

U.S. IMPORTERS' QUESTIONNAIRE

CHLOROPICRIN FROM CHINA

This questionnaire must be received by the Commission by no later than **DECEMBER 16, 2009**

See page 4 of the Instruction Booklet for filing instructions.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its review of the antidumping duty order concerning chloropicrin from China (Inv. No. 731-TA-130 (Third 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 imported chloropicrin (as defined in the instruction booklet) <i>from any country</i> at any time since January 1, 1984?</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, and return the entire questionnaire to the Commission so as to be received by the date indicated above)</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 means of 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 review in any other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout this review 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 review 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 of Authorized Official

Title of Authorized Official

Date

Signature

Phone: ()

Fax ()

E-mail address

PART I.—GENERAL INFORMATION

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. **OMB statistics.**--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. **OMB feedback.**--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. **Establishments covered.**--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. **Ownership.**--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 INFORMATION--Continued

I-8. **Consignees.**--If your firm is an importer of record of chloropicrin but is not the consignee, please list the consignees below (firm name, address, telephone number, and individual to contact).

<u>Firm name</u>	<u>Address</u>	<u>Contact person and phone number</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I-9. **FTZs or bonded warehouse.**--Please indicate whether your firm enters chloropicrin into, or withdraws such merchandise from, foreign trade zones or bonded warehouses.

Foreign trade zones No Yes

Bonded warehouses No Yes

I-10. **TIB.**--Please indicate whether your firm imports chloropicrin under the TIB (temporary importation under bond) program.

No Yes

I-11. **Business plan.**--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 market conditions for chloropicrin?

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

I-12. **Other investigations.**--To your knowledge, have the products subject to this proceeding been the subject of any other import relief investigations in the United States or in any other countries?

No Yes--Please specify.

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **Cynthia Trainor (202-205-3354, cynthia.trainor@usitc.gov)**. **Supply all data requested on a calendar-year basis.**

II-1. **Contact information (Trade).**--Who should be contacted regarding the requested trade and related information?

Company contact: _____
Name and title

() _____
Phone number E-mail address

II-2. **Changes in operations.**--Please indicate whether your firm has experienced any of the following changes in relation to the importation of chloropicrin since January 1, 1984?

<i>(check as many as appropriate)</i>	<i>(please describe)</i>
<input type="checkbox"/> office/warehouse openings	_____
<input type="checkbox"/> office/warehouse closings	_____
<input type="checkbox"/> relocations	_____
<input type="checkbox"/> expansions	_____
<input type="checkbox"/> acquisitions.....	_____
<input type="checkbox"/> consolidations.....	_____
<input type="checkbox"/> prolonged shutdowns or importation curtailments	_____
<input type="checkbox"/> revised labor agreements	_____
<input type="checkbox"/> other.....	_____

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

II-3. **Anticipated changes in operations.**--Does your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the importation of chloropicrin 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.

II-4. **Anticipated changes in operations in the event the order is revoked.**--Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the importation of chloropicrin in the future if the antidumping duty order on chloropicrin from China 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.

II-5. **Arranged imports.**--Has your firm imported or arranged for the importation of chloropicrin from China for delivery after September 30, 2009?

- No Yes--Indicate when such orders are to be delivered and the quantities involved.

II-6. **Reasons for importing if producer.**--If your firm also produces chloropicrin in the United States, please indicate your reasons for importing this product. If your reasons differ by source, please elaborate.

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

II-7a. **Imports from China**--Does your firm import chloropicrin from China?

- No. Yes-- Report your firm's imports and your firm's shipments and inventories of chloropicrin imported from China by your firm during the specified periods. (See definitions in the instruction booklet.)

CHINA

Quantity (in 1,000 pounds), value (in \$1,000)					
Item	Calendar year			January-September	
	2006	2007	2008	2008	2009
Beginning-of-period inventories (quantity) (A)					
Imports:					
Quantity (B)					
Value (C)					
U.S. shipments:					
Commercial shipments:					
Quantity (D)					
Value (E)					
Internal consumption/company transfers:					
Quantity (F)					
Value ¹ (G)					
Export shipments:²					
Quantity (H)					
Value (I)					
End-of-period inventories (quantity) (J)					
Channels of distribution:					
U.S. shipments to distributors (quantity) (K)					
U.S. shipments to end users (quantity) (L)					
¹ Sales to related firms (including internal consumption) must be valued at fair market value. In the event that you use a different basis for valuing these sales within your company, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for each period identified above:					
² Identify your principal export markets: _____					

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

II-7b. **Imports from ALL OTHER SOURCES.**--Does your firm import chloropicrin from **countries other than China?**

- No. Yes-- Report your firm's imports and your firm's shipments and inventories of chloropicrin imported from countries other than China by your firm during the specified periods. (See definitions in the instruction booklet.)

