



GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION QUESTIONNAIRES

CERTAIN BRAKE DRUMS AND ROTORS FROM CHINA Investigation No. TA-421-3

Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this investigation, you may contact the following members of the Commission's staff (Fax 202-205-3205):

Debra Baker, investigator (202-205-3180; E-mail dbaker@USITC.GOV) regarding general questions and trade and related information;

Charles Yost, auditor (202-205-3432; E-mail cyost@USITC.GOV) regarding financial information; and

Gerry Benedick, economist (202-205-3244; E-mail gbenedick@USITC.GOV) regarding pricing, market, and related information.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.--This investigation was instituted in response to a petition properly filed on June 6, 2003, on behalf of the Coalition for the Preservation of American Brake Drum and Rotor Aftermarket Manufacturers. Import relief may be imposed by the President on the subject imports as a result of this investigation if the Commission determines that imports of the subject brake drums and rotors from China are being imported in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of the like or directly competitive products. The President may impose relief in the form of increased duties and/or other restrictions on imports of brake drums and rotors from China that are the subject of an affirmative determination.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Hearing-impaired individuals can obtain information regarding this investigation via the Commission's TDD terminal (202-205-1810).

Due date of questionnaire(s).--Return the completed questionnaire(s) to the United States International Trade Commission by no later than **June 23, 2003**. It is suggested that your firm use an overnight mail service to ensure that your response actually reaches the Commission by **June 23, 2003**. Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the investigation.

Service of questionnaire response(s).--In the event that your firm is a party to this investigation, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR §§ 206.47 and 206.17). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR §§ 206.47 and 206.17).

Confidentiality and disclosure under APO.--Except as provided below, the commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law. Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical confidential business information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION–*Continued.*

Confidentiality and disclosure under APO.–*Continued*

The information provided by your firm in response to the questionnaire(s), as well as any other confidential business information submitted by your firm to the Commission in connection with the investigation, may become subject to, and released under, the administrative protective order provisions of sections 206.47 and 206.17 of the Commission’s Rules of Practice and Procedure (19 CFR §§ 206.47 and 206.17). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use solely in connection with this investigation; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals. In addition, the confidential business information that you submit may be provided to the President and U.S. Trade Representative in a confidential version of the report that the Commission transmits to the President and the U.S. Trade Representative, should the Commission transmit a confidential version. Confidential business information that you submit may also be used in any other import injury investigations conducted by the Commission on the same or similar merchandise. Any such confidential business information will be deleted from the version of the report that the Commission releases to the public.

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.

Verification.–The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

INSTRUCTIONS

Answer all questions.–Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is “none,” write “none.” **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter “E”--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this investigation (i.e., a producer, importer, and/or purchaser questionnaire), you need not respond to duplicated questions in the questionnaires.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

INSTRUCTIONS--Continued.

Consolidate all U.S. establishments.--Report the requested data for your establishment(s) located in the United States. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

DEFINITIONS

Certain brake drums and rotors, also known as: aftermarket (non-OEM) brake drums and rotors, "subject" brake drums and rotors, or subject products.--The products are defined as brake drums and rotors made of gray cast iron, whether finished, semifinished, or unfinished, ranging in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63 to 20.41 kilograms). The size parameters (weight and dimension) of the brake drums and rotors limit their use to the following types of motor vehicles: automobiles, all-terrain vehicles, vans and recreational vehicles under "one ton and a half."

Finished brake drums and rotors are those that are ready for sale and installation without any further operations. Semifinished drums are those on which the surface is not entirely smooth, and has undergone some drilling. Unfinished drums are those which have undergone some grinding or turning.

These brake drums and rotors are for motor vehicles, and do not contain in the casting a logo of an original equipment manufacturer (OEM) which produces vehicles sold in the United States (e.g., General Motors, Ford, DaimlerChrysler, Honda, Toyota, Volvo). Brake drums and rotors covered in this investigation are not certified by OEM producers of vehicles sold in the United States. The scope also includes composite brake drums that are made of gray cast iron, which contain a steel plate, but otherwise meet the above criteria.

