

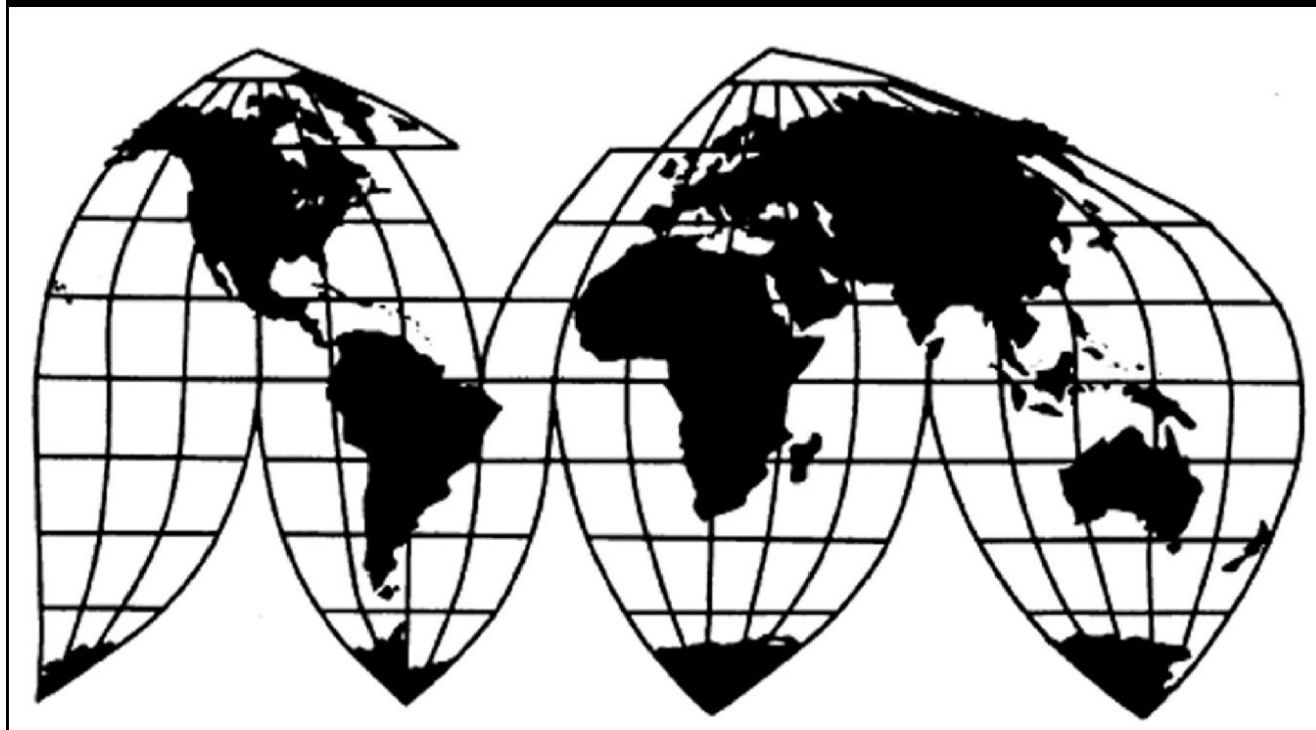
Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam

Investigation Nos. 701-TA-699-700 and 702 and 731-TA-1660 (Final)

Publication 5566

December 2024

U.S. International Trade Commission



Washington, DC 20436

U.S. International Trade Commission

COMMISSIONERS

Amy A Karpel, Chair
David S. Johanson
Rhonda K. Schmidlein
Jason E. Kearns

Catherine DeFilippo
Director of Operations

Staff assigned

Calvin Chang, Investigator
Renee Berry, Industry Analyst
Cindy Cohen, Economist
Zahra Bekkal, Accountant
Christine Lee, Statistician
John Henderson, Attorney
Elizabeth Haines, Supervisory Investigator

Special assistance from

Caitlyn Costello, Investigator
Alexis Yim, International Trade Specialist

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

U.S. International Trade Commission

Washington, DC 20436
www.usitc.gov

Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam

Investigation Nos. 701-TA-699-700 and 702 and 731-TA-1660 (Final)

Publication 5566



December 2024

CONTENTS

	Page
Determinations	1
Views of the Commission	3
Part I: Introduction	I-1
Background.....	I-1
Statutory criteria	I-3
Organization of report.....	I-4
Market summary.....	I-4
Summary data and data sources.....	I-5
Previous and related investigations.....	I-6
Nature and extent of subsidies and sales at LTFV	I-7
Subsidies	I-7
Sales at LTFV	I-9
The subject merchandise	I-10
Commerce’s scope	I-10
Tariff treatment.....	I-11
The product.....	I-12
Description and applications.....	I-12
Manufacturing processes	I-14
Domestic like product issues.....	I-17
Intermediate products	I-17
Part II: Conditions of competition in the U.S. market	II-1
U.S. market characteristics.....	II-1
U.S. purchasers.....	II-2
Impact of section 301 tariffs	II-2
Channels of distribution	II-2
Geographic distribution	II-4
Supply and demand considerations.....	II-5
U.S. supply	II-5

