

U.S. FISHERMEN'S QUESTIONNAIRE

**FROZEN WARMWATER SHRIMP FROM
BRAZIL, CHINA, INDIA, THAILAND, AND VIETNAM**

This questionnaire must be received by the Commission by no later than November 22, 2010

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 reviews of the antidumping duty orders concerning frozen warmwater shrimp from Brazil, China, India, Thailand, and Vietnam (Inv. Nos. 731-TA-1063, 1064, 1066-1068 (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)).**

Name of firm _____

Address _____

City _____ State _____ Zip Code _____

World Wide Web address _____

Has your firm harvested frozen warmwater shrimp (as defined in the instruction booklet) at any time since January 1, 2005?

☐ **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, and return the entire questionnaire to the Commission so as to be received by the date indicated above)

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 these reviews in any other import-injury proceedings or reviews conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout these reviews 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 these reviews or related proceedings for which this information is submitted, or in internal audits and proceedings 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

Phone: ()

Signature

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 20 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. **Support for continuation of orders.**--Do you support or oppose continuation of the antidumping duty orders currently in place for frozen warmwater shrimp from the following countries?

Brazil	<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Take no position
China	<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Take no position
India	<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Take no position
Thailand	<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Take no position
Vietnam	<input type="checkbox"/> Support	<input type="checkbox"/> Oppose	<input type="checkbox"/> Take no position

Currently the Department of Commerce is considering a changed circumstances review request filed jointly by the Ad Hoc Shrimp Trade Action Committee (the petitioner in the original investigation) and the Thai Frozen Foods Association ("TFFA") in which they seek revocation of the order on shrimp from Thailand retroactive to its inception. Do you support, oppose, or take no position concerning this settlement?

☐ Support ☐ Oppose ☐ Take no position

PART I.--GENERAL INFORMATION--Continued

I-4. **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>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I-5. **Related SUBJECT importers/exporters.**--Does your firm have any related firms, either domestic or foreign, which are engaged in importing frozen warmwater shrimp from Brazil, China, India, Thailand, or Vietnam into the United States or which are engaged in exporting frozen warmwater shrimp from those subject countries to the United States?

☐ No ☐ Yes--List the following information.

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

I-6. **Related NONSUBJECT importers/exporters.**--Does your firm have any related firms, either domestic or foreign, which are engaged in importing frozen warmwater shrimp from countries other than Brazil, China, India, Thailand, or Vietnam into the United States or which are engaged in exporting frozen warmwater shrimp from countries other than those subject countries to the United States?

☐ No ☐ Yes--List the following information.

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

PART I.--GENERAL INFORMATION--*Continued*

I-7. **Related processors.**--Does your firm have any related firms, either domestic or foreign, which are engaged in the production of frozen warmwater shrimp?

☐ 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, elizabeth.haines@usitc.gov)**. Supply all data requested on a calendar-year basis.

- II-1. Please identify the individual to be contacted regarding the confidential information requested in part II?

Name and title: _____

Please indicate the manner by which Commission staff may contact the individual responsible for part II with questions regarding the submitted confidential information

E-mail: _____ Telephone: (____) _____

Fax: (____) _____

- II-2. **Changes in operations.**--Please indicate whether your firm has experienced any of the following changes in relation to the harvesting of warmwater shrimp since January 1, 2005.

(check as many as appropriate)

(please describe)

☐ addition of boats _____

☐ sale, repossession, or loss of
boats _____

☐ relocations _____

☐ expansions _____

☐ acquisitions _____

☐ consolidations _____

☐ lost fishing time or a reduction in
days at sea _____

☐ changes in average crew size ... _____

☐ other (*e.g.*, 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 harvesting of warmwater shrimp in the future? **Include in your response a specific projection of your firm's capacity to process frozen warmwater shrimp (in 1,000 pounds) for 2011 and 2012.**

☐ 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.

For question II-4, if your response differs for particular orders, please indicate and explain the particular effect of revocation of specific orders.

II-4. **Anticipated changes in operations in the event the orders are revoked.**--Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the harvest of warmwater shrimp in the future if the antidumping duty orders on frozen warmwater shrimp from Brazil, China, India, Thailand, or Vietnam 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. Please describe any state and federal limitations on shrimp fishing activities, e.g., limitations on areas where it is permissible to fish, limitations on length of season, use of specified gear (TED's and by-catch reduction devices, etc.). Describe expected enforcement time of such limitations.

II-6. Please describe any contracts or other legal relationships your firm may have with processors of frozen warmwater shrimp.

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

II-7. **Same boat and workers.**--Has your firm since 2005 harvested, or does your firm anticipate harvesting in the future, other fish or seafood products on the same boat used in the harvest of warmwater shrimp and/or using the same production and related workers employed to harvest warmwater shrimp?

