

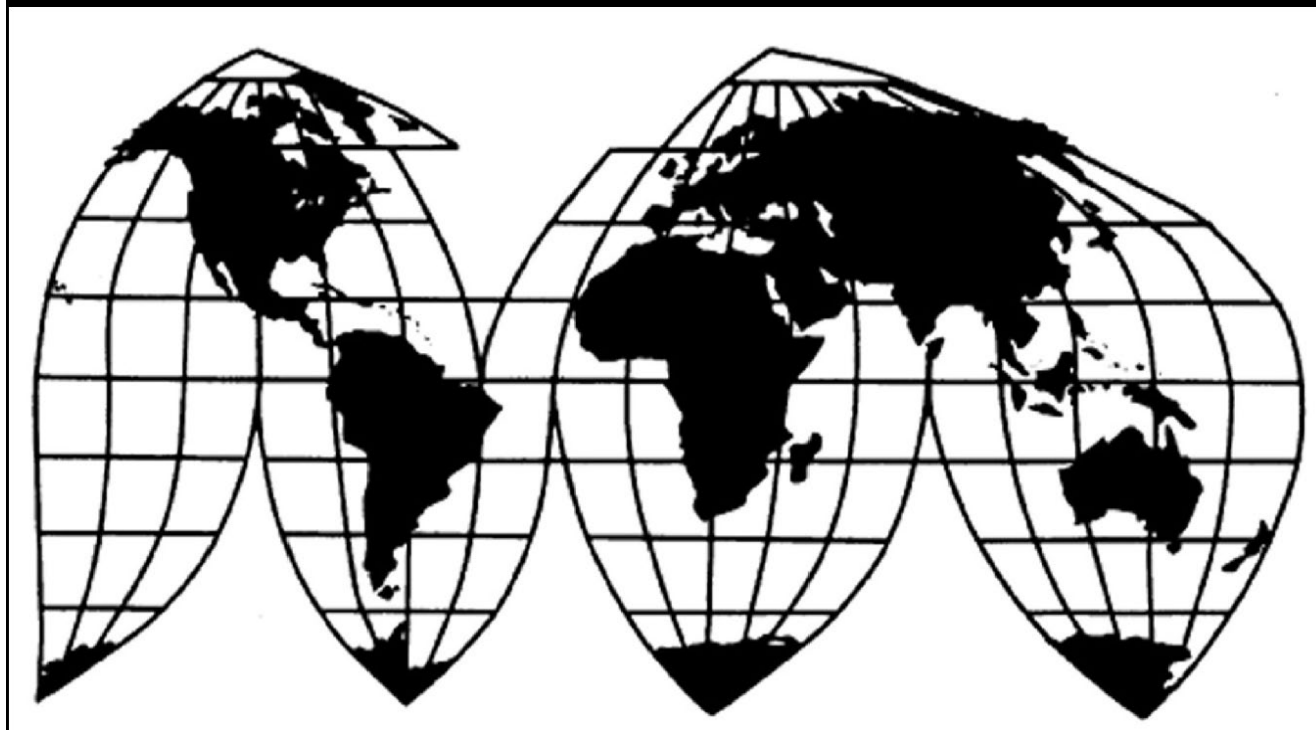
Certain Pasta from Italy and Turkey

Investigation Nos. 701-TA-365-366 and 731-TA-734-735 (Fifth Review)

Publication 5544

September 2024

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

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Staff assigned

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John Brower, Industry Analyst
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Frank Morgan, Attorney
Celia Feldpausch, Supervisory Investigator

Address all communications to
Secretary to the Commission
United States International Trade Commission
Washington, DC 20436

U.S. International Trade Commission

Washington, DC 20436
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UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-365-366 and 731-TA-734-735 (Fifth Review)

Certain Pasta from Italy and Turkey

DETERMINATIONS

On the basis of the record¹ developed in the subject five-year reviews, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

BACKGROUND

The Commission instituted these reviews on March 1, 2024 (89 FR 15217) and determined on June 4, 2024 that it would conduct expedited reviews (89 FR 59160, July 22, 2024).

¹ The record is defined in § 207.2(f) of the Commission’s Rules of Practice and Procedure (19 CFR 207.2(f)).

Views of the Commission

Based on the record in these five-year reviews, we determine under section 751(c) of the Tariff Act of 1930, as amended (“the Tariff Act”), that revocation of the antidumping and countervailing duty orders on certain pasta (“pasta”) from Italy and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

I. Background

Original Investigations. On May 12, 1995, Borden, Inc., Hershey Foods Corp., and Gooch Foods, Inc. filed antidumping duty and countervailing duty petitions on imports of certain pasta from Italy and Turkey. On June 14, 1996, the U.S. Department of Commerce (“Commerce”) determined that imports of certain pasta from Italy and Turkey were being subsidized and sold at less than fair value (“LTFV”).¹ In July 1996, the Commission found that a domestic industry was materially injured by reason of subsidized and LTFV imports of certain pasta from Italy and Turkey.² On July 24, 1996, Commerce issued antidumping and countervailing duty orders for certain pasta from Italy and Turkey.³

First Reviews. On September 4, 2001, the Commission determined that it would conduct expedited reviews of the antidumping and countervailing duty orders on certain pasta

¹ *Notice of Final Determination of Sales at Less Than Fair Value: Certain Pasta from Italy*, 61 Fed. Reg. 30326 (June 14, 1996); *Notice of Final Determination of Sales at Less Than Fair Value: Certain Pasta from Turkey*, 61 Fed. Reg. 30309 (June 14, 1996); *Final Affirmative Countervailing Duty Determination: Certain Pasta from Italy*, 61 Fed. Reg. 30288 (June 14, 1996); *Final Affirmative Countervailing Duty Determination: Certain Pasta from Turkey*, 61 Fed. Reg. 30366 (June 14, 1996).

² *Certain Pasta from Italy and Turkey*, 61 Fed. Reg. 38473 (July 24, 1996); *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Final), USITC Publication 2977 (July 1996) (“*Original Determinations*”).

³ *Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Certain Pasta from Italy*, 61 Fed. Reg. 38547 (July 24, 1996); *Notice of Antidumping Duty Order and Amended Final Determination of Sales at Less Than Fair Value: Certain Pasta from Turkey*, 61 Fed. Reg. 38545 (July 24, 1996); *Notice of Countervailing Duty Order and Amended Final Affirmative Countervailing Duty Determination: Certain Pasta from Italy*, 61 Fed. Reg. 38544 (July 24, 1996); *Notice of Countervailing Duty Order: Certain Pasta from Turkey*, 61 Fed. Reg. 38546 (July 24, 1996).

from Italy and Turkey.⁴ In October 2001, the Commission found that revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry.⁵ Commerce issued a notice of continuation of the orders, effective November 16, 2001.⁶

Second Reviews. On January 5, 2007, the Commission determined to conduct full reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.⁷ In September 2007, the Commission found that revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry.⁸ Commerce issued a notice of continuation of the orders, effective October 12, 2007.⁹

Third Reviews. On December 10, 2012, the Commission determined to conduct full reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.¹⁰ In August 2013, the Commission found that revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry.¹¹ Commerce issued a notice of continuation of the orders, effective September 17, 2013.¹²

⁴ *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Review), 66 Fed. Reg. 50453 (Oct. 3, 2001).

⁵ *Certain Pasta from Italy and Turkey*, 66 Fed. Reg. 55697 (Nov. 2, 2001); *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Review), USITC Pub. 3462 (Oct. 2001) (“*First Reviews*”).

⁶ *Certain Pasta from Italy and Turkey, and Clad Steel Plate from Japan: Continuation of Countervailing and Antidumping Duty Orders*, 66 Fed. Reg. 57703 (Nov. 16, 2001).

⁷ *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Second Review), 72 Fed. Reg. 2558 (Jan. 19, 2007).

⁸ *Certain Pasta from Italy and Turkey*, 72 Fed. Reg. 56382 (Oct. 3, 2007); *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Second Review), USITC Pub. 3947 (Sept. 2007) (“*Second Reviews*”).

⁹ *Certain Pasta from Italy and Turkey: Continuation of Countervailing and Antidumping Duty Orders*, 73 Fed. Reg. 58052 (Oct. 12, 2007).

¹⁰ *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Third Review), 78 Fed. Reg. 959 (Jan. 4, 2013).

¹¹ *Certain Pasta from Italy and Turkey*, 78 FR 55095, September 9, 2013; *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Third Review), USITC Pub. 4423 (Aug. 2013) at 1 (“*Third Reviews*”). Commissioners Johanson and Broadbent dissented with respect to the orders on Turkey. See *Third Reviews*, USITC Pub. at 43-66.

¹² *Certain Pasta from Italy and Turkey: Continuation of Antidumping and Countervailing Duty Orders*, 78 Fed. Reg. 57129 (Sept. 17, 2013).

Fourth Reviews. On November 5, 2018, the Commission determined to conduct expedited reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.¹³ On April 4, 2019, the Commission found that revocation of the orders would be likely to lead to continuation or recurrence of material injury to the domestic industry.¹⁴ Commerce issued a notice of continuation of the orders, effective April 17, 2019.¹⁵

Current Reviews. On March 1, 2024, the Commission instituted the current five-year reviews.¹⁶ On June 4, 2024, the Commission determined to conduct expedited reviews.¹⁷ The Commission received a joint response to its notice of institution from three participating domestic interested parties: 8th Avenue Food and Provisions, Inc. (“8th Avenue”), Philadelphia Macaroni Company (“Philadelphia Mac”), and Winland Foods, Inc. (“Winland Foods”)

¹³ *Certain Pasta from Italy and Turkey; Institution of Five-Year Reviews*, 83 Fed. Reg. 37517 (Aug. 1, 2018). Commissioners Johanson and Broadbent voted to conduct full reviews of the orders on Italy and Turkey. *Id.*

¹⁴ *Certain Pasta from Italy and Turkey*, 84 Fed. Reg. 14398 (Apr. 10, 2019); *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review), USITC Pub. 4876 (Apr. 2019) at 1 (“*Fourth Reviews*”).

Commissioner Broadbent determined that revocation of the antidumping and countervailing duty orders on certain pasta from Italy would be likely to lead to continuation or recurrence of material injury to a domestic industry, and further determined that revocation of the antidumping and countervailing duty orders on certain pasta from Turkey would not be likely to lead to continuation or recurrence of material injury to a domestic industry. *See Fourth Reviews*, USITC Pub. 4876 at 33-48.

¹⁵ *Certain Pasta from Italy and Turkey, and Clad Steel Plate from Japan: Continuation of Countervailing and Antidumping Duty Orders*, 84 Fed. Reg. 16002 (Apr. 17, 2019).

¹⁶ *Certain Pasta from Italy and Turkey; Institution of Five-Year Reviews*, 89 Fed. Reg. 15217 (Mar. 1, 2024).

¹⁷ Explanation of the Commission Determination on Adequacy, *Certain Pasta from Italy and Turkey*, EDIS Doc. 823558 (June 12, 2024). The Commission determined that the domestic interested party group response to its notice of institution was adequate and that the respondent interested party group response was inadequate in each review. In particular, although the Commission received respondent interested party responses for the orders on Italy, those responses did not account for a substantial share of Italian production or U.S. imports of subject merchandise from Italy in 2023. The Commission also found that there were no circumstances that would warrant conducting full reviews.

Commissioner Johanson determined that the respondent interested party group response was adequate with respect to the orders on certain pasta from Italy based on estimations of coverage of U.S. imports and exports to the United States. Based on the adequate respondent interested party group response with respect to Italy, agency practice in multi-country cases with this finding, and all of the information gathered in the adequacy phase, including the *** supporting revocation, Commissioner Johanson determined that the record merited the development and scrutiny of full reviews. *See, e.g., id.* at n.1.

(collectively, “the domestic interested parties”).¹⁸ The Commission also received a response from domestic producer and U.S. importer, Barilla America, Inc. (“Barilla”).¹⁹ In addition, the Commission received two responses to its notice of institution from respondent interested parties, both of which are Italian producers and exporters: Industria Alimentare Colavita, S.p.A. (“Indalco”) and La Molisana, SpA (“La Molisana”).²⁰

On May 8, 2024, the domestic interested parties and La Molisana filed comments on adequacy with the Commission pursuant to 19 C.F.R. § 207.62(b)(1)(i).²¹ On August 20 and 22, 2024, La Molisana and the domestic interested parties, respectively, filed final comments with the Commission pursuant to 19 C.F.R. § 207.62(d).²²

In these reviews, U.S. industry data are based on the information submitted by the domestic producers in their responses to the notice of institution. These producers collectively accounted for *** percent of domestic production of subject merchandise in 2023.²³ U.S. import data and related information are based on official import statistics.²⁴ Foreign industry data and related information are based on information in the original investigations and prior reviews, information provided by the interested parties in these reviews, and publicly available information, such as Global Trade Atlas (“GTA”) data, compiled by the Commission.²⁵

¹⁸ Domestic Interested Parties’ Response to Notice of Institution, EDIS Doc. No. 817333 (Apr. 1, 2024) (“Domestic Response”). The domestic interested parties are all domestic producers and Winland is also a U.S. importer of certain pasta from Italy. Confidential Report (“CR”), INV-WW-051 at I-2; Public Report (“PR”), *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Review), USITC Pub. 5544 (Sep. 2024).

¹⁹ Barilla Response to the Notice of Institution, EDIS Doc. No. 817294 (Apr. 1, 2024).

²⁰ Indalco Response to the Notice of Institution, EDIS Doc. No. 817310 (Apr. 1, 2024) (“Indalco Response”); La Molisana Response to the Notice of Institution, EDIS Doc. No. 817322 (Apr. 1, 2024) (“La Molisana Response”).

²¹ Domestic Interested Parties’ Comments on Adequacy, EDIS Doc. No. 820922 (May 8, 2024); La Molisana’s Comments on Adequacy, EDIS Doc. No. 820924 (May 8, 2024).

²² La Molisana Final Comments, EDIS Doc. No. 830095 (Aug. 20, 2024) (“La Molisana Final Comments”); Domestic Interested Parties’ Final Comments, EDIS Doc. No. 830334 (Aug. 22, 2024) (“Domestic Final Comments”).

²³ CR/PR at Table I-2.

²⁴ CR/PR at Table I-5, Note. Subject import data is likely overstated because the HTS subheadings include nonsubject merchandise. *Id.*; CR/PR at I-8, n.32.

²⁵ See CR/PR at I-26 to I-32.

Responding Italian producers and exporters estimated that they accounted for approximately *** of total Italian pasta production in 2023.²⁶ No foreign producer or exporter of certain pasta from Turkey participated in these reviews.²⁷

II. Domestic Like Product and Industry

A. Domestic Like Product

In making its determination under section 751(c) of the Tariff Act, the Commission defines the “domestic like product” and the “industry.”²⁸ The Tariff Act defines “domestic like product” as “a product which is like, or in the absence of like, most similar in characteristics and uses with, the article subject to an investigation under this subtitle.”²⁹ The Commission’s practice in five-year reviews is to examine the domestic like product definition from the original investigation and consider whether the record indicates any reason to revisit the prior findings.³⁰

Commerce has defined the imported merchandise within the scope of the orders under review as follows:

Imports covered by this order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by the scope of the Order is

²⁶ CR/PR at Table I-2.

²⁷ CR/PR at Table I-2.

²⁸ 19 U.S.C. § 1677(4)(A).

²⁹ 19 U.S.C. § 1677(10); *see, e.g., Cleo Inc. v. United States*, 501 F.3d 1291, 1299 (Fed. Cir. 2007); *NEC Corp. v. Department of Commerce*, 36 F. Supp. 2d 380, 383 (Ct. Int’l Trade 1998); *Nippon Steel Corp. v. United States*, 19 CIT 450, 455 (1995); *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996); *Torrington Co. v. United States*, 747 F. Supp. 744, 748–49 (Ct. Int’l Trade 1990), *aff’d*, 938 F.2d 1278 (Fed. Cir. 1991); *see also* S. Rep. No. 249, 96th Cong., 1st Sess. 90–91 (1979).

³⁰ *See, e.g., Internal Combustion Industrial Forklift Trucks from Japan*, Inv. No. 731-TA-377 (Second Review), USITC Pub. 3831 at 8–9 (Dec. 2005); *Crawfish Tail Meat from China*, Inv. No. 731-TA-752 (Review), USITC Pub. 3614 at 4 (July 2003); *Steel Concrete Reinforcing Bar from Turkey*, Inv. No. 731-TA-745 (Review), USITC Pub. 3577 at 4 (Feb. 2003).

typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of the order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Multicolored pasta, imported in kitchen display bottles of decorative glass that are sealed with cork or paraffin and bound with raffia, is excluded from the scope of the Order. Pursuant to the Department's May 12, 2011 changed circumstances review effective January 1, 2009, gluten free pasta is also excluded from the scope of the Order. Effective January 1, 2012, ravioli and tortellini filled with cheese and/or vegetables are also excluded from the scope of the Order.

Also excluded are imports of organic pasta from Italy that are certified by an EU authorized body in accordance with the United States Department of Agriculture's National Organic Program for organic products. The organic pasta certification must be retained by exporters and importers and made available to U.S. Customs and Border Protection or the Department of Commerce upon request.

The merchandise subject to this order is currently classifiable under items 1901.90.90.95 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for convenience and Customs purposes, the written description of the merchandise subject to the Order is dispositive.^{31 32}

³¹ *Issues and Decision Memorandum for the Final Results of the Expedited Fifth Sunset Review of the Countervailing Duty Order on Certain Pasta from Italy*, Commerce memorandum dated July 1, 2024, EDIS Doc. No. 829421 (Att. 2223082) ("Italy CVD IDM") at 2-3. The scope of the Turkey antidumping and countervailing duty orders is similar to that for the Italy orders but does not include the exclusions with (Continued...)

Pasta is a basic foodstuff that is made from durum wheat semolina and water. It is formed by mixing semolina (and possibly flour) and water into a dough that is then rolled to a uniform thickness or extruded. It is sold in refrigerated, frozen, canned, or dry forms. Dry pasta is pasta that has been dried into a brittle form that is ready for cooking or for incorporation into downstream products such as macaroni and cheese, canned soup, or other prepared foods. The scope of Commerce’s reviews includes only the dry form of pasta that is “non-egg.”³³

In the original investigations,³⁴ the Commission addressed several domestic like product issues: (1) whether the domestic like product should be defined to include dry pasta for sale to the industrial market (*i.e.*, to producers who incorporate dry pasta into downstream products); (2) whether the domestic like product should be defined to include dry egg pasta not included within the scope definition; (3) whether enriched and non-enriched dry pasta constitute separate like products; and (4) whether organic and non-organic pasta constitute separate like products. The Commission found that all dry pasta shared the same basic characteristics and uses and was manufactured with the same basic production equipment and processes. While

(...Continued)

respect to multicolored pasta, gluten free pasta, ravioli and tortellini filled with cheese and/or vegetables, and organic pasta from Italy certified by the EU. Moreover, the Turkey orders only include merchandise classifiable under HTS 1902.19.20. *See also Issues and Decision Memorandum for the Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Pasta from Italy and Turkey*, Commerce memorandum dated July 1, 2024, EDIS Doc. No. 829421 (Att. 2223080) (“Italy and Turkey AD IDM”) at 2-3; *Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Countervailing Duty Order on Certain Pasta from Turkey*, Commerce memorandum dated July 1, 2024, EDIS Doc. No. 829421 (Att. 2223083) (“Turkey CVD IDM”) at 2.

³² HTS subheading 1902.19.20 also covers goods outside the scope of these orders, such as dry non-egg pasta in packages greater than five pounds four ounces. As part of the changes to the HTS in 2017, the HTS statistical reporting number 1901.90.9095 was changed to 1901.90.9195 and is described as “food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing less than 50% cocoa powder (by weight), not elsewhere specified or included.” CR at I-8, n. 30.

³³ CR/PR at I-9.

³⁴ In the preliminary determinations of the original investigations, the Commission found two domestic like products consisting of (1) dry pasta other than oriental-style noodles and (2) oriental-style noodles. It determined that imports of oriental-style noodles from both Italy and Turkey were negligible, and the investigations were accordingly terminated with respect to oriental-style noodles. *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 (Preliminary) and 731-TA-734-735, USITC Pub. 2905 (July 1995) at I-8, I-16 to I-17.

the products at issue had some distinctive features, such variations were present throughout the continuum of dry pasta products and thus did not create clear dividing lines between any of the dry pasta products. Therefore, the Commission determined that there was one domestic like product consisting of all dry pasta.³⁵ The Commission also included in the domestic like product dry pasta for industrial use, dry egg pasta, and unenriched dry pasta, all products that were not within the scope.³⁶

In the prior reviews, no party requested the Commission to define the domestic like product differently than it did in the original investigations, and the Commission found that nothing in the record warranted revisiting the Commission's original like product definition. Accordingly, the Commission defined the domestic like product as all dry pasta in the prior reviews.³⁷

In these reviews, the domestic interested parties have stated that the domestic like product should continue to be defined as all dry pasta.³⁸ La Molisana stated that the Commission should define the like product to include only merchandise that is within the scope and not include merchandise outside the scope.³⁹ The record contains no information indicating that the characteristics of dry pasta have changed since the prior proceedings.⁴⁰ Based on the analysis in the original investigations and the record in these reviews, we again define a single domestic like product encompassing all dry pasta.

B. Domestic Industry and Related Parties

Section 771(4)(A) of the Tariff Act defines the relevant industry as the domestic "producers as a whole of a domestic like product, or those producers whose collective output

³⁵ *Original Determinations*, USITC Pub. 2977 at 7-12.

³⁶ *Original Determinations*, USITC Pub. 2977 at 12.

³⁷ *First Reviews*, USITC Pub. 3462 at 4-5; *Second Reviews*, USITC Pub. 3947 at 5-6; *Third Reviews*, USITC Pub. 4423 at 7; *Fourth Reviews*, USITC Pub. 4876 at 8.

³⁸ Domestic Response at 26.

³⁹ La Molisana's Response at 3. The other responding firms did not advocate a different definition of the domestic like product compared to that in the prior proceedings. Barilla's Response at 6; Indalco Response at 8.

⁴⁰ See generally CR at I-11 to I-17, PR at I-9 to I-13.

of a domestic like product constitutes a major proportion of the total domestic production of the product.”⁴¹ In defining the domestic industry, the Commission’s general practice has been to include in the industry producers of all domestic production of the like product, whether toll-produced, captively consumed, or sold in the domestic merchant market.

Section 771(4)(B) of the Tariff Act, known as the related parties provision, allows the Commission, if appropriate circumstances exist, to exclude from the domestic industry producers that are related to an exporter or importer of subject merchandise or which are themselves importers.⁴² Exclusion of such a producer is within the Commission’s discretion based upon the facts presented in each investigation.⁴³

Prior Proceedings. In the original investigations, the Commission defined the domestic industry to include all producers of dry pasta. There were two related parties, but the Commission declined to exclude them under 19 U.S.C. § 1677(4)(B).⁴⁴ Likewise, in the prior reviews, the Commission defined the domestic industry to include all producers of dry pasta

⁴¹ 19 U.S.C. § 1677(4)(A). The definitions in 19 U.S.C. § 1677 are applicable to the entire subtitle containing the antidumping and countervailing duty laws, including 19 U.S.C. §§ 1675 and 1675a. *See* 19 U.S.C. § 1677.

⁴² 19 U.S.C. § 1677(4)(B).

⁴³ The primary factors the Commission examines in deciding whether appropriate circumstances exist to exclude a related party include the following:

- (1) the percentage of domestic production attributable to the importing producer;
- (2) the reason the U.S. producer has decided to import the product subject to investigation (whether the firm benefits from the LTFV sales or subsidies or whether the firm must import in order to enable it to continue production and compete in the U.S. market);
- (3) whether inclusion or exclusion of the related party will skew the data for the rest of the industry;
- (4) the ratio of import shipments to U.S. production for the imported product; and
- (5) whether the primary interest of the importing producer lies in domestic production or importation. *Changzhou Trina Solar Energy Co. v. USITC*, 100 F. Supp.3d 1314, 1326-31(Ct. Int’l. Trade 2015), *aff’d*, 879 F.3d 1377 (Fed. Cir. 2018); *see also Torrington Co. v. United States*, 790 F. Supp. at 1168.

⁴⁴ *Original Determinations*, USITC Pub. 2977 at 12-13. The related parties were ***. Confidential Views of the Commission, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Final), EDIS Doc. 657778 (July 1996) (“Confidential Original Determinations”) at 15-16.

and declined to exclude any domestic producers from the definition of the domestic industry under the related parties provision.⁴⁵

Current Reviews. In these fifth five-year reviews, the domestic interested parties agree with the definition of the domestic industry in the original investigations, and no respondent parties argue for a change from the prior proceedings.⁴⁶ However, these reviews raise the issue of whether appropriate circumstances exist to exclude certain U.S. producers from the domestic industry pursuant to the related parties provision. In particular, the domestic interested parties reported that Winland Foods is related to a foreign producer/exporter of the subject merchandise in Italy and that Winland Food's subsidiary American Italian Pasta Company has imported subject merchandise from Italy.⁴⁷ In addition, domestic producer Barilla USA is related to an Italian producer and is also an importer of the subject merchandise.⁴⁸ No U.S. producer reported importing subject pasta from Turkey.

Winland Foods. Winland Foods' subsidiary, American Italian Pasta Company, imported *** pounds of subject merchandise from Italy in 2023.⁴⁹ Winland Foods produced *** pounds of certain pasta in 2023, and the ratio of American Italian Pasta Company's imports from Italy to Winland Foods' domestic production was *** percent in 2023.⁵⁰ Winland Foods supports

⁴⁵ *First Reviews*, USITC Pub.3462 at 6, n.22; *Second Reviews*, USITC Pub. 3947 at 7-9; *Third Reviews*, USITC Pub. 4423 at 9; *Fourth Reviews*, USITC Pub. 4876 at 10-11.

⁴⁶ Domestic Response at 23; Barilla Response at 6; La Molisana Response at 3; Indalco Response at 8.

⁴⁷ Domestic Response at 23; Domestic Interested Parties' Supplemental Response to the Notice of Institution at Attachment 1, EDIS Doc. No. 819262 (Apr. 22, 2024). The Domestic Interested Parties have reported that Winland Foods is related to Pasta Lensi Srl, an Italian producer/exporter of subject merchandise, but have not provided additional detail regarding the nature of the relationship.

⁴⁸ Domestic Response at 23; Barilla America Supplemental Response to the Notice of Institution at Attachment 1, EDIS Doc. No. 820056 (Apr. 30, 2024). Barilla America has reported that its ***. *Id.* at 6.

⁴⁹ Domestic Interested Parties' Supplemental Response to the Notice of Institution at Attachment 1, EDUS Doc. No. 819262 (Apr. 22, 2024).

⁵⁰ Calculated from CR/PR at Table I-4 and Domestic Supplemental Response at Attachment 1.

continuation of the orders on Italy.⁵¹ Winland Foods was the *** responding domestic producer in 2023, accounting for *** percent of domestic production of certain pasta.⁵²

American Pasta Company's imports of subject merchandise were *** relative to Winland Foods' domestic production, and Winland supports continuation of the orders. There is no indication that Winland Foods' affiliation with American Pasta Company or a foreign producer/exporter acted to shield Winland Foods' domestic production operations from subject import competition such that its inclusion in the domestic industry would mask injury to the domestic industry. In light of this, and in the absence of any contrary argument, we conclude that appropriate circumstances do not exist to exclude Winland Foods from the domestic industry.

Barilla America. Barilla America imported *** pounds of subject merchandise from Italy in 2023.⁵³ Barilla America produced *** pounds of certain pasta in 2023, and the ratio of Barilla America's imports from Italy to domestic production was *** percent.⁵⁴ Barilla America *** continuation of the orders.⁵⁵ Barilla America was the *** responding domestic producer in 2023,⁵⁶ accounting for *** percent of domestic production of certain pasta.⁵⁷

Given that Barilla America's imports of subject merchandise were *** relative to its domestic production, Barilla America's primary interest would appear to be in domestic

⁵¹ CR/PR at I-2, n.4.

⁵² Domestic Response at 25.

⁵³ Barilla America Supplemental Response to the Notice of Institution at Attachment 1, EDIS Doc. No. 820056 (Apr. 30, 2024). Barilla America may also qualify as a related party under the statute because it is ***. Barilla America Response at 6. Barilla America has reported that its ***. Although Barilla America qualifies as a related party due to its *** by an Italian producer/exporter, in the absence of contrary argument, there is no indication on the record that Barilla America was shielded from subject import competition or benefited from its *** by an Italian producer/exporter such that its inclusion in the domestic industry would skew industry data.

⁵⁴ Calculated from Barilla America Supplemental Response at Attachment 1.

⁵⁵ Barilla America reported its position on support for the orders as "***," explaining that ***. Barilla America Supplemental Response at Attachment 1.

⁵⁶ *Compare* Domestic Response at 25 *with* Barilla America Supplemental Response at Attachment 1.