CONTENTS

	Page
Part II: Conditions of competition in the U.S. market.....	Continued
U.S. demand	II-10
Substitutability issues.....	II-12
Factors affecting purchasing decisions.....	II-12
Purchase factor comparisons of domestic products, subject imports, and nonsubject imports	II-19
Comparison of U.S.-produced and imported frozen warmwater shrimp.....	II-25
Elasticity estimates.....	II-29
U.S. supply elasticity.....	II-29
U.S. demand elasticity.....	II-30
Substitution elasticity	II-30
Part III: U.S. processors' production, shipments, and employment	III-1
U.S. processors	III-1
U.S. production, capacity, and capacity utilization.....	III-5
Alternative products.....	III-19
U.S. processors' U.S. shipments and exports.....	III-20
U.S. processors' inventories.....	III-21
U.S. processors' imports from subject sources.....	III-22
U.S. processors' purchases of imports from subject sources	III-22
U.S. employment, wages, and productivity	III-23
Part IV: U.S. imports, apparent U.S. consumption, and market shares	IV-1
U.S. importers.....	IV-1
U.S. imports.....	IV-6
Negligibility.....	IV-12
Cumulation considerations	IV-14
Fungibility	IV-15
Geographical markets	IV-23
Presence in the market	IV-29

CONTENTS

	Page
Part IV: U.S. imports, apparent U.S. consumption, and market shares	Continued
Apparent U.S. consumption and market shares	IV-36
Quantity	IV-36
Value	IV-40
Part V: Pricing data	V-1
Factors affecting prices	V-1
Input costs	V-1
Transportation costs to the U.S. market	V-2
U.S. inland transportation costs	V-3
Pricing practices	V-3
Pricing methods	V-3
Sales terms and discounts	V-4
Price leadership	V-4
Price data	V-5
Price trends	V-16
Price comparisons	V-17
Lost sales and lost revenue	V-19
Part VI: Financial experience of U.S. processors	VI-1
Background	VI-1
Operations on frozen warmwater shrimp	VI-2
Net sales	VI-13
Cost of goods sold and gross profit or loss	VI-14
SG&A expenses and operating income or loss	VI-16
All other expenses and net income or loss	VI-17
Capital expenditures and research and development expenses	VI-18
Assets and return on assets	VI-19
Capital and investment	VI-21

CONTENTS

	Page
Part VII: Threat considerations and information on nonsubject countries	VII-1
Subject countries.....	VII-3
Changes in operations.....	VII-9
Installed and practical overall capacity.....	VII-14
Constraints on capacity.....	VII-15
Operations on frozen warmwater shrimp.....	VII-21
Alternative products.....	VII-32
Exports.....	VII-33
U.S. inventories of imported merchandise.....	VII-34
U.S. importers' outstanding orders.....	VII-36
Third-country trade actions.....	VII-37
Information on nonsubject countries.....	VII-37
Appendixes	
A. Federal Register notices.....	A-1
B. List of hearing witnesses (reserved).....	B-1
C. Summary data.....	C-1
D. Semifinished product analysis.....	D-1
E. Indonesia nonsubject price data.....	E-1
F. Data for U.S. farmers/fishermen.....	F-1

Note.—Information that would reveal confidential operations of individual concerns may not be published. Such information is identified by brackets in confidential reports and is deleted and replaced with asterisks (***) in public reports.

UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation Nos. 701-TA-699-700 and 702 and 731-TA-1660 (Final)

Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam

DETERMINATIONS

On the basis of the record¹ developed in the subject investigations, the United States International Trade Commission (“Commission”) determines, pursuant to the Tariff Act of 1930 (“the Act”), that an industry in the United States is materially injured by reason of imports of frozen warmwater shrimp from Indonesia, provided for in subheadings 0306.17.00, 1605.21.10, and 1605.29.10 of the Harmonized Tariff Schedule of the United States, that have been found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value (“LTFV”), and imports of frozen warmwater shrimp from Ecuador, India, and Vietnam that have been found by Commerce to be subsidized by the governments of Ecuador, India, and Vietnam.²

BACKGROUND

The Commission instituted these investigations effective October 25, 2023, following receipt of petitions filed with the Commission and Commerce by the American Shrimp Processors Association, Port Arthur, Texas. The final phase of the investigations was scheduled by the Commission following notification of preliminary determinations by Commerce that imports of frozen warmwater shrimp from Ecuador, India, and Vietnam were subsidized within the meaning of section 703(b) of the Act (19 U.S.C. 1671b(b)) and imports of frozen warmwater shrimp from Indonesia were sold at LTFV within the meaning of 733(b) of the Act (19 U.S.C.