- ☐ No ☐ Yes--List the following information and report your firm's combined harvest capacity and harvest of these products and warmwater shrimp in the periods indicated. **Shrimp quantities should be headless, shell on, using the National Marine Fisheries conversion factor of 0.629. The quantity of other products should be reported on a live weight basis.**

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of capacity and employment data (indicate if different)</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

(Quantity in pounds)					
Item	2005	2006	2007	2008	2009
Overall Production Capacity					
Harvest of:					
Warmwater shrimp					
Other product 1					
Other product 2					

II-8. **Constraints on production.**--Please describe the constraint(s) that set the limit(s) on your harvest capabilities.

II-9. Please report the number of shrimp boats your firm owns or operates:_____ Please report the data requested below concerning each of the shrimp boats your firm owns or operates:

Boat name	Length (in feet)	Nature of on-board processing (if any)	Location where boat is moored	Location of shrimp fisheries fished by boat

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

II-10. **Trade data.**--Report your firm's harvest, shipments, and employment related to the harvest of warmwater shrimp in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.) **Shrimp quantities should be headless, shell on, using the National Marine Fisheries conversion factor of 0.629.**

Quantity (in pounds) and value (in dollars)							
Item	Calendar year					January-September	
	2005	2006	2007	2008	2009	2009	2010
Warmwater shrimp harvested (quantity) (A)							
U.S. shipments:							
Sold to processors/docks:							
quantity (B)							
value (C)							
Transfers to related firms:¹							
quantity (D)							
value (E)							
Other							
quantity (F)							
value (G)							
Export shipments:²							
quantity (H)							
value (I)							
Employment data:							
Average number of PRWs (number) (J)							
Hours worked by PRWs (1,000 hours) (K)							
Wages paid to PRWs (value) (L)							
Days boat at sea (total number of days at sea)							
¹ Transfers to related firms should 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 each of the periods noted above: <hr/> <hr/>							
² Identify your principal export markets: <hr/>							

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

II-11. Reconciliation of trade data--

- (a) Please note that the quantities reported in question II-8 should reconcile as follows in each period (*i.e.*, in each column):

Reconciliation

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

Do these data reconcile? ☐ Yes ☐ No--Please explain _____

- II-12. **Transfers to related firms**--If you reported transfers to related firms in question II-8, 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.

- II-13. **Gulf Oil Spill**—Has the Gulf Oil Spill affected your supply?

☐ No ☐ Yes--Please describe. Also please indicate when you expect that supply will come back to pre-oil spill levels.

Has the Gulf Oil Spill affected demand for fresh raw warmwater shrimp?

☐ No ☐ Yes--Please describe. Also please indicate when you expect that demand will come back to pre-oil spill levels.

PART II.--TRADE AND RELATED INFORMATION--Continued**II-14. Settlement agreements.--**

- (a) Has your firm, any affiliate of your firm, any representative of your firm, or any group to which your firm belongs ever received payments, directly or indirectly, from any producer/exporter or U.S. importer of frozen warmwater shrimp from Brazil, China, India, Thailand, or Vietnam, in connection with an agreement to withdraw a request to initiate, or avoid a request to initiate, an administrative review by the Department of Commerce of imports frozen warmwater shrimp subject to the antidumping duties?

☐ No

☐ Yes-- Report separately (1) any such payments received, either directly or indirectly, from suppliers, (2) any such payments received, either directly or indirectly, from non-suppliers in connection with the settlement of an administrative review request, and (3) provide a copy of the agreement.

(Value in \$1,000)						
Item	2005	2006	2007	2008	2009	2010
Suppliers (Brazilian producers/exporters, importers from Brazil, and/or other entities).						
<i>Please list all firms/entities; use additional pages if necessary.</i>						
Firm/entity: _____						
Rate (percent) ¹						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						
Suppliers (Chinese producers/exporters, importers from China, and/or other entities).						
<i>Please list all firms/entities; use additional pages if necessary.</i>						
Firm/entity: _____						
Rate (percent) ²						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						
Suppliers (Indian producers/exporters, importers from India, and/or other entities).						
<i>Please list all firms/entities; use additional pages if necessary.</i>						
Firm/entity: _____						
Rate (percent) ³						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						
Suppliers (Thai producers/exporters, importers from Thailand, and/or other entities).						
<i>Please list all firms/entities; use additional pages if necessary.</i>						
Firm/entity: _____						
Rate (percent) ⁴						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						

Table continued on next page.

