

FOREIGN PRODUCERS'/EXPORTERS' 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.

<p>Name of firm _____</p> <p>Address _____</p> <p>_____</p> <p>World Wide Web address _____</p> <p>Has your firm produced or exported chloropicrin (as defined in the instruction booklet) 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>
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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.

_____ <i>Name of Authorized Official</i>	_____ <i>Title of Authorized Official</i>	_____ <i>Date</i>
_____ <i>Signature</i>	_____ <i>Phone: ()</i>	_____ <i>E-mail address</i>
	_____ <i>Fax ()</i>	

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 30 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. **U.S. Importers.**--Please provide the names, street addresses (not P.O. boxes), contacts, telephone numbers, and e-mail addresses of the **FIVE** largest U.S. importers of your firm's chloropicrin in 2008.

No.	Importer's name	Contact person	E-mail address	Area code and telephone number	Share of your 2008 exports (%)
1					
2					
3					
4					
5					

PART I.--GENERAL INFORMATION--Continued

I-4. **U.S. production.**--Does your firm or any related firm produce, have the capability to produce, or have any plans to produce chloropicrin in the United States or other countries?

- No Yes--Please name the firm(s) and country(ies) below and, if U.S. producer(s), ensure that they complete the Commission's producer questionnaire (contact Cynthia Trainor (202-205-3354; cynthia.trainor@usitc.gov) for copies of that questionnaire).

I-5. **U.S. importation.**--Does your firm or any related firm import or have any plans to import chloropicrin into the United States?

- No Yes--Please name the firm(s) below and ensure that they complete the Commission's importer questionnaire (contact Cynthia Trainor (202-205-3354; cynthia.trainor@usitc.gov) for copies of that questionnaire).

I-6. **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 future market conditions for chloropicrin?

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

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 production of chloropicrin since January 1, 1984?

<i>(check as many as appropriate)</i>	<i>(please describe)</i>
<input type="checkbox"/> plant openings	_____

<input type="checkbox"/> plant 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 (<i>e.g.</i> , technology)	_____

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 production 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. **Include in your response a specific projection of your firm's capacity to produce chloropicrin (in 1,000 pounds) for 2008 and 2009.**

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 production 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. **Same equipment, machinery, and workers.**--Has your firm since 1984 produced, or does your firm anticipate producing in the future, other products on the same equipment and machinery used in the production of chloropicrin?

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

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

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

II-5. **Same equipment, machinery, and workers.--Continued**

Quantity (in 1,000 pounds)			
Item	2006	2007	2008
Overall Production Capacity			
Production of:			
Chloropicrin			
Other product 1			
Other product 2			

II-6. **Constraints on production.--**Please describe the constraint(s) that set the limit(s) on your production capacity.

II-7. **Production shifting.--**Is your firm able to switch production between chloropicrin and other products in response to a relative change in the price of chloropicrin vis-a-vis the price of other products, using the same equipment and labor?

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

II-8. **Share of sales.--**What percentage of your firm's total sales in its most recent fiscal year was represented by sales of chloropicrin?

_____ Percent

II-9. **Inventories in the United States.--**Has your firm, since 2006, maintained any inventories of chloropicrin in the United States (not including inventories held by firms identified in question I-3)?

- No Yes--Report the quantity of such end-of-period inventories below.

(Quantity in 1,000 pounds)			
Item	2006	2007	2008
Inventory			

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

II-10. **Barriers.--**

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

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

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

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

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

Product	Country	Type of investigation
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

II-11. **Other export markets.--**Identify export markets (other than the United States) that you have developed or where you have increased your sales of chloropicrin since 1984. Please identify and discuss below.

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

II-12. **Significance of countervailing duty/antidumping duty 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 production capacity, production, home market shipments, exports to the United States and other markets, and inventories. You may wish to compare your firm's operations before and after the imposition of the order.

II-13. **Anticipated changes if order revoked.**--Would your firm anticipate any changes in its production capacity, production, home market shipments, exports to the United States and other markets, or inventories relating to the production of 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 II.--TRADE AND RELATED INFORMATION--Continued

II-14. **Trade data (China).**-- Report production capacity, production, shipments, and inventories of chloropicrin produced by your firm in China during the specified periods. (See definitions in the instruction booklet.)

CHINA

Item	Calendar year			January-September	
	2006	2007	2008	2008	2009
	Quantity (1,000 pounds) and Value (1,000 dollars)				
Average production capacity¹ (A)					
Beginning-of-period inventories (B)					
Production² (C)					
Home market shipments:					
Internal consumption/transfers quantity (D)					
Commercial shipments quantity (E)					
value (F)					
Export shipments:					
to the United States: ³ quantity (G)					
value (H)					
to the European Union: ⁴ quantity (I)					
value (J)					
to Asia: ⁵ quantity (K)					
value (L)					
to all other markets: ⁶ quantity (M)					
value (N)					
Total exports (quantity) (O)					
Total shipments (quantity) (P)					
End-of-period inventories (Q)					

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.