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

² 89 FR 85498, 89 FR 85506, 89 FR 85502, and 89 FR 85500 (October 28, 2024).

1673b(b)).³ Notice of the scheduling of the final phase of the Commission's investigations and of a public hearing to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the *Federal Register* on June 26, 2024 (89 FR 53444). The Commission conducted its hearing on October 22, 2024. All persons who requested the opportunity were permitted to participate.

³ Commerce published notices in the Federal Register of a negative final countervailing duty determination in connection with the subject investigation concerning Indonesia and of a negative final determination of sales at less than fair value in connection with the subject investigation concerning Ecuador (89 FR 85512 and 89 FR 85508, October 28, 2024). Accordingly, effective October 28, 2024, the Commission terminated its countervailing duty investigation concerning imports of frozen warmwater shrimp from Indonesia and its antidumping duty investigation concerning imports of frozen warmwater shrimp from Ecuador (89 FR 88061, November 6, 2024).

Views of the Commission

Based on the record in the final phase of these investigations, we determine that an industry in the United States is materially injured by reason of imports of frozen warmwater shrimp from Indonesia found by the U.S. Department of Commerce (“Commerce”) to be sold in the United States at less than fair value, and imports of frozen warmwater shrimp from Ecuador, India, and Vietnam found by Commerce to be subsidized by the governments of Ecuador, India, and Vietnam.

I. Background

Parties to the Investigations. The petitions in these investigations were filed on October 25, 2023 by the American Shrimp Processing Association, a trade association a majority of whose members are U.S. processors of frozen warmwater shrimp. Petitioner submitted prehearing and posthearing briefs and final comments, and representatives appeared at the hearing accompanied by counsel.

The Ad Hoc Shrimp Trade Action Committee (“AHSTAC”), a trade association a majority of whose members are U.S. producers of frozen and/or fresh warmwater shrimp, submitted prehearing and posthearing briefs and final comments, as well as a supplemental prehearing letter indicating support of relief by various individuals and organizations. The U.S. Shrimpers Coalition, a trade association comprising trade associations (mostly state shrimp associations) whose members are U.S. producers of fresh and/or frozen warmwater shrimp, submitted prehearing and posthearing letters stating agreement with and incorporating by reference arguments in petitioner’s briefs, and representatives appeared at the hearing accompanied by counsel.

Several groups of respondent entities from each of the four subject countries participated in the final phase of these investigations. Industrial Pesquera Santa Priscila S.A. and Sociedad Nacional Galapagos C.A., both producers of subject merchandise from Ecuador (“Ecuadorian Respondents”), submitted prehearing and posthearing briefs and final comments, and counsel appeared on their behalf at the hearing. Seafood Exporters Association of India (“SEAI” or “Indian Respondents”), a trade association a majority of whose members are producers and exporters of subject merchandise from India, submitted prehearing and posthearing briefs and final comments, and representatives appeared at the hearing accompanied by counsel. Indonesian Fishery Producers Processing and Marketing Association (“AP5I” or “Indonesian Respondents”), a trade association a majority of whose members are producers and exporters of subject merchandise from Indonesia, submitted prehearing and posthearing briefs, and representatives appeared at the hearing accompanied by counsel. The Shrimp Committee of Vietnam Association of Seafood Exporters and Producers (“VASEP Shrimp Committee” or “Vietnamese Respondents”), a trade association a majority of whose members are producers and exporters of subject merchandise from Vietnam, submitted prehearing and posthearing briefs and final comments, and representatives appeared at the hearing accompanied by counsel. Representatives of Portal 3 LLC (DBA Farmers & Fishermen Purveyors) and Fortune International LLC, both purchasers of subject merchandise, appeared at the hearing accompanied by counsel. In addition, a representative of the government of Indonesia appeared at the hearing.

Data Coverage. U.S. Industry data are based on questionnaire responses from 20 U.S. processors of frozen warmwater shrimp that accounted for over 80 percent (based on live

weight (head-on, shell-on)) of domestic production of frozen warmwater shrimp in 2023, as well as the questionnaire responses of 388 U.S. farmers/fishermen.¹ U.S. import data are based on adjusted official import statistics of the U.S. Department of Commerce (“Commerce”) and on the questionnaire responses of 66 U.S. importers of frozen warmwater shrimp which accounted for *** percent of subject imports, *** percent of nonsubject imports, and 56.0 percent of total imports of frozen warmwater shrimp classified under the relevant HTS statistical reporting numbers.²

The Commission received responses to its questionnaires from 67 foreign producers of subject merchandise, whose exports to the United States are estimated to have accounted for approximately *** percent of total U.S. imports of frozen warmwater shrimp from the four subject countries in 2023.³ Responding producers/exporters included two producers/exporters in Ecuador, whose exports to the United States are estimated to have accounted for

¹ Confidential Report, Memorandum INV-WW-138 (Nov. 7, 2024) (“CR”) at I-5, III-1, F-3; *Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam*, Inv. Nos. 701-TA-699-700, 702 and 731-TA-1660 (Final), USITC Pub. 5566 (Dec. 2024) (“PR”) at I-5, III-1, F-3.