PART II.--TRADE AND RELATED INFORMATION--Continued**II-14. Settlement agreements.—Continued**

(Value in \$1,000)						
Item	2005	2006	2007	2008	2009	2010
Suppliers (Vietnamese producers/exporters, importers from Vietnam, and/or other entities). Please list all firms/entities; use additional pages if necessary.						
Firm/entity: _____						
Rate (percent) ⁵						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						
Suppliers (Other producers/exporters, and/or other entities). Please list all firms/entities; use additional pages if necessary.						
Firm/entity: _____						
Rate (percent) ⁶						
Firm/entity: _____						
Rate (percent)						
Firm/entity: _____						
Rate (percent)						
¹ If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						
² If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						
³ If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						
⁴ If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						
⁵ If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						
⁶ If the settlement you received was not based on a percentage of the value of imports, please indicate on what basis the settlement amounts were calculated: _____						

PART III.--FINANCIAL INFORMATION.

Address questions on this part of the questionnaire to **Justin Jee (202-205-3186, justin.jee@usitc.gov)**.

III-1. Who should be contacted regarding the requested financial information?

Company contact:

Name and title

() _____

Phone number

E-mail address

III-2. Form of organization:

☐ Proprietorship ☐ Partnership ☐ Corporation ☐ Other (specify) _____

III-3. 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 fresh warm water shrimp and prawns :

2. Does your firm prepare profit/loss statements for fresh warm water shrimp and prawns:

☐ 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, ☐ 10 Qs,
☐ Monthly, ☐ quarterly, ☐ semi-annually, ☐ annually

4. Accounting basis: ☐ GAAP, ☐ cash, ☐ tax, or ☐ 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 product group that includes fresh warmwater shrimp and prawns, as well as those statements and worksheets used to compile data for your firm's questionnaire response.

PART IV.--FINANCIAL INFORMATION--Continued

III-4. In the space below and as it relates to your operations on frozen warmwater shrimp and prawns, please list total damage claims related to the **Gulf oil spill** and total amount actually received as compensation, respectively, during the interim (January-September) 2010 period.

A. Total claim for damages (interim 2010) relating to **Gulf oil spill**: _____

B. Total compensation received for damages (interim 2010) relating to **Gulf oil spill**: _____

III-5. **Settlement funds received.**—If your firm received any payment pursuant to a settlement agreement with any importers, exporters, foreign producers, or any other entities during the period of review, please indicate the amount (in thousands of dollars), where these payments were recorded in your actual accounting books/records in the normal course of business, and report the amounts in the line item of Settlement funds received in question III-6 for this submission.

Did your firm receive any payments pursuant to settlement agreements during the period of review?

☐ No —Skip to question III-6 ☐ Yes—Please complete the table below.

Item	Fiscal years ended--					
	<u>2005</u>	<u>2006</u>	<u>2007</u>	<u>2008</u>	<u>2009</u>	<u>2010</u>
Settlement funds received (\$1,000)						
Settlement funds received						
Specific account where funds are recorded in your books						

PART IV.-- FINANCIAL INFORMATION--Continued

III-6 Operations on fresh warmwater shrimp.--Report the revenue and related cost information requested below on the warmwater shrimp operations of your U.S. establishment(s).¹ Provide financial results for full-years 2005 through 2009 and for the specified interim periods. Alternatively, report the five most recently completed fiscal years in chronological order from left to right and the specified interim periods. **Quantities should be headless, shell on, using the National Marine Fisheries conversion factor of 0.629.**

Quantity (in pounds) and value (in dollars)							
Item	Calendar years					January-September	
	2005	2006	2007	2008	2009	2009	2010
Net sales quantities: ¹							
Sold to processors/docks							
Transferred to related processors/docks							
Total net sales quantities							
Net sales values: ¹							
Sold to processors/docks							
Transferred to related processors/docks							
Total net sales values							
Operating expenses: ²							
Labor (i.e., crew share) ³							
Fuel and oil							
Groceries and ice							
Fishing gear							
Taxes and licenses (other than federal and state income taxes)							
Insurance							
Vessel repair and maintenance (include labor) ³							
Depreciation							
All other expenses							
Total operating expenses							
Corporation officers or partners' salaries							
Operating income or (loss)							
Other revenue and Gulf Oil Spill compensation							
Settlement funds received							
Continued Dumping and Subsidy Offset Act Funds received ⁴							
Net income or (loss) before income taxes							
Other items:							
Capital expenditures							
Total assets							

¹ Include only sales related to your operations on fresh warmwater shrimp and prawns. The quantities and values should approximate the shipment quantities and values reported in Part II of this questionnaire.

² Operating expenses related only to your operations on fresh warmwater shrimp and prawns.

³ Include labor costs incurred specifically for maintenance and repairs in the "vessel repairs and maintenance" line and not in the labor (crew share) line.

⁴ Please report funds received under this act in the period(s) in which they were received. Do not report these funds as an offset to operating expenses.