⁵⁷ Calculated from CR/PR at Table I-4 and Barilla America Supplemental Response at Attachment 1.

production. Nor is there any evidence on the record that Barilla America's imports of subject merchandise benefitted its domestic production operations such that its inclusion in the domestic industry would mask injury to the domestic industry or that Barilla America's affiliation with an Italian producer/exported acted to shield its domestic production operations from subject import competition such that its inclusion in the domestic industry would mask injury. In light of this, and in the absence of any contrary argument, we conclude that appropriate circumstances do not exist to exclude Barilla America from the domestic industry.

In sum, consistent with our definition of the domestic like product, we again define the domestic industry as all U.S. producers of dry pasta.

III. Cumulation

A. Legal Standard

With respect to five-year reviews, section 752(a) of the Tariff Act provides as follows: the Commission may cumulatively assess the volume and effect of imports of the subject merchandise from all countries with respect to which reviews under section 1675(b) or (c) of this title were initiated on the same day, if such imports would be likely to compete with each other and with domestic like products in the United States market. The Commission shall not cumulatively assess the volume and effects of imports of the subject merchandise in a case in which it determines that such imports are likely to have no discernible adverse impact on the domestic industry.⁵⁸

Cumulation therefore is discretionary in five-year reviews, unlike original investigations, which are governed by section 771(7)(G)(i) of the Tariff Act.⁵⁹ The Commission may exercise its

⁵⁸ 19 U.S.C. § 1675a(a)(7).

⁵⁹ 19 U.S.C. § 1677(7)(G)(i); *see also, e.g., Nucor Corp. v. United States*, 601 F.3d 1291, 1293 (Fed. Cir. 2010) (Commission may reasonably consider likely differing conditions of competition in deciding whether to cumulate subject imports in five-year reviews); *Allegheny Ludlum Corp. v. United States*, 475 F. Supp. 2d 1370, 1378 (Ct. Int'l Trade 2006) (recognizing the wide latitude the Commission has in (Continued...))

discretion to cumulate, however, only if the reviews are initiated on the same day, the Commission determines that the subject imports are likely to compete with each other and the domestic like product in the U.S. market, and imports from each such subject country are not likely to have no discernible adverse impact on the domestic industry in the event of revocation. Our focus in five-year reviews is not only on present conditions of competition, but also on likely conditions of competition in the reasonably foreseeable future.

B. The Prior Proceedings

In the original investigations, the Commission found a reasonable overlap of competition between and among the domestic like product and subject imports from Italy and Turkey, and therefore cumulated subject imports for its material injury determinations.⁶⁰

In the previous four reviews, the Commission found that subject imports from both countries would be likely to have a discernible adverse impact on the domestic industry if the orders were revoked. The Commission also found that a reasonable overlap of competition between the subject imports and the domestic like product would be likely if the orders were revoked. The Commission did not find any significant differences in the likely conditions of competition between Italy and Turkey, and therefore exercised its discretion to cumulate imports from both countries.⁶¹

C. Analysis

In these reviews, the statutory threshold for cumulation is satisfied because all reviews were instituted on the same day: March 1, 2024.⁶² In addition, we consider the following issues in deciding whether to exercise our discretion to cumulate the subject imports: (1)

(...Continued)

selecting the types of factors it considers relevant in deciding whether to exercise discretion to cumulate subject imports in five-year reviews); *Nucor Corp. v. United States*, 569 F. Supp. 2d 1328, 1337–38 (Ct. Int'l Trade 2008).

⁶⁰ *Original Determinations*, USITC Pub. 2977 at 19-23.

⁶¹ *First Reviews*, USITC Pub. 3462 at 6-10; *Second Reviews*, USITC Pub. 3947 at 11-14; *Third Reviews*, USITC Pub. 4423 at 10-19; *Fourth Reviews*, USITC Pub. 4876 at 12-16.

⁶² *Certain Pasta from Italy and Turkey; Institution of Five-Year Reviews*, 89 Fed. Reg. 15217 (Mar. 1, 2024).

whether imports from any of the subject countries are precluded from cumulation because they are likely to have no discernible adverse impact on the domestic industry; (2) whether there is a likelihood of a reasonable overlap of competition among subject imports and the domestic like product; and (3) whether subject imports are likely to compete in the U.S. market under different conditions of competition.⁶³

1. Likelihood of No Discernible Adverse Impact

The statute precludes cumulation if the Commission finds that subject imports from a country are likely to have no discernible adverse impact on the domestic industry.⁶⁴ Neither the statute nor the Uruguay Round Agreements Act Statement of Administrative Action (“SAA”) provides specific guidance on what factors the Commission is to consider in determining that imports “are likely to have no discernible adverse impact” on the domestic industry.⁶⁵ With respect to this provision, the Commission generally considers the likely volume of subject imports and the likely impact of those imports on the domestic industry within a reasonably foreseeable time if the orders are revoked. Our analysis for each of the subject countries takes into account, among other things, the nature of the product and the behavior of subject imports in the original investigations.

Based on the record in these reviews, we do not find that imports from either of the subject countries are likely to have no discernible adverse impact on the domestic industry in the event of revocation of the corresponding orders.⁶⁶

Italy. During the original investigations, subject imports from Italy ranged from 214.0 million pounds in 1993 to 322.4 million pounds in 1995 and accounted for 7.6 to 10.4 percent of apparent U.S. consumption.⁶⁷ During the prior reviews, subject imports from Italy were also

⁶³ The domestic interested parties argue that subject imports from both subject countries should be cumulated for the purposes of these reviews. Domestic Response at 3-4; Domestic Final Comments at 5-6. No other party addressed the issue of cumulation in its submissions.

⁶⁴ 19 U.S.C. § 1675a(a)(7).

⁶⁵ SAA, H.R. Rep. No. 103-316, vol. I at 887 (1994).

⁶⁶ The domestic interested parties argue that revocation of the orders in these reviews would have a discernible adverse impact on the domestic industry. Domestic Response at 4.

⁶⁷ CR/PR at Appendix C.

present in the U.S. market.⁶⁸ In these fifth five-year reviews, subject imports from Italy have increased over the period of review from 361.5 million pounds in 2018 to 506.1 million pounds in 2023.⁶⁹

The domestic interested parties identified 123 Italian producers/exporters currently engaged in the production of pasta.⁷⁰ According to the domestic interested parties, Italy is the leading pasta producing country and exports a significant amount of its production, and Italian pasta production is predicted to increase.⁷¹ GTA export data further indicate that exports of dry pasta from Italy remained significant, and the United States was Italy's third largest export market in 2023.⁷² In light of the foregoing, including Italy's high degree of export orientation and continued interest in the U.S. market, we do not find that subject imports from Italy would likely have no discernible adverse impact on the domestic industry if the antidumping and countervailing duty orders covering these imports were revoked.

Turkey. During the original period of investigation, the quantity of subject imports from Turkey increased from 48.8 million pounds in 1993 to 64.0 million pounds in 1994, and then declined to 57.0 million pounds in 1995, accounting for under 2.1 percent of apparent U.S. consumption throughout the period of investigation.⁷³ During the prior reviews, subject imports from Turkey were also present in the U.S. market. In these fifth five-year reviews, subject imports from Turkey have increased from 20.0 million pounds in 2018 to 46.3 million pounds in 2023.⁷⁴

The domestic interested parties identified 45 producers currently engaged in the production of pasta in Turkey.⁷⁵ They also contend that the Turkish pasta capacity and production have grown significantly since the original investigation with capacity almost

⁶⁸ *First Reviews*, USITC Pub. 3462 at 15; *Second Reviews*, USITC Pub. 3947 at 13-14; *Third Reviews*, USITC Pub. 4423 at 16; *Fourth Reviews*, USITC Pub. 4876 at 16.

⁶⁹ CR/PR at Table I-5.

⁷⁰ Domestic Response at 10 and Exhibit 5.

⁷¹ Domestic Response at 10 and Exhibit 5.

⁷² CR/PR at Table I-9. The GTA data include some out-of-scope merchandise. CR/PR at I-29.

⁷³ CR/PR at Appendix C.

⁷⁴ CR/PR at Table I-5.

⁷⁵ Domestic Response at 13 and Exhibit 5.

quadrupling.⁷⁶ GTA data indicate that exports of dry pasta from Turkey increased irregularly from 2.6 billion pounds in 2018 to 2.8 billion pounds in 2023, making it the second-leading pasta exporter in the world.⁷⁷ Certain dry wheat pasta from Turkey is subject to antidumping and countervailing duties in Canada and to antidumping duties in South Africa.⁷⁸ In light of the foregoing, including the Turkish industry’s increasing production, capacity, export volumes, and the increasing volume of subject imports from Turkey in the U.S. market during the period of review, we do not find that subject imports from Turkey would likely have no discernible adverse impact on the domestic industry if the orders were revoked.

2. Likelihood of a Reasonable Overlap of Competition

The Commission generally has considered four factors intended to provide a framework for determining whether subject imports compete with each other and with the domestic like product.⁷⁹ Only a “reasonable overlap” of competition is required.⁸⁰ In five-year reviews, the

⁷⁶ Domestic Response at 13.

⁷⁷ CR/PR at Tables I-12. The GTA data include some out-of-scope merchandise. CR/PR at I-32.

⁷⁸ CR at I-38 to I-39, PR at I-30; Domestic Final Comments at 17-18.

⁷⁹ The four factors generally considered by the Commission in assessing whether imports compete with each other and with the domestic like product are as follows: (1) the degree of fungibility between subject imports from different countries and between subject imports and the domestic like product, including consideration of specific customer requirements and other quality-related questions; (2) the presence of sales or offers to sell in the same geographical markets of imports from different countries and the domestic like product; (3) the existence of common or similar channels of distribution for subject imports from different countries and the domestic like product; and (4) whether subject imports are simultaneously present in the market with one another and the domestic like product. *See, e.g., Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int’l Trade 1989).

⁸⁰ *See Mukand Ltd. v. United States*, 937 F. Supp. 910, 916 (Ct. Int’l Trade 1996); *Wieland Werke*, 718 F. Supp. at 52 (“Completely overlapping markets are not required.”); *United States Steel Group v. United States*, 873 F. Supp. 673, 685 (Ct. Int’l Trade 1994), *aff’d*, 96 F.3d 1352 (Fed. Cir. 1996). We note, however, that there have been investigations where the Commission has found an insufficient overlap in competition and has declined to cumulate subject imports. *See, e.g., Live Cattle from Canada and Mexico*, Inv. Nos. 701-TA-386 and 731-TA-812–813 (Preliminary), USITC Pub. 3155 at 15 (Feb. 1999), *aff’d sub nom, Ranchers-Cattlemen Action Legal Foundation v. United States*, 74 F. Supp. 2d 1353 (Ct. Int’l Trade 1999); *Static Random Access Memory Semiconductors from the Republic of Korea and Taiwan*, Inv. Nos. 731-TA-761–762 (Final), USITC Pub. 3098 at 13–15 (Apr. 1998).

relevant inquiry is whether there likely would be competition even if none currently exists because the subject imports are absent from the U.S. market.⁸¹

In the original investigations, the Commission found a reasonable overlap of competition among the domestic like product and imports from Italy and Turkey.⁸² In the prior reviews, the Commission again found a likely reasonable overlap of competition among the domestic like product and subject imports from Italy and Turkey.^{83 84}

Fungibility. In the original investigations, the Commission found that domestically produced dry pasta and subject imports from Italy were substantially fungible and that the domestic product and subject imports from Turkey were sufficiently fungible for purposes of finding a reasonable overlap of competition, despite some reported differences in quality; it also found that subject imports from Italy and Turkey were likewise fungible to a limited but sufficient degree.⁸⁵ In prior reviews, the Commission again found sufficient fungibility to support finding a reasonable overlap of competition.⁸⁶ There is no new information on the record of these reviews to warrant a different finding.

Geographic Overlap. In the original investigations, the Commission found sufficient geographic overlap between the domestic like product and subject imports from Italy and Turkey, stating that domestically produced pasta was sold nationwide, while subject imports from Italy and Turkey were sold predominantly in the Northeast and on the West Coast of the United States. In the prior reviews, the Commission again found reasonable geographic overlap

⁸¹ See generally, *Chefline Corp. v. United States*, 219 F. Supp. 2d 1313, 1314 (Ct. Int'l Trade 2002).

⁸² *Original Determinations*, USITC Pub. 2977 at 19-23.

⁸³ *First Reviews*, USITC Pub. 3462 at 6-10; *Second Reviews*, USITC Pub. 3947 at 11-14; *Third Reviews*, USITC Pub. 4423 at 14-16; *Fourth Reviews*, USITC Pub. 4876 at 14-16.

⁸⁴ The domestic interested parties argue that there is no indication that market conditions have changed since the original investigation with respect to the fungibility of certain pasta from all sources, sales to the same geographic markets, sales through the same channels of distribution, and availability in the U.S. market. Domestic Response 4. No other parties commented on fungibility.

⁸⁵ *Original Determinations*, USITC Pub. 2977 at 20-22. Specifically, the Commission noted purchasers' responses regarding quality, product consistency, branding, and country image as indicating somewhat limited fungibility. *Id.*

⁸⁶ *First Reviews*, USITC Pub. 3462 at 6-10; *Second Reviews*, USITC Pub. 3947 at 11-14; *Third Reviews*, USITC Pub. 4423 at 14-16; *Fourth Reviews*, USITC Pub. 4876 at 14-16.

between the domestic like product and subject imports.⁸⁷ In the current reviews, U.S. imports of dry pasta from Italy and Turkey entered the U.S. market through all four borders of entry (East, North, South, and West) from 2018 to 2023, with most subject imports from Italy and Turkey entering through New York in 2023.⁸⁸

Channels of Distribution. In the original investigations, the Commission found that subject imports from Italy and Turkey and the domestic like product moved in similar channels of distribution. The Commission found that there was overlap in the retail grocery chain channel and the wholesale distributor channels in the retail market, as well as more limited overlap in the food service market.⁸⁹ In the prior reviews, the Commission found that subject imports and the domestic like product were likely to move in similar channels of distribution.⁹⁰ There is no new information on the record of these reviews to warrant a different finding.

Simultaneous Presence in Market. In the original investigations, the Commission determined that domestic pasta and subject imports were simultaneously present in the U.S. market throughout the period examined.⁹¹ In the first five-year reviews, no new evidence was presented concerning the simultaneous presence factor.⁹² In the second five-year reviews, monthly import data indicated that imports from both Italy and Turkey were present throughout the period of review, with the limited exception of two months for Turkey in 2001.⁹³ In the third five-year reviews, imports from Italy were present in the U.S. market in all months of the period of review, while imports from Turkey were present in all but three months of the period of review.⁹⁴ In the fourth five-year reviews, imports from Italy and Turkey

⁸⁷ *First Reviews*, USITC Pub. 3462 at 6-10; *Second Reviews*, USITC Pub. 3947 at 11-14; *Third Reviews*, USITC Pub. 4423 at 14-16; *Fourth Reviews*, USITC Pub. 3876 at 15.

⁸⁸ CR/PR at I-22.

⁸⁹ *Original Determinations*, USITC Pub. 2977 at 22.

⁹⁰ *First Reviews*, USITC Pub. 3462 at 6-10; *Second Reviews*, USITC Pub. 3947 at 11-14; *Third Reviews*, USITC Pub. 4423 at 14-16; *Fourth Reviews*, USITC Pub. 4876 at 16.

⁹¹ *Original Determinations*, USITC Pub. 2977 at 23.

⁹² *First Reviews*, USITC Pub. 3462 at 10.

⁹³ *Second Reviews*, USITC Pub. 3947 at 13-14.

⁹⁴ *Third Reviews*, USITC Pub. 4423 at 16.

were present in the U.S. market during every month of the period of review.⁹⁵ In these fifth five-year reviews, subject imports from Italy and Turkey were present in the U.S. market during every month of the period of review.⁹⁶

Conclusion. The record in these expedited reviews contains limited information concerning subject imports in the U.S. market during the period of review. The record, however, contains no information suggesting a change in the considerations that led the Commission in the prior reviews to conclude that there would be a likely reasonable overlap of competition between and among imports from different subject sources and the domestic like product upon revocation. In light of these considerations and in the absence of any contrary argument, we find a likely reasonable overlap of competition between and among the domestic like product and subject imports from Italy and Turkey.

3. Likely Conditions of Competition

In determining whether to exercise our discretion to cumulate the subject imports, we assess whether subject imports from the subject countries would compete under similar or different conditions in the U.S. market if the orders under review were revoked.

In the prior five-year reviews, the Commission exercised its discretion to cumulate subject imports from both subject countries.⁹⁷ In this fifth five-year review, the domestic interested parties argue that there have been no changes in the conditions of competition during the current period of review that would warrant the Commission not cumulating subject

⁹⁵ *Fourth Reviews*, USITC Pub. 4876 at 24.

⁹⁶ CR/PR at 22.

⁹⁷ *First Reviews*, USITC Pub. 3462 at 10; *Second Reviews*, USITC Pub. 3947 at 14; *Third Reviews*, USITC Pub. 4423 at 19; *Fourth Reviews*, USITC Pub. 4876 at 17. Commissioners Johanson and Broadbent declined to exercise their discretion to cumulate subject imports from the two subject countries in the third reviews, finding that subject imports from Italy and Turkey would likely compete under different conditions of competition in the United States. *Third Reviews*, USITC Pub. 4423 at 43. In the fourth reviews, Commissioner Johanson found material factual differences in the record from the third reviews and joined the majority in exercising his discretion to cumulate subject imports from both subject countries. *Fourth Reviews*, USITC Pub. 4876 at 17-18 n.94.

imports for the purpose of these reviews.⁹⁸ No other party addressed the discretionary factors that the Commission may examine in its cumulation analysis.

We find that the record in these reviews does not indicate that there would likely be any significant difference in the conditions of competition among subject imports upon revocation of the orders. Accordingly, we exercise our discretion to cumulate subject imports from Italy and Turkey.

D. Conclusion

Based on the record, we find that subject imports from Italy and Turkey would not be likely to have no discernible adverse impact on the domestic industry if the corresponding antidumping and countervailing duty orders were revoked. We also find a likely reasonable overlap of competition among the subject imports and between the subject imports and the domestic like product and that imports from both of the subject countries are likely to compete in the U.S. market under similar conditions of competition should the orders be revoked. We therefore exercise our discretion to cumulate subject imports from Italy and Turkey for our analysis of whether material injury to the domestic industry is likely to continue or recur if the orders were to be revoked.

IV. Revocation of the Antidumping and Countervailing Duty Orders Would Likely Lead to Continuation or Recurrence of Material Injury Within a Reasonably Foreseeable Time

A. Legal Standards

In a five-year review conducted under section 751(c) of the Tariff Act, Commerce will revoke an antidumping or countervailing duty order unless: (1) it makes a determination that dumping or subsidization is likely to continue or recur and (2) the Commission makes a determination that revocation of the antidumping or countervailing duty order “would be likely

⁹⁸ Domestic Response at 4.

to lead to continuation or recurrence of material injury within a reasonably foreseeable time.”⁹⁹ The Uruguay Round Agreements Act Statement of Administrative Action (“SAA”) states that “under the likelihood standard, the Commission will engage in a counterfactual analysis; it must decide the likely impact in the reasonably foreseeable future of an important change in the status quo – the revocation or termination of a proceeding and the elimination of its restraining effects on volumes and prices of imports.”¹⁰⁰ Thus, the likelihood standard is prospective in nature.¹⁰¹ The U.S. Court of International Trade has found that “likely,” as used in the five-year review provisions of the Act, means “probable,” and the Commission applies that standard in five-year reviews.¹⁰²

The statute states that “the Commission shall consider that the effects of revocation or termination may not be imminent, but may manifest themselves only over a longer period of time.”¹⁰³ According to the SAA, a “‘reasonably foreseeable time’ will vary from case-to-case, but normally will exceed the ‘imminent’ timeframe applicable in a threat of injury analysis in original investigations.”¹⁰⁴

⁹⁹ 19 U.S.C. § 1675a(a).

¹⁰⁰ SAA, H.R. Rep. No. 103-316, vol. I at 883-84 (1994). The SAA states that “{t}he likelihood of injury standard applies regardless of the nature of the Commission’s original determination (material injury, threat of material injury, or material retardation of an industry). Likewise, the standard applies to suspended investigations that were never completed.” *Id.* at 883.

¹⁰¹ While the SAA states that “a separate determination regarding current material injury is not necessary,” it indicates that “the Commission may consider relevant factors such as current and likely continued depressed shipment levels and current and likely continued {sic} prices for the domestic like product in the U.S. market in making its determination of the likelihood of continuation or recurrence of material injury if the order is revoked.” SAA at 884.

¹⁰² See *NMB Singapore Ltd. v. United States*, 288 F. Supp. 2d 1306, 1352 (Ct. Int’l Trade 2003) (“‘likely’ means probable within the context of 19 U.S.C. § 1675(c) and 19 U.S.C. § 1675a(a)”), *aff’d mem.*, 140 Fed. Appx. 268 (Fed. Cir. 2005); *Nippon Steel Corp. v. United States*, 26 CIT 1416, 1419 (2002) (same); *Usinor Industeel, S.A. v. United States*, 26 CIT 1402, 1404 nn.3, 6 (2002) (“more likely than not” standard is “consistent with the court’s opinion;” “the court has not interpreted ‘likely’ to imply any particular degree of ‘certainty’”); *Indorama Chemicals (Thailand) Ltd. v. United States*, 26 CIT 1059, 1070 (2002) (“standard is based on a likelihood of continuation or recurrence of injury, not a certainty”); *Usinor v. United States*, 26 CIT 767, 794 (2002) (“‘likely’ is tantamount to ‘probable,’ not merely ‘possible’”).

¹⁰³ 19 U.S.C. § 1675a(a)(5).

¹⁰⁴ SAA at 887. Among the factors that the Commission should consider in this regard are “the fungibility or differentiation within the product in question, the level of substitutability between the (Continued...)

Although the standard in a five-year review is not the same as the standard applied in an original investigation, it contains some of the same fundamental elements. The statute provides that the Commission is to “consider the likely volume, price effect, and impact of imports of the subject merchandise on the industry if the orders are revoked or the suspended investigation is terminated.”¹⁰⁵ It directs the Commission to take into account its prior injury determination, whether any improvement in the state of the industry is related to the order or the suspension agreement under review, whether the industry is vulnerable to material injury if an order is revoked or a suspension agreement is terminated, and any findings by Commerce regarding duty absorption pursuant to 19 U.S.C. § 1675(a)(4).¹⁰⁶ The statute further provides that the presence or absence of any factor that the Commission is required to consider shall not necessarily give decisive guidance with respect to the Commission’s determination.¹⁰⁷

In evaluating the likely volume of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether the likely volume of imports would be significant either in absolute terms or relative to production or consumption in the United States.¹⁰⁸ In doing so, the Commission must consider “all relevant economic factors,” including four enumerated factors: (1) any likely increase in production capacity or existing unused production capacity in the exporting country; (2) existing inventories of the subject merchandise, or likely increases in inventories; (3) the existence of barriers to the importation of the subject merchandise into countries other than the United States; and (4) the potential for product shifting if production facilities in the foreign

(...Continued)

imported and domestic products, the channels of distribution used, the methods of contracting (such as spot sales or long-term contracts), and lead times for delivery of goods, as well as other factors that may only manifest themselves in the longer term, such as planned investment and the shifting of production facilities.” *Id.*

¹⁰⁵ 19 U.S.C. § 1675a(a)(1).

¹⁰⁶ 19 U.S.C. § 1675a(a)(1). Commerce has not made any duty absorption findings with respect to the orders under review. CR at I-7, PR at I-6.

¹⁰⁷ 19 U.S.C. § 1675a(a)(5). Although the Commission must consider all factors, no one factor is necessarily dispositive. SAA at 886.

¹⁰⁸ 19 U.S.C. § 1675a(a)(2).

country, which can be used to produce the subject merchandise, are currently being used to produce other products.¹⁰⁹

In evaluating the likely price effects of subject imports if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider whether there is likely to be significant underselling by the subject imports as compared to the domestic like product and whether the subject imports are likely to enter the United States at prices that otherwise would have a significant depressing or suppressing effect on the price of the domestic like product.¹¹⁰

In evaluating the likely impact of imports of subject merchandise if an order under review is revoked and/or a suspended investigation is terminated, the Commission is directed to consider all relevant economic factors that are likely to have a bearing on the state of the industry in the United States, including but not limited to the following: (1) likely declines in output, sales, market share, profits, productivity, return on investments, and utilization of capacity; (2) likely negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment; and (3) likely negative effects on the existing development and production efforts of the industry, including efforts to develop a derivative or more advanced version of the domestic like product.¹¹¹ All relevant economic factors are to be considered within the context of the business cycle and the conditions of competition that are distinctive to the industry. As instructed by the statute, we have considered the extent to which any improvement in the state of the domestic industry is related to the orders under review and whether the industry is vulnerable to material injury upon revocation.¹¹²

¹⁰⁹ 19 U.S.C. § 1675a(a)(2)(A–D).

¹¹⁰ See 19 U.S.C. § 1675a(a)(3). The SAA states that “{c}onsistent with its practice in investigations, in considering the likely price effects of imports in the event of revocation and termination, the Commission may rely on circumstantial, as well as direct, evidence of the adverse effects of unfairly traded imports on domestic prices.” SAA at 886.

¹¹¹ 19 U.S.C. § 1675a(a)(4).

¹¹² The SAA states that in assessing whether the domestic industry is vulnerable to injury if the order is revoked, the Commission “considers, in addition to imports, other factors that may be contributing to overall injury. While these factors, in some cases, may account for the injury to the (Continued...)”

As discussed above, Indalco and La Molisana participated in these expedited reviews as respondent interested parties. They accounted for approximately *** of total Italian pasta exports to the United States in 2023;¹¹³ Indalco reported that it accounted for *** percent of certain pasta production in Italy in 2023 and La Molisana ***.¹¹⁴ The record, therefore, contains limited new information with respect to the industries in Italy and Turkey that produce subject merchandise. There also is limited information on the dry pasta market in the United States during the period of review. Accordingly, for our determinations, we rely as appropriate on the facts available from the original investigations and the prior reviews and the limited new information on the record of these reviews.

B. Conditions of Competition and the Business Cycle

In evaluating the likely impact of the subject imports on the domestic industry if an order is revoked, the statute directs the Commission to consider all relevant economic factors “within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”¹¹⁵

1. Demand Conditions

Original Investigations and Prior Reviews. In the original investigations, the Commission found that U.S. apparent consumption of dry pasta had increased steadily from 2.8 billion pounds in 1993 to 3.1 billion pounds in 1995.¹¹⁶ In the first five-year reviews, the Commission found that apparent U.S. consumption of dry pasta had increased since the original investigations, but it appeared that the increasing use of ready-to-eat meals slowed or reversed

(...Continued)

domestic industry, they may also demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.” SAA at 885.

¹¹³ CR/PR at Table I-2 and Note (foreign producer coverage based on reported exports divided by total U.S. imports of subject product from Italy in 2023 in Commerce’s official import statistics).

¹¹⁴ CR/PR at I-26. In terms of production in Italy in 2023, Indalco reported *** pounds and La Molisana reported *** pounds. CR/PR at Table B-6.

¹¹⁵ 19 U.S.C. § 1675a(a)(4).

¹¹⁶ *Original Determinations*, USITC Pub. 2977 at 17.

this trend.¹¹⁷ In the second five-year reviews, the Commission found that demand for pasta decreased over the period, in part because of low-carbohydrate diet trends and small but growing demand for fresh pasta.¹¹⁸ In the third five-year reviews, the Commission found that demand for pasta had been flat over the period and was expected to remain flat in the foreseeable future, despite an increase in certain limited market segments such as whole wheat pasta.¹¹⁹ In the fourth five-year reviews, the Commission found that the overall pasta market had contracted slightly, with growth restricted to relatively small specialty segments such as organic or gluten-free pasta.¹²⁰

Current Reviews. The domestic interested parties claim demand for pasta fluctuated during the period of review, with demand increasing during the pandemic and then returning to historic levels, with projections for demand to be flat due to consumer interest in lower-carbohydrate diets.¹²¹

In 2023, apparent U.S. consumption of certain pasta was *** pounds, which is higher than 2017 but lower than 1995, 2000, 2006, and 2012 (the terminal years of the periods examined in the prior proceedings).¹²²

2. Supply Conditions

Original Investigations and Prior Reviews. In the original investigations, the domestic industry was the largest supplier to the U.S. market, accounting for 83.5 percent of apparent U.S. consumption in 1995, the terminal year of the period of investigation (“POI”).¹²³ The Commission found that the domestic industry’s capacity fluctuated but increased overall during

¹¹⁷ *First Reviews*, USITC Pub. 3462 at 14.

¹¹⁸ *Second Reviews*, USITC Pub. 3947 at 17.

¹¹⁹ *Third Reviews*, USITC Pub. 4423 at 23.

¹²⁰ *Fourth Reviews*, USITC Pub. 4876 at 23.

¹²¹ Domestic Response at 26. La Molisana agreed that demand increased during the pandemic. La Molisana Response at 2. Barilla America contended demand increased by seven percent following the pandemic. Barilla America Response at 6.