² CR/PR at I-5, IV-1. The relevant HTS statistical reporting numbers are 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. *Id.* at IV-1.

Of the responding U.S. importers, 21 reported importing subject merchandise from Ecuador in 2023, accounting for *** percent of subject imports reported under the relevant HTS numbers from Ecuador in 2023; 26 reported importing subject merchandise from India in 2023, accounting for *** percent of subject imports reported under the relevant HTS numbers from India in 2023; 25 reported importing subject merchandise from Indonesia in 2023, accounting for *** percent of subject imports reported under the relevant HTS numbers from Indonesia in 2023; and 12 reported importing subject merchandise from Vietnam in 2023, accounting for *** percent of subject imports reported under the relevant HTS numbers from Vietnam in 2023. *Id.*

³ CR/PR at VII-3.

approximately *** percent of U.S. imports of frozen warmwater shrimp from Ecuador in 2023;⁴ 24 producers/exporters in India, estimated to have accounted for approximately *** percent of production of subject merchandise in India in 2023, and whose exports to the United States are estimated to have accounted for approximately *** percent of U.S. imports of frozen warmwater shrimp from India in 2023;⁵ 15 producers/exporters in Indonesia, estimated to have accounted for approximately *** percent of production of subject merchandise in Indonesia in 2023, and whose exports to the United States are estimated to have accounted for approximately *** percent of U.S. imports of frozen warmwater shrimp from Indonesia in 2023;⁶ and 26 producers/exporters in Vietnam, whose exports to the United States are estimated to have accounted for over *** percent of U.S. imports of frozen warmwater shrimp from Vietnam in 2023.⁷

II. Domestic Like Product

A. In General

In determining whether an industry in the United States is materially injured or threatened with material injury by reason of imports of subject merchandise, the Commission first defines the “domestic like product” and the “industry.”⁸ Section 771(4)(A) of the Tariff Act of 1930, as amended (“the Tariff Act”), defines the relevant domestic industry as the “producers as a whole of a domestic like product, or those producers whose collective output

⁴ CR/PR at Table VII-1. Information regarding the share of production of subject merchandise in Ecuador in 2023 accounted for by firms submitting questionnaire responses is not available. *Id.*

⁵ CR/PR at Table VII-1.

⁶ CR/PR at Table VII-1.

⁷ CR/PR at Table VII-1. Information regarding the share of production of subject merchandise in Vietnam in 2023 accounted for by firms submitting questionnaire responses is not available. *Id.*

⁸ 19 U.S.C. § 1677(4)(A).

of a domestic like product constitutes a major proportion of the total domestic production of the product.”⁹ In turn, 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.”¹⁰

By statute, the Commission’s “domestic like product” analysis begins with the “article subject to an investigation,” *i.e.*, the subject merchandise as determined by Commerce.¹¹ Therefore, Commerce’s determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value is “necessarily the starting point of the Commission’s like product analysis.”¹² The Commission then defines the domestic like product in light of the imported articles Commerce has identified.¹³ The decision regarding the appropriate domestic like product(s) in an investigation is a factual determination, and the Commission has applied the statutory standard of “like” or “most similar in characteristics and

⁹ 19 U.S.C. § 1677(4)(A).

¹⁰ 19 U.S.C. § 1677(10).

¹¹ 19 U.S.C. § 1677(10). The Commission must accept Commerce’s determination as to the scope of the imported merchandise that is subsidized and/or sold at less than fair value. *See, e.g., USEC, Inc. v. United States*, 34 Fed. App’x 725, 730 (Fed. Cir. 2002) (“The ITC may not modify the class or kind of imported merchandise examined by Commerce.”); *Algoma Steel Corp. v. United States*, 688 F. Supp. 639, 644 (Ct. Int’l Trade 1988), *aff’d*, 865 F.3d 240 (Fed. Cir.), *cert. denied*, 492 U.S. 919 (1989).

¹² *Cleo Inc. v. United States*, 501 F.3d 1291, 1298 (Fed. Cir. 2007); *see also Hitachi Metals, Ltd. v. United States*, Case No. 19-1289, slip op. at 8-9 (Fed. Cir. Feb. 7, 2020) (the statute requires the Commission to start with Commerce’s subject merchandise in reaching its own like product determination).