ALL OTHER SOURCES COMBINED

Quantity (in 1,000 pounds), value (in \$1,000)					
Item	Calendar year			January-September	
	2006	2007	2008	2008	2009
Beginning-of-period inventories (quantity) (A)					
Imports:					
Quantity (B)					
Value (C)					
U.S. shipments:					
Commercial shipments:					
Quantity (D)					
Value (E)					
Internal consumption/company transfers:					
Quantity (F)					
Value ¹ (G)					
Export shipments: ²					
Quantity (H)					
Value (I)					
End-of-period inventories (quantity) (J)					
Channels of distribution:					
U.S. shipments to distributors (quantity) (K)					
U.S. shipments to end users (quantity) (L)					
¹ Sales to related firms (including internal consumption) must be valued at fair market value. In the event that you use a different basis for valuing these sales within your company, please specify that basis (e.g., cost, cost plus, etc.) and provide value data using that basis for each period identified above:					
² Identify your principal export markets: _____					

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

II-8. Reconciliation of import data.--

- (a) Please note that the quantities reported in question II-7 should reconcile as follows in each period (*i.e.*, in each column):

Reconciliation

$$A + B - D - F - H = J$$

Do these data reconcile? Yes No--(Please explain: _____)

$$D + F = K + L$$

Do these data reconcile? Yes No--(Please explain: _____)

- (b) Please note that the quantities reported for end-of-period inventories should equal the beginning-of-period inventories reported in the subsequent calendar year (*i.e.*, line J of year 2006 should equal line B of year 2007). Do these data reconcile for each adjacent calendar year?

Yes. No--Please explain.

- II-9. **Effect of order.--**Describe the significance of the existing antidumping duty order covering imports of chloropicrin from China in terms of its effect on your firm's imports, U.S. shipments of imports, and inventories. You may wish to compare your firm's operations before and after the imposition of the order.

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

II-10. **Likely effect of revocation of order.**--Would your firm anticipate any changes in its imports, U.S. shipments of imports, or inventories of chloropicrin in the future if the antidumping duty order on chloropicrin from China 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.

PART III.--PRICING AND MARKET FACTORS

Further information on this part of the questionnaire can be obtained from **Aimee Larsen (202-205-3179, aimee.larsen@usitc.gov)**

III-1. **Contact information (Price)**--Who should be contacted regarding the requested pricing and related information?

Company contact:

Name and title

()

Phone number

E-mail address

PRICE DATA

This section requests quarterly price and quantity data, f.o.b. your U.S. point of shipment, for your commercial shipments to unrelated U.S. customers since 2006 of the following products you imported from China:

Product 1.—Chloropicrin (100 to 96 percent pure) sold in a 180,000 pound rail car container (base quantities on 100 percent equivalent)

Product 2.-- Chloropicrin (100 to 96 percent pure) sold in a 50,000 pound ISO container (base quantities on 100 percent equivalent)

Please note that total dollar values should be 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.

PART III.--PRICING AND MARKET FACTORS--Continued

III-2. **Price data (China).**--Report below the quarterly price data¹ for pricing products² imported from China and sold by your firm.

CHINA

<i>(Quantity in pounds of chloropicrin, value in dollars)</i>				
Period of shipment	Product 1		Product 2	
	Quantity	Value	Quantity	Value
2006:				
January-March				
April-June				
July-September				
October-December				
2007:				
January-March				
April-June				
July-September				
October-December				
2008:				
January-March				
April-June				
July-September				
October-December				
2009:				
January-March				
April-June				
July-September				
<p>¹ Net values (<i>i.e.</i>, 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.</p> <p>² Pricing product definitions are provided on the first page of Part III.</p> <p>Note.--If your product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your product:</p> <p>Product 1: _____</p> <p>Product 2: _____</p>				

PART III.--PRICING AND MARKET FACTORS--Continued

III-3. **Price setting.**-- How does your firm determine the prices that it charges for sales of chloropicrin (*check all that apply*)? 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 only submit some sample pages.

- Transaction by transaction
- Contracts
- Set price lists
- Other--Please describe: _____
- _____
- _____

III-4. **Discount policy.**-- Please indicate and describe your firm's discount policies (*check all that apply*).