¹²² CR/PR at Table I-6. Apparent U.S. consumption of certain pasta was 3.1 billion pounds in 1995, *** pounds in 2000, 3.2 billion pounds in 2006, 3.1 billion pounds in 2012, and *** pounds in 2017. *Id.*

¹²³ *Original Determinations*, USITC Pub. 2977 at Table C-1.

the POI.¹²⁴ Cumulated subject imports accounted for 12.2 percent of apparent U.S. consumption in 1995 and nonsubject imports accounted for 4.7 percent.¹²⁵

In the first five-year reviews, the domestic industry accounted for *** percent of apparent U.S. consumption in 2000, the terminal year of the period of review.¹²⁶ The Commission found that the domestic industry continued to consolidate but had expanded its production capacity.¹²⁷ Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2000, and nonsubject imports accounted for *** percent.¹²⁸

In the second five-year reviews, the domestic industry accounted for 82.0 percent of apparent U.S. consumption in 2006, the terminal year of the period of review.¹²⁹ The Commission noted that the structure of the domestic industry had changed significantly since 2000, given the departure of several firms from the pasta business, their sales of brands and production facilities to other producers, and Barilla's opening of a production facility in the United States and announced plans for a second U.S. facility.¹³⁰ Cumulated subject imports accounted for 8.2 percent of apparent U.S. consumption in 2006 and nonsubject imports accounted for 9.8.¹³¹

In the third five-year reviews, the domestic industry accounted for 78.6 percent of apparent U.S. consumption in 2012, the terminal year of the period of review.¹³² The Commission noted that significant consolidation of retail and food service operations during the period of review would likely make entry into the U.S. market easier for subject imports.¹³³ The domestic industry had changed significantly since the prior reviews with a number of acquisitions and reorganizations. In particular, the four largest domestic producers were

¹²⁴ *Original Determinations*, USITC Pub. 2977 at 18.

¹²⁵ *Original Determinations*, USITC Pub. 2977 at Table C-1.

¹²⁶ CR/PR at Table I-6.

¹²⁷ *First Reviews*, USITC Pub. 3462 at 14.

¹²⁸ CR/PR at Table I-6.

¹²⁹ *Second Reviews*, USITC Pub. 3947 at Table C-1.

¹³⁰ *Second Reviews*, USITC Pub. 3947 at 18.

¹³¹ *Second Reviews*, USITC Pub. 3947 at Table C-1.

¹³² *Third Reviews*, USITC Pub. 4423 at Table C-1.

¹³³ *Third Reviews*, USITC Pub. 4423 at 24.

owned by large multinational companies, and Barilla opened a new production facility in New York in 2007.¹³⁴ Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2012, the terminal year of the period of review and nonsubject imports accounted for *** percent.¹³⁵

In the fourth five-year reviews, the Commission found that the domestic producers were the largest source of supply to the U.S. market, accounting for *** percent of apparent U.S. consumption in 2017, the terminal year of the period of review.¹³⁶ The Commission also found that there had not been significant changes in the structure of the domestic industry since the last reviews.¹³⁷ Cumulated subject imports accounted for *** percent of apparent U.S. consumption in 2017 and nonsubject imports accounted for *** percent.¹³⁸

Current Reviews. In the current reviews, the domestic industry was the largest source of certain pasta in the U.S. market in 2023, accounting for *** percent of apparent U.S. consumption.¹³⁹ The structure of the domestic industry remained mostly unchanged during the period of review, but there were several ownership changes.¹⁴⁰ Cumulated subject imports were the second largest source of certain pasta in the U.S. market in 2023, accounting for *** percent of apparent U.S. consumption.¹⁴¹ Nonsubject imports were the third largest source of certain pasta in the U.S. market in 2023, accounting for *** percent of apparent U.S. consumption¹⁴²

¹³⁴ *Third Reviews*, USITC Pub. 4423 at 24.

¹³⁵ *Third Reviews*, USITC Pub. 4423 at 24-25; Confidential Third Review Determinations, EDIS Doc. No. 657782 at 35-37.

¹³⁶ CR/PR at Table I-6.

¹³⁷ *Fourth Reviews*, USITC Pub. 4876 at 23-24.

¹³⁸ *Fourth Reviews*, USITC Pub. 4876 at 23; Confidential Fourth Review Determinations, EDIS Doc. No. 820144 at 35.

¹³⁹ CR/PR at Table I-6.

¹⁴⁰ CR/PR at I-13.

¹⁴¹ CR/PR at Table I-6.

¹⁴² CR/PR at Table I-6.

3. Substitutability and Other Conditions

Original Investigations and Prior Reviews. In the original investigations, the Commission stated that the U.S. market was served by different brands with different characteristics, quality, and prices, but brand loyalty was limited, and switching between brands occurred due to factors such as perceived quality, price, and packaging.¹⁴³ The Commission found that the U.S. market was not highly segmented on the basis of quality differences, and that there was instead a continuum of products with respect to price and quality.¹⁴⁴ There was, however, no direct correlation between prices and quality (actual or perceived), in part because of the use of promotions, which were very important for purchasing decisions both for the domestic product and subject imports.¹⁴⁵ The Commission found that price was an important factor in purchasing decisions for both domestic product and subject imports, and that, overall, competition between them existed on the basis of price, although brand image and perceived quality differences also influenced purchasing decisions to some extent.¹⁴⁶ While imports from Italy possessed an image of perceived higher quality, this did not consistently translate into higher price levels.¹⁴⁷

In the first five-year reviews, the Commission found that the subject imports and domestic pasta were generally substitutable, although the Commission noted some perceptions of quality differences between products from different sources.¹⁴⁸ The Commission found that price continued to play an important role in purchasing decisions, and that the use of promotions was very important.¹⁴⁹

¹⁴³ *Original Determinations*, USITC Pub. 2977 at 16.

¹⁴⁴ *Original Determinations*, USITC Pub. 2977 at 16.

¹⁴⁵ *Original Determinations*, USITC Pub. 2977 at 16.

¹⁴⁶ *Original Determinations*, USITC Pub. 2977 at 16-17.

¹⁴⁷ *Original Determinations*, USITC Pub. 2977 at 14-19.

¹⁴⁸ *First Reviews*, USITC Pub. 3462 at 14.

¹⁴⁹ *First Reviews*, USITC Pub. 3462 at 14.

In the second reviews, the Commission found that certain pasta from subject and nonsubject countries was normally interchangeable with dry pasta from the United States.¹⁵⁰ The Commission noted that all major U.S. pasta producers reported significant increases in the costs of raw materials in interim 2007 as compared to interim 2006.¹⁵¹ The Commission also stated that semolina made from durum wheat was the largest single raw material cost for U.S. pasta producers, and that durum wheat prices appeared to be rising, at least in part in response to farm-level pressures to convert durum wheat fields to the production of corn for biofuels.¹⁵²

In the third five-year reviews, the Commission found that there was a moderate degree of substitutability among subject imports from both countries and the domestic like product, that price was an important factor in purchasing decisions, and that the U.S. pasta market was by and large a commodity market in which subject imports competed with the domestic like product primarily on the basis of price.¹⁵³ The Commission also noted additional conditions of competition, including branding, differences in sales terms between subject imports and the domestic industry, certification requirements, product placement on store shelves, and the volatility of durum wheat prices during the period of review.¹⁵⁴

In the fourth five-year reviews, the Commission found that the domestic like product and subject imports were generally substitutable and that price is an important factor in purchasing decisions.¹⁵⁵ The Commission observed that the record of the expedited reviews contained no new information to indicate that substitutability between U.S.-produced pasta and subject imports or the importance of price in purchasing decision had changed since the prior proceedings.¹⁵⁶

Current Reviews. In these fifth five-year reviews, there is nothing in the limited record indicating that the substitutability between the domestic like product and subject imports or

¹⁵⁰ *Second Reviews*, USITC Pub. 3947 at 19.

¹⁵¹ *Second Reviews*, USITC Pub. 3947 at 19.

¹⁵² *Second Reviews*, USITC Pub. 3947 at 19.

¹⁵³ *Third Reviews*, USITC Pub. 4423 at 26-27.

¹⁵⁴ *Third Reviews*, USITC Pub. 4423 at 27-28.

¹⁵⁵ *Fourth Reviews*, USITC Pub. 4876 at 24.

¹⁵⁶ *Fourth Reviews*, USITC Pub. 4876 at 24.

the importance of price has changed. In the absence of any information or argument to the contrary, we continue to find the domestic like product and subject imports are substitutable and that price is an important factor in purchasing decisions.

C. Likely Volume of Subject Imports

Original Investigations and Prior Reviews. In the original investigations, the Commission found that the quantity of cumulated subject imports increased steadily from 262.8 million pounds to 379.5 million pounds between 1993 and 1995, while the share of apparent U.S. consumption held by subject imports increased from 9.3 percent in 1993 to 12.2 percent in 1995.¹⁵⁷ The Commission stated that the increase in market share came at the expense of the domestic industry, whose market share declined from 87.0 percent in 1993 to 83.5 percent in 1995.¹⁵⁸ The Commission also noted that the rate of increase in subject import volume far exceeded the rate of increase in domestic consumption.¹⁵⁹

In the first five-year reviews, the Commission found that cumulated subject imports totaled 418.3 million pounds in 1998, 347.4 million pounds in 1999, and 312.2 million pounds in 2000.¹⁶⁰ The Commission stated that there was a significant decline in the volume of subject imports from Turkey after the imposition of the orders, but subject imports from Italy did not decline until after the conclusion of a Commerce anti-circumvention inquiry in 1998. Based on the facts available, the Commission found that the likely volume of imports would be significant in the foreseeable future if the orders were revoked given the large capacity for production of pasta in Italy and Turkey, the continued commitment of Italian exporters to the U.S. market, and the decline in Turkish exports to other markets.¹⁶¹

In the second five-year reviews, the Commission observed that Italian producers significantly increased production and that subject imports from Italy maintained a significant

¹⁵⁷ *Original Determinations*, USITC Pub. 2977 at 25.

¹⁵⁸ *Original Determinations*, USITC Pub. 2977 at 25.

¹⁵⁹ *Original Determinations*, USITC Pub. 2977 at 25.

¹⁶⁰ *First Reviews*, USITC Pub. 3462 at 15.

¹⁶¹ *First Reviews*, USITC Pub. 3462 at 15-16.

presence in the U.S. market throughout the period of review despite the orders.¹⁶² Italian producers' average unit values ("AUVs") for exports of pasta to the United States were significantly higher than those for exports to their three largest export markets in Europe, suggesting that the United States would be an attractive market if the orders were revoked.¹⁶³ The Commission noted that while subject imports from Turkey declined over the period, Turkish pasta exports increased significantly, and Turkish capacity utilization decreased from 92.5 percent in 2004 to 68.5 percent in 2006.¹⁶⁴ The Commission found that the Turkish industry was highly export oriented and that the United States remained a very attractive market for Turkish pasta exporters.¹⁶⁵ The Commission found that Italian and Turkish producers would have an incentive to ship significant volumes of additional exports to the United States in the event of revocation based on: (1) the substantial volume of subject imports during the original investigations and gains in market share for subject imports; (2) the size and export orientations of both industries; (3) the importance of the U.S. market to both industries; and (4) the fact that there had been substantial volumes of subject imports in the U.S. market during the period of review notwithstanding the restraining effects of the orders.¹⁶⁶

In the third five-year reviews, the Commission found that subject imports maintained a significant and continuous presence in the U.S. market.¹⁶⁷ Moreover, the Commission noted that Italy and Turkey remained the two largest pasta exporting countries in the world. Given the subject producers' significant cumulated capacity, their substantial unused capacity, their inventories,¹⁶⁸ their export orientation, and the attractiveness and accessibility of the U.S. market, the Commission found that the volume of cumulated subject imports would be

¹⁶² *Second Reviews*, USITC Pub. 3947 at 21.

¹⁶³ *Second Reviews*, USITC Pub. 3947 at 21.

¹⁶⁴ *Second Reviews*, USITC Pub. 3947 at 21.

¹⁶⁵ *Second Reviews*, USITC Pub. 3947 at 21.

¹⁶⁶ *Second Reviews*, USITC Pub. 3947 at 21.

¹⁶⁷ *Third Reviews*, USITC Pub. 4423 at 30.

¹⁶⁸ In 2012, foreign producers' cumulated inventories of subject merchandise (233.5 million pounds) were equivalent to approximately 7.5 percent of apparent U.S. consumption during that year. *Third Reviews*, USITC Pub. 4423 at 30-31.

significant relative to production and consumption in the United States if the orders were revoked.¹⁶⁹

In the fourth five-year reviews, the Commission found that subject producers in Italy and Turkey had the means and incentive to export subject merchandise to the United States in significant volumes within a reasonably foreseeable time if the antidumping and countervailing duty orders were revoked.¹⁷⁰ The Commission also found that cumulated subject imports maintained a significant and continuous presence in the U.S. market.¹⁷¹ In addition to Italy and Turkey being the two largest exports of pasta in the world, the Commission noted the imposition of import restraints by Canada against shipments of pasta from Turkey as an incentive for Turkish producers to direct shipments to the U.S. market.¹⁷² Accordingly, the Commission found that the volume of cumulated subject imports, both in absolute terms and relative to U.S. consumption, would likely be significant if the orders were revoked.¹⁷³

Current Reviews. Cumulated subject imports of certain pasta maintained a presence in the U.S. market throughout the period of review. The volume of cumulated subject imports was 381.4 million pounds in 2018, 439.5 million pounds in 2019, 626.8 million pounds in 2020, 488.5 million pounds in 2021, 586.9 million pounds in 2022, and 552.4 million pounds in 2023, equivalent to *** percent of apparent U.S. consumption that year.¹⁷⁴

The record in these reviews contains limited information on the subject industries in Italy and Turkey. The information available, however, indicates that subject producers have the means and incentive to increase their exports of subject merchandise to the U.S. market to significant levels if the orders were revoked.

The record indicates that each subject industry has numerous producers with substantial capacity that are export oriented:

¹⁶⁹ *Third Reviews*, USITC Pub. 4423 at 30-33.

¹⁷⁰ *Fourth Reviews*, USITC Pub. 4876 at 25-26.

¹⁷¹ *Fourth Reviews*, USITC Pub. 4876 at 26.

¹⁷² *Fourth Reviews*, USITC Pub. 4876 at 26-27.

¹⁷³ *Fourth Reviews*, USITC Pub. 4876 at 27.

¹⁷⁴ CR/PR at Tables I-5 and I-6.

Producers/Exporters in Italy

- Barilla exports to more than 100 countries. In 2021, revenue from exports made up over 55 percent of Barilla’s overall turnover.¹⁷⁵ Barilla G. and R. Fratelli S.p.A announced in June 2023 that the company plans to spend \$1.09 billion to expand both in Italy and internationally.
- Dalla Costa Alimentare S.R.L. exports pasta to more than 50 countries with an export share reaching 70 percent.¹⁷⁶
- F. Divella S.p.A. advertises a daily production of 1,000 tons of durum wheat semolina pasta. Thirty-five percent of Divella’s 2021 turnover resulted from exports to 130 countries including the United States. As of September 2021, Divella seeks an industrial partner to expand sales in North America.¹⁷⁷
- La Molisana S.p.A. reportedly added a tenth production line in 2020 and increased production from 500 to 600 tons per day. It achieved a 60 percent growth in exports to 118 countries in 2020. The company also reportedly allocated 30 million euros for production expansions in 2022-2024, including establishing two additional production lines, which are expected to increase production from 200,000 to 250,000 tons of pasta. North America is identified as a market with “enormous” growth potential for La Molisana.¹⁷⁸
- Pasta Berruto produced 48,000 thousand tons of pasta in 2017 and, as of March 2018, invested 20 million euros to expand its factory. The company makes more than 90

¹⁷⁵ Domestic Response at 12 and Exhibit 6.

¹⁷⁶ Domestic Response at 12 and Exhibit 6.

¹⁷⁷ Domestic Response at 12 and Exhibit 6.

¹⁷⁸ Domestic Response at 12 and Exhibit 6.

percent of its sales abroad.¹⁷⁹

- Pasta Zara S.p.A. announced that a “corporate crisis negotiated settlement” concluded in 2023 will enable growth in the domestic and global market.¹⁸⁰
- Pastificio Felicetti Srl produces 35,000 tons of pasta per year, a significant production expansion resulting from a 40 million euro investment that funded the establishment of a new pasta factory, as well as market growth “in Italy and abroad.” As of May 2020, the company exports around 70 percent of its products and lists the United States among foreign markets in which it is most prevalent.¹⁸¹
- Pastificio Di Martino Gaetano exports to more than 35 countries. The company produced 140,000 tons of pasta in 2023, 80 percent of which was consumed in North America and Northern Europe.¹⁸²

Producers/Exporters in Turkey

- Bessan Makarna Gida San ve Tic. A.S. has a daily production capacity of 300 tons and is among the top 1,000 exporting companies in Turkey, exporting 95 percent of its pasta production to more than 80 countries, including the United States.¹⁸³
- Durum Gida Sanayi ve Ticaret A.S. is among the top ten largest pasta companies in the world in terms of production capacity and export potential. The company has an annual

¹⁷⁹ Domestic Response at 12 and Exhibit 6.

¹⁸⁰ Domestic Response at 12 and Exhibit 6.

¹⁸¹ Domestic Response at 12-13 and Exhibit 6.

¹⁸² Domestic Response at 13 and Exhibit 6.

¹⁸³ Domestic Response at 14 and Exhibit 7.

production capacity of 160,000 metric tons of pasta and exports to nearly 100 countries.¹⁸⁴

- Goymen Tarim Urunleri San ve Tic. A.S. advertises that it produces 1,200 tons of pasta per day and is Turkey's 194th biggest exporter. A significant portion of its production is exported to more than 100 countries. As of July 2022, the company aims to increase capacity with new investments.¹⁸⁵
- Mutlu Makarnacilik Sanayi ve Ticaret A.S. advertises that it is Turkey's largest pasta production facility, produces 1,600 tons of pasta per day, and is Turkey's 106th largest exporter. The company exports to more than 100 countries on six different continents including North America. Seventy percent of the company's production capacity is exported.¹⁸⁶
- Nuh'un Ankara Makarnasi Sanayi ve Ticaret A.S. has a monthly production capacity of 18,000 tons of pasta due to investments made in 2021. The company exports 90 percent of its production to 70 countries.¹⁸⁷
- Oba Makarnacilik Sanayi ve Ticaret A.S. produces a combined 1,800 tons of pasta daily and exports to more than 100 countries.¹⁸⁸
- Selva Gida Sanayii A.S. plans to increase pasta production by 50 percent through a new pasta production line that will augment production from 62,000 to 93,000 tons annually. The company exports to more than 80 countries.¹⁸⁹

¹⁸⁴ Domestic Response at 14 and Exhibit 7.

¹⁸⁵ Domestic Response at 14 and Exhibit 7.

¹⁸⁶ Domestic Response at 14 and Exhibit 7.

¹⁸⁷ Domestic Response at 14 and Exhibit 7.

¹⁸⁸ Domestic Response at 14 and Exhibit 7.

The information available also indicates that the subject industries are large exporters of pasta. According to GTA data, Italy and Turkey were the first and second largest global exporters of pasta¹⁹⁰ and together accounted for 68.9 percent of total global exports in 2023.¹⁹¹

The record also indicates that the U.S. market remains attractive to subject producers. While under the disciplining effect of the orders, subject imports maintained a substantial presence in the U.S. market, accounting for *** percent of apparent U.S. consumption in 2023,¹⁹² indicating that they have maintained customers and distribution networks in the U.S. market. Further, GTA data indicate that the United States was the third largest market for pasta exported from Italy in 2023.¹⁹³ The domestic interested parties contend that the subject producers have sold pasta at significantly higher prices than in other markets, which provides an incentive to increase exports if the orders are revoked.¹⁹⁴ In addition, the domestic interested parties argue that third country trade measures further indicate the likelihood of increased subject imports if the orders are revoked.¹⁹⁵

In light of these considerations, including the significant volume of cumulated subject imports during the original investigations, the continued presence of cumulated subject imports

(...Continued)

¹⁸⁹ Domestic Response at 14 and Exhibit 7.

¹⁹⁰ CR/PR at Table I-12. The GTA data may be overstated because harmonized system (“HS”) subheadings 1902.11 and 1902.19 may contain products outside the scope of these reviews. *Id.*

¹⁹¹ Calculated from Table I-12.

¹⁹² CR/PR at Table I-6.

¹⁹³ CR/PR at Table I-9. As noted above, the HS subheadings in the GTA data contain out-of-scope products.

¹⁹⁴ Domestic Response at 15.

¹⁹⁵ Domestic Response at 15. Certain pasta from Turkey is subject to antidumping and countervailing duty orders in Canada and an antidumping duty order in South Africa. CR/PR at I-33. Certain pasta from Italy is not known to be subject to trade restrictions in any other markets.

La Molisana contends that the majority of unused production capacity in Italy is controlled by companies that are not subject to the order or have shifted to production in the United States. La Molisana Response at 2. La Molisana offers no support for this assertion nor is there record evidence to support it. La Molisana also argues capacity is limited by the availability of raw materials which have been impacted by the Russian War on Ukraine. *Id.* Again, the record does not contain any evidence to support this assertion. Indeed, as discussed above, the record shows the subject producers have substantial capacity and are significant exporters of pasta.

in the U.S. market during the period of review, the subject industries' substantial capacity and status as leading global exporters of certain pasta, and the attractiveness of the U.S. market to subject producers, we find that the volume of cumulated subject imports would likely be significant, both in absolute terms and relative to consumption in the United States, if the orders were revoked.¹⁹⁶

D. Likely Price Effects

1. The Prior Proceedings

In the original investigations, the Commission found that, despite some perceived quality differences, the subject imports and domestic like product were substitutable to a significant degree because of their common end use.¹⁹⁷ The Commission observed that the domestic producers had traditionally employed a "three-tiered" pricing structure, with the first tier consisting of popular forms, such as spaghetti and elbows, and the other two tiers consisting of lower volume products.¹⁹⁸ The Commission found that the importers of subject merchandise were undermining the pricing structure by "line pricing," using the same prices per pound for different cuts of pasta.¹⁹⁹ The Commission found that prices for the domestic product rose somewhat during the period, but the domestic industry was not able to raise its prices sufficiently to cover the increase in its raw materials and selling, general, and administrative costs, due in significant degree to the subject imports.²⁰⁰ The Commission thus concluded that the subject imports had suppressed domestic prices to a significant degree.²⁰¹ The Commission found that there was underselling by cumulated subject imports in 99 of 122 instances, with margins ranging from 0.2 to 39.5 percent, and with subject imports from Italy underselling domestic product in 60 of 83 instances and subject imports from Turkey

¹⁹⁶ The record of these expedited reviews does not contain information about inventories of the subject merchandise or the potential for product shifting.

¹⁹⁷ *Original Determinations*, USITC Pub. 2977 at 25.

¹⁹⁸ *Original Determinations*, USITC Pub. 2977 at 26.

¹⁹⁹ *Original Determinations*, USITC Pub. 2977 at 26.

²⁰⁰ *Original Determinations*, USITC Pub. 2977 at 26.

²⁰¹ *Original Determinations*, USITC Pub. 2977 at 27-28.

underselling in all instances.²⁰² The Commission thus found that cumulated subject imports undersold the domestic like product to a significant degree.²⁰³

The Commission found that the limited record in the first five-year reviews showed a decline in the AUVs for the subject imports from both Italy and Turkey despite the existence of the orders, while the AUVs of nonsubject imports remained relatively stable.²⁰⁴ The Commission concluded that in the absence of the orders, subject imports would likely significantly undersell the domestic like product to gain market share and have significant depressing or suppressing effects on prices of the domestic like product given the likely significant volume of imports, the substitutability of the subject imports and domestic pasta, the persistent underselling by the subject imports in the original investigations, and the continuing decline in AUVs.²⁰⁵

In the second five-year reviews, the Commission found that price continued to be the most important factor for a majority of purchasers, after quality considerations, and that subject imports were generally substitutable with the domestic like product.²⁰⁶ The Commission found that subject imports generally undersold the domestic like product over the period of review (with some overselling by subject imports from Italy) even with the orders in place, and that the margins of underselling were substantial in the case of subject imports from Turkey.²⁰⁷ The U.S. producers had higher unit values for their sales in 2005 and 2006, which the Commission found was attributable, at least in part, to their ability to pass through to customers their increased costs for transportation and durum wheat.²⁰⁸ The Commission found that high and rising costs for the U.S. industry would exacerbate the price effects resulting from increased volumes of low-priced cumulated subject imports. The Commission concluded that, if the orders were revoked, subject imports from Italy and Turkey likely would undersell the

²⁰² *Original Determinations*, USITC Pub. 2977 at 27-28.

²⁰³ *Original Determinations*, USITC Pub. 2977 at 27

²⁰⁴ *First Reviews*, USITC Pub. 3462 at 17.

²⁰⁵ *First Reviews*, USITC Pub. 3462 at 17.

²⁰⁶ *Second Reviews*, USITC Pub. 3947 at 22.

²⁰⁷ *Second Reviews*, USITC Pub. 3947 at 22-23.

²⁰⁸ *Second Reviews*, USITC Pub. 3947 at 23.

domestic like product, and those imports would have a significant depressing or suppressing effect on prices for the domestic like product.²⁰⁹

In the third five-year reviews, the Commission found that price continued to be an important factor for purchasers and that there was a moderate degree of interchangeability between subject imports from Italy and Turkey and the domestic like product.²¹⁰ The Commission found that subject imports successfully competed head-to-head with the domestic like product on the basis of price to obtain particular sales during the period of review.²¹¹ Cumulated subject imports continued to undersell the domestic like product over the period of review, in 99 out of 122 quarterly comparisons, by an average margin of 28.4 percent, even with the orders in place.²¹² The Commission also observed that the U.S. producers were expected to face higher durum wheat costs in the near future, and significant volumes of low-priced subject imports would likely constrain the domestic industry's ability to raise prices to cover increased costs.²¹³ The Commission concluded that, if the orders were revoked, subject imports from Italy and Turkey likely would undersell the domestic like product to a significant degree, and those imports would have a significant depressing or suppressing effect on prices for the domestic like product.²¹⁴

In the fourth five-year reviews, the Commission found that subject imports and the domestic like product were generally substitutable and price continues to be an important factor in purchasing decisions.²¹⁵ The Commission found that if the orders were revoked subject imports would likely undersell the domestic like product and would likely force the domestic industry to lower price or lose sales.²¹⁶

²⁰⁹ *Second Reviews*, USITC Pub. 3947 at 23.

²¹⁰ *Third Reviews*, USITC Pub. 4423 at 35.

²¹¹ *Third Reviews*, USITC Pub. 4423 at 35.

²¹² *Third Reviews*, USITC Pub. 4423 at 35.

²¹³ *Third Reviews*, USITC Pub. 4423 at 35.

²¹⁴ *Third Reviews*, USITC Pub. 4423 at 36.

²¹⁵ *Fourth Reviews*, USITC Pub. 4876 at 29.

²¹⁶ *Fourth Reviews*, USITC Pub. 4876 at 29.

2. The Current Reviews

In the current review, as discussed in section IV.B.3 above, we have found that subject imports and the domestic like product are generally substitutable and that price continues to be an important factor in purchasing decisions. The record in this expedited review does not contain new product-specific pricing information. Based on the available information, including the general substitutability between the domestic like product and subject imports and the importance of price in purchasing decisions, we find that if the orders were revoked, significant volumes of subject imports would likely undersell the domestic like product, as they did in the original investigations and prior reviews, to gain sales and market share. Absent the discipline of the order, the significant volumes of low-priced subject imports would likely take sales and market share from domestic producers or force the domestic industry to cut prices or forego price increases necessary to cover increasing costs, thereby depressing or suppressing prices for the domestic like product.²¹⁷

In light of these considerations, we conclude that subject imports would likely have significant adverse price effects upon revocation of the orders.

E. Likely Impact

1. The Prior Proceedings

In the original investigations, the Commission found that increasing volumes of subject imports suppressed prices of domestic pasta.²¹⁸ As a result, the domestic industry was unable

²¹⁷ La Molisana asserts that the prices at which goods are entering the U.S. market under the discipline of the order are not having a depressive impact on the market. La Molisana Response at 2. La Molisana offers no evidence to support its claim nor does it provide any evidence or argument on what likely prices would be upon revocation of the orders. Moreover, as a general matter, overselling by subject imports during a period of review, under the disciplining effects of the order, is not predictive of the pricing of subject imports after revocation. As discussed above, the record indicates that absent the discipline of the orders, a significant volume of subject imports would likely have significant adverse price effects on the domestic like product.