¹³ *Cleo*, 501 F.3d at 1298 n.1 (“Commerce’s {scope} finding does not control the Commission’s {like product} determination.”); *Hosiden Corp. v. Advanced Display Mfrs.*, 85 F.3d 1561, 1568 (Fed. Cir. 1996) (the Commission may find a single like product corresponding to several different classes or kinds defined by Commerce); *Torrington Co. v. United States*, 747 F. Supp. 744, 748–52 (Ct. Int’l Trade 1990), *aff’d*, 938 F.2d 1278 (Fed. Cir. 1991) (affirming the Commission’s determination defining six like products in investigations where Commerce found five classes or kinds).

uses” on a case-by-case basis.¹⁴ ¹⁵ No single factor is dispositive, and the Commission may consider other factors it deems relevant based on the facts of a particular investigation.¹⁶ The Commission looks for clear dividing lines among possible like products and disregards minor variations.¹⁷

B. Product Description

Commerce defined the scope of the imported merchandise under investigation as follows:

The scope of this investigation includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off,

¹⁴ 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); *Torrington Co. v. United States*, 747 F. Supp. 744, 749 n.3 (Ct. Int’l Trade 1990), *aff’d*, 938 F.2d 1278 (Fed. Cir. 1991) (“every like product determination ‘must be made on the particular record at issue’ and the ‘unique facts of each case’”). The Commission generally considers a number of factors, including the following: (1) physical characteristics and uses; (2) interchangeability; (3) channels of distribution; (4) customer and producer perceptions of the products; (5) common manufacturing facilities, production processes, and production employees; and, where appropriate, (6) price. See *Nippon*, 19 CIT at 455 n.4; *Timken Co. v. United States*, 913 F. Supp. 580, 584 (Ct. Int’l Trade 1996).

¹⁵ In a semi-finished products analysis, the Commission examines the following: (1) the significance and extent of the processes used to transform the upstream into the downstream articles; (2) whether the upstream article is dedicated to the production of the downstream article or has independent uses; (3) differences in the physical characteristics and functions of the upstream and downstream articles; (4) whether there are perceived to be separate markets for the upstream and downstream articles; and (5) differences in the costs or value of the vertically differentiated articles. See, e.g., *Glycine from India, Japan, and Korea*, Inv. Nos. 731-TA-1111-1113 (Preliminary), USITC Pub. No. 3921 at 7 (May 2007); *Artists’ Canvas from China*, Inv. No. 731-TA-1091 (Final), USITC Pub. No. 3853 at 6 (May 2006); *Live Swine from Canada*, Inv. No. 731-TA-1076 (Final), USITC Pub. 3766 at 8 n.40 (Apr. 2005); *Certain Frozen Fish Fillets from Vietnam*, Inv. No. 731-TA-1012 (Preliminary), USITC Pub. No. 3533 at 7 (Aug. 2002).

¹⁶ See, e.g., S. Rep. No. 96-249 at 90-91 (1979).

¹⁷ *Nippon*, 19 CIT at 455; *Torrington*, 747 F. Supp. at 748-49; see also S. Rep. No. 96-249 at 90-91 (Congress has indicated that the like product standard should not be interpreted in “such a narrow fashion as to permit minor differences in physical characteristics or uses to lead to the conclusion that the product and article are not ‘like’ each other, nor should the definition of ‘like product’ be interpreted in such a fashion as to prevent consideration of an industry adversely affected by the imports under consideration.”).

deveined or not deveined, cooked or raw, or otherwise processed in frozen form. "Tails" in this context means the tail fan, which includes the telson and the uropods.

The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.20.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.20.05.10); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.20.10.40); (7) certain dusted shrimp; and (8) certain battered shrimp. Dusted shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a "dusting" layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the nonshrimp content of the end product constituting between four and 10 percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. Battered shrimp is a shrimp-based product that, when dusted in accordance with the definition of dusting above, is coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the scope are currently classified under the following HTSUS subheadings: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope is dispositive.¹⁸

Warmwater shrimp are crustaceans that usually inhabit salt waters in coastal regions in the tropics and subtropics or freshwaters. The warmwater shrimp subject to these investigations are either wild-caught or farm-raised, are mostly classified in the *Penaeidae* family, and comprise shrimp of several genera and species.¹⁹

Imported warmwater shrimp are mainly farm-raised in ponds. Such aquaculture allows harvests of shrimp year-round, and allows farmers to adjust production to respond to demand for different sizes and species. However, shrimp ponds are periodically affected by diseases that can dramatically reduce harvest levels. While these diseases can also affect wild warmwater shrimp, they are more common in farming because shrimp populations in ponds are much denser. In the United States, virtually all warmwater shrimp production is wild-caught. The catch is composed primarily of brown shrimp (*Penaeus aztecus*), white shrimp (*Penaeus setiferus*), and pink shrimp (*Penaeus duorarum*). Warmwater shrimp vary greatly in