- Quantity discounts
- Annual total volume discounts
- No discount policy
- Other--Please describe: _____
- _____
- _____

III-5. **Pricing terms for Chloropicrin.**--

- (a) What are your firm's typical sales terms for its imported chloropicrin (e.g., 2/10 net 30 days)? _____.
- (b) On what basis are your prices of imported chloropicrin usually quoted? (check one)
 - F.o.b.--Please specify point: _____
 - Delivered

III-6. **Contract versus spot.**--Approximately what share of your firm's sales of its imported chloropicrin in 2008 were on a (1) long-term contract basis (multiple deliveries for more than 12 months), (2) short-term contract basis (multiple deliveries up to and including 12 months), and (3) spot sales basis (for a single delivery)?

<u>Type of sale</u>	<u>Share of sales (percent)</u>
Long-term contracts	_____
Short-term contracts	_____
Spot sales	_____

PART III.--PRICING AND MARKET FACTORS--Continued

III-7. **Long-term contract provisions.**--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? Yes No
- (c) Does the contract fix quantity, price, or both? Quantity Price Both
- (d) Does the contract have a meet or release provision? Yes No

III-8. **Short-term contract provisions.**--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? Yes No
- (c) Does the contract fix quantity, price, or both? Quantity Price Both
- (d) Does the contract have a meet or release provision? Yes No

III-9. **Lead times.**--What is the average lead time between a customer's order and the date of delivery for your firm's sales of chloropicrin?

<u>Source</u>	<u>Share of sales,</u> <u>2008</u>	<u>Lead time</u>
From your firm's inventory	_____	_____
From foreign manufacturers' inventory	_____	_____
Produced to order	_____	_____
Total	100 %	

III-10. **Shipping information.**--

- (a) What is the approximate percentage of the total delivered cost of chloropicrin that is accounted for by U.S. inland transportation costs? _____ percent.
- (b) Who generally arranges the transportation to your customers' locations? (check one)
 Your firm or purchaser
- (c) What proportion of your sales are delivered within 100 miles of your point of importation () or storage facility () (check one, then provide the percentages)? _____ percent. Within 101 to 1,000 miles? _____ percent. Over 1,000 miles? _____ percent. Be sure to check one of the two options for measurement.

PART III.--PRICING AND MARKET FACTORS--Continued

III-11. **Geographical shipments.**--Based on the quantity of your firm's U.S. shipments in 2008 as reported in response to questions II-7 above, please indicate the percentage share for which each of the following geographic markets account. Please answer this question in reference to your sales to ultimate delivery destinations to customers in the United States.

Geographic area	Share of U.S. shipments in 2008 <i>(in percent)</i>	
	Of imports from China	Of imports from ALL OTHER SOURCES
Northeast. --CT, ME, MA, NH, NJ, NY, PA, RI, and VT.		
Midwest. --IL, IN, IA, KS, MI, MN, MO, NE, ND, OH, SD, and WI.		
Southeast. --AL, DE, DC, FL, GA, KY, MD, MS, NC, SC, TN, VA, and WV.		
Central Southwest. --AR, LA, OK, and TX.		
Mountains. --AZ, CO, ID, MT, NV, NM, UT, and WY.		
Pacific Coast. --CA, OR, and WA.		
Other. --All other markets in the United States not previously listed, including AK, HI, PR, VI, among others.		
Note.--These shares should be calculated from all reported U.S. shipments in 2008 (lines D and F) from question II-7.		

III-12. **End uses.**--Describe the end uses of the chloropicrin that you import from China. For each end-use product, what percentage of the total cost is accounted for by chloropicrin?

<u>End use</u>	<u>Share of total cost of end product (percent)</u>
_____	_____
_____	_____
_____	_____

III-13. **Changes in end uses.**--Have there been any changes in the end uses of chloropicrin since 1984?

No Yes--Please describe.

PART III.--PRICING AND MARKET FACTORS--Continued

III-14. **Anticipated changes in end uses.**--Do you anticipate any changes in terms of the end uses of chloropicrin 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.

III-15. **Substitutes.**--Please list in order of importance any products that may be substituted for chloropicrin. For each possible substitute product, please give examples of applications and end uses for which they are substitutes and indicate whether changes in the price of the substitute affect the price for chloropicrin, and to what degree, and the length of any time lag of such an effect.

Substitute	Description	Have changes in the prices of this substitute affected the price for chloropicrin?
1.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
2.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
3.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
4.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>
5.		<input type="checkbox"/> No <input type="checkbox"/> Yes--Please explain. <hr/> <hr/>

PART III.--PRICING AND MARKET FACTORS--Continued

III-16. **Changes in substitutes.**--Have there been any changes in the number or types of products that can be substituted for chloropicrin since 1984?

