

EXPLANATION OF COMMISSION DETERMINATIONS ON ADEQUACY

In

Certain Pasta from Italy and Turkey

Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review)

On November 5, 2018, the Commission determined to conduct expedited reviews in the subject five-year reviews pursuant to section 751(c)(3)(B) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c)(3)(B).

The Commission received a joint response to its notice of institution from A. Zerega's Sons, Inc., Dakota Growers Pasta Company, Inc., Riviana Foods, Inc., and TreeHouse Foods, Inc., domestic producers of certain pasta ("pasta"). The Commission found the individual responses of these domestic producers to be adequate. Because these individual responses accounted for a substantial share of U.S. production of pasta in 2017, the Commission unanimously found that the domestic interested party group response was adequate.

With respect to the review of the order on subject imports of pasta from Italy, the Commission received a response to the notice of institution from Italian producer and exporter Industria Alimentare Colavita, S.p.A. The Commission unanimously found the individual response by this respondent interested party to be adequate. Because the responding Italian producer did not represent a substantial share of Italian production of pasta, however, the Commission unanimously found that the respondent interested party group response on the order concerning pasta from Italy was inadequate.

With respect to the review of the order on subject imports of pasta from Turkey, the Commission received a response to the notice of institution from the government of Turkey. The Commission unanimously found this individual response to be adequate. However, the Commission did not receive any responses from Turkish producers, exporters or U.S. importers and the government of Turkey's response did not indicate that it would be able to provide the type of information concerning the subject industry in Turkey that the Commission would seek to collect in full reviews. The Commission majority found that the respondent interested party group response on the order concerning pasta from Turkey was inadequate.¹

¹ Chairman Johanson and Commissioner Broadbent found that the respondent interested party group response on the order concerning pasta from Turkey was adequate because the government of Turkey, on behalf of the pasta industry in Turkey, provided sufficient requested data regarding all known subject pasta production in Turkey and indicated its willingness to participate in the five-year reviews. They voted to conduct a full review of the order on subject imports of pasta from Turkey, and also voted to conduct a full review of the order on pasta from Italy in order to promote administrative efficiency.

The Commission majority did not find any circumstances that would warrant conducting full reviews. Therefore, the Commission determined to conduct expedited reviews of these orders.

A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's website (www.usitc.gov).