²¹⁸ *Original Determinations*, USITC Pub. 2977 at 29-30.

to raise prices to cover increasing raw materials and selling, general and administrative costs.²¹⁹ The domestic industry also lost market share despite the growing demand for pasta in the United States.²²⁰ The Commission concluded that these circumstances had a significant adverse impact on the domestic industry's financial performance, resulting in operating losses at the end of the period of investigation.²²¹

In the first five-year reviews, there was limited information available concerning the condition of the domestic industry. The Commission found that while the industry's capacity and production were greater than at the time of the original investigations, the AUVs of domestic shipments had fallen and other information suggested that the domestic industry was experiencing some difficulties.²²² Given the limited growth in demand and likely significant underselling by the subject imports, the Commission found that a significant increase in subject imports likely would have a significant adverse impact on the production, shipments, sales, employment, market share, and revenues of the domestic industry, which would erode the industry's profitability as well as its ability to raise capital and make and maintain necessary capital investments.²²³ Accordingly, the Commission found that revocation of the orders would be likely to have a significant adverse impact on the domestic industry within a reasonably foreseeable time.²²⁴

In the second five-year reviews, the Commission found that the domestic industry demonstrated moderate improvements in its revenues, shipments, and sales during 2005 and 2006 due to increasing demand for pasta and the ability of the domestic industry to recoup increasing costs for transportation and durum wheat through higher prices.²²⁵ However, the Commission found that the domestic industry's market share and capacity utilization remained flat during the period, while employment declined and wages trended downward over the

²¹⁹ *Original Determinations*, USITC Pub. 2977 at 29-30.

²²⁰ *Original Determinations*, USITC Pub. 2977 at 30.

²²¹ *Original Determinations*, USITC Pub. 2977 at 30.

²²² *First Reviews*, USITC Pub. 3462 at 17.

²²³ *First Reviews*, USITC Pub. 3462 at 18.

²²⁴ *First Reviews*, USITC Pub. 3462 at 18.

²²⁵ *Second Reviews*, USITC Pub. 3947 at 25.

majority of the period.²²⁶ The industry reported declining operating margins from 2001 through 2004, followed by increases from 2005 through 2007.²²⁷ The Commission did not find the industry to be vulnerable given its profitability in 2005 and 2006 and its ability to pass through its increased raw materials costs to purchasers during those years.²²⁸ However, the Commission found it likely that the domestic industry would not be able to raise its prices sufficiently to cover probable continued increases in its raw materials costs in the presence of high volumes of low-priced subject imports.²²⁹ The Commission stated that the likely significant volume of low-priced subject imports and the likely adverse price effects of those imports likely would have a significant adverse impact on the production, shipments, sales, and revenues of the domestic industry, which in turn would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments.²³⁰

In the third five-year reviews, the Commission found that the domestic industry generally performed well during the period of review, although a number of performance indicators peaked in 2010 before declining somewhat in 2011 and 2012.²³¹ The domestic industry's production capacity, production, employment, and wages all increased over the period of review (with the exception of 2012).²³² The Commission also found that net sales demonstrated moderate improvements, net sales value increased irregularly, and U.S. shipments increased from 2007 to 2010 before declining somewhat in 2011 and 2012.²³³ The domestic industry's market share increased from 2007 to 2009 but declined to its lowest point in the period of review in 2012.²³⁴ The industry reported increasing operating margins from

²²⁶ *Second Reviews*, USITC Pub. 3947 at 25.

²²⁷ *Second Reviews*, USITC Pub. 3947 at 25-26.

²²⁸ *Second Reviews*, USITC Pub. 3947 at 26.

²²⁹ *Second Reviews*, USITC Pub. 3947 at 26.

²³⁰ *Second Reviews*, USITC Pub. 3947 at 26.

²³¹ *Third Reviews*, USITC Pub. 4423 at 37.

²³² *Third Reviews*, USITC Pub. 4423 at 37-38.

²³³ *Third Reviews*, USITC Pub. 4423 at 38.

²³⁴ *Third Reviews*, USITC Pub. 4423 at 38.

2007 to 2010, with a slight decline in 2012.²³⁵ Based on these performance indicators, the Commission did not find the industry to be vulnerable.²³⁶ However, the Commission found that the likely significant volume of low-priced subject imports and the likely adverse price effects of subject imports likely would have a significant adverse impact on the production, shipments, sales and revenues of the domestic industry, which in turn would likely have a direct adverse impact on the industry's profitability and employment levels, as well as its ability to raise capital and make and maintain necessary capital investments.²³⁷ Thus, the Commission concluded that subject imports would be likely to have a significant adverse impact on the domestic industry within a reasonably foreseeable time.²³⁸ In its non-attribution analysis, the Commission found that although nonsubject imports increased irregularly during the period of review, their AUVs were comparable to the AUVs of the domestic industry.²³⁹ It also observed that increased nonsubject import competition did not prevent the domestic industry from performing well, and there was no evidence on the record to suggest that nonsubject foreign producers had the incentive to increase their presence in the U.S. market in the foreseeable future.²⁴⁰

In the fourth five-year reviews, the Commission found that the limited information available was insufficient to make a finding on whether the domestic industry was vulnerable.²⁴¹ The Commission found that revocation of the orders would likely lead to a significant volume of subject imports and that these imports would likely undersell the domestic like product to a significant degree, resulting in significant price depression or suppression for the domestic like product or a loss of market share for the domestic industry, or both.²⁴² In addition, the Commission found that the increased subject import competition that would likely occur after revocation of the orders would likely have a significant adverse impact

²³⁵ *Third Reviews*, USITC Pub. 4423 at 38.

²³⁶ *Third Reviews*, USITC Pub. 4423 at 38.

²³⁷ *Third Reviews*, USITC Pub. 4423 at 38-39.

²³⁸ *Third Reviews*, USITC Pub. 4423 at 37-39.

²³⁹ *Third Reviews*, USITC Pub. 4423 at 40.

²⁴⁰ *Third Reviews*, USITC Pub. 4423 at 40.

²⁴¹ *Fourth Reviews*, USITC Pub. 4876 at 31.

²⁴² *Fourth Reviews*, USITC Pub. 4876 at 31.

on the domestic industry.²⁴³ The Commission considered the role of factors other than subject imports, including nonsubject imports, in the market and concluded there was no evidence that nonsubject imports or other factors would prevent subject imports from Italy and Turkey from significantly increasing their presence in the U.S. market in the event of revocation.²⁴⁴ Accordingly, the Commission found that revocation of the orders was likely to have a significant adverse impact on the domestic industry.²⁴⁵

2. The Current Reviews

In these expedited reviews, the information available on the domestic industry's condition is limited. In 2023, the domestic industry's production capacity was *** pounds, its production was *** pounds, and its capacity utilization rate was *** percent.²⁴⁶ In the same year, the industry's domestic shipments were *** pounds, accounting for *** percent of apparent U.S. consumption by volume.²⁴⁷ Its net sales revenues were \$***, and its operating income was \$***, equivalent to *** percent of net sales.²⁴⁸ The limited evidence in these

²⁴³ *Fourth Reviews*, USITC Pub. 4876 at 31.

²⁴⁴ *Fourth Reviews*, USITC Pub. 4876 at 32.

²⁴⁵ *Fourth Reviews*, USITC Pub. 4876 at 32.

²⁴⁶ CR/PR at Table I-4. The domestic industry's capacity was 3.7 billion pounds in 1995, 3.4 billion pounds in 2006, 3.2 billion pounds in 2012, and *** pounds in 2017. *Id.* Its production was 2.6 billion pounds in 1995, *** pounds in 2000, 2.7 billion pounds in 2006, 2.5 billion pounds in 2012, and *** pounds in 2017. *Id.* Its capacity utilization rate was 70.6 percent in 1995, 80.0 percent in 2006, 76.8 percent in 2012, and *** percent in 2017. *Id.* Capacity and capacity utilization data are not available for 2000. *Id.*

²⁴⁷ CR/PR at Tables I-4 and I-6. Domestic producers' U.S. shipments were 2.6 billion pounds in 1995, *** pounds in 2000, 2.7 billion pounds in 2006, 2.4 billion pounds in 2012, and *** pounds in 2017. CR/PR at Table I-6. Domestic producers' share of apparent U.S. consumption was 83.5 percent in 1995, *** percent in 2000, 82.0 percent in 2006, 78.6 percent in 2012, and *** percent in 2017. CR/PR at Table I-6. The AUV of the domestic industry's U.S. shipments in 2023 (\$***/lb) was higher than in the terminal year of any of the prior proceedings: 1995 (\$0.48/lb); 2000 (\$***/lb); 2006 (\$0.45/lb); 2012 (\$0.75/lb); and 2017 (\$***/lb). CR/PR at Table I-4.

²⁴⁸ CR/PR at Table I-4. The domestic industry's net sales revenues in 2023 were higher than the last year of the prior reviews and the original investigations (\$*** in 2017 and \$1.2 billion in 1995). Similarly, the operating income and the ratio of operating income to net sales in 2023 were higher than in 2017 (\$*** and *** percent, respectively). *Id.* In the last year of the original investigations, the domestic industry had an operating loss of \$14.8 million and an operating loss to net sales ratio of negative 1.3 percent. *Id.*

expedited reviews is insufficient for us to make a finding on whether the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the orders.

Based on the information available on the record, we find that revocation of the orders would likely result in a significant volume of subject imports that would likely undersell the domestic like product to a significant degree. Given the general substitutability between the domestic like product and the subject imports and the importance of price in purchasing decisions, significant volumes of low-priced subject imports would likely capture sales and market share from the domestic industry, depress or suppress prices to a significant degree for the domestic like product, or both. The likely significant volume of low-priced subject imports and their adverse price effects would likely have a significant adverse impact on the production, shipments, sales, market share, and revenues of the domestic industry, which, in turn, would have a direct adverse impact on the industry's profitability and employment, as well as its ability to raise capital and make and maintain necessary capital investments. We thus conclude that, if the orders were revoked, subject imports would be likely to have a significant adverse impact on the domestic industry within a reasonably foreseeable time.²⁴⁹

We have also considered the role of factors other than subject imports, including the presence of nonsubject imports, so as not to attribute likely injury from other factors to the subject imports. The volume of nonsubject imports increased irregularly over the period of review; they were 378.1 million pounds in 2018, 365.7 million pounds 2019, 448.8 million pounds in 2020, 375.0 million pounds in 2021, 481.9 million pounds in 2022, and 462.3 million pounds in 2023.²⁵⁰ Nonsubject imports' market share in 2023 was *** percent, lower than their *** percent market share in 2017.²⁵¹ There is no indication or argument on the record of

²⁴⁹ La Molisana argues that the U.S. industry dominates the U.S. market and that Italian imports would compete with nonsubject products if the orders were revoked, but offers no support for its claim. As discussed above, the record indicates that absent the discipline of the orders, it is likely that large volumes of low-priced subject imports would enter the U.S. market and have a significant adverse impact on the domestic industry within a reasonably foreseeable time.

²⁵⁰ CR/PR at Table I-5.

²⁵¹ CR/PR at Table I-6.

these reviews that the presence of nonsubject imports would prevent cumulated subject imports from Italy and Turkey from significantly increasing their presence in the U.S. market in the event of revocation of the antidumping and countervailing duty orders, given the export orientation of the subject industries and the attractiveness of the U.S. market. Moreover, given the substitutability of the subject imports, regardless of source, with the domestic like product and the fact that the domestic industry is currently the largest supplier to the U.S. market, any increase in cumulated subject import volume and market penetration is likely to come, at least in substantial proportion, at the expense of the domestic industry. Finally, despite nonsubject imports' substantial market share, the domestic industry's operating income ratio in 2023 was higher than that in the original investigations and the prior reviews.²⁵² In light of these considerations, we find that the effects we have attributed to the subject imports are distinguishable from any effects likely from nonsubject imports in the event of revocation.

Accordingly, we find that revocation of the antidumping and countervailing duty orders on pasta from Italy and Turkey would likely have a significant adverse impact on domestic producers of pasta within a reasonably foreseeable time.

V. Conclusion

For the reasons above, we determine that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to continuation or recurrence of material injury to an industry in the United States within a reasonably foreseeable time.

²⁵² CR/PR at Table I-4.

Information obtained in these reviews

Background

On March 1, 2024, the U.S. International Trade Commission (“Commission”) gave notice, pursuant to section 751(c) of the Tariff Act of 1930, as amended (“the Act”),¹ that it had instituted reviews to determine whether revocation of antidumping and countervailing duty orders on certain pasta from Italy and Turkey would likely lead to the continuation or recurrence of material injury to a domestic industry.² All interested parties were requested to respond to this notice by submitting certain information requested by the Commission.³ Table I-1 presents information relating to the background and schedule of this proceeding:

Table I-1
Dry pasta: Information relating to the background and schedule of this proceeding

Effective date	Action
March 1, 2024	Notice of initiation by Commerce (89 FR 15139 March 1, 2024)
March 1, 2024	Notice of institution by Commission (89 FR 15217, March 1, 2024)
June 4, 2024	Commission’s vote on adequacy
July 1, 2024	Commerce’s results of its expedited reviews
September 13, 2024	Commission’s determinations and views

¹ 19 U.S.C. 1675(c).

² 89 FR 15217, March 1, 2024. In accordance with section 751(c) of the Act, the U.S. Department of Commerce (“Commerce”) published a notice of initiation of five-year reviews of the subject antidumping and countervailing duty orders. 89 FR 15139, March 1, 2024. Pertinent Federal Register notices are referenced in app. A, and may be found at the Commission’s website (www.usitc.gov).

³ As part of their response to the notice of institution, interested parties were requested to provide company-specific information. That information is presented in app. B. Summary data compiled in the original investigations and subsequent full reviews are presented in app. C.

Responses to the Commission’s notice of institution

Individual responses

The Commission received four submissions in response to its notice of institution in the subject reviews. They were filed on behalf of the following entities:

1. 8th Avenue Food and Provisions, Inc. (“8th Avenue”), Philadelphia Macaroni Company (“Philadelphia Mac”), and Winland Foods, Inc. (“Winland Foods”), domestic producers of certain pasta (collectively referred to herein as “domestic interested parties”). Winland Foods is a domestic producer/U.S. importer of certain pasta from Italy⁴
2. Barilla America, Inc. (“Barilla”), a domestic producer/U.S. importer of certain pasta
3. Industria Alimentare Colavita S.p.A. (“Indalco”), an Italian producer/exporter and U.S. importer of certain pasta
4. La Molisana, SpA (“La Molisana”), an Italian producer/exporter of certain pasta

A complete response to the Commission’s notice of institution requires that the responding interested party submit to the Commission all the information listed in the notice. Responding firms are given an opportunity to remedy or explain deficiencies in their responses and to provide clarifying details where appropriate. A summary of the number of responses and estimates of coverage for each is shown in table I-2.

Table I-2
Dry pasta: Summary of responses to the Commission’s notice of institution

Interested party type	Number	Coverage
U.S. producers	4	Approximately ***%
U.S. importers (Italy)	3	Approximately ***%
Foreign producers/exporters (Italy)	2	Approximately ***%

Note: The U.S. producer coverage figure presented is the estimated share of total U.S. production of certain pasta during 2023 accounted for by responding firms. The total U.S. production includes the domestic interested parties’ and Barilla’s U.S. production data *** pounds, divided by the domestic interested parties’ estimated total U.S. pasta production *** pounds, using Barilla’s revised data. Domestic interested parties’ response to the notice of institution, April 1, 2024, p.25 and Barilla’s supplemental response to the notice of institution, April 30, 2024, Exh. 1.

Note: The U.S. importer coverage figure presented, as provided by the interested parties’ in their responses, represents the firms’ aggregate share of the quantity of total U.S. imports of certain pasta

⁴ Winland Foods supports the continuation of the order covering imports of certain pasta from Italy and Turkey. ***. Domestic interested party supplemental response, April 22, 2024, Attachment 1.

from Italy during 2023. In 2023, Barilla imported *** pounds, Winland's subsidiary, American Italian Pasta Company, imported *** pounds, and Indalco imported *** pounds, which accounted for approximately *** percent of total subject imports from Italy in 2023 based on Commerce's official import statistics, using HTS subheading 1902.19.20. See table I-5 in this report for more information. Domestic interested parties' supplemental response to the notice of institution, April 22, 2024, Exh. 1; Barilla's supplemental response to the notice of institution, April 30, 2024, Exh. 1.

Note: The foreign producer coverage figure is the estimated share of the quantity of total exports to the United States of certain pasta from Italy in 2023 accounted for by responding firms. The estimate was calculated as the quantity of reported exports by Indalco and La Molisana (*** pounds) divided by the quantity of total U.S. imports of the subject product from Italy reported for 2023 in Commerce's official import statistics (506,110,000 pounds).

Note: Due to certain product exclusions from the scope, the subject import data is likely overstated.

Party comments on adequacy

The Commission received party comments on the adequacy of responses to the notice of institution and whether the Commission should conduct expedited or full reviews from the domestic interested parties and La Molisana. The domestic interested parties request that the Commission conduct expedited reviews of the antidumping and countervailing duty orders on certain pasta.⁵ La Molisana requests that the Commission conduct full reviews of the antidumping and countervailing duty orders on certain pasta.⁶

The original investigations

The original investigations resulted from a petition filed on May 12, 1995, with Commerce and the Commission by Borden, Inc., Columbus, Ohio; Hershey Foods Corp., Hershey, Pennsylvania; and Gooch Foods, Inc. (Archer Daniels Midland Co.), Lincoln, Nebraska.⁷ On June 14, 1996, Commerce determined that imports of certain pasta from Italy and Turkey were being sold at less than fair value ("LTFV") and subsidized by the Governments of Italy and Turkey.⁸ The Commission determined on July 17, 1996, that the domestic industry was materially injured by reason of subsidized and LTFV imports of certain pasta from Italy and Turkey.⁹ On July 24, 1996, Commerce issued its countervailing duty orders with the

⁵ Domestic interested parties' comments on adequacy, May 8, 2024, p. 6.

⁶ La Molisana's comments on adequacy, May 8, 2024, p. 8.

⁷ Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Final), USITC Publication 2977, July 1996 ("Original publication"), p. I-1.

⁸ 61 FR 30326, June 14, 1996. 61 FR 30309, June 14, 1996. 61 FR 30288, June 14, 1996. 61 FR 30366, June 14, 1996.

⁹ 61 FR 38473, July 24, 1996.

countervailable subsidy rates for certain producers in Italy ranging from 0.00 percent to 11.23 percent with an all others rate of 3.85 percent, and for certain producers in Turkey ranging from 3.87 percent to 15.82 percent with an all others rate of 9.38 percent.¹⁰ Commerce also issued its antidumping duty orders on July 24, 1996, with amended final weighted-average dumping margins for certain producers in Italy ranging from 0.67 percent to 46.67 percent with an all others rate of 12.09 percent, and for certain producers in Turkey ranging from 60.87 percent to 63.29 percent with an all others rate of 60.87 percent.¹¹

The first five-year reviews

On September 4, 2001, the Commission determined that it would conduct expedited reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.¹² On October 5 and 10, 2001, Commerce determined that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to continuation or recurrence of dumping and subsidization.¹³ On October 5, 2001, and on October 10, 2001, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time.¹⁴ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective November 16, 2001, Commerce issued a continuation of the antidumping and countervailing duty orders on imports of certain pasta from Italy and Turkey.¹⁵

The second five-year reviews

On January 5, 2007, the Commission determined that it would conduct full reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.¹⁶ On February 5, 2007, Commerce determined that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to

¹⁰ 61 FR 38544, July 24, 1996; 61 FR 38546, July 24, 1996.

¹¹ 61 FR 38547, July 24, 1996, 61 FR 38545, July 24, 1996, and 61 FR 42231, August 14, 1996. Dumping margins from Italy as reported in this paragraph are derived from Commerce's second amendment to its antidumping duty final determination. See Notice of Second Amendment to the Final Determination and Antidumping Duty Order: Certain Pasta from Italy, 61 FR 42231, August 14, 1996.

¹² 66 FR 50453, October 3, 2001.

¹³ 66 FR 51015, October 5, 2001; 66 FR 51019, October 5, 2001; 66 FR 51640, October 10, 2001.

¹⁴ 66 FR 55697, November 2, 2001.

¹⁵ 66 FR 57703, November 16, 2001.

¹⁶ 72 FR 2558, January 19, 2007.

continuation or recurrence of dumping and subsidization.¹⁷ On September 27 2007, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time upon revocation of the orders.¹⁸ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective October 12, 2007, Commerce issued a continuation of the antidumping and countervailing duty orders on imports of certain pasta from Italy and Turkey.¹⁹

The third five-year reviews

On December 10, 2012, the Commission determined that it would conduct full reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.²⁰ On January 4 and 11, 2013, Commerce determined that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to continuation or recurrence of dumping and subsidization.²¹ On August 30, 2013, the Commission determined that material injury would be likely to continue or recur within a reasonably foreseeable time upon revocation of the orders.²² Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective September 17, 2013, Commerce issued a continuation of the antidumping and countervailing duty orders on imports of certain pasta from Italy and Turkey.²³

The fourth five-year reviews

On November 5, 2018, the Commission determined that it would conduct expedited reviews of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey.²⁴ On December 5, 2018, Commerce determined that revocation of the antidumping and countervailing duty orders on certain pasta from Italy and Turkey would be likely to lead to continuation or recurrence of dumping and subsidization.²⁵ On April 4, 2019, the Commission

¹⁷ 72 FR 5266, February 5, 2007; 72 FR 5269, February 5, 2007; 72 FR 5271, February 5, 2007.

¹⁸ 72 FR 56382, October 3, 2007.

¹⁹ 72 FR 58052, October 12, 2007.

²⁰ 78 FR 959, January 7, 2013.

²¹ 78 FR 692, January 4, 2013; 78 FR 693, January 4, 2013; 78 FR 2368, January 11, 2013.

²² 78 FR 55095, September 9, 2013.

²³ 78 FR 57129, September 17, 2013.

²⁴ 84 FR 4535, February 15, 2019.

²⁵ 83 FR 62838, December 6, 2018; 83 FR 62840, December 6, 2018; 83 FR 62841, December 6, 2018.

determined that material injury would be likely to continue or recur within a reasonably foreseeable time upon revocation of the orders.²⁶ Following affirmative determinations in the five-year reviews by Commerce and the Commission, effective April 17, 2019, Commerce issued a continuation of the antidumping and countervailing duty orders on imports of certain pasta from Italy and Turkey.²⁷

Previous and related investigations

Certain pasta has not been the subject of any prior related antidumping or countervailing duty investigations in the United States.

Commerce's five-year reviews

Commerce announced that it would conduct expedited reviews with respect to the orders on imports of certain pasta from Italy and Turkey with the intent of issuing the final results of these reviews based on the facts available not later than July 1, 2024.²⁸ Commerce publishes its Issues and Decision Memoranda and its final results concurrently, accessible upon publication at <https://access.trade.gov/public/FRNoticesListLayout.aspx>. Issues and Decision Memoranda contain complete and up-to-date information regarding the background and history of the order, including scope rulings, duty absorption, changed circumstances reviews, and anticircumvention, as well as any decisions that may have been pending at the issuance of this report. Any foreign producers/exporters that are not currently subject to the antidumping and countervailing duty orders on imports of certain pasta from Italy and Turkey are noted in the sections titled "The original investigations" and "U.S. imports," if applicable.

²⁶ 84 FR 14398, April 10, 2019.

²⁷ 84 FR 16002, April 17, 2019.

²⁸ Letter from Alex Villanueva, Senior Director, AD/CVD Operations, Enforcement and Compliance, U.S. Department of Commerce to Nannette Christ, Director of Investigations, April 23, 2024.

The product

Commerce's scope

Commerce has defined the scope as follows:

Imports covered by this order are shipments of certain non-egg dry pasta in packages of five pounds four ounces or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastasis, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by the scope of the Order is typically sold in the retail market, in fiberboard or cardboard cartons, or polyethylene or polypropylene bags of varying dimensions.

Excluded from the scope of the order are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white. Multicolored pasta, imported in kitchen display bottles of decorative glass that are sealed with cork or paraffin and bound with raffia, is excluded from the scope of the Order. Pursuant to the Department's May 12, 2011 changed circumstances review effective January 1, 2009, gluten free pasta is also excluded from the scope of the Order. Effective January 1, 2012, ravioli and tortellini filled with cheese and/or vegetables are also excluded from the scope of the Order.

Also excluded are imports of organic pasta from Italy that are certified by an EU authorized body in accordance with the United States Department of Agriculture's National Organic Program for organic products. The organic pasta certification must be retained by exporters and importers and made available to U.S. Customs and Border Protection or the Department of Commerce upon request.

The merchandise subject to this order is currently classifiable under items 1901.90.90.95 and 1902.19.20 of the Harmonized Tariff Schedule of the United States (HTSUS). Although the HTSUS subheadings are provided for

convenience and Customs purposes, the written description of the merchandise subject to the Order is dispositive.^{29 30 31}

U.S. tariff treatment

Certain dry pasta is currently imported under Harmonized Tariff Schedule of the United States (“HTS”) statistical reporting numbers 1901.90.9195, 1902.19.2010, 1902.19.2020, 1902.19.2030, and 1902.19.2090.³² In addition, statistical reporting number 1901.90.9195 is a “basket” category for a number of miscellaneous food preparations and likely includes many other products besides the subject pasta.³³ Imports under subheading 1901.90.91 enter at a general duty rate of 6.4 percent ad valorem. The general rate of duty is “free” for pasta imported under the HTS subheading 1902.19.20. Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

²⁹ *Issues and Decision Memorandum for the Final Results of the Expedited Fourth Sunset Review of the Countervailing Duty Order on Certain Pasta from Italy*, Commerce memorandum dated November 28, 2018, EDIS Doc. No. 667835 (Att. 1402575) (“Italy CVD IDM”) at 6. The scope of the Turkey antidumping and countervailing duty orders is similar to that for the Italy orders, but does not include the exclusions with respect to multicolored pasta, gluten free pasta, ravioli and tortellini filled with cheese and/or vegetables, and organic pasta from Italy certified by the EU. Moreover, the Turkey orders only include merchandise classifiable under HTS 1902.19.20. *See also Issues and Decision Memorandum for the Final Results of the Expedited Sunset Reviews of the Antidumping Duty Orders on Certain Pasta from Italy and Turkey*, Commerce memorandum dated November 28, 2018, EDIS Doc. No. 667835 (Att. 1402574) (“Italy and Turkey AD IDM”) at 2-3; *Issues and Decision Memorandum for the Final Results of the Expedited Sunset Review of the Countervailing Duty Order on Certain Pasta from Turkey*, Commerce memorandum dated November 28, 2018, EDIS Doc. No. 667835 (Att. 1402576) (“Turkey CVD IDM”) at 5.

³⁰ HTS subheading 1902.19.20 covers goods outside the scope of these orders, as it also includes some nonsubject merchandise (e.g. dry non-egg pasta in packages greater than five pounds four ounces). As part of the changes to the HTS in 2017, the HTS statistical reporting number 1901.90.9095 was changed to 1901.90.9195 and is described as “food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing less than 50% cocoa powder (by weight), not elsewhere specified or included.” CR at I-12 n.35 and 36, PR at I-10 n.35 and 36.

³¹ *Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review)*, USITC Publication 4876, April 2019, pp. 6-7.

³² HTS subheading 1902.19.20 covers uncooked pasta, not stuffed or otherwise prepared, not containing eggs, that is exclusively pasta. This HTS provision covers goods outside the scope of these orders, as it also includes some nonsubject merchandise (e.g., dry non-egg pasta in packages greater than five pounds four ounces (approximately 2.38 kg)). *See* USITC, HTS (2024) Revision 1, Publication 5491, January 2024, pp. 19-19, 19-20, 19-21.

³³ HTS statistical reporting number 1901.90.9195 is described as “food preparations of flour, meal, starch or malt extract, not containing cocoa powder or containing less than 5 percent cocoa powder (by weight), not elsewhere specified or included.” *See* USITC, HTS (2024) Revision 1, Publication 5491, January 2024, pp. 19-19, 19-20, 19-21.

Effective May 9, 2019, certain dry pasta imported under subheading 1902.19.20 originating in China is subject to an additional 25 percent ad valorem duty under section 301 of the Trade Act of 1974.³⁴ This additional duty was raised from the original 10-percent duty included in the fourth five-year review.³⁵

Description and uses³⁶

Pasta has been used as a food for centuries in varied ways. It is an important dietary component in many countries due to its relative ease of preparation, versatility, long shelf life, nutritive value, and low-cost relative to other foods. Pasta or noodles may be formed in various shapes (including spaghetti, rigatoni, and other forms), which may be enriched or contain ingredients for coloring or flavoring. Pasta is made from durum wheat semolina and water and is formed by mixing semolina and possibly flour and water into a dough that is then rolled to a uniform thickness or extruded. The pasta is then dried to the desired moisture level, cooled, and packaged. Pasta generally ranges from off-white to yellowish in color. Pasta may take any of several hundred forms, including solid goods, extruded hollow goods, and rolled and cut goods. Pasta may also be categorized as long goods (e.g., spaghetti and linguine), short goods (e.g., elbows and twists), and specialty items (e.g., lasagna and shells).

Dry pasta is pasta that has been dried into a brittle form that is ready for cooking or for incorporation into downstream products such as macaroni and cheese, canned soup, or other prepared foods. Excluded from the definition of dry pasta used in the original investigation is all pasta that is fresh, moist, or frozen, as well as couscous. According to Commerce's scope definition, dry non-egg pasta is pasta that contains no egg yolk but may contain up to 2% egg white by weight. Dry egg pasta is dry pasta that contains egg yolk or contains more than 2% egg white. Dry egg pasta normally contains at least 5.5% egg or egg yolk. The addition of egg gives the pasta a certain richness and taste that is considered more appropriate for certain recipes.

