of origin	Accepted import price (total value-- dollars)