¹⁸ *Frozen Warmwater Shrimp From Indonesia: Final Affirmative Determination of Sales at Less-Than-Fair Value*, 89 Fed. Reg. 85498, 85499-85500 (Oct. 28, 2024); *Frozen Warmwater Shrimp From Ecuador; Final Affirmative Countervailing Duty Determination*. 89 Fed. Reg. 85506, 85508 (Oct. 28, 2024).

¹⁹ CR/PR at I-12.

size, depending on age and species. They typically grow to a harvestable size within one year; their size largely depends on the time of year they are harvested.²⁰

The market tendency is for large shrimp (less than 36 per pound, heads-off, shell-on basis) to be sold raw and frozen to restaurants, hotels, and other food institutions; for small to medium shrimp (36 to 60 per pound) to be breaded, canned, or sold raw and frozen at retail; and for extra small (61 to 70 per pound) and tiny shrimp (more than 70 per pound) to be used by canners, dryers, and producers of specialty products.²¹ Shrimp may be frozen in block form or individually quick frozen (“IQF”) form; block frozen shrimp is often sold to food service or restaurant buyers, while IQF shrimp is typically sold to grocery retailers.²² Over time, U.S. IQF production as a share of total shipments has increased, suggesting that retail markets have become increasingly important to U.S. processors.²³

C. Arguments of the Parties

Petitioner’s Arguments. Petitioner argues that the Commission should define a single domestic like product consisting of frozen warmwater shrimp, coextensive with the scope, and out-of-scope fresh warmwater shrimp.²⁴ It argues that the Commission should reject Indian Respondents’ argument that cooked shrimp should be defined to be a separate domestic like product from raw shrimp.²⁵

²⁰ CR/PR at I-12 to I-13. U.S. shrimp fisheries in both the South Atlantic and the Gulf of Mexico are seasonal, and seasonal peaks vary by species. *Id.* at I-13 n.17.

²¹ CR/PR at I-13.

²² CR/PR at I-15.

²³ CR/PR at I-13.

²⁴ Petitioner’s Prehearing Brief at 2-3. AHSTAC similarly argues that the Commission should define a single domestic like product consisting of frozen warmwater shrimp, coextensive with the scope, and out-of-scope fresh warmwater shrimp. AHSTAC’s Prehearing Brief at 3-10.

²⁵ Petitioner’s Posthearing Brief at 3, and Answers to Commission Questions at 25-37.

Petitioner contends that both frozen raw shrimp and frozen cooked shrimp have nearly identical physical characteristics, are processed in the exact same forms, and are available in the exact same count sizes, with the only difference being that one is frozen in raw form and the other is frozen in cooked form. Petitioner contends that the record shows a high degree of interchangeability between frozen raw shrimp and frozen cooked shrimp, asserting that they are used in the same applications and sold in nearly identical packaging.²⁶ It contends that the available information in the record indicates that there is overlap in channels of distribution, in that both cooked and raw frozen shrimp are sold side-by-side in the retail segment, and major food distributors carry both cooked and raw frozen shrimp.²⁷ In petitioner's view, there is significant overlap in the production processes and equipment used to produce frozen raw shrimp and frozen cooked shrimp, since both are subject to all of the same processing steps prior to freezing, apart from cooking. It states that some U.S. processors have cooking equipment installed and are capable of producing frozen cooked shrimp at the same facility where they produce frozen raw shrimp.²⁸

Petitioner argues that there is no significant difference in producer and customer perceptions with respect to frozen raw shrimp and cooked raw shrimp, as indicated in product packaging, website listings, and placement in the same freezer by retailers.²⁹ It further

²⁶ Petitioner's Posthearing Brief, Answers to Commission Questions, at 29-30.

²⁷ Petitioner's Posthearing Brief, Answers to Commission Questions, at 30; see Hearing Tr. at 171-172 (Alturi).

²⁸ Petitioner's Posthearing Brief, Answers to Commission Questions, at 31-33.