Dry pasta sold in the United States is typically enriched if produced from semolina or flour from which the bran and germ have been removed. Pasta produced from whole wheat is not typically enriched. Dry enriched pasta contains niacin or niacinamide, iron, thiamine,

³⁴ 84 FR 20459, May 9, 2019. See also HTS heading 9903.88.03 and U.S. notes 20(e) and 20(f) to subchapter III of chapter 99 and related tariff provisions for this duty treatment. USITC, HTS (2024) Revision 1, Publication 5491, January 2024, p. 99-III-301.

³⁵ *Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review)*, USITC Publication 4876, April 2019, p. I-10.

³⁶ Unless otherwise noted, this information is based on *Certain Pasta from Italy and Turkey, Inv. Nos. 731-TA-365-366 and 731-TA-734-735 (Fourth Review)*, USITC Publication 4876, April 2019, pp. I-10-I-12.

riboflavin, and folic acid in addition to durum wheat semolina or flour. Enrichment of pasta produced from semolina or flour from which the bran and germ have been removed is required by most U.S. states and is a *de facto* requirement for the United States since products may be sold across state lines. Requirements for enriched pasta are set by the Food and Drug Administration.

Pasta made from organically grown wheat is sold as organic pasta or may be marketed as produced from organic ingredients. Dry organic pasta is processed in accordance with existing specific organic certification regulations. In general, the wheat is produced without the use of petroleum-based fertilizers, insecticides, herbicides, or fungicides. U.S. sales of certified-organic foods in 2022 were \$60 billion and accounted for 6 percent of total food sales in the United States.³⁷ This growth represents a roughly 31 percent increase from 2016.³⁸

Gluten free pasta is produced from grains other than wheat that do not contain gluten, a type of protein. Gluten free pasta may be produced from a variety of ingredients including buckwheat, corn, potato, rice, and soy. In the United States, the number of people eating a gluten free diet was estimated to be *** percent of the U.S. population in 2023.³⁹ This dietary trend has developed globally to fuel an estimated *** in gluten-free pasta sales worldwide in 2021.⁴⁰

Manufacturing process⁴¹

Major manufacturing inputs for dry pasta are durum wheat semolina or durum flour, water, energy for powering machinery and drying the product, and labor. Although most dry pasta is a mixture of durum wheat semolina and water, the proper manufacturing of quality dry pasta on a commercial scale requires a great deal of technical expertise, attention, and the proper equipment. At the pasta manufacturing location, the semolina and durum flour are mixed with water to form a smooth dough with a desired moisture level. (For egg noodles, egg

³⁷ Organic Trade Association, "Organic Food Sales Break through \$60 Billion in 2022," May 10, 2023.

³⁸ *Certain Pasta from Italy and Turkey, Inv. Nos. 731-TA-365-366 and 731-TA-734-735 (Fourth Review)*, USITC Publication 4876, April 2019, p. I-12.

³⁹ Statista, *Gluten-Free Foods Market in the U.S.*, December 18, 2023, p. 18.

⁴⁰ *Ibid*, p. 9.

⁴¹ Unless otherwise noted, this information is based on *Certain Pasta from Italy and Turkey, Inv. Nos. 731-TA-365-366 and 731-TA-734-735 (Final)*, USITC Publication 2977, July 1996, pp. I-18-I-19.

is mixed in, usually prior to the addition of water).⁴² The dough is then extruded (mechanically forced through bronze or Teflon dies) to form the shape of a specific pasta product, such as spaghetti or rigatoni.⁴³ After extrusion the product is dried in drying ovens again to a desired moisture level. The drying stages are followed by a cooling stage. Pasta producers carefully control their production processes. After production the dry pasta is then packaged. Production lines for dry pasta are much the same throughout the world, although some lines may be more automated than others, and there are differences in drying times and temperatures among producers.

⁴² Dry egg pasta can utilize the same equipment and inputs (except that it uses durum flour instead of semolina) as dry non-egg pasta. In the production of dry egg pasta, an egg product is blended into the dough prior to extrusion.

⁴³ Teflon dies are more commonly used in large, industrial operations because they are more durable and less expensive than bronze dies. However bronze dies are traditional and have a reputation for producing a pasta with more texture, so their use is a selling feature for some brands.

The industry in the United States

U.S. producers

During the final phase of the original investigations, the Commission received U.S. producer questionnaires from 26 firms, which accounted for approximately 95 percent of production of certain pasta in the United States during 1995.⁴⁴ During the expedited first five-year reviews, the Commission received responses to the notice of institution from four U.S. producers, which accounted for approximately *** percent of U.S. production of certain pasta during 2000.⁴⁵ During the full second five-year reviews, the Commission received U.S. producer questionnaires from 18 firms, which accounted for approximately 70 percent of production of certain pasta in the United States during 2005.⁴⁶ During the full third five-year reviews, the Commission received U.S. producer questionnaires from eight firms, which accounted for approximately 79.2 percent of production of certain pasta in the United States during 2011.⁴⁷ During the expedited fourth five-year reviews, domestic interested parties provided a list of eleven known and currently operating U.S. producers of certain pasta. Four responding firms accounted for approximately *** percent of production of certain pasta in the United States during 2017.⁴⁸

In response to the Commission's notice of institution in these current reviews, domestic interested parties provided a list of ten known and currently operating U.S. producers of certain pasta.⁴⁹ Barilla provided a list of seven known and currently operating U.S. producers of certain pasta.⁵⁰ Four firms providing U.S. industry data in response to the Commission's notice of institution accounted for approximately *** percent of production of certain pasta in the United States during 2023.⁵¹

⁴⁴ Original publication, p. III-1.

⁴⁵ First review confidential report, p. I-3.

⁴⁶ Second review publication, p. III-1.

⁴⁷ Third review publication, p. III-1.

⁴⁸ Fourth review confidential report, pp. I-3 and I-18.

⁴⁹ Domestic interested parties' response to the notice of institution, April 1, 2024, exhibit 1.

⁵⁰ Barilla's list included three companies which were not included in the domestic interested parties' response. Barilla's response to the notice of institution, April 1, 2024, page 18.

⁵¹ Domestic interested parties' response to the notice of institution, April 1, 2024, exhibit 1.

Recent developments

Table I-3 presents events in the U.S. industry since the Commission's fourth five-year review.⁵² There have been several changes in ownership of U.S. pasta companies since the fourth five-year reviews. In December of 2020, TreeHouse Foods acquired the majority of Ebro Foods, S.A.'s pasta business which was held within its Riviana Foods brand.⁵³ That same year, Philadelphia Macaroni Co. purchased A. Zerega's Sons. This acquisition doubled Philadelphia Macaroni's production and packaging capacity to more than 700 million pounds annually.⁵⁴ In addition, 8th Avenue Food and Provisions, which is partially owned by Post Holdings, acquired Ebro Foods, S.A.'s remaining dry pasta brand, Ronzoni in 2021.⁵⁵ As a result, Ebro's Riviana Foods had essentially exited the U.S. dry pasta market by 2021. In 2022, European private equity firm Investindustrial bought portions of TreeHouse Foods's meal preparation portfolio which included most of the pasta brands it had bought from Ebro in 2020 (San Giorgio and Prince, among others).⁵⁶ Investindustrial then established Winland Foods as a subsidiary to take over these U.S. pasta brands.

There were fewer expansions and closures over the same period. In 2019, Barilla completed a \$65 million dollar expansion of its Ames, Iowa plant and raised the facility's production capacity to an estimated 200 thousand metric tons per year.⁵⁷ In 2021, 8th Avenue Food & Provisions invested \$2 million in its truck holding capacity at its Carrington, North Dakota plant.⁵⁸ In February 2024, Winland Foods announced the closure of its St. Louis food plant which employed 80 workers and housed some pasta operations.⁵⁹

As noted above, the U.S. pasta market has remained mostly unchanged with respect to capacity since 2018. U.S. pasta consumption has followed a similar pattern. In 2022, U.S. per capita consumption was estimated at 8.8 kg (19 lbs).⁶⁰ This was unchanged from the fourth five-year review's findings. However, the COVID-19 pandemic caused a notable exception to

⁵² For recent developments in tariff treatment, please see "U.S. tariff treatment" section.

⁵³ Josh Sosland, "A Pasta Industry Marriage, Stymied No Longer," December 4, 2020.

⁵⁴ Philadelphia Macaroni Company, "Philadelphia Macaroni Co. to Acquire A. Zerega's Sons," April 30, 2020.

⁵⁵ Eric Schroeder, "Post Unit to Acquire Ronzoni Pasta Brand," March 30, 2021.

⁵⁶ Smithfield and Mobley, "Investindustrial to Acquire Significant Portion of TreeHouse Foods' Meal Preparation Division, a Leading Private Label Food Manufacturer," August 11, 2022.

⁵⁷ "Barilla Completes US\$65 Million Expansion at US Pasta Plant," April 11, 2019.

⁵⁸ Eric Schroeder, "Dakota Growers Pasta Upgrading ND Plant," October 19, 2021.

⁵⁹ "Food Manufacturer to Close STL Plant," February 1, 2024.

⁶⁰ Unione Italiana Food, "Italy World Leader in Pasta," March 3, 2023.

this trend in 2020 and 2021.⁶¹ Pasta’s longer shelf life and more at-home consumption helped spur a temporary bump in U.S. pasta demand. Regarding inputs for pasta, U.S. durum wheat production has fluctuated since 2018 and has consistently fallen below food use demand for durum wheat.⁶² Imports (mostly from Canada) have had to supplement shortfalls in production especially during periods of intense drought which occurred most recently in 2021.⁶³

**Table I-3
Certain Dry Pasta: Developments in the U.S. industry**

Item	Firm	Event
Expansion	Barilla	In 2019, Barilla completed the expansion of its Ames, Iowa pasta plant, raising its production capacity to 200,000 metric tons of dry pasta per year. Barilla estimated that this expansion resulted in a capacity increase of about 75,000 metric tons per year.
Expansion	8 th Avenue Food & Provisions	8 th Avenue Food & Provisions made a \$2 million investment to increase truck capacity at its Carrington, ND plant in 2021. The investment is estimated to support a 50 percent increase in truck handling capacity per day at the facility.
Closure	Winland Foods (Investindustrial)	In February 2024, Winland Foods announced the closure of its St. Louis plant.
Acquisition	Philadelphia Macaroni Co.	Philadelphia Macaroni Co. acquired A. Zerega’s Sons in 2020.
Acquisition	TreeHouse Foods	TreeHouse Foods acquired the majority of Ebro’s Riviana Foods U.S. branded pasta business in December 2020.
Acquisition	Winland Foods (Investindustrial)	Investindustrial acquired TreeHouse Foods’s meal preparation portfolio, which included its pasta unit, in 2022. Winland Foods was established as part of this unit.
Acquisition	8 th Avenue Food & Provisions	8 th Avenue Food & Provisions, Inc. which is partially owned by Post Holdings, Inc. acquired the Ronzoni dry pasta brand in 2021 from Riviana Foods.

Source: Cited sources.

⁶¹ Economic Research Service (ERS), “U.S. Durum Production Increasing While Use in Food Remains Stable,” October 17, 2022.

⁶² Ibid.

⁶³ National Drought Mitigation Center, “Row Crops Time Series | U.S. Agricultural Commodities in Drought,” April 30, 2024.

U.S. producers' trade and financial data

The Commission asked domestic interested parties to provide trade and financial data in their response to the notice of institution in the current five-year reviews.⁶⁴ Table I-4 presents a compilation of the trade and financial data submitted from all responding U.S. producers in the original investigations and subsequent five-year reviews.

⁶⁴ Individual company trade and financial data are presented in app. B.

Table I-4
Certain Pasta: Trade and financial data submitted by U.S. producers, by period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound; ratio in percent

Item	Measure	1995	2000	2006	2012	2017	2023
Capacity	Quantity	3,668,937	---	3,431,482	3,231,406	***	***
Production	Quantity	2,589,015	***	2,743,862	2,481,352	***	***
Capacity utilization	Ratio	70.6	---	80.0	76.8	***	***
U.S. shipments	Quantity	2,599,212	***	2,652,751	2,445,574	***	***
U.S. shipments	Value	1,244,671	***	1,205,868	1,834,249	***	***
U.S. shipments	Unit value	0.48	***	0.45	0.75	***	***
Net sales	Value	1,177,970	---	1,167,883	1,877,747	***	***
COGS	Value	778,856	---	867,135	1,308,399	***	***
COGS to net sales	Ratio	66.1	---	74.2	69.7	***	***
Gross profit or (loss)	Value	399,114	---	300,748	569,347	***	***
SG&A expenses	Value	***	---	184,058	297,895	***	***
Operating income or (loss)	Value	(14,794)	---	116,690	271,453	***	***
Operating income or (loss) to net sales	Ratio	(1.3)	---	10.0	14.5	***	***

Source: For the years 1995-2017, data are compiled using data submitted in the Commission's original investigations and previous five-year reviews. For the year 2023, data are compiled using data submitted by domestic interested parties. Domestic interested parties' supplemental response to the notice of institution, April 22, 2024, Exhibit 9. Barilla's supplemental response to the notice of institution, April 30, 2024, Exhibit 1.

Note: Table entries that are reported as "not available" in previous investigations are entered as "---".

Note: For a discussion of data coverage, please see "U.S. producers" section.

Definitions of the domestic like product and domestic industry

The domestic like product is defined as the domestically produced product or products which are like, or in the absence of like, most similar in characteristics and uses with, the subject merchandise. The domestic industry is defined as the U.S. producers as a whole of the domestic like product, or those producers whose collective output of the domestic like product constitutes a major proportion of the total domestic production of the product. Under the related parties provision, the Commission may exclude a U.S. producer from the domestic industry for purposes of its injury determination if “appropriate circumstances” exist.⁶⁵

In its original and subsequent five-year review determinations, the Commission defined the domestic like product as all dry pasta. One Commissioner defined the domestic like product differently in the original and expedited first five-year review determinations.⁶⁶ In its original and subsequent five-year review determinations, the Commission defined the domestic industry as all domestic producers of dry pasta. One Commissioner defined the domestic industry differently in the original and expedited first five-year review determinations. In 2023, U.S. producer Winland Foods’ imports, through its subsidiary American Italian Pasta Company accounted for *** percent of total subject imports from Italy and its subject imports were equivalent to approximately *** percent of the quantity of its U.S. production of certain pasta.⁶⁷ In 2023, U.S. producer Barilla accounted for approximately *** percent of total subject imports from Italy and its subject imports were equivalent to *** percent of the quantity of its U.S. production of certain pasta.⁶⁸ Two of four domestic producers of certain pasta, Winland Foods and Barilla, accounted for approximately *** percent of U.S. production in 2023.⁶⁹

U.S. importers

During the final phase of the original investigations, the Commission received U.S. importer questionnaires from 85 firms, which accounted for approximately two-thirds of total U.S. imports of certain pasta from Italy during 1995, and “virtually all” imports of certain pasta

⁶⁵ Section 771(4)(B) of the Tariff Act of 1930, 19 U.S.C. § 1677(4)(B).

⁶⁶ 89 FR 15217, May 8, 2024.

⁶⁷ Domestic interested parties’ response to the notice of institution, April 1, 2024, exhibit 1.

⁶⁸ Barilla’s response to notice of institution, April 1, 2024, exhibit 1. Barilla’s supplemental response to the notice of institution, April 30, 2024.

⁶⁹ Domestic interested parties’ response to the notice of institution, April 1, 2024, exhibits 9-10. Barilla’s response to the notice of institution, April 1, 2024, exhibits 9-10.

from Turkey.⁷⁰ Import data presented in the original investigations are based on official Commerce statistics.

During the expedited first five-year reviews, the Commission received U.S. importer questionnaires from two firms, which accounted for approximately *** percent of total U.S. imports of certain pasta from Italy during 2000. No exporters or importers from Turkey responded to the Commission's notice.⁷¹ Import data presented in the first reviews are based on official Commerce statistics.

During the full second five-year reviews, the Commission received U.S. importer questionnaires from 34 firms.⁷² Import data presented in the second reviews are based on official Commerce statistics.

During the full third five-year reviews, the Commission received U.S. importer questionnaires from 22 firms, which accounted for approximately *** percent of total U.S. imports of certain pasta from Italy during 2012, and *** percent of total U.S. imports of certain pasta from Turkey during 2012.⁷³ Import data presented in the third reviews are based on official Commerce statistics.

During the expedited fourth five-year reviews, the domestic interested parties provided in their response a list of 174 potential U.S. importers of pasta.⁷⁴ Import data presented in the fourth reviews are based on official Commerce statistics.

In their response to the notice of institution for these current reviews, three importers of the subject merchandise provided data regarding their U.S. imports and U.S. shipments (See appendix B). In addition, the respondent interested parties provided a list of 10 firms that may currently import subject merchandise.⁷⁵ The domestic interested parties provided a list of 322 firms that may currently import subject merchandise.⁷⁶

⁷⁰ Original publication, p. IV-1.

⁷¹ *Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Review)*, USITC Publication 3462, October 2001, p. 3.

⁷² *Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Second Review)*, USITC Publication 3947, September 2007, p. IV-1. No coverage figure was provided as to the share of imports accounted for by questionnaire responses.

⁷³ Third review confidential report, p. IV-1.

⁷⁴ *Certain Pasta from Italy and Turkey, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review)*, USITC Publication 4876, April 2019, p. I-26.

⁷⁵ Indalco's and La Molisana's responses to the notice of institution, April 1, 2024, Exh. 1.

⁷⁶ Domestic interested parties' response to the notice of institution, April 1, 2024, Exh. 9.

U.S. imports

Table I-5 presents the quantity, value, and unit value of U.S. imports from Italy and Turkey as well as the other top sources of U.S. imports (shown in descending order of 2023 imports by quantity).

Table I-5
Certain Pasta: U.S. imports, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; unit value in dollars per pound

U.S. imports from	Measure	2018	2019	2020	2021	2022	2023
Italy (subject)	Quantity	361,476	415,727	571,839	452,694	546,213	506,111
Turkey (subject)	Quantity	19,963	23,738	54,924	35,790	40,678	46,278
Subject sources	Quantity	381,439	439,465	626,763	488,484	586,891	552,389
Italy (nonsubject)	Quantity	14,271	17,548	18,909	16,040	18,083	15,887
Turkey (nonsubject)	Quantity	2,740	2,819	6,031	3,437	3,949	3,688
Mexico	Quantity	63,478	45,377	65,993	54,112	88,310	94,577
Canada	Quantity	75,407	87,411	96,565	71,352	81,362	89,512
China	Quantity	88,199	74,966	83,602	78,600	85,298	70,414
All other sources	Quantity	134,025	137,614	177,650	151,447	204,926	188,222
Nonsubject sources	Quantity	378,120	365,735	448,750	374,988	481,929	462,300
All import sources	Quantity	759,559	805,200	1,075,513	863,472	1,068,820	1,014,689
Italy (subject)	Value	266,292	288,763	404,800	339,435	502,156	490,475
Turkey (subject)	Value	6,020	8,682	20,920	14,774	23,232	26,355
Subject sources	Value	272,312	297,445	425,720	354,208	525,388	516,830
Italy (nonsubject)	Value	17,917	22,118	24,894	22,928	27,552	26,919
Turkey (nonsubject)	Value	904	1,486	3,764	2,072	2,944	3,072
Mexico	Value	25,711	18,846	26,426	22,205	45,530	56,079
Canada	Value	64,962	70,089	79,880	62,066	80,670	83,409
China	Value	71,532	65,579	83,458	77,458	92,483	68,402
All other sources	Value	117,744	122,434	162,042	148,331	213,533	180,322
Nonsubject sources	Value	298,770	300,552	380,465	335,060	462,711	418,204
All import sources	Value	571,082	597,997	806,185	689,268	988,100	935,034

Table I-5 continued
Certain Pasta: U.S. imports, by source and period

Unit value in dollars per pound

U.S. imports from	Measure	2018	2019	2020	2021	2022	2023
Italy (subject)	Unit value	0.74	0.69	0.71	0.75	0.92	0.97
Turkey (subject)	Unit value	0.30	0.37	0.38	0.41	0.57	0.57
Subject sources	Unit value	0.71	0.68	0.68	0.73	0.90	0.94
Italy (nonsubject)	Unit value	1.26	1.26	1.32	1.43	1.52	1.69
Turkey (nonsubject)	Unit value	0.33	0.53	0.62	0.60	0.75	0.83
Mexico	Unit value	0.41	0.42	0.40	0.41	0.52	0.59
Canada	Unit value	0.86	0.80	0.83	0.87	0.99	0.93
China	Unit value	0.81	0.87	1.00	0.99	1.08	0.97
All other sources	Unit value	0.88	0.89	0.91	0.98	1.04	0.96
Nonsubject sources	Unit value	0.79	0.82	0.85	0.89	0.96	0.90
All import sources	Unit value	0.75	0.74	0.75	0.80	0.92	0.92

Source: Compiled from official Commerce statistics for HTS statistical reporting numbers 1902.11.20 and 1902.19.20, accessed May 15, 2024.

Note: In the third review, Commission staff defined subject imports from Italy and Turkey as “certain dry pasta”, which did not include dry egg pasta (i.e., dry pasta containing egg yolk or containing more than two percent egg white). Dry egg pasta has been included in the Commission’s definition of the domestic like product (“all dry pasta” or “dry pasta”) since the original investigations.

Note: Subject imports are compiled from official Commerce statistics for HTS statistical reporting numbers 1902.19.20. Nonsubject imports from Italy and Turkey are based on official import statistics under HTS subheading 1902.11.20. This HTS subheading is for “Uncooked pasta, not stuffed or otherwise prepared” containing eggs. Nonsubject imports from all other sources are based on official import statistics under HTS subheadings 1902.11.20 and 1902.19.20.

Note: Due to dry non-egg pasta in packages greater than five pounds not being included in the scope and, among others, gluten free and organic pasta from Italy being excluded from the scope, the subject import data is likely overstated. HTS subheading 1902.19.20 covers goods outside the scope of the orders, as it also includes some nonsubject merchandise (e.g. dry non-egg pasta in packages greater than five pounds four ounces).

Note: Because of rounding, figure may not add to total shown.

Cumulation considerations⁷⁷

In assessing whether imports should be cumulated in five-year reviews, the Commission considers, among other things, whether there is a likelihood of a reasonable overlap of competition among subject imports and the domestic like product. Additional information concerning geographical markets and simultaneous presence in the market is presented below.⁷⁸

Imports of certain pasta from Italy and Turkey were reported in 72 of the 72 months between 2018 and 2023. Imports from Italy and Turkey entered through all borders of entry in all years from 2018 through 2023. Most imports of certain pasta from Italy and Turkey in 2023 entered through the same eastern border of entry (New York, New York).

⁷⁷ Unless otherwise noted, this information is based on official U.S. import statistics for HTS subheading 1902.19.20.

⁷⁸ In addition, available information concerning subject country producers and the global market is presented in the next section of this report.

Apparent U.S. consumption and market shares

Table I-6 presents data on U.S. producers' U.S. shipments, U.S. imports, apparent U.S. consumption, and market shares.

Table I-6
Certain Pasta: Apparent U.S. consumption and market shares, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; shares in percent

Source	Measure	1995	2000	2006
U.S. producers	Quantity	2,599,212	***	2,652,751
Italy	Quantity	322,448	309,498	***
Turkey	Quantity	57,046	2,737	***
Subject sources	Quantity	379,494	312,235	265,454
Nonsubject sources	Quantity	133,602	217,381	318,761
All import sources	Quantity	513,096	529,616	584,216
Apparent U.S. consumption	Quantity	3,112,308	***	3,236,966
U.S. producers	Value	1,244,671	***	1,205,868
Italy	Value	147,580	---	***
Turkey	Value	13,935	---	***
Subject sources	Value	161,515	---	128,488
Nonsubject sources	Value	68,708	---	170,591
All import sources	Value	230,223	---	299,079
Apparent U.S. consumption	Value	1,474,894	---	1,504,947
U.S. producers	Share of quantity	83.5	***	***
Italy	Share of quantity	10.4	***	***
Turkey	Share of quantity	1.8	***	***
Subject sources	Share of quantity	12.2	***	***
Nonsubject sources	Share of quantity	4.3	***	***
All import sources	Share of quantity	16.5	***	***
U.S. producers	Share of value	84.4	---	***
Italy	Share of value	10.0	---	***
Turkey	Share of value	0.9	---	***
Subject sources	Share of value	11.0	---	***
Nonsubject sources	Share of value	4.7	---	***
All import sources	Share of value	15.7	---	***

Table Continued.

Table I-6 Continued
Certain Pasta: Apparent U.S. consumption and market shares, by source and period

Quantity in 1,000 pounds; value in 1,000 dollars; shares in percent

Source	Measure	2012	2017	2023
U.S. producers	Quantity	2,445,574	***	***
Italy	Quantity	***	348,821	506,111
Turkey	Quantity	***	18,332	46,278
Subject sources	Quantity	***	367,153	552,389
Nonsubject sources	Quantity	***	392,573	462,300
All import sources	Quantity	665,765	759,726	1,014,689
Apparent U.S. consumption	Quantity	3,111,339	***	***
U.S. producers	Value	1,834,249	***	***
Italy	Value	***	244,930	490,475
Turkey	Value	***	5,706	26,355
Subject sources	Value	***	250,636	516,830
Nonsubject sources	Value	***	299,881	418,204
All import sources	Value	478,921	550,517	935,034
Apparent U.S. consumption	Value	2,313,170	***	***
U.S. producers	Share of quantity	78.6	***	***
Italy	Share of quantity	***	***	***
Turkey	Share of quantity	***	***	***
Subject sources	Share of quantity	***	***	***
Nonsubject sources	Share of quantity	***	***	***
All import sources	Share of quantity	21.4	***	***
U.S. producers	Share of value	79.3	***	***
Italy	Share of value	***	***	***
Turkey	Share of value	***	***	***
Subject sources	Share of value	***	***	***
Nonsubject sources	Share of value	***	***	***
All import sources	Share of value	20.7	***	***

Source: For the years 1996-2017, data are compiled using data submitted in the Commission's original investigations and five-year reviews. For the year 2023, U.S. producers' U.S. shipments are compiled from the domestic interested parties' response to the Commission's notice of institution and U.S. imports are compiled using official Commerce statistics under HTS subheadings 1902.11.20 and 1902.19.20, accessed May 15, 2024.

Note: Table entries that are reported as “not available” in previous investigations are entered as “---”.

Note: Due to dry non-egg pasta in packages greater than five pounds not being included in the scope and, among others, gluten free and organic pasta from Italy being excluded from the scope, the subject import data is likely overstated. HTS subheading 1902.19.20 covers goods outside the scope of the orders, as it also includes some nonsubject merchandise (e.g. dry non-egg pasta in packages greater than five pounds four ounces).

See fourth review publication for details on the pasta exclusions, pp. 6-7.

Note: Share of quantity is the share of apparent U.S. consumption by quantity in percent; share of value is the share of apparent U.S. consumption by value in percent.

Note: For a discussion of data coverage, please see “U.S. producers” and “U.S. importers” sections.

The industry in Italy

Producers in Italy

During the final phase of the original investigations, the Commission received foreign producer/exporter questionnaires from 23 firms, which accounted for approximately 50 percent of production of certain pasta in Italy during 1996, and approximately 33 percent of certain pasta exports from Italy to the United States during 1996-97.⁷⁹

During the first five-year reviews, the Commission received foreign producer/exporter questionnaires from two firms, which accounted for approximately four percent of certain pasta exports from Italy to the United States during 2000.⁸⁰

During the second five-year reviews, the Commission received foreign producer/exporter questionnaires from five firms, which accounted for approximately 5.5 percent of production of certain pasta in Italy during 2006.⁸¹

During the third five-year reviews, the Commission received foreign producer/exporter questionnaires from 18 firms, which accounted for approximately 36.8 percent of production of certain pasta in Italy during 2011.⁸²

During the fourth five-year reviews, the Commission received foreign producer/exporter questionnaires from one firm, which accounted for *** percent of production of certain pasta in Italy during 2017.⁸³

⁷⁹ Original publication, p. VII-2.

⁸⁰ First review publication, p. I-3

⁸¹ Second review publication, p. IV-10.

⁸² Third review publication, p. IV-12.

⁸³ Fourth review confidential report, p. I-33.

In their response to the notice of institution for these current reviews, two foreign producers of the subject merchandise provided data regarding their capacity, production, and exports to the United States. Indalco reported that it accounted for *** percent of foreign production of certain pasta in Italy during 2023 and La Molisana ***.⁸⁴ In addition, the respondent interested parties provided a list of 16 firms that may currently produce and/or export certain pasta in Italy.⁸⁵ The domestic interested parties provided a list of 123 firms that may currently produce and/or export certain pasta in Italy.⁸⁶

Trade data for producers in Italy

Table I-7 presents the Italy production, capacity, and exports to the United States of certain pasta during 2023, as well as data compiled in the original investigation and subsequent five-year reviews for 1995, 2000, 2006, 2012, and 2017.