² Please estimate the percentage of total production of chloropicrin in China accounted for by your firm's production in 2008: _____ Percent

³ Please estimate the percentage of total exports to the United States of chloropicrin in China accounted for by your firm's exports in 2008: _____ Percent

⁴ Identify your principal *European Union* export markets: _____.

⁵ Identify your principal *Asian* export markets: _____.

⁶ Identify your principal *other* export markets: _____.

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

II-15. Reconciliation of trade data.—

- (a) The quantities reported in question II-14 should reconcile as follows in each period (*i.e.*, in each column):

Reconciliation

$B + C - D - E - G - I - K - M = Q$ Do these data reconcile? Yes No--Please explain: _____

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

Yes. No--Please explain:

- II-16. **Cost of inputs.** – Report the percentage of cost of production of chloropicrin accounted for by the cost of nitromethane.

PART III.--MARKET FACTORS

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

III-1. **Contact information (Market).**--Who should be contacted regarding the requested market factors information?

Company contact: _____
Name and title

() _____
Phone number E-mail address

III-2. **Contract versus spot.**--Approximately what share of your firm's sales of chloropicrin to U.S. customers 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 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	_____

III-3. **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-4. **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

PART III.--MARKET FACTORS--Continued

III-5. **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 in 2008</u>	<u>Lead time</u>
From inventory	_____	_____
Produced to order	_____	_____
Total	100 %	

III-6. **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-7. **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 China-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.--MARKET FACTORS--Continued

III-8. Availability of SUBJECT import supply.--

(a) Do you anticipate any changes in terms of the availability of China-produced chloropicrin 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-9. Product shifting.--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 (including any third-country trade barriers such as tariffs, quotas, or other non-tariff barriers) 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-10. Product changes.--Is the product range, product mix, or marketing (including sales over the internet) of chloropicrin in your home market significantly different from the product range, product mix, or marketing of chloropicrin for export to the United States or to third-country markets? Have there been any significant changes in the product range, product mix, or marketing of chloropicrin in your home market, for export to the United States, or for export to third-country markets since 1984?

No Yes--Please describe and quantify if possible.

PART III.--MARKET FACTORS--Continued

III-11. **Anticipated product changes.**--Please discuss any anticipated changes in terms of the product range, product mix, or marketing (including sales over the internet) of chloropicrin in your home market, for export to the United States, or for export to third-country markets in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation that address this issue.

III-12. **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.--MARKET FACTORS--Continued

III-13. **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-14. **Anticipated changes in substitutes.**--Do you anticipate any changes in terms of the substitutability of other products for chloropicrin in the future?

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

III-15. **Interchangeability.**--Is the chloropicrin produced by your firm and sold in its home market interchangeable (*i.e.*, can be used in the same applications) with your firm's chloropicrin sold to the United States and/or to third-country markets?

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

III-16. **End uses.**--Describe the end uses of the chloropicrin that you manufacture and sell to your home market. If these end uses differ from those of the chloropicrin you sell to the U.S. market or to third-country markets, explain.

PART III.--MARKET FACTORS--Continued

III-17. **Changes in end uses.**--Have there been any changes in the end uses of chloropicrin since 1984?

No Yes--Please describe.

III-18. **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-19. **Demand trends.**--How has the demand for chloropicrin changed since January 1, 1984? What principal factors affect changes in demand?

	<u>Increased</u>	<u>No change</u>	<u>Decreased</u>	<u>Fluctuated</u>
Demand in:				
Your home market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

PART III.--MARKET FACTORS--Continued

III-20. **Anticipated demand trends.**-- How do you anticipate demand will change for chloropicrin in the future? What principal factors that will affect these changes in demand?

	<u>Increased</u>	<u>No change</u>	<u>Decreased</u>	<u>Fluctuated</u>
Demand in:				
Your home market	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
The United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Other markets	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

III-21. **Price differences.**--Please compare market prices of chloropicrin in your home market, the United States, and third-country markets, if known. Provide specific information as to time periods and regions for any price comparisons.

III-22. **Description of home market.**--Describe briefly your home market for chloropicrin, including the number of, and competition between, producers.

PART III.--MARKET FACTORS--Continued

III-23. **Import competition.**--Do you face competition from imports of chloropicrin in your home market?

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

III-24. **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 chloropicrin, and (3) the world as a whole. Of particular interest is such data from 1984 to the present and forecasts for the future.

III-25. **Changes in regulations.**--

(a) Have any changes occurred in regulations that affect the availability of your 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.