²⁹ Petitioner's Posthearing Brief, Answers to Commission Questions at 33.

contends that prices for frozen cooked shrimp are *** to prices for raw cooked shrimp, and do not indicate a clear distinction based on price.³⁰

Respondents' Arguments. Indian Respondents argue that the Commission should define cooked shrimp to be a separate domestic like product from other in-scope raw shrimp products. They contend that there are clear dividing lines between cooked shrimp and raw shrimp, similar to the Commission's conclusion in its 2003 investigation of *Frozen or Canned Warmwater Shrimp* that canned warmwater shrimp was a separate domestic like product from frozen warmwater shrimp.³¹ As to physical characteristics and uses, Indian Respondents contend that frozen cooked shrimp are sold cooked and ready to eat (once thawed), while frozen raw shrimp needs to be cooked prior to consumption. Indian Respondents contend that cooked shrimp is not interchangeable with other raw shrimp products.³²

Indian Respondents argue that the channels of distribution are different, in that while most frozen raw shrimp products are sold to the distributor/food service channel, cooked shrimp are sold to major retailers and grocery chains, which sell the products to consumers, and cooked shrimp are not sold to restaurants or directly to other end users.³³ Indian Respondents claim that market perceptions are different for cooked shrimp as opposed to raw shrimp, asserting that retailers and consumer think of cooked shrimp as "ready to eat," while

³⁰ Petitioner's Posthearing Brief, Answers to Commission Questions at 33.

³¹ Indian Respondents' Prehearing Brief at 3-4; see *Certain Frozen or Canned Warmwater Shrimp and Prawns From Brazil, China, Ecuador, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1063-1068 (Final), USITC Pub. 3748 (Jan. 2005) at 8-10.

³² Indian Respondents' Prehearing Brief at 4-5.

³³ Indian Respondents' Prehearing Brief at 5-7.

raw shrimp is “ready to cook,” and that this difference is reflected in packaging of these two kinds of shrimp.³⁴

Indian Respondents maintain that different production equipment and processes are necessary to produce cooked shrimp as opposed to raw shrimp, contending that the vast majority of U.S. producers do not have the requisite equipment to do so, while the few U.S. producers that do have such equipment produce in limited quantities. They state that processors would need to make substantial investments in such equipment, and would need approval from the U.S. Food and Drug Administration (“FDA”) to produce cooked shrimp. Indian Respondents assert that cooked products are required to be separate from the raw production line, dedicated production workers for the cooked production line must go through rigorous hygiene protocols, and there is continuous testing of cooked products to ensure compliance with food safety requirements.³⁵ Indian Respondents assert that cooked shrimp commands a higher price than other frozen shrimp products, as indicated by both publicly available retail prices and the Commission’s pricing data.³⁶

No respondent party disputes that out-of-scope fresh warmwater shrimp should be included in the Commission’s definition of the domestic like product. Ecuadorian Respondents state that they do not contest the Commission’s definition of the domestic like product in its preliminary determinations.³⁷

³⁴ Indian Respondents’ Prehearing Brief at 7.

³⁵ Indian Respondents’ Prehearing Brief at 7-10.

³⁶ Indian Respondents’ Prehearing Brief at 10-11.

³⁷ Ecuadorian Respondents’ Prehearing Brief at 3. *See Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam*, Inv. Nos. 701-TA-699-702 and 731-TA-1659-1660 (Preliminary), USITC Pub. 5482 at 11-17 (Dec. 2023) (“*Preliminary Determinations*”).

D. Domestic Like Product Analysis

Based on the record, we define a single domestic like product consisting of frozen warmwater shrimp, coextensive with the scope, and out-of-scope fresh warmwater shrimp.

In the preliminary phase of the investigations, the Commission first considered whether all frozen warmwater shrimp within the scope of the investigations constituted a single domestic like product. It found that all domestically processed frozen warmwater shrimp have similar physical characteristics, as they are produced from fresh warmwater shrimp. It found that all frozen warmwater shrimp have the same primary end use, have the same channels of distribution, and may be used interchangeably. It stated that information on the record indicated that production of all frozen warmwater shrimp generally use the same production facilities and manufacturing processes, and that the limited information in the record suggested that customers and producers perceive frozen warmwater shrimp to constitute a single product category. Thus, the Commission found that all frozen warmwater shrimp corresponding to Commerce's scope definition belonged in a single domestic like product.³⁸

The Commission then considered whether to include in the domestic like product out-of-scope fresh warmwater shrimp using the Commission's "semifinished products" like product analysis. The Commission found that fresh warmwater shrimp is overwhelmingly sold in a processed form, and that the initial stages of processing do not significantly change the physical characteristics and uses of the product and appear to add moderate value to the product. The Commission found in light of this, and the lack of argument to the contrary, that fresh warmwater shrimp should be included in the same domestic like product as the frozen

³⁸ *Preliminary Determinations*, USITC Pub. 5482 at 11-15.

warmwater shrimp within the scope of the investigations. Consequently, the Commission defined a single domestic like product comprising fresh and frozen warmwater shrimp.³⁹

1. Whether cooked shrimp should be a separate domestic like product

We first consider whether in-scope frozen cooked shrimp should be defined to be a separate domestic like product from other in-scope frozen warmwater shrimp. Currently, six U.S. processors reported that they have the ability to produce frozen cooked shrimp, but only three firms reported that they actually produced the product in 2023 and domestic production was limited that year, at *** pounds.⁴⁰