Table I-7
Certain pasta: Italy producers' reported production, capacity, and exports to the United States, by period

Quantity in 1,000 pounds; value in 1,000 dollars; ratio in percent

Item	Measure	1995	2000	2006	2012	2017	2023
Capacity	Quantity	2,932,245	---	385,952	3,258,839	***	***
Production	Quantity	2,706,297	---	371,072	2,811,909	***	***
Capacity utilization	Ratio	92.3	---	79.8	86.3	***	***
Exports to the United States	Quantity	207,393	---	42,912	45,029	***	***
Exports to the United States	Value	---	---	15,449	28,025	***	***

Source: For the years 1995-2017, data are compiled using data submitted in the Commission's original investigations and subsequent five-year reviews. For the year 2023, data are compiled using data submitted by the respondent interested parties from Italy. Indalco's response to the notice of institution, April 1, 2024, Exh. 1 and La Molisana's response to the notice of institution, April 1, 2024, Exh. 1.

Note: Table entries that are reported as "not available" in previous investigations are entered as "---".

⁸⁴ Indalco's response to the notice of institution, April 1, 2024, exh. 1; La Molisana's response to the notice of institution, April 1, 2024, exh. 1. See also table I-2 and accompanying notes for additional information.

⁸⁵ Indalco's response to the notice of institution, April 1, 2024, exh. 5; La Molisana's response to the notice of institution, April 1, 2024, exh. 5.

⁸⁶ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 1.

Recent developments

Table I-8 presents events in Italy's pasta industry since the Commission's last five-year reviews. There have been several expansions since the preceding review. In 2020, La Molisana expanded its capacity to 600 tons per day in response to increased pasta demand induced by the COVID-19 pandemic.⁸⁷ Barilla's Italian parent company announced in 2023 that it will be investing roughly \$1.1 billion in its Italian and international business operations, including production capacity.⁸⁸ Similarly, Andriani SpA announced in 2024 its intention to build a new production facility overseas in Ontario, Canada.⁸⁹ As highlighted in the U.S. industry section, Investindustrial's acquisition of TreeHouse Foods' pasta portfolio involved some Italian pasta brands as well.⁹⁰

Between 2018 and 2023, Italy remained the world's leading pasta exporter (Table I-8).⁹¹ Since the Commission's fourth five-year reviews, Italy has also been the world's top pasta producer and consumer.⁹² The most recent per capita consumption figure for Italy demonstrates a significant increase (23 kg in 2022) since the previous reviews (15 kg in 2016).⁹³ Part of this increase is attributed to the COVID-19 pandemic where households desired pasta's long shelf life and affordability. In 2023, substantial global food inflation also affected Italy's pasta industry, but dry pasta sales were resilient and improved 3 percent over 2022.⁹⁴

⁸⁷ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 6.

⁸⁸ Ibid.

⁸⁹ Eszter Racz, "Andriani to Invest in Its First Gluten-Free Pasta Factory in Canada," January 19, 2024.

⁹⁰ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 6.

⁹¹ Within the EU, Italy accounted for 68 percent of total production and 77 percent of total exports in 2022. See European Union. Eurostat, "Over 6 Million Tonnes of Pasta Produced in 2022," October 25, 2022.

⁹² Unione Italiana Food, "Italy World Leader in Pasta," March 3, 2023.

⁹³ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 4; *Certain Pasta from Italy and Turkey*, Inv. Nos. 701-TA-365-366 and 731-TA-734-735 (Fourth Review), USITC Publication 4876, April 2019, p. I-25.

⁹⁴ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 4.

Table I-8
Certain Dry Pasta: Developments in the Italian industry

Item	Firm	Event
Plant opening / expansion	Andriani	Andriani, an Italy-based gluten-free pasta manufacturer announced plans in January 2024 to establish its first North American production facility in Ontario, Canada. The company is set to invest \$24.9 million and will manufacture products for the North American market instead of importing product from Italy.
Expansion	Barilla (Italian parent company)	Barilla announced in June 2023 an investment of \$1.1 billion to expand its domestic (Italy) and international footprint. This investment will extend to production capacity in addition to other capital improvements.
Expansion	La Molisana	During the COVID-19 pandemic in 2020, La Molisana responded to demand outstripping its capacity by initiating its tenth production line, bringing total capacity to 600 tons/day.
Acquisition	Investindustrial (La Doria)	As part of its purchase of TreeHouse Foods' pasta business, Investindustrial also assumed control over some Italian pasta brands and business operations that were previously part of TreeHouse Foods. These new brands were subsumed by Investindustrial's subsidiary La Doria, SpA.

Source: Cited sources.

Exports

Table I-9 presents export data for GTA HS 1902.11 and 1902.19, a category that includes dry non-egg pasta and out-of-scope products (dry egg pasta) from Italy.

Table I-9
Dry pasta: Quantity of exports from Italy, by destination, 2018-2023

Quantity in 1,000 pounds

Destination market	2018	2019	2020	2021	2022	2023
Germany	766,856	777,254	838,703	748,603	856,571	875,423
United Kingdom	522,168	570,693	692,633	530,208	578,136	540,286
United States	376,983	432,790	610,481	467,136	536,702	506,858
France	500,040	506,709	542,458	484,767	508,954	503,371
Japan	145,356	168,152	192,084	163,136	147,807	148,029
Netherlands	95,285	112,770	124,029	117,206	122,780	123,219
Sweden	104,844	116,057	126,903	123,163	122,566	114,344
Belgium	113,569	122,868	126,113	117,402	118,662	108,862
Spain	69,866	94,572	90,707	93,527	93,366	96,316
Switzerland	74,589	77,241	93,815	92,953	88,841	90,317
All other markets	1,288,749	1,420,211	1,581,936	1,430,302	1,425,321	1,373,297
All markets	4,058,306	4,399,317	5,019,861	4,368,402	4,599,705	4,480,322

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 1902.11 and 1902.19 accessed April 10, 2024. These data may be overstated as HS subheadings 1902.11 and 1902.19 may contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

Note: Data presented in this report based on Global Trade Atlas are inclusive of subheadings for dry egg and dry non-egg pasta.

The industry in Turkey

Producers in Turkey

During the final phase of the original investigations, the Commission received foreign producer/exporter questionnaires from two firms, which accounted for approximately *** of production of certain pasta in Turkey during 1995.⁹⁵

During the third five-year reviews, the Commission received no responses to its notice of institution from producers or exporters of certain pasta in Turkey.⁹⁶

During the second five-year reviews, the Commission received foreign producer/exporter questionnaires from one firm, which accounted for approximately *** percent of production of certain pasta in Turkey during 2007.⁹⁷

During the third five-year reviews, the Commission received foreign producer/exporter questionnaires from eight firms, which accounted for approximately 58.0 percent of production of certain pasta in Turkey during 2011.⁹⁸

During the fourth five-year reviews, the Commission received no responses to its notice of institution from producers or exporters of certain pasta in Turkey.⁹⁹

Although the Commission did not receive responses from any respondent interested parties from Turkey in these five-year reviews, the domestic interested parties provided a list of 45 possible producers of certain pasta in Turkey.¹⁰⁰

Recent developments

Table I-10 presents events in Turkey's pasta industry since the Commission's last five-year reviews. Many of Turkey's major pasta producers have completed or announced plans for expansion. Mutlu Makarna, Turkey's 106th largest exporting company by revenue, reports a current production capacity of 1,600 tons of pasta per day after investing in a new wheat

⁹⁵ Original publication, p. VII-7.

⁹⁶ First review publication, p. 3.

⁹⁷ Second review publication confidential report, pp. IV-20-IV-21.

⁹⁸ Third review publication, p. IV-22.

⁹⁹ Fourth review publication, p. I-2. The Government of the Republic of Turkey responded to the notice of institution during the fourth five-year reviews, but did not supply production or export data.

¹⁰⁰ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 5.

processing facility.¹⁰¹ Nuh'un Ankara Makarnasi and Selva Gida Sanayi each has expanded or is in the process of expanding their respective production capacities since the preceding reviews.

Per capita consumption in Turkey was estimated at 8.7 kg in 2022 and 7.5 kg in 2023.¹⁰² These figures are notably lower than other major producers and exporters (i.e., the United States and Italy). Since 2020, domestic inflation has negatively affected household food consumption, including that of pasta, as prices rise in grain-based foods (e.g., rice, bread, and pasta).¹⁰³ Meanwhile, this weaker domestic consumption coupled with the Turkish Lira's depreciation against the U.S. dollar have helped facilitate Turkey's pasta exports.¹⁰⁴ Furthermore, Turkey's pasta exporters have taken advantage of the current inward processing regime. The Government of Turkey allows only duty-free wheat imports if used for further processing and re-export which has become an important input source for the pasta industry.¹⁰⁵

Table I-10
Dry pasta: Developments in the Turkish industry

Item	Firm	Event
Plant opening	Mutlu Makarna	Mutlu Markana in 2022 expanded one of its operations with a daily capacity to process 1,200 tons of wheat.
Expansion	Nuh'un Ankara Makarnasi	Nuh'un Ankara Makarnasi expanded one of its pasta facilities in 2021 to raise monthly production capacity to 18,000 tons of pasta.
Expansion	Selva Gida Sanayi	Selva Gida Sanayi in 2023 announced an investment of 7.5 million euros to increase pasta production by 50 percent. Completion is scheduled for September 2024.

Source: Cited sources.

¹⁰¹ Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 7.

¹⁰² Unione Italiana Food, "Italy World Leader in Pasta," March 3, 2023; Domestic interested parties' response to the notice of institution, April 1, 2024, exh. 7.

¹⁰³ FAS, *Türkiye: Grain and Feed Annual*, April 4, 2024, 3–4.

¹⁰⁴ *Ibid*, 3.

¹⁰⁵ *Ibid*, 5.

Exports

Table I-11 presents export data for certain dry pasta under HS codes 1902.11 and 1902.19, a category that includes dry non-egg pasta and out-of-scope products (dry egg pasta), from Turkey.

Table I 11
Dry pasta: Quantity of exports from Turkey, by destination, 2018-2023

Quantity in 1,000 pounds

Destination market	2018	2019	2020	2021	2022	2023
Somalia	253,709	361,349	394,710	454,169	340,827	494,103
Venezuela	141,629	281,551	483,887	466,547	391,922	369,494
Togo	187,355	166,287	150,453	180,885	147,970	189,854
Benin	337,314	302,747	140,202	251,046	201,501	172,292
Ghana	141,272	166,142	195,030	218,849	167,802	165,641
Japan	110,816	106,950	134,659	107,773	132,780	135,908
Niger	30,136	32,939	79,325	115,358	117,015	118,313
Cameroon	32,001	25,744	53,017	21,447	39,714	55,573
Senegal	32,408	32,845	61,085	50,877	107,239	54,708
Iraq	108,351	55,811	58,449	27,066	45,732	48,163
All other markets	1,176,249	1,147,438	1,340,944	956,277	1,072,039	948,360
All markets	2,551,239	2,679,804	3,091,761	2,850,294	2,764,541	2,752,408

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 1902.11 and 1902.19 accessed April 10, 2024. These data may be overstated as HS subheadings 1902.11 and 1902.19 may contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to totals shown.

Note: Data presented in this report based on Global Trade Atlas are inclusive of subheadings for dry egg and dry non-egg pasta.

Third-country trade actions

In 2018, the Canadian International Trade Tribunal (CITT) determined that dry wheat pasta from Turkey caused material injury to domestic producers. In 2019, exporters and importers of dry wheat pasta from Turkey filed an appeal with Canada's Federal Court of Appeal to review CITT's 2018 decision.¹⁰⁶ Ultimately, CITT's finding of material injury to domestic producers was upheld and the anti-dumping and countervailing measures continued to apply. In 2023, CITT initiated an expiry review which concluded in March 2024 and sustained the anti-dumping and countervailing measures on dry wheat pasta from Turkey for another five years.¹⁰⁷

South Africa imposed preliminary anti-dumping duties on imports of Turkish pasta in March 2021.¹⁰⁸ This resulted in anti-dumping duties in the amount of 367 percent.¹⁰⁹ South Africa also considers the subject good more broadly as encompassing all pasta imported under the HS codes 1902.11 and 1902.19. The South Africa International Trade Administration Commission did not elaborate on certain packaging or other qualities (e.g., organic) as being excluded from the investigation's scope.¹¹⁰

¹⁰⁶ Canada defines subject goods more broadly with respect to packaging as pasta imported in various packaging sizes from 200g to 50lb are included in its scope. See Canada Border Services Agency, *Statement of Reasons—Expiry Review Determination: Dry Wheat Pasta (DWP 2023ER)*, October 7, 2023, p. 4.

¹⁰⁷ Government of Canada. Canadian International Trade Tribunal, *Dry Wheat Pasta*, Expiry Review RR-2023-001, March 20, 2024, <https://decisions.citt-tcce.gc.ca/citt-tcce/a/en/521227/1/document.do>.

¹⁰⁸ Government of South Africa. International Trade Administration Commission, *Notice of Investigation into the Alleged Dumping of Pasta Originating in or Imported from Egypt, Latvia, Lithuania, and Turkey*, Government Gazette No. 43726, September 18, 2020. https://www.gov.za/sites/default/files/gcis_document/202009/43726gen508.pdf.

¹⁰⁹ Government of South Africa. International Trade Administration Commission, *Investigation into the Alleged Dumping of Pasta Originating in or Imported from Egypt, Latvia, Lithuania, and Turkey: Preliminary Determination*, Report No. 655, March 18, 2021, p. 4.

¹¹⁰ Ibid.

The global market

Demand for pasta in developing country markets has continued to grow more quickly than demand in developed countries. Although Italy still consumes the most pasta per capita, new markets have experienced impressive consumption growth (e.g., Indonesia, Iraq, Ivory Coast, and Burma).¹¹¹ Many producers have responded to these market changes by increasingly diversifying their export markets.¹¹² Meanwhile, changing diets in developed countries have seen demand shift toward nontraditional pasta varieties (e.g., gluten free and organic).

Table I-12 presents global export data for GA HS 1902.11 and 1902.19, a category that includes dry non-egg pasta and out-of-scope products (dry egg pasta). Global pasta exports from 2018 to 2023 peaked in 2020 at 12.8 billion pounds partly due to higher demand at the start of the COVID-19 pandemic before returning to around 10.5 billion pounds in 2023. During this period, Italy and Turkey were the largest pasta exporters by market share, approximately 40 and 25 percent, respectively.

Table I-12
Dry pasta: Quantity of global exports, by country, 2018-2023

Quantity in 1,000 pounds

Exporting country	2018	2019	2020	2021	2022	2023
Italy	4,058,306	4,399,317	5,019,861	4,368,402	4,599,705	4,480,322
Turkey	2,551,239	2,679,804	3,091,761	2,850,294	2,764,541	2,752,408
Egypt	296,076	295,047	366,480	332,651	198,451	415,920
Spain	233,631	276,589	298,801	275,083	298,283	291,046
Belgium	235,980	239,520	239,255	217,819	223,118	230,750
United States	209,219	209,589	258,925	257,425	247,919	225,152
Germany	126,672	124,101	144,077	146,769	144,427	206,245
Thailand	179,553	169,570	175,355	194,553	224,803	200,882
Greece	119,802	135,466	149,766	123,752	165,712	177,832
Canada	88,854	95,299	105,059	77,245	87,529	95,339
All other exporters	2,490,300	2,456,042	2,950,599	2,959,009	2,072,338	1,419,618
All exporters	10,589,633	11,080,345	12,799,939	11,803,001	11,026,825	10,495,512

Source: Global Trade Information Services, Inc., Global Trade Atlas, HS subheadings 1902.11 and 1902.19 accessed April 10, 2024. These data may be overstated as HS subheadings 1902.11 and 1902.19 may contain products outside the scope of these reviews.

Note: Because of rounding, figures may not add to total shown.

¹¹¹ Unione Italiana Food, “Italy World Leader in Pasta,” March 3, 2023.

¹¹² This has been particularly true for Turkish exporters who have catered to developing markets in middle- and lower-income countries.

APPENDIX A
FEDERAL REGISTER NOTICES

The Commission makes available notices relevant to its investigations and reviews on its website, www.usitc.gov. In addition, the following tabulation presents, in chronological order, Federal Register notices issued by the Commission and Commerce during the current proceeding.

Citation	Title	Link
89 FR 15139 March 1, 2024	<i>Initiation of Five-Year (Sunset) Reviews</i>	https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04369.pdf
89 FR 15217 March 1, 2024	<i>Certain Pasta from Italy and Turkey; Institution of Five-Year Reviews</i>	https://www.govinfo.gov/content/pkg/FR-2024-03-01/pdf/2024-04379.pdf

APPENDIX B
COMPANY-SPECIFIC DATA

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APPENDIX C
SUMMARY DATA COMPILED IN PRIOR PROCEEDINGS

**SUMMARY DATA
COLLECTED IN THIRD REVIEW**

Table C-1
Dry Pasta: Summary data concerning the U.S. market, 2007-12, January-March 2012, and January-March 2013

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent—exceptions noted)

	Report data								Period changes						
	2007		2008		Calendar year		January to March		2007-12		Calendar year		Jan-Mar		
	2007	2008	2009	2010	2011	2012	2012	2013	2007-12	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
U.S. consumption quantity:															
Amount.....	2,917,197	2,948,955	3,028,138	3,125,201	3,113,794	3,111,339	787,821	768,731	6.7	1.1	2.7	3.2	(0.4)	(0.1)	(2.4)
Producers' share (fn1).....	79.4	81.7	82.0	81.7	80.1	78.6	79.5	80.1	(0.8)	2.3	0.3	(0.3)	(1.6)	(1.5)	0.6
Importers' share (fn1):															
Italy, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Italy, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Mexico.....	2.7	3.7	3.4	3.2	3.6	3.7	3.4	3.1	0.9	1.0	(0.4)	(0.2)	0.4	0.1	(0.2)
China.....	1.9	2.4	2.2	2.2	2.4	2.5	2.5	2.2	0.6	0.5	(0.2)	(0.0)	0.2	0.1	(0.3)
Canada.....	1.9	1.3	1.1	1.4	1.4	1.6	1.6	1.8	(0.3)	(0.6)	(0.2)	0.3	0.1	0.1	0.2
Thailand.....	0.7	0.8	0.7	0.8	0.8	0.9	0.9	0.8	0.2	0.0	(0.1)	0.1	(0.1)	0.2	(0.1)
Korea.....	0.3	0.4	0.3	0.4	0.4	0.5	0.5	0.7	0.2	0.1	(0.1)	0.1	0.0	0.1	0.2
Taiwan.....	0.2	0.3	0.2	0.2	0.3	0.3	0.3	0.3	0.1	0.0	(0.0)	0.0	0.0	0.0	(0.0)
Japan.....	0.4	0.4	0.4	0.3	0.3	0.2	0.3	0.3	(0.2)	0.0	(0.0)	(0.1)	(0.1)	(0.0)	0.0
Vietnam.....	0.1	0.1	0.1	0.1	0.1	0.2	0.1	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0
All others sources.....	1.2	1.1	1.1	1.1	1.3	1.5	1.5	1.6	0.3	(0.1)	0.0	(0.1)	0.2	0.2	0.1
Subtotal, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports.....	20.6	18.3	18.0	18.3	19.9	21.4	20.5	19.9	0.8	(2.3)	(0.3)	0.3	1.6	1.5	(0.6)
U.S. consumption value:															
Amount.....	1,562,177	2,198,345	2,125,477	2,068,389	2,224,611	2,313,170	596,545	566,075	48.1	40.7	(3.3)	(2.7)	7.6	4.0	(5.1)
Producers' share (fn1).....	78.4	82.5	83.1	81.7	80.6	79.3	80.8	79.5	0.9	4.1	0.6	(1.4)	(1.2)	(1.3)	(1.4)
Importers' share (fn1):															
Italy, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal, subject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Italy, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Mexico.....	1.7	2.0	1.8	1.7	2.0	2.0	1.8	1.8	0.3	0.3	(0.2)	(0.0)	0.2	(0.0)	(0.1)
China.....	1.6	1.7	1.6	1.8	2.1	2.3	2.2	2.2	0.7	0.1	(0.1)	0.1	0.3	0.2	0.0
Canada.....	2.4	1.6	1.4	2.0	2.1	2.1	2.1	2.6	(0.3)	(0.8)	(0.2)	0.5	0.2	(0.0)	0.5
Thailand.....	0.8	0.8	0.7	0.9	0.8	1.1	1.0	1.0	0.3	(0.0)	(0.0)	0.2	(0.1)	0.2	(0.0)
Korea.....	0.4	0.4	0.3	0.5	0.5	0.6	0.5	0.7	0.1	(0.0)	(0.1)	0.1	0.0	0.1	0.2
Taiwan.....	0.4	0.3	0.3	0.4	0.4	0.5	0.5	0.5	0.1	(0.0)	(0.0)	0.0	0.1	0.0	0.0
Japan.....	0.8	0.7	0.7	0.7	0.6	0.5	0.5	0.5	(0.2)	(0.1)	0.1	(0.0)	(0.1)	(0.1)	(0.0)
Vietnam.....	0.1	0.1	0.1	0.1	0.1	0.2	0.1	0.2	0.1	0.0	0.0	0.0	0.0	0.0	0.0
All others sources.....	1.4	1.2	1.2	1.3	1.6	1.6	1.6	1.9	0.2	(0.2)	0.0	0.0	0.3	0.1	0.3
Subtotal, nonsubject.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Total imports.....	21.6	17.5	16.9	18.3	19.4	20.7	19.2	20.5	(0.9)	(4.1)	(0.6)	1.4	1.2	1.3	1.4
U.S. imports of subject merchandise from:															
Italy:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subject merchandise, subject sources:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
U.S. imports of nonsubject merchandise:															
Italy:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey:															
Quantity.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value.....	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Mexico:															
Quantity.....	79,119	110,061	101,782	99,608	111,983	113,801	26,609	24,152	43.8	39.1	(7.5)	(2.1)	12.4	1.6	(9.2)
Value.....	26,225	44,358	37,668	35,899	43,636	45,333	10,914	9,973	72.9	69.1	(15.1)	(4.7)	21.6	3.9	(8.6)
Unit value.....	\$0.33	\$0.40	\$0.37	\$0.36	\$0.39	\$0.40	\$0.41	\$0.41	20.2	21.6	(8.2)	(2.6)	8.1	2.2	0.7
China:															
Quantity.....	54,963	70,741	66,601	68,111	75,353	77,133	19,533	16,833	40.3	28.7	(5.9)	2.3	10.6	2.4	(13.8)
Value.....	25,418	37,323	34,900	36,690	47,010	53,396	12,984	12,297	110.1	46.8	(6.5)	5.1	28.1	13.6	(4.8)
Unit value.....	\$0.46	\$0.53	\$0.52	\$0.54	\$0.62	\$0.69	\$0.66	\$0.73	49.7	14.1	(0.7)	2.8	15.8	11.0	10.4
Canada:															
Quantity.....	55,486	38,764	33,570	42,998	45,098	48,947	12,720	13,964	(11.8)	(30.1)	(13.4)	28.1	4.9	8.5	9.8
Value.....	37,369	35,954	30,161	40,342	47,295	48,916	12,297	14,670	30.9	(3.8)	(16.1)	33.8	17.2	3.4	19.3
Unit value.....	\$0.67	\$0.93	\$0.90	\$0.94	\$1.05	\$1.00	\$0.97	\$1.05	48.4	37.7	(3.1)	4.4	11.8	(4.7)	8.7
Thailand:															
Quantity.....	20,847	22,451	21,509	26,464	23,770	28,757	6,977	6,216	37.9	7.7	(4.2)	23.0	(10.2)	21.0	(10.9)
Value.....	12,571	16,633	15,122	19,086	18,715	24,639	5,690	5,381	96.0	32.3	(9.1)	26.2	(1.9)	31.6	(5.4)
Unit value.....	\$0.60	\$0.74	\$0.70	\$0.72	\$0.79	\$0.86	\$0.82	\$0.87	42.1	22.9	(5.1)	2.6	9.2	8.8	6.2
Korea:															
Quantity.....	8,721	10,353	8,855	12,238	13,373	17,054	3,933	5,021	95.6	18.7	(14.5)	38.2	9.3	27.5	27.7
Value.....	6,887	8,634	6,767	9,309	10,331	13,152	2,981	3,894	91.0	25.4	(21.6)	37.6	11.0	27.3	30.6
Unit value.....	\$0.79	\$0.83	\$0.76	\$0.76	\$0.77	\$0.77	\$0.76	\$0.78	(2.3)	5.6	(8.4)	(0.5)	1.6	(0.2)	2.3
Taiwan:															
Quantity.....	7,177	7,720	6,974	7,725	8,544	9,232	2,361	2,150	28.6	7.6	(9.7)	10.8	10.6	8.1	(8.9)
Value.....	5,630	7,334	7,082	7,851	9,973	11,138	2,765	2,746	97.8	30.5	(3.4)	10.9	27.0	11.7	(0.7)
Unit value.....	\$0.78	\$0.95	\$1.02	\$1.02	\$1.17	\$1.21	\$1.17	\$1.28	53.8	21.1	6.9	0.1	14.8	3.4	9.1
Japan:															
Quantity.....	11,808	12,994	11,888	9,853	8,055	7,773	2,021	2,052	(34.2)	10.0	(8.5)	(17.1)	(18.2)	(3.5)	1.6
Value.....	12,090	14,742	15,319	13,934	13,125	12,323	3,200	2,915	1.9	3.9	(9.0)	(5.8)	(6.1)	(8.9)	(8.9)
Unit value.....	\$1.02	\$1.13	\$1.29	\$1.41	\$1.63	\$1.59	\$1.58	\$1.42	54.8	10.8	13.6	9.7	15.2	(2.7)	(10.3)
Vietnam:															
Quantity.....	1,507	2,060	2,332	2,604	3,303	4,818	996	1,320	219.7	36.7	13.2	11.7	26.9	45.8	32.5
Value.....	1,053	1,798	1,919	2,120	2,857	4,062	886	1,082	285.8	70.8	6.7	10.5	34.8	42.2	22.1
Unit value.....	\$0.70	\$0.87	\$0.82	\$0.81	\$0.86	\$0.84									

Table C-1--Continued

Dry Pasta: Summary data concerning the U.S. market, 2007-12, January-March 2012, and January-March 201

(Quantity=1,000 pounds; Value=1,000 dollars; Unit values, unit labor costs, and unit expenses=dollars per pound; Period changes=percent--exceptions noted)

	Report data								Period changes						
			Calendar year				January to March				Calendar year			Jan-Mar	
	2007	2008	2009	2010	2011	2012	2012	2013	2007-12	2007-08	2008-09	2009-10	2010-11	2011-12	2012-13
U.S. producers:															
Average capacity quantity.....	2,806,561	2,877,370	2,944,373	3,108,463	3,169,131	3,231,406	807,953	818,364	15.1	2.5	2.3	5.6	2.0	2.0	1.3
Production quantity.....	2,331,898	2,429,015	2,532,865	2,562,900	2,557,485	2,481,352	644,696	641,068	6.4	4.2	4.3	1.2	(0.2)	(3.0)	(0.6)
Capacity utilization (fn1).....	83.1	84.4	86.0	82.4	80.7	76.8	79.8	78.3	(6.3)	1.3	1.6	(3.6)	(1.7)	(3.9)	(1.5)
U.S. shipments:															
Quantity.....	2,315,072	2,409,232	2,483,719	2,553,366	2,495,697	2,445,574	626,328	615,536	5.6	4.1	3.1	2.8	(2.3)	(2.0)	(1.7)
Value.....	1,224,168	1,813,346	1,766,135	1,690,498	1,792,514	1,834,249	482,243	449,935	49.8	48.1	(2.6)	(4.3)	6.0	2.3	(6.7)
Unit value.....	\$0.53	\$0.75	\$0.71	\$0.66	\$0.72	\$0.75	\$0.77	\$0.73	41.8	42.3	(5.5)	(6.9)	8.5	4.4	(5.1)
Export shipments:															
Quantity.....	18,699	18,822	31,311	29,178	34,957	39,444	9,774	11,717	110.9	0.7	66.4	(6.8)	19.8	12.8	19.9
Value.....	9,992	15,229	22,470	20,375	28,849	34,812	8,500	9,471	248.4	52.4	47.5	(9.3)	41.6	20.7	11.4
Unit value.....	\$0.53	\$0.81	\$0.72	\$0.70	\$0.83	\$0.88	\$0.87	\$0.81	65.2	51.4	(11.3)	(2.7)	18.2	6.9	(7.1)
Ending inventory quantity.....	201,644	202,606	220,442	200,800	227,628	223,961	236,222	237,784	11.1	0.5	8.8	(8.9)	13.4	(1.6)	0.7
Inventories/total shipments (fn1).....	8.6	8.3	8.8	7.8	9.0	9.0	9.3	9.5	0.4	(0.3)	0.4	(1.0)	1.2	0.0	0.2
Production workers.....	2,034	2,044	2,119	2,103	2,156	2,153	2,188	2,159	5.9	0.5	3.7	(0.8)	2.5	(0.1)	(1.3)
Hours worked (1,000s).....	4,593	4,599	4,786	4,808	4,919	4,855	1,224	1,232	5.7	0.1	4.1	0.5	2.3	(1.3)	0.7
Wages paid (\$1,000).....	91,140	96,683	104,000	106,333	110,213	107,984	27,442	27,470	18.5	6.1	7.6	2.2	3.6	(2.0)	0.1
Productivity (pounds per hour).....	507.7	528.2	529.2	533.0	519.9	511.1	526.7	520.3	0.7	4.0	0.2	0.7	(2.5)	(1.7)	(1.2)
Unit labor costs.....	\$0.04	\$0.04	\$0.04	\$0.04	\$0.04	\$0.04	\$0.04	\$0.04	11.3	1.8	3.2	1.0	3.9	1.0	0.7
Net Sales:															
Quantity.....	2,285,993	2,359,642	2,503,046	2,542,561	2,493,341	2,460,510	624,247	615,991	7.6	3.2	6.1	1.6	(1.9)	(1.3)	(1.3)
Value.....	1,185,293	1,691,345	1,808,035	1,684,710	1,770,503	1,877,747	484,934	453,888	58.4	42.7	6.9	(6.8)	5.1	6.1	(6.4)
Unit value.....	\$0.52	\$0.72	\$0.72	\$0.66	\$0.71	\$0.76	\$0.78	\$0.74	47.2	38.2	0.8	(8.3)	7.2	7.5	(5.1)
Cost of goods sold (COGS).....	875,703	1,296,577	1,248,908	1,041,471	1,144,560	1,308,400	357,706	302,585	49.4	48.1	(3.7)	(16.6)	9.9	14.3	(15.4)
Gross profit of (loss).....	309,590	394,768	559,127	643,238	625,943	569,347	127,228	151,303	83.9	27.5	41.6	15.0	(2.7)	(9.0)	18.9
SG&A expenses.....	216,030	273,348	272,412	270,705	297,801	297,895	75,908	84,588	37.9	26.5	(0.3)	(0.6)	10.0	0.0	11.4
Operating income or (loss).....	93,559	121,419	286,715	372,533	328,143	271,452	51,321	66,715	190.1	29.8	136.1	29.9	(11.9)	(17.3)	30.0
Capital expenditures.....	28,947	42,812	43,501	64,589	46,504	41,967	6,811	6,410	45.0	47.9	1.6	48.5	(28.0)	(9.8)	(5.9)
Unit COGS.....	\$0.38	\$0.55	\$0.50	\$0.41	\$0.46	\$0.53	\$0.57	\$0.49	38.8	43.4	(9.2)	(17.9)	12.1	15.8	(14.3)
Unit SG&A expenses.....	\$0.09	\$0.12	\$0.11	\$0.11	\$0.12	\$0.12	\$0.12	\$0.14	28.1	22.6	(6.1)	(2.2)	12.2	1.4	12.9
Unit operating income or (loss).....	\$0.04	\$0.05	\$0.11	\$0.15	\$0.13	\$0.11	\$0.08	\$0.11	169.6	25.7	122.6	27.9	(10.2)	(16.2)	31.7
COGS/sales (fn1).....	73.9	76.7	69.1	61.8	64.6	69.7	73.8	66.7	(4.2)	2.8	(7.6)	(7.3)	2.8	5.0	(7.1)
Operating income or (loss)/sales (fn1).....	7.9	7.2	15.9	22.1	18.5	14.5	10.6	14.7	6.6	(0.7)	8.7	6.3	(3.6)	(4.1)	4.1

(1)--Report data are in percent and period changes are in percentage points.