- No Yes--Please explain.

III-17. **Anticipated changes in substitute.**--Do you anticipate any changes in terms of the substitutability of other products for chloropicrin in the future?

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

III-18. **Raw materials.**--To what extent have changes in the prices of raw materials affected your firm's selling prices for chloropicrin since 1984? 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.

III-19. **Changes in factors affecting supply.**--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 U.S.-produced chloropicrin in the U.S. market since 1984?

- 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.

PART III.--PRICING AND MARKET FACTORS--Continued

III-20. Changes in regulations.--

(a) Have any changes occurred in regulations that affect the availability of chloropicrin in the U.S. market since 1984?

- No Yes--Please note the types of regulations, the timing of the changes in regulations, and the impact of these regulations on your shipment volumes and prices.

(b) Have any changes occurred in regulations that affect the demand for chloropicrin in the U.S. market since 1984?

- No Yes-- Please note the types of regulations, the timing of the changes in regulations, and the impact of these regulations on your shipment volumes and prices.

III-21. Availability of "subject" import supply.--

(a) Do you anticipate any changes in terms of the availability of chloropicrin imported from China 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.

III-22. Availability of "nonsubject" import supply.--Has the availability of NONSUBJECT chloropicrin (*i.e.*, chloropicrin imported from countries other than China) changed since 1984?

- No Yes--Please explain.

PART III.--PRICING AND MARKET FACTORS--Continued

III-23. **Export constraints.**--Describe how easily your firm can shift its sales of chloropicrin between the U.S. market and alternative country markets. In your discussion, please describe any contracts, other sales arrangements, or other constraints that would prevent or retard your firm from shifting chloropicrin 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.

III-24. **Product changes.**--Have there been any significant changes in the product range, product mix, or marketing (including sales over the internet) of chloropicrin since 1984?

No Yes--Please describe and quantify if possible.

III-25. **Anticipated product changes.**--Do you anticipate any changes in terms of the product range, product mix, or marketing (including sales over the internet) of chloropicrin in the future? Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation that address this issue.

No Yes--Please identify, including the time period.

III-26. **Demand trends.**--

(a) How has the demand within the United States for chloropicrin changed since January 1, 1984? What principal factors affect changes in demand?

Increased No Change Decreased Fluctuated

PART III.--PRICING AND MARKET FACTORS--Continued

(b) How has the demand outside the United States (if known) for chloropicrin changed since January 1, 1984? What principal factors affect changes in demand?

- Increased No Change Decreased Fluctuated

III-27. Anticipated demand trends.--

(a) How do you anticipate demand will change within the United States for chloropicrin in the future? What principal factors that will affect these changes in demand?

- Increase No Change Decrease Fluctuate

(b) How do you anticipate demand will change outside the United States for chloropicrin to in the future? What principal factors that will affect these changes in demand?

- Increase No Change Decrease Fluctuate

PART III.--PRICING AND MARKET FACTORS--Continued

IV-28. **Conditions of competition.**—

(a) Is the chloropicrin market subject to business cycles or conditions of competition distinctive to chloropicrin?

- No Yes--Please explain and provide estimates of the duration of any such cycle.

(b) Has the emergence of new markets for chloropicrin since the imposition of the finding in 1984 affected the business cycles or conditions of competition distinctive to chloropicrin?

- No Yes--Please explain any such changes.

III-29. **Price comparisons.**--Please compare market prices of chloropicrin in U.S. and non-U.S. markets, if known. Provide specific information as to time periods and regions for any price comparisons.

III-30. **Market studies.**--Please provide as a separate attachment to this request any studies, surveys, etc. that you are aware of that quantify and/or otherwise discuss chloropicrin supply (including production capacity and capacity utilization) and demand in (1) the United States, (2) each of the other major producing/consuming countries, including China, and (3) the world as a whole. Of particular interest is such data from 1984 to the present and forecasts for the future.

PART III.--PRICING AND MARKET FACTORS--Continued

III-32. **Differences other than price by country-pair.**--Are differences other than price (*i.e.*, quality, availability, transportation network, product range, technical support, *etc.*) between chloropicrin 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 "0" to indicate *no familiarity* with products from a specified country-pair.¹

Country-pair	China	Other countries
United States		
China		
<p>¹ For any country-pair for which factors other than price <i>always</i> or <i>frequently</i> are a significant factor in your firm's sales of chloropicrin, identify the country-pair and report the advantages or disadvantages imparted by such factors:</p> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/> <hr/>		