The imported products are provided for in subheading 8708.39.50 of the Harmonized Tariff Schedule of the United States (HTS). Although the HTS category is provided for convenience and Customs purposes, the written description of the merchandise under investigation is dispositive.

OEM brake drums and rotors.--Although only the above-defined brake drums and rotors are subject to the possible imposition of import relief, it is necessary in this investigation also to gather data on additional categories of brake drums and rotors, made of gray cast iron, whether finished, unfinished, or semifinished, ranging in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63 to 20.41 kilograms), that **DO** contain an OEM logo in the casting or are certified by OEM producers of vehicles sold in the United States.

Note.--With respect to (1) replacement brake drums and rotors provided by or to OEMs as warranty replacement parts and (2) brake drums and rotors used internally by a firm to produce motor vehicles or the brake assemblies for motor vehicles, report these products as either OEM or aftermarket according to whether or not they otherwise meet the definitions provided above (or, in other words, contain or do not contain in the casting an OEM logo or are certified or not certified by OEM producers of vehicles sold in the United States).

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

All other brake drums and rotors.--In addition to the above categories, the importers' questionnaire also gathers data for all other brake drums and rotors which consist of any brake drums or rotors which (1) are **NOT** made of gray cast iron or (2) do **NOT** range in diameter from 8 to 16 inches (20.32 to 40.64 centimeters) and in weight from 8 to 45 pounds (3.63 to 20.41 kilograms), whether finished, unfinished, or semifinished, and whether or not containing an OEM logo. This information is necessary for the Commission to adjust Commerce data maintained on imports under HTS statistical reporting number 8708.39.5010. (These data include imports other than the subject brake drums and rotors.)

Firm.--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

Related firm.--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

Establishment.--Each facility of a firm in the United States involved in the production, importation, and/or purchase of brake drums and rotors (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States.--For purposes of this investigation, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

Importer.--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing brake drums and rotors (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Imports.--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered).

Import quantities.--Quantities reported should be net of returns.

Import values.--Values reported should be landed, duty-paid values at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and import duties (i.e., all charges except inland freight in the United States).

Purchaser.--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing brake drums and rotors (as defined above) from another firm that produces, imports, or otherwise distributes brake drums and rotors.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Purchases--Purchases from all sources, NOT including direct imports from foreign producers (which should be reported in an importer questionnaire).

Purchase quantities--Quantities reported should be net of returns.

Purchase values--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

Shipments--Shipments of products produced in or imported by your U.S. establishment(s). Include shipments to the contracting firm of product produced by your firm under a toll agreement.

Shipment quantities--Quantities reported should be net of returns.

Shipment values--Values reported should be 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. The value of domestic shipments to the contracting firm under a toll agreement is the conversion fee (including profit).

Types of shipments:

U.S. shipments--Commercial shipments, internal consumption, and transfers to related firms within the United States.

Commercial shipments--Shipments, other than internal consumption and transfers to related firms, within the United States.

Internal consumption--Product consumed internally by your firm.

Transfers to related firms--Shipments made to related domestic firms.

Export shipments--Shipments to destinations outside the United States, including shipments to related firms.

Inventories--Finished goods inventory, not raw materials or work-in-progress.
The following definitions apply only to the PRODUCER QUESTIONNAIRE.

Average production capacity--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating

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DEFINITIONS--Continued

conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

Toll agreement.--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

Production.--All production in your U.S. establishment(s), including production consumed internally within your firm and production for another firm under a toll agreement.

PRWs.--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

Average number employed.--Add the number of employees, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12. For the January-March periods, calculate similarly and divide by 3.

Hours worked.--Include time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

Wages paid.--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

Fiscal year.--The 12-month period between settlement of your firm's financial accounts.

Purchases other than direct imports.--Purchases from U.S. producers, U.S. importers, and other U.S. sources.