(2)--Inventory numbers do not capture inventories of nonsubject merchandise from Italy or Turkey.

Source: Compiled from data submitted in response to Commission questionnaires and from adjusted official Commerce statistic

**SUMMARY DATA
COLLECTED IN SECOND REVIEW**

Table C-1
Dry pasta: Summary data concerning the U.S. market, 2001-06, January-March 2006, and January-March 2007

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data								Period changes						
	2001	2002	2003	2004	2005	2006	January-March		2001-06	2001-02	2002-03	2003-04	2004-05	2005-06	Jan.-Mar.
							2006	2007							2006-07
U.S. consumption quantity:															
Amount	3,077,865	3,207,956	3,073,963	3,065,628	3,186,474	3,236,966	815,142	854,168	5.2	4.2	-4.2	-0.3	3.9	1.6	4.8
Producers' share (1)	81.7	82.0	82.0	83.1	81.8	82.0	83.2	80.9	0.2	0.3	0.0	1.1	-1.3	0.1	-2.3
Importers' share (1):															
Italy (excluding Lensi)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal (subject)	10.8	9.9	10.1	9.0	8.5	8.2	7.4	8.7	-2.6	-0.9	0.2	-1.1	-0.5	-0.3	1.4
Italy (Lensi)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Italy (nonsubject product)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey (nonsubject product)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources	6.9	7.4	7.2	7.3	7.5	8.2	8.0	8.6	1.3	0.5	-0.1	0.1	0.2	0.7	0.5
Subtotal (nonsubject)	7.5	8.1	7.9	7.9	9.7	9.8	9.4	10.4	2.4	0.6	-0.2	0.0	1.8	0.1	1.0
Total imports	18.3	18.0	18.0	16.9	18.2	18.0	16.8	19.1	-0.2	-0.3	-0.0	-1.1	1.3	-0.1	2.3
U.S. consumption value:															
Amount	1,325,794	1,343,609	1,347,483	1,355,452	1,478,026	1,504,947	377,710	422,764	13.5	1.3	0.3	0.6	9.0	1.8	11.9
Producers' share (1)	82.7	82.3	81.3	81.2	79.5	80.1	81.5	79.9	-2.6	-0.5	-0.9	-0.1	-1.7	0.6	-1.6
Importers' share (1):															
Italy (excluding Lensi)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal (subject)	9.0	8.8	9.6	9.5	9.0	8.5	7.5	8.9	-0.5	-0.2	0.8	-0.2	-0.4	-0.5	1.4
Italy (Lensi)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Italy (nonsubject product)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey (nonsubject product)	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
All other sources	7.6	8.1	8.2	8.4	8.7	9.3	9.2	9.1	1.7	0.5	0.1	0.2	0.4	0.6	-0.1
Subtotal (nonsubject)	8.2	8.9	9.1	9.3	11.5	11.3	11.0	11.2	3.1	0.7	0.1	0.3	2.1	-0.1	0.2
Total imports	17.3	17.7	18.7	18.8	20.5	19.9	18.5	20.1	2.6	0.5	0.9	0.1	1.7	-0.6	1.6
U.S. imports from:															
Italy (subject):															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey (subject):															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Subtotal (subject):															
Quantity	332,430	317,271	310,338	275,709	269,604	265,454	59,950	74,433	-20.1	-4.6	-2.2	-11.2	-2.2	-1.5	24.2
Value	119,807	118,733	129,571	128,122	133,259	128,488	28,152	37,630	7.2	-0.9	9.1	-1.1	4.0	-3.6	33.7
Unit value	\$0.36	\$0.37	\$0.42	\$0.46	\$0.49	\$0.48	\$0.47	\$0.51	34.3	3.8	11.6	11.3	6.4	-2.1	7.7
Ending inventory quantity	27,013	37,577	36,573	29,469	15,350	18,758	14,824	16,560	-30.6	39.1	-2.7	-19.4	-47.9	22.2	11.7
Italy (Lensi):															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Ending inventory quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Italy (nonsubject product):															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Turkey (nonsubject product):															
Quantity	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Unit value	***	***	***	***	***	***	***	***	***	***	***	***	***	***	***
Canada:															
Quantity	48,521	62,205	47,357	50,197	47,708	62,602	18,368	16,414	29.0	28.2	-23.9	6.0	-5.0	31.2	-10.6
Value	27,794	29,210	31,941	30,309	34,573	40,096	11,546	11,201	44.3	5.1	9.3	-5.1	14.1	16.0	-3.0
Unit value	\$0.57	\$0.47	\$0.67	\$0.60	\$0.72	\$0.64	\$0.63	\$0.68	11.8	-18.0	43.6	-10.5	20.0	-11.6	8.6
China:															
Quantity	36,525	41,547	41,837	46,763	51,799	55,276	12,536	13,945	51.3	13.7	0.7	11.8	10.8	6.7	11.2
Value	14,709	15,842	16,767	20,495	22,537	24,149	5,644	6,314	64.2	7.7	5.8	22.2	10.0	7.2	11.9
Unit value	\$0.40	\$0.38	\$0.40	\$0.44	\$0.44	\$0.44	\$0.45	\$0.45	8.5	-5.3	5.1	9.4	-0.7	0.4	0.6
Mexico:															
Quantity	69,063	60,061	61,042	59,861	64,675	68,273	15,933	22,991	-1.1	-13.0	1.6	-1.9	8.0	5.6	44.3
Value	24,161	21,719	18,400	17,529	20,643	21,980	5,038	7,239	-9.0	-10.1	-15.3	-4.7	17.8	6.5	43.7
Unit value	\$0.35	\$0.36	\$0.30	\$0.29	\$0.32	\$0.32	\$0.32	\$0.31	-8.0	3.4	-16.6	-2.9	9.0	0.9	-0.4
Korea:															
Quantity	5,275	5,177	6,343	7,685	7,438	8,380	1,954	2,029	58.9	-1.9	22.5	21.2	-3.2	12.7	3.8
Value	2,709	2,574	3,370	4,699	5,241	5,886	1,309	1,547	117.3	-5.0	30.9	39.5	11.5	12.3	18.2
Unit value	\$0.51	\$0.50	\$0.53	\$0.61	\$0.70	\$0.70	\$0.67	\$0.76	36.8	-3.2	6.8	15.1	15.2	-0.3	13.8
Japan:															
Quantity	8,210	9,776	9,213	9,684	9,175	9,503	2,362	2,417	15.7	19.1	-5.8	5.1	-5.3	3.6	2.3
Value	8,930	9,953	10,368	11,832	11,275	10,516	2,607	2,457	17.8	11.5	4.2	14.1	-4.7	-6.7	-5.8
Unit value	\$1.09	\$1.02	\$1.13	\$1.22	\$1.23	\$1.11	\$1.10	\$1.02	1.7	-6.4	10.5	8.6	0.6	-9.9	-7.9
Taiwan:															
Quantity	5,440	7,290	7,385	5,983	6,941	6,550	1,332	1,762	20.4	34.0	1.3	-19.0	16.0	-5.6	32.3
Value	4,215	5,328	5,364	4,240	5,198	4,921	998	1,249	16.7	26.4	0.7	-21.0	22.6	-5.3	25.1
Unit value	\$0.77	\$0.73	\$0.73	\$0.71	\$0.75	\$0.75	\$0.75	\$0.71	-3.0	-5.7	-0.6	-2.4	5.7	0.3	-5.4
Thailand:															
Quantity	15,852	18,706	16,055	16,567	18,782	21,480	5,120	5,185	35.5	18.0	-14.2	3.2	13.4	14.4	1.3
Value	7,018	8,853	7,986	8,515	9,766	11,647	2,749	3,068	66.0	26.1	-9.8	6.6	14.7	19.3	11.6
Unit value	\$0.44	\$0.47	\$0.50	\$0.51	\$0.52	\$0.54	\$0.54	\$0.59	22.5	6.9	5.1	3.3	1.2	4.3	10.2
All other sources:															
Quantity	24,223	31,990	33,569	28,095	33,510	34,172	7,791	8,381	41.1	32.1	4.9	-16.3	19.3	2.0	7.6
Value	11,502	15,146	16,313	15,666	19,703	21,257	4,922	5,489	84.8	31.7	7.7	-4.0	25.8	7.9	11.5
Unit value	\$0.47	\$0.47	\$0.49	\$0.56	\$0.59	\$0.62	\$0.63	\$0.65	31.0	-0.3	2.6	14.7	5.4	5.8	3.7
Subtotal (nonsubject):															
Quantity	230,611	260,521	242,567	242,261	309,930	318,762	76,831	88,903	38.2	13.0	-6.9	-0.1	27.9	2.8	15.7
Value	109,188	119,659	122,009	126,521	169,236	170,590	41,637	47,273	56.2	9.6	2.0	3.7	33.8	0.8	13.5
Unit value	\$0.47	\$0.46	\$0.50	\$0.52	\$0.55	\$0.54	\$0.54	\$0.53	13.0	-3.0	9.5	3.8	4.6	-2.0	-1.9
Ending inventory quantity (4)	4,113	12,104	12,781	14,434	16,444	9,829	10,008	9,540	139.0	194.3	5.6	12.9	13.9	-40.2	-4.7
Total U.S. imports:															
Quantity	563,041	577,792	552,905	517,970	579,534	584,216	136,781	163,336	3.8	2.6	-4.3	-6.3	11.9	0.8	19.4
Value	228,994	238,391	251,580	254,643	302,494	299,079	69,789	84,903	30.6	4.1	5.5	1.2	18.8	-1.1	21.7
Unit value	\$0.41	\$0.41	\$0.46	\$0.49	\$0.52	\$0.51	\$0.51	\$0.52	25.9	1.4	10.3	8.0	6.2	-1.9	1.9
Ending inventory quantity	31,126	49,681	4												

Table C-1--Continued
Dry pasta: Summary data concerning the U.S. market, 2001-06, January-March 2006, and January-March 2007

(Quantity=1,000 pounds, value=1,000 dollars, unit values, unit labor costs, and unit expenses are per pound; period changes=percent, except where noted)

Item	Reported data								Period changes						
	2001	2002	2003	2004	2005	2006	January-March		2001-06	2001-02	2002-03	2003-04	2004-05	2005-06	Jan.-Mar.
							2006	2007							2006-07
U.S. producers:															
Average capacity quantity	3,169,432	3,108,118	3,224,488	3,392,234	3,318,954	3,431,482	858,920	850,308	8.3	-1.9	3.7	5.2	-2.2	3.4	-1.0
Production quantity	2,519,030	2,677,280	2,603,192	2,578,992	2,679,998	2,743,862	710,909	724,747	8.9	6.3	-2.8	-0.9	3.9	2.4	1.9
Capacity utilization (1)	79.5	86.1	80.7	76.0	80.7	80.0	82.8	85.2	0.5	6.7	-5.4	-4.7	4.7	-0.8	2.5
U.S. shipments:															
Quantity	2,514,824	2,630,165	2,521,058	2,547,658	2,606,940	2,652,751	678,361	690,832	5.5	4.6	-4.1	1.1	2.3	1.8	1.8
Value	1,096,800	1,105,218	1,095,903	1,100,809	1,175,532	1,205,868	307,921	337,861	9.9	0.8	-0.8	0.4	6.8	2.6	9.7
Unit value	\$0.44	\$0.42	\$0.43	\$0.43	\$0.45	\$0.45	\$0.45	\$0.49	4.2	-3.7	3.4	-0.6	4.4	0.8	7.7
Export shipments:															
Quantity	33,860	55,093	50,981	58,526	57,638	59,319	12,731	12,780	75.2	62.7	-7.5	14.8	-1.5	2.9	0.4
Value	10,587	16,325	14,479	17,023	17,329	17,723	3,957	4,577	67.4	54.2	-11.3	17.6	1.8	2.3	15.7
Unit value	\$0.31	\$0.30	\$0.28	\$0.29	\$0.30	\$0.30	\$0.31	\$0.36	-4.4	-5.2	-4.2	2.4	3.4	-0.6	15.2
Ending inventory quantity	214,697	219,928	245,614	203,853	198,490	211,990	217,015	222,406	-1.3	2.4	11.7	-17.0	-2.6	6.8	2.5
Inventories/total shipments (1)	8.4	8.2	9.5	7.8	7.4	7.8	7.9	7.9	-0.6	-0.2	1.4	-1.7	-0.4	0.4	0.1
Production workers	2,667	2,578	2,437	2,400	2,360	2,365	2,302	2,378	-11.3	-3.3	-5.5	-1.5	-1.7	0.2	3.3
Hours worked (1,000s)	7,348	7,155	7,603	7,406	7,383	7,294	1,830	1,878	-0.7	-2.6	6.3	-2.6	-0.3	-1.2	2.6
Wages paid (\$1,000)	83,770	80,521	80,566	81,310	82,972	86,504	21,477	22,502	3.3	-3.9	0.1	0.9	2.0	4.3	4.8
Hourly wages	\$11.40	\$11.25	\$10.60	\$10.98	\$11.24	\$11.86	\$11.74	\$11.98	4.0	-1.3	-5.8	3.6	2.4	5.5	2.1
Productivity (pounds per hour)	342.8	374.2	342.4	348.2	363.0	376.2	388.5	385.9	9.7	9.1	-8.5	1.7	4.2	3.6	-0.7
Unit labor costs	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03	\$0.03	-5.2	-9.6	2.9	1.9	-1.8	1.8	2.8
Net sales:															
Quantity	2,324,938	2,461,849	2,445,006	2,446,932	2,450,666	2,522,206	648,868	666,001	8.5	5.9	-0.7	0.1	0.2	2.9	2.6
Value	1,021,200	1,051,892	1,069,108	1,086,141	1,127,520	1,167,883	301,464	330,167	14.4	3.0	1.6	1.6	3.8	3.6	9.5
Unit value	\$0.44	\$0.43	\$0.44	\$0.44	\$0.46	\$0.46	\$0.46	\$0.50	5.4	-2.7	2.3	1.5	3.7	0.6	6.7
Cost of goods sold (COGS)	777,184	828,532	846,425	871,029	870,136	867,135	221,885	242,375	11.6	6.6	2.2	2.9	-0.1	-0.3	9.2
Gross profit or (loss)	244,016	223,360	222,683	215,112	257,384	300,748	79,579	87,792	23.2	-8.5	-0.3	-3.4	19.7	16.8	10.3
SG&A expenses	156,940	151,920	167,612	164,754	188,550	184,058	50,037	50,906	17.3	-3.2	10.3	-1.7	14.4	-2.4	1.7
Operating income or (loss)	87,076	71,440	55,071	50,359	68,834	116,690	29,542	36,885	34.0	-18.0	-22.9	-8.6	36.7	69.5	24.9
Capital expenditures	53,581	87,140	59,072	42,738	46,639	81,747	8,406	26,903	52.6	62.6	-32.2	-27.7	9.1	75.3	220.0
Unit COGS	\$0.33	\$0.34	\$0.35	\$0.36	\$0.36	\$0.34	\$0.34	\$0.36	2.8	0.7	2.9	2.8	-0.3	-3.2	6.4
Unit SG&A expenses	\$0.07	\$0.06	\$0.07	\$0.07	\$0.08	\$0.07	\$0.08	\$0.08	8.1	-8.6	11.1	-1.8	14.3	-5.2	-0.9
Unit operating income or (loss)	\$0.04	\$0.03	\$0.02	\$0.02	\$0.03	\$0.05	\$0.05	\$0.06	23.5	-22.5	-22.4	-8.6	36.5	64.7	21.6
COGS/sales (1)	76.1	78.8	79.2	80.2	77.2	74.2	73.6	73.4	-1.9	2.7	0.4	1.0	-3.0	-2.9	-0.2
Operating income or (loss)/ sales (1)	8.5	6.8	5.2	4.6	6.1	10.0	9.8	11.2	1.5	-1.7	-1.6	-0.5	1.5	3.9	1.4

- (1) "Reported data" are in percent and "period changes" are in percentage points.
- (2) Not applicable.
- (3) Not applicable; included within imports reported for Italy (subject) through 2004.
- (4) Includes inventories of imports from all nonsubject sources.

Note.--Financial data are reported on a fiscal year basis and may not necessarily be comparable to data reported on a calendar year basis. Because of rounding, figures may not add to the totals shown. Unit values and shares are calculated from the unrounded figures.

Source: Compiled from data submitted in response to Commission questionnaires and from official Commerce statistics.

Table C-2
Dry pasta: Summary data concerning the U.S. commercial market, 2001-06, January-March 2006,
and January-March 2007

* * * * *

**SUMMARY DATA
COLLECTED IN FIRST REVIEW
(Gathered from relevant report tables in expedited review)**

Table I-2

Dry pasta: U.S. producers' capacity, production, and U.S. shipments, 1993-95 and 2000

Item	1993	1994	1995	2000
Capacity (1,000 pounds)	3,492,033	3,703,316	3,668,937	(1)
Production (1,000 pounds)	2,441,469	2,616,714	2,589,015	***
Capacity utilization (percent)	69.9	70.7	70.6	(1)
U.S. shipments: Quantity (1,000 pounds)	2,464,378	2,548,470	2,599,212	***
Value (1,000 dollars)	1,136,110	1,246,002	1,244,671	***
Unit value (per pound)	\$0.46	\$0.49	\$0.48	\$***

¹ Not available. Dakota Grower's 10-K for 2000 estimates total capacity (including the institutional segment) at over 3.8 billion pounds. SEC 10-K (fiscal year ending July 31, 2000) for Dakota Growers, p. 6. Using capacity figures for AIPC and Dakota Growers from the trade press (as presented in the previous section) and production figures from domestic interested parties' *Response* (p. 13) results in estimated capacity utilization figures for AIPC and Dakota Growers of *** percent and *** percent, respectively, in 2000. As indicated earlier, domestic interested parties estimated that AIPC accounted for *** percent of pasta production in 2000 and that Dakota Growers accounted for *** percent. *Response* of domestic interested parties, p. 13.

Note.—Data for 1993-95 are from the questionnaire responses of 26 firms during the original investigations that accounted for approximately 95 percent of U.S. production of dry non-egg and dry egg pasta during 1995. Data for 2000 are estimates of industry totals based upon the response of the 4 firms that reportedly accounted for *** percent of U.S. production of the "subject merchandise." See *Response* of domestic interested parties, p. 13. Although domestic interested parties labeled their data as "subject merchandise," the data they presented are believed to consist of all dry pasta and not only that of the subject product, or dry non-egg pasta in packages of five pounds or less.

Source: *Staff Report of June 25, 1996*, p. III-8, for 1993-95 data; *Response* of domestic interested parties, p. 13, for 2000 data (which was used to estimate industry totals).

accounting principle) on net revenues of \$124.9 million for the year ending July 31, 1999.⁸¹ New World reported a loss of \$1.7 million on net sales of \$300.0 million in the year ending December 31, 2000 compared with a net income of \$460,000 on net sales of \$354.0 million in the previous fiscal year. It attributed its loss to the impact of reduced net sales from both price and volume factors and to increased interest expenses. New World stated that "{t}he pricing impact was the result of a net price decline on certain of the company's branded products taken during 1999 and early 2000." Further, "{u}nit volume was impacted by a decline in the consumption of dry pasta, the loss of the General Mills co-pack business in the third quarter of 1999, significant competitive pressure within the dry pasta segment and

⁸¹ SEC 10-K (fiscal year ending July 31, 2000) for Dakota Growers, p. 16.

Table I-5

Dry pasta: U.S. producers' production, U.S. imports, and apparent U.S. consumption calculated using U.S. production and U.S. shipments, on the basis of quantity, 1993-95 and 2000

Item	1993	1994	1995	2000
	Quantity (1,000 pounds)			
U.S. production	2,441,469	2,616,714	2,589,015	***
U.S. imports: ¹				
Italy	215,429	293,641	327,375	309,498
Turkey	47,850	65,917	60,808	2,737
Subtotal	263,279	359,558	388,183	312,235
Other sources	103,591	116,539	121,059	217,381
Total	366,870	476,097	509,242	529,616
U.S. imports ²	388,299	503,057	532,523	550,067
Apparent U.S. consumption ^{3 4}	2,829,768	3,119,771	3,121,538	***
	Share of consumption calculated using U.S. production (percent)			
U.S. production	86.3	83.9	82.9	***
U.S. imports:				
Italy	7.6	9.4	10.5	***
Turkey	1.7	2.1	1.9	***
Subtotal	9.3	11.5	12.4	***
Other sources	3.7	3.7	3.9	***
Total	13.0	15.3	16.3	***
	Share of consumption calculated using U.S. shipments⁵ (percent)			
U.S. producers' U.S. shipments	87.0	84.1	83.5	(6)
U.S. imports:				
Subject Italy	7.6	9.4	10.4	(6)
Subject Turkey	1.7	2.1	1.8	(6)
Subtotal	9.3	11.6	12.2	(6)
Nonsubject Italy	0.1	0.3	0.2	(6)
Nonsubject Turkey	0.0	0.2	0.2	(6)
Other sources	3.7	3.8	3.9	(6)
Total	13.1	15.9	16.5	(6)
<i>Notes on next page.</i>				

Notes.

¹ Consists of subject dry non-egg pasta in packages 5 pounds or less as well as nonsubject pasta in packages greater than 5 pounds. Official Commerce statistics do not differentiate between package sizes.

² Consists of all dry pasta (i.e., both dry non-egg and dry egg pasta).

³ Apparent consumption calculated for all periods using imports of all dry pasta (the product determined to be the domestic like product during the original investigations).

⁴ Apparent consumption calculated for all periods using U.S. production and U.S. imports, indices that are comparable in that neither production or imports are adjusted for inventories. During the original investigations, the ratios of cumulated U.S. importers' inventories to total shipments of imports were both relatively large and increasing. The ratio of imports to total shipments of imports was 11.3 percent in 1993, 14.0 percent in 1994, and 15.7 percent in 1995. *Staff Report of June 25, 1996*, p. VII-10.

⁵ Shares considered by the Commission during the original investigations.

⁶ Not available.

Note.—Shares of consumption calculated using U.S. production do not sum to 100.0 percent since the denominator (dry pasta) includes product other than that included in the numerator (i.e., imports of dry egg pasta).

Source: 1993-95 shares calculated during the original investigations using U.S. shipments and official Commerce statistics adjusted using questionnaire data (see *Staff Report of June 25, 1996*, p. IV-18); 1993-95 and 2000 shares calculated using production figures (see table I-2) and import data from official Commerce statistics (for HTS reporting numbers 1902.11.20 and 1902.19.20).

geographical location, with a large portion of consumption occurring in the Northeast, particularly in the New York metropolitan area.^{101 102}

The trade press describes the pasta industry as having lost sales in the past to what the industry believes are mis-perceptions about pasta. To counter consumer beliefs such as pasta is fattening,¹⁰³ industry participants are actively working to promote the food category. The NPA, working with Dakota Growers and other manufacturers, has announced a joint effort with the WFC and AIPC to publicize the benefits of consuming pasta. New World made its first use of direct consumer advertising in February 2001 and reportedly has plans to launch a campaign for food editors and will be using promotional pamphlets that emphasize the nutritional benefits of pasta.¹⁰⁴

¹⁰¹ Domestic interested parties testified at the conference during the original investigations that the majority of the pasta imported from Italy and Turkey enters the United States via New York. While much of it is consumed in that area, much is also shipped to other parts of the United States (*conference transcript*, p. 29).

¹⁰² *Staff Report of June 25, 1996*, p. V-2.

¹⁰³ For example, a recent Gallup survey for the American Bakers Association and Wheat Foods Council showed that 50 percent of consumers polled believe that pasta is fattening, up from 40 percent in 1998 and 11 percent in 1995. Gallup survey as cited in "Borden Breakup Bestirs Pasta Category," *Milling & Baking News*, August 14, 2001.

¹⁰⁴ "Borden Breakup Bestirs Pasta Category," *Milling & Baking News*, August 14, 2001. See also "N.P.A. Achieves Short-Term Goals, Optimistic About 'New Beginning'," *Milling & Baking News*, June 5, 2001 and "Credible Coverage, Advertising Needed to Solve Pasta Perception Problem, Adams Says," *Milling & Baking* (continued...)

Table I-6
Dry non-egg pasta: Italy's capacity, production, and shipments, 1993-95

Item	1993	1994	1995
	Quantity (1,000 pounds, except as noted)		
Capacity	2,802,937	2,849,128	2,932,245
Production	2,519,673	2,528,961	2,706,297
Capacity utilization (<i>percent</i>)	89.9	88.8	92.3
Shipments:			
Home market	1,899,137	1,829,347	1,844,403
Exports:			
United States	155,347	196,285	207,393
All other markets	569,600	608,149	712,817
Total exports	722,848 ¹	804,436 ¹	920,650 ¹
Total shipments	2,622,087 ¹	2,628,072 ¹	2,765,053 ¹
¹ Totals as presented in the staff report for the original investigations.			
Source: <i>Staff Report of June 25, 1996</i> , p. VII-4 (data were provided in responses to Commission questionnaires by 23 producers in Italy that accounted for one-half of Italian production of pasta in 1993-94 and 63.3 percent of U.S. imports from Italy in 1995).			

from Italy in that year and *** percent of apparent U.S. consumption.¹⁰⁸ Current trade articles label Barilla as the worldwide leader in pasta production, with 22 plants in Italy and 4 located outside Italy (including in the United States). It manufactures one-third of the entire world output of pasta. Barilla also manages 7 mills that supply it with 70 percent of the needed raw materials.¹⁰⁹ It is marketed as a global brand name and is reportedly attempting to establish itself as the only national brand name in America.¹¹⁰

Turkey

According to market research obtained by the domestic interested parties during the original investigations, the pasta industry in Turkey consisted of 15 producers whose production capacity equaled 1.2 billion pounds in 1994; production by the entire Turkish industry was reportedly 970 million pounds, resulting in capacity utilization of 73 percent. In contrast to most U.S. firms, producers in Turkey are

¹⁰⁸ *Staff Report of June 25, 1996*, p. VII-5.

¹⁰⁹ "International Food Processor of the Year Investing in the Future," *Business News Publishing Co.*, July 2000 and "A Visit to Barilla, Pasta Purveyors to the World," *Time*.

¹¹⁰ "Barilla Sees U.S. as Major Step in Global Presence," *Milling & Baking News*, December 9, 1997.

Table I-7

Dry non-egg pasta: Turkey's capacity, production, and shipments, 1993-95

Item	1993	1994	1995
	<i>Quantity (1,000 pounds, except as noted)</i>		
Capacity	***	***	***
Production	***	***	***
Capacity utilization (<i>percent</i>)	***	***	***
Shipments: Home market	***	***	***
Exports: United States	***	***	***
All other markets	***	***	***
Total exports	***	***	***
Total shipments	***	***	***
Source: <i>Staff Report of June 25, 1996</i> , p. VII-9 (data were provided in responses to Commission questionnaires by Maktas and Filiz, whose operations accounted for *** of Turkish pasta production in 1994 and *** percent of U.S. imports from Turkey).			

**SUMMARY DATA
COLLECTED IN ORIGINAL FINAL INVESTIGATIONS**

APPENDIX C

SUMMARY DATA

Table C-1
Dry pasta: Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. consumption--								
Amount	quantity	2,833,625	3,028,555	3,112,308	percent	9.8%	6.9%	2.8%
Producers' share	percent	87.0%	84.1%	83.5%	percentage pt.	-3.5%	-2.8%	-0.6%
Importers' share:								
Subject:								
Italy	percent	7.6%	9.4%	10.4%	percentage pt.	2.8%	1.9%	0.9%
Turkey	percent	1.7%	2.1%	1.8%	percentage pt.	0.1%	0.4%	-0.3%
Subtotal	percent	9.3%	11.6%	12.2%	percentage pt.	2.9%	2.3%	0.6%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.0%	0.2%	0.2%	percentage pt.	0.2%	0.1%	0.1%
Other sources	percent	3.7%	3.8%	3.9%	percentage pt.	0.2%	0.2%	0.0%
Subtotal	percent	3.8%	4.3%	4.3%	percentage pt.	0.5%	0.5%	-0.0%
U.S. consumption--								
Amount	value	1,294,039	1,453,236	1,474,894	percent	14.0%	12.3%	1.5%
Producers' share	percent	87.8%	85.7%	84.4%	percentage pt.	-3.4%	-2.1%	-1.3%
Importers' share:								
Subject:								
Italy	percent	6.8%	8.6%	10.0%	percentage pt.	3.2%	1.8%	1.4%
Turkey	percent	0.9%	1.1%	0.9%	percentage pt.	0.1%	0.2%	-0.1%
Subtotal	percent	7.7%	9.7%	11.0%	percentage pt.	3.2%	2.0%	1.2%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.0%	0.1%	0.1%	percentage pt.	0.1%	0.1%	0.0%
Other sources	percent	4.4%	4.2%	4.3%	percentage pt.	-0.0%	-0.2%	0.2%
Subtotal	percent	4.5%	4.6%	4.7%	percentage pt.	0.2%	0.1%	0.1%
U.S. imports from--								
Subject:								
Italy--								
Quantity		213,966	285,860	322,448	percent	50.7%	33.6%	12.8%
Value		88,237	125,502	147,580	percent	67.3%	42.2%	17.6%
Unit value	per pound	\$0.41	\$0.44	\$0.46	percent	11.0%	6.5%	4.2%
Ending inventory	quantity	14,095	28,973	37,956	percent	169.3%	105.6%	31.0%
Turkey--								
Quantity		48,803	64,022	57,046	percent	16.9%	31.2%	-10.9%
Value		11,490	15,541	13,935	percent	21.3%	35.3%	-10.3%
Unit value	per pound	\$0.24	\$0.24	\$0.24	percent	3.8%	3.1%	0.6%
Ending inventory	quantity	7,299	8,544	7,478	percent	2.5%	17.1%	-12.5%
Subject sources--								
Quantity		262,769	349,882	379,494	percent	44.4%	33.2%	8.5%
Value		99,727	141,043	161,515	percent	62.0%	41.4%	14.5%
Unit value	per pound	\$0.38	\$0.40	\$0.43	percent	12.1%	6.2%	5.6%
Ending inventory	quantity	21,394	37,517	45,434	percent	112.4%	75.4%	21.1%
U.S. imports from--								
Non-subject--								
Italy:								
Quantity		1,500	7,832	4,983	percent	232.2%	422.1%	-36.4%
Value		1,412	4,407	3,119	percent	120.9%	212.1%	-29.2%
Unit value	per pound	\$0.94	\$0.56	\$0.63	percent	-33.5%	-40.2%	11.2%
Ending inventory	quantity	357	385	407	percent	14.0%	7.8%	5.7%
Turkey--								
Quantity		1,369	5,812	7,529	percent	450.0%	324.5%	29.5%
Value		314	1,347	1,754	percent	458.6%	329.0%	30.2%
Unit value	per pound	\$0.23	\$0.23	\$0.23	percent	1.6%	1.0%	0.5%
Ending inventory	quantity	50	291	1,180	percent	2260.0%	482.0%	305.5%
Other sources--								
Quantity		103,609	116,559	121,090	percent	16.9%	12.5%	3.9%
Value		56,476	60,437	63,835	percent	13.0%	7.0%	5.6%
Unit value	per pound	\$0.55	\$0.52	\$0.53	percent	-3.3%	-4.9%	1.7%
Ending inventory	quantity							
All sources--								
Quantity		106,478	130,203	133,602	percent	25.5%	22.3%	2.6%
Value		58,202	66,191	68,708	percent	18.1%	13.7%	3.8%
Unit value	per pound	\$0.55	\$0.51	\$0.51	percent	-5.9%	-7.0%	1.2%
Ending inventory	quantity	407	676	1,587	percent	289.9%	66.1%	134.8%

Table continued.

Certain Pasta From Italy and Turkey

Table C-1--Continued

Dry pasta: Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995	1993-95	1993-94	1994-95	
U.S. producers'--								
Average capacity	<i>quantity</i>	3,492,033	3,703,316	3,668,937	<i>percent</i>	5.1%	6.1%	-0.9%
Production	<i>quantity</i>	2,441,469	2,616,714	2,589,015	<i>percent</i>	6.0%	7.2%	-1.1%
Capacity utilization	<i>percent</i>	69.9%	70.7%	70.6%	<i>percentage pt.</i>	0.7%	0.7%	-0.1%
U.S. shipments:								
Quantity		2,464,378	2,548,470	2,599,212	<i>percent</i>	5.5%	3.4%	2.0%
Value		1,136,110	1,246,002	1,244,671	<i>percent</i>	9.6%	9.7%	-0.1%
Unit value	<i>per pound</i>	\$0.46	\$0.49	\$0.48	<i>percent</i>	3.9%	6.1%	-2.1%
Export shipments:								
Quantity		20,295	32,754	4,525	<i>percent</i>	-77.7%	61.4%	-86.2%
Value		4,686	10,376	1,994	<i>percent</i>	-57.4%	121.4%	-80.8%
Unit value	<i>per pound</i>	\$0.23	\$0.32	\$0.44	<i>percent</i>	90.9%	37.2%	39.1%
Ending inventory	<i>quantity</i>	204,913	243,197	226,142	<i>percent</i>	10.4%	18.7%	-7.0%
Inventory/shipments		8.3%	9.5%	8.7%	<i>percentage pt.</i>	0.4%	1.2%	-0.8%
Production workers		4,418	4,694	4,516	<i>percent</i>	2.2%	6.2%	-3.8%
Hours worked	<i>1,000 hrs.</i>	9,826	9,500	9,142	<i>percent</i>	-7.0%	-3.3%	-3.8%
Wages paid	<i>value</i>	114,040	115,423	118,849	<i>percent</i>	4.2%	1.2%	3.0%
Hourly wages	<i>value</i>	\$11.61	\$12.15	\$13.00	<i>percent</i>	12.0%	4.7%	7.0%
Productivity	<i>lbs./1,000 hrs.</i>	248.5	275.4	283.2	<i>percent</i>	14.0%	10.9%	2.8%
Unit labor costs	<i>per pound</i>	\$0.047	\$0.044	\$0.046	<i>percent</i>	-1.7%	-5.6%	4.1%

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission and official statistics of the U.S. Department of Commerce.

Table C-2
Dry non-egg pasta: Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. consumption--								
Amount	quantity	2,546,039	2,728,600	2,830,655	percent	11.2%	7.2%	3.7%
Producers' share	percent	85.5%	82.4%	81.9%	percentage pt.	-3.6%	-3.1%	-0.5%
Importers' share:								
Subject:								
Italy	percent	8.4%	10.5%	11.4%	percentage pt.	3.0%	2.1%	0.9%
Turkey	percent	1.9%	2.3%	2.0%	percentage pt.	0.1%	0.4%	-0.3%
Subtotal	percent	10.3%	12.8%	13.4%	percentage pt.	3.1%	2.5%	0.6%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.1%	0.2%	0.3%	percentage pt.	0.2%	0.2%	0.1%
Other sources	percent	4.1%	4.3%	4.3%	percentage pt.	0.2%	0.2%	0.0%
Subtotal	percent	4.2%	4.8%	4.7%	percentage pt.	0.5%	0.6%	-0.1%
U.S. consumption--								
Amount	value	1,129,699	1,268,820	1,304,526	percent	15.5%	12.3%	2.8%
Producers' share	percent	86.0%	83.7%	82.4%	percentage pt.	-3.7%	-2.4%	-1.3%
Importers' share:								
Subject:								
Italy	percent	7.8%	9.9%	11.3%	percentage pt.	3.5%	2.1%	1.4%
Turkey	percent	1.0%	1.2%	1.1%	percentage pt.	0.1%	0.2%	-0.2%
Subtotal	percent	8.8%	11.1%	12.4%	percentage pt.	3.6%	2.3%	1.3%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.0%	0.1%	0.1%	percentage pt.	0.1%	0.1%	0.0%
Other sources	percent	5.0%	4.8%	4.9%	percentage pt.	-0.1%	-0.2%	0.1%
Subtotal	percent	5.2%	5.2%	5.3%	percentage pt.	0.1%	0.1%	0.1%
U.S. imports from--								
Subject:								
Italy--								
Quantity		213,966	285,860	322,448	percent	50.7%	33.6%	12.8%
Value		88,237	125,502	147,580	percent	67.3%	42.2%	17.6%
Unit value	per pound	\$0.41	\$0.44	\$0.46	percent	11.0%	6.5%	4.2%
Ending inventory	quantity	14,095	28,973	37,956	percent	169.3%	105.6%	31.0%
Turkey--								
Quantity		48,803	64,022	57,046	percent	16.9%	31.2%	-10.9%
Value		11,490	15,541	13,935	percent	21.3%	35.3%	-10.3%
Unit value	per pound	\$0.24	\$0.24	\$0.24	percent	3.8%	3.1%	0.6%
Ending inventory	quantity	7,299	8,544	7,478	percent	2.5%	17.1%	-12.5%
Subject sources--								
Quantity		262,769	349,882	379,494	percent	44.4%	33.2%	8.5%
Value		99,727	141,043	161,515	percent	62.0%	41.4%	14.5%
Unit value	per pound	\$0.38	\$0.40	\$0.43	percent	12.1%	6.2%	5.6%
Ending inventory	quantity	21,394	37,517	45,434	percent	112.4%	75.4%	21.1%
U.S. imports from--								
Non-subject--								
Italy:								
Quantity		1,500	7,832	4,983	percent	232.2%	422.1%	-36.4%
Value		1,412	4,407	3,119	percent	120.9%	212.1%	-29.2%
Unit value	per pound	\$0.94	\$0.56	\$0.63	percent	-33.5%	-40.2%	11.2%
Ending inventory	quantity	357	385	407	percent	14.0%	7.8%	5.7%
Turkey--								
Quantity		1,369	5,812	7,529	percent	450.0%	324.5%	29.5%
Value		314	1,347	1,754	percent	458.6%	329.0%	30.2%
Unit value	per pound	\$0.23	\$0.23	\$0.23	percent	1.6%	1.0%	0.5%
Ending inventory	quantity	50	291	1,180	percent	2260.0%	482.0%	305.5%
Other sources--								
Quantity		103,609	116,559	121,090	percent	16.9%	12.5%	3.9%
Value		56,476	60,437	63,835	percent	13.0%	7.0%	5.6%
Unit value	per pound	\$0.55	\$0.52	\$0.53	percent	-3.3%	-4.9%	1.7%
Ending inventory	quantity							
All sources--								
Quantity		106,478	130,203	133,602	percent	25.5%	22.3%	2.6%
Value		58,202	66,191	68,708	percent	18.1%	13.7%	3.8%
Unit value	per pound	\$0.55	\$0.51	\$0.51	percent	-5.9%	-7.0%	1.2%
Ending inventory	quantity	407	676	1,587	percent	289.9%	66.1%	134.8%

Table continued.

Certain Pasta From Italy and Turkey

Table C-2--Continued
 Dry non-egg pasta: Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. producers'--								
Average capacity	quantity	3,108,227	3,267,446	3,231,415	percent	4.0%	5.1%	-1.1%
Production	quantity	2,158,744	2,306,548	2,310,893	percent	7.0%	6.8%	0.2%
Capacity utilization	percent	69.5%	70.6%	71.5%	percentage pt.	2.1%	1.1%	0.9%
U.S. shipments:								
Quantity		2,176,792	2,248,515	2,317,559	percent	6.5%	3.3%	3.1%
Value		971,770	1,061,586	1,074,303	percent	10.6%	9.2%	1.2%
Unit value	per pound	\$0.45	\$0.47	\$0.46	percent	3.8%	5.8%	-1.8%
Export shipments:								
Quantity		18,829	31,776	3,392	percent	-82.0%	68.8%	-89.3%
Value		4,228	10,047	1,018	percent	-75.9%	137.6%	-89.9%
Unit value	per pound	\$0.22	\$0.32	\$0.30	percent	33.7%	40.8%	-5.1%
Ending inventory	quantity	184,607	213,645	203,275	percent	10.1%	15.7%	-4.9%
Inventory/shipments		8.5%	9.5%	8.8%	percentage pt.	0.3%	1.0%	-0.7%
Production workers		3,925	4,173	4,040	percent	2.9%	6.3%	-3.2%
Hours worked	1,000 hrs.	8,784	8,419	8,206	percent	-6.6%	-4.2%	-2.5%
Wages paid	value	101,213	101,222	105,607	percent	4.3%	0.0%	4.3%
Hourly wages	value	\$11.52	\$12.02	\$12.87	percent	11.7%	4.3%	7.0%
Productivity	lbs./1,000 hrs.	245.8	274.0	281.6	percent	14.6%	11.5%	2.8%
Unit labor costs	per pound	\$0.047	\$0.044	\$0.046	percent	-2.5%	-6.4%	4.1%

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission and official statistics of the U.S. Department of Commerce.

Table C-3
Dry pasta (commercial market only): Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. consumption--								
Amount	quantity	2,348,649	2,530,116	2,626,259	percent	11.8%	7.7%	3.8%
Producers' share	percent	84.3%	81.0%	80.5%	percentage pt.	-3.8%	-3.3%	-0.6%
Importers' share:								
Subject:								
Italy	percent	9.1%	11.3%	12.3%	percentage pt.	3.2%	2.2%	1.0%
Turkey	percent	2.1%	2.5%	2.2%	percentage pt.	0.1%	0.5%	-0.4%
Subtotal	percent	11.2%	13.8%	14.4%	percentage pt.	3.3%	2.6%	0.6%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.1%	0.2%	0.3%	percentage pt.	0.2%	0.2%	0.1%
Other sources	percent	4.4%	4.6%	4.6%	percentage pt.	0.2%	0.2%	0.0%
Subtotal	percent	4.5%	5.1%	5.1%	percentage pt.	0.6%	0.6%	-0.1%
U.S. consumption--								
Amount	value	1,129,922	1,273,412	1,297,269	percent	14.8%	12.7%	1.9%
Producers' share	percent	86.0%	83.7%	82.3%	percentage pt.	-3.8%	-2.3%	-1.5%
Importers' share:								
Subject:								
Italy	percent	7.8%	9.9%	11.4%	percentage pt.	3.6%	2.0%	1.5%
Turkey	percent	1.0%	1.2%	1.1%	percentage pt.	0.1%	0.2%	-0.1%
Subtotal	percent	8.8%	11.1%	12.5%	percentage pt.	3.6%	2.2%	1.4%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.2%	-0.1%
Turkey	percent	0.0%	0.1%	0.1%	percentage pt.	0.1%	0.1%	0.0%
Other sources	percent	5.0%	4.7%	4.9%	percentage pt.	-0.1%	-0.3%	0.2%
Subtotal	percent	5.2%	5.2%	5.3%	percentage pt.	0.1%	0.0%	0.1%
U.S. imports from--								
Subject:								
Italy--								
Quantity		213,966	285,860	322,448	percent	50.7%	33.6%	12.8%
Value		88,237	125,502	147,580	percent	67.3%	42.2%	17.6%
Unit value	per pound	\$0.41	\$0.44	\$0.46	percent	11.0%	6.5%	4.2%
Ending inventory	quantity	14,095	28,973	37,956	percent	169.3%	105.6%	31.0%
Turkey--								
Quantity		48,803	64,022	57,046	percent	16.9%	31.2%	-10.9%
Value		11,490	15,541	13,935	percent	21.3%	35.3%	-10.3%
Unit value	per pound	\$0.24	\$0.24	\$0.24	percent	3.8%	3.1%	0.6%
Ending inventory	quantity	7,299	8,544	7,478	percent	2.5%	17.1%	-12.5%
Subject sources--								
Quantity		262,769	349,882	379,494	percent	44.4%	33.2%	8.5%
Value		99,727	141,043	161,515	percent	62.0%	41.4%	14.5%
Unit value	per pound	\$0.38	\$0.40	\$0.43	percent	12.1%	6.2%	5.6%
Ending inventory	quantity	21,394	37,517	45,434	percent	112.4%	75.4%	21.1%
U.S. imports from--								
Non-subject--								
Italy:								
Quantity		1,500	7,832	4,983	percent	232.2%	422.1%	-36.4%
Value		1,412	4,407	3,119	percent	120.9%	212.1%	-29.2%
Unit value	per pound	\$0.94	\$0.56	\$0.63	percent	-33.5%	-40.2%	11.2%
Ending inventory	quantity	357	385	407	percent	14.0%	7.8%	5.7%
Turkey--								
Quantity		1,369	5,812	7,529	percent	450.0%	324.5%	29.5%
Value		314	1,347	1,754	percent	458.6%	329.0%	30.2%
Unit value	per pound	\$0.23	\$0.23	\$0.23	percent	1.6%	1.0%	0.5%
Ending inventory	quantity	50	291	1,180	percent	2260.0%	482.0%	305.5%
Other sources--								
Quantity		103,609	116,559	121,090	percent	16.9%	12.5%	3.9%
Value		56,476	60,437	63,835	percent	13.0%	7.0%	5.6%
Unit value	per pound	\$0.55	\$0.52	\$0.53	percent	-3.3%	-4.9%	1.7%
Ending inventory	quantity							
All sources--								
Quantity		106,478	130,203	133,602	percent	25.5%	22.3%	2.6%
Value		58,202	66,191	68,708	percent	18.1%	13.7%	3.8%
Unit value	per pound	\$0.55	\$0.51	\$0.51	percent	-5.9%	-7.0%	1.2%
Ending inventory	quantity	407	676	1,587	percent	289.9%	66.1%	134.8%

Table continued.

Certain Pasta From Italy and Turkey

Table C-3--Continued
 Dry pasta (commercial market only): Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. producers'--								
Average capacity	<i>quantity</i>	3,492,033	3,703,316	3,668,937	<i>percent</i>	5.1%	6.1%	-0.9%
Production	<i>quantity</i>	2,441,469	2,616,714	2,589,015	<i>percent</i>	6.0%	7.2%	-1.1%
Capacity utilization	<i>percent</i>	69.9%	70.7%	70.6%	<i>percentage pt.</i>	0.7%	0.7%	-0.1%
U.S. shipments:								
Quantity		1,979,402	2,050,031	2,113,163	<i>percent</i>	6.8%	3.6%	3.1%
Value		971,993	1,066,178	1,067,046	<i>percent</i>	9.8%	9.7%	0.1%
Unit value	<i>per pound</i>	\$0.49	\$0.52	\$0.50	<i>percent</i>	2.8%	5.9%	-2.9%
Export shipments:								
Quantity		20,295	32,754	4,525	<i>percent</i>	-77.7%	61.4%	-86.2%
Value		4,686	10,376	1,994	<i>percent</i>	-57.4%	121.4%	-80.8%
Unit value	<i>per pound</i>	\$0.23	\$0.32	\$0.44	<i>percent</i>	90.9%	37.2%	39.1%
Ending inventory	<i>quantity</i>	204,913	243,197	226,142	<i>percent</i>	10.4%	18.7%	-7.0%
Inventory/shipments		10.4%	11.9%	10.7%	<i>percentage pt.</i>	0.3%	1.5%	-1.2%
Production workers		4,418	4,694	4,516	<i>percent</i>	2.2%	6.2%	-3.8%
Hours worked	<i>1,000 hrs.</i>	9,826	9,500	9,142	<i>percent</i>	-7.0%	-3.3%	-3.8%
Wages paid	<i>value</i>	114,040	115,423	118,849	<i>percent</i>	4.2%	1.2%	3.0%
Hourly wages	<i>value</i>	\$11.61	\$12.15	\$13.00	<i>percent</i>	12.0%	4.7%	7.0%
Productivity	<i>lbs./1,000 hrs.</i>	248.5	275.4	283.2	<i>percent</i>	14.0%	10.9%	2.8%
Unit labor costs	<i>per pound</i>	\$0.047	\$0.044	\$0.046	<i>percent</i>	-1.7%	-5.6%	4.1%

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission and official statistics of the U.S. Department of Commerce.

Table C-4
 Dry non-egg pasta (commercial market only): Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. consumption--								
Amount	quantity	2,112,959	2,274,973	2,384,292	percent	12.8%	7.7%	4.8%
Producers' share	percent	82.5%	78.9%	78.5%	percentage pt.	-4.0%	-3.6%	-0.4%
Importers' share:								
Subject:								
Italy	percent	10.1%	12.6%	13.5%	percentage pt.	3.4%	2.4%	1.0%
Turkey	percent	2.3%	2.8%	2.4%	percentage pt.	0.1%	0.5%	-0.4%
Subtotal	percent	12.4%	15.4%	15.9%	percentage pt.	3.5%	2.9%	0.5%
Non-subject:								
Italy	percent	0.1%	0.3%	0.2%	percentage pt.	0.1%	0.3%	-0.1%
Turkey	percent	0.1%	0.3%	0.3%	percentage pt.	0.3%	0.2%	0.1%
Other sources	percent	4.9%	5.1%	5.1%	percentage pt.	0.2%	0.2%	-0.0%
Subtotal	percent	5.0%	5.7%	5.6%	percentage pt.	0.6%	0.7%	-0.1%
U.S. consumption--								
Amount	value	980,959	1,102,416	1,139,684	percent	16.2%	12.4%	3.4%
Producers' share	percent	83.9%	81.2%	79.8%	percentage pt.	-4.1%	-2.7%	-1.4%
Importers' share:								
Subject:								
Italy	percent	9.0%	11.4%	12.9%	percentage pt.	4.0%	2.4%	1.6%
Turkey	percent	1.2%	1.4%	1.2%	percentage pt.	0.1%	0.2%	-0.2%
Subtotal	percent	10.2%	12.8%	14.2%	percentage pt.	4.0%	2.6%	1.4%
Non-subject:								
Italy	percent	0.1%	0.4%	0.3%	percentage pt.	0.1%	0.3%	-0.1%
Turkey	percent	0.0%	0.1%	0.2%	percentage pt.	0.1%	0.1%	0.0%
Other sources	percent	5.8%	5.5%	5.6%	percentage pt.	-0.2%	-0.3%	0.1%
Subtotal	percent	5.9%	6.0%	6.0%	percentage pt.	0.1%	0.1%	0.0%
U.S. Imports from--								
Subject:								
Italy--								
Quantity		213,966	285,860	322,448	percent	50.7%	33.6%	12.8%
Value		88,237	125,502	147,580	percent	67.3%	42.2%	17.6%
Unit value	per pound	\$0.41	\$0.44	\$0.46	percent	11.0%	6.5%	4.2%
Ending inventory	quantity	14,095	28,973	37,956	percent	169.3%	105.6%	31.0%
Turkey--								
Quantity		48,803	64,022	57,046	percent	16.9%	31.2%	-10.9%
Value		11,490	15,541	13,935	percent	21.3%	35.3%	-10.3%
Unit value	per pound	\$0.24	\$0.24	\$0.24	percent	3.8%	3.1%	0.6%
Ending inventory	quantity	7,299	8,544	7,478	percent	2.5%	17.1%	-12.5%
Subject sources--								
Quantity		262,769	349,882	379,494	percent	44.4%	33.2%	8.5%
Value		99,727	141,043	161,515	percent	62.0%	41.4%	14.5%
Unit value	per pound	\$0.38	\$0.40	\$0.43	percent	12.1%	6.2%	5.6%
Ending inventory	quantity	21,394	37,517	45,434	percent	112.4%	75.4%	21.1%
U.S. Imports from--								
Non-subject--								
Italy:								
Quantity		1,500	7,832	4,983	percent	232.2%	422.1%	-36.4%
Value		1,412	4,407	3,119	percent	120.9%	212.1%	-29.2%
Unit value	per pound	\$0.94	\$0.56	\$0.63	percent	-33.5%	-40.2%	11.2%
Ending inventory	quantity	357	385	407	percent	14.0%	7.8%	5.7%
Turkey--								
Quantity		1,369	5,812	7,529	percent	450.0%	324.5%	29.5%
Value		314	1,347	1,754	percent	458.6%	329.0%	30.2%
Unit value	per pound	\$0.23	\$0.23	\$0.23	percent	1.6%	1.0%	0.5%
Ending inventory	quantity	50	291	1,180	percent	2260.0%	482.0%	305.5%
Other sources--								
Quantity		103,609	116,559	121,090	percent	16.9%	12.5%	3.9%
Value		56,476	60,437	63,835	percent	13.0%	7.0%	5.6%
Unit value	per pound	\$0.55	\$0.52	\$0.53	percent	-3.3%	-4.9%	1.7%
Ending inventory	quantity							
All sources--								
Quantity		106,478	130,203	133,602	percent	25.5%	22.3%	2.6%
Value		58,202	66,191	68,708	percent	18.1%	13.7%	3.8%
Unit value	per pound	\$0.55	\$0.51	\$0.51	percent	-5.9%	-7.0%	1.2%
Ending inventory	quantity	407	676	1,587	percent	289.9%	66.1%	134.8%

Table continued.

Certain Pasta From Italy and Turkey

Table C-4--Continued
 Dry non-egg pasta (commercial market only): Summary data concerning the U.S. market, 1993-95

(Quantity=1,000 pounds; value=1,000 dollars; unit values and unit labor costs are per pound; period changes=percent, except where noted)

Reported data--					Period changes--			
Item		1993	1994	1995		1993-95	1993-94	1994-95
U.S. producers'--								
Average capacity	quantity	3,108,227	3,267,446	3,231,415	percent	4.0%	5.1%	-1.1%
Production	quantity	2,158,744	2,306,548	2,310,893	percent	7.0%	6.8%	0.2%
Capacity utilization	percent	69.5%	70.6%	71.5%	percentage pt.	2.1%	1.1%	0.9%
U.S. shipments:								
Quantity		1,743,712	1,794,888	1,871,196	percent	7.3%	2.9%	4.3%
Value		823,030	895,182	909,461	percent	10.5%	8.8%	1.6%
Unit value	per pound	\$0.47	\$0.50	\$0.49	percent	3.0%	5.7%	-2.5%
Export shipments:								
Quantity		18,829	31,776	3,392	percent	-82.0%	68.8%	-89.3%
Value		4,228	10,047	1,018	percent	-75.9%	137.6%	-89.9%
Unit value	per pound	\$0.22	\$0.32	\$0.30	percent	33.7%	40.8%	-5.1%
Ending inventory	quantity	184,607	213,645	203,275	percent	10.1%	15.7%	-4.9%
Inventory/shipments		10.6%	11.9%	10.9%	percentage pt.	0.3%	1.3%	-1.0%
Production workers		3,925	4,173	4,040	percent	2.9%	6.3%	-3.2%
Hours worked	1,000 hrs.	8,784	8,419	8,206	percent	-6.6%	-4.2%	-2.5%
Wages paid	value	101,213	101,222	105,607	percent	4.3%	0.0%	4.3%
Hourly wages	value	\$11.52	\$12.02	\$12.87	percent	11.7%	4.3%	7.0%
Productivity	lbs./1,000 hrs.	245.8	274.0	281.6	percent	14.6%	11.5%	2.8%
Unit labor costs	per pound	\$0.047	\$0.044	\$0.046	percent	-2.5%	-6.4%	4.1%

Source: Compiled from data submitted in response to questionnaires of the U.S. International Trade Commission and official statistics of the U.S. Department of Commerce.