Physical Characteristics and Uses. In the preliminary determinations, the Commission found that all domestically produced frozen warmwater shrimp within the scope, including cooked shrimp, shared significant similarities in physical characteristics and all shared the same predominant end-use, for human consumption. The Commission observed that frozen warmwater shrimp is “processed in a variety of forms, including head-on or head-off, tail-on or tail-off, shell-on or peeled, and deveined or not deveined”, and “may be frozen in raw form or further processed by cooking, skewering, and/or flavoring with marinades, spices, or sauces.”⁴¹ Thus, the Commission found that despite different methods of processing, including cooking, all in-scope frozen warmwater shrimp share similar physical characteristics and the same predominant end use. Although frozen cooked shrimp is sold already cooked and ready to eat

³⁹ *Preliminary Determinations*, USITC Pub. 5482 at 15-17.

⁴⁰ CR/PR at III-17, Table III-12. The Commission’s domestic like product analysis focuses on a comparison of domestically produced products (here, whether there is a clear dividing line between domestically produced frozen cooked warmwater shrimp and domestically produced frozen raw warmwater shrimp), so information cited by the parties concerning the characteristics of subject imports of frozen cooked warmwater shrimp is not relevant to the domestic like product analysis. See Indian Respondents’ Prehearing Brief at 6, 11.

⁴¹ *Preliminary Determinations*, USITC Pub. 5482 at 12.

(once thawed), as Indian Respondents emphasize, this does not establish a significant difference in physical characteristics or end uses from frozen raw shrimp.⁴² Petitioner contends that the vast majority of frozen raw shrimp will be thawed and cooked prior to use, making it only one step removed from frozen cooked shrimp, with the same end use of meal preparation.⁴³

Manufacturing Facilities, Production Processes and Employees. The record indicates that there is substantial overlap in the production processes required to produce frozen raw shrimp and frozen cooked shrimp, in that all frozen shrimp goes through the same initial processing steps, including weighing, washing, sizing, and grading, and then, depending on the end product, peeling, deveining and other processing steps prior to freezing.⁴⁴

The record also indicates that specialized cooking equipment is necessary to produce cooked shrimp. The parties agree that this equipment is expensive; U.S. producers estimated the additional investment required to be able to produce cooked shrimp at between \$*** and \$***.⁴⁵ Indian Respondents have presented evidence that FDA approval is required for facilities producing cooked shrimp, and that firms and dedicated workers producing cooked shrimp must meet strict hygiene standards.⁴⁶ Petitioner contends that there is overlap between U.S. producers of frozen raw shrimp and U.S. producers of frozen cooked shrimp, and

⁴² Indian Respondents' Prehearing Brief at 4-5.

⁴³ Petitioner's Posthearing Brief, Answers to Commission Questions, at 28-29.

⁴⁴ CR/PR at I-15; Petitioner's Posthearing Brief, Answers to Commission Questions, at 31.

⁴⁵ CR/PR at Table III-13; Indian Respondents' Prehearing Brief at 7-8; Petitioner's Posthearing Brief, Answers to Commission Questions, at 31-33.

⁴⁶ Indian Respondents' Prehearing Brief at 7-10; Hearing Tr. at 169-171 (Atluri).

that some U.S. producers with cooking equipment installed have the capability to produce frozen cooked shrimp at the same facility where they produce frozen raw shrimp.⁴⁷

Channels of Distribution. There are no specific data on the record regarding channels of distribution for cooked shrimp as opposed to raw shrimp. Indian Respondents contend that cooked shrimp is sold to retailers/grocery chains, and argue that this is a “distinct” channel of distribution, but acknowledge that raw shrimp may also be sold to this same channel.⁴⁸ Petitioner argues that retailers and major food service distributors carry both cooked and raw frozen shrimp, as shown in Sysco’s online catalog.⁴⁹ Thus, there appears to be some overlap in channels of distribution between cooked shrimp and raw shrimp, and no evidence of a “distinct” channel for cooked shrimp that does not include raw shrimp as well.

Interchangeability. Most responding purchasers (15 of 20 firms) reported that raw and cooked shrimp were never interchangeable.⁵⁰ Petitioner argues that other evidence indicates that there is a degree of interchangeability between the products, contending that frozen raw shrimp and frozen cooked shrimp are processed in the same forms and used in the same applications, and are marketed side-by-side by retailers in near-identical packaging.⁵¹

Producer and Customer Perceptions. Indian Respondents contend that frozen cooked shrimp is perceived as a “ready to eat” product, while frozen raw shrimp is perceived as a “ready to cook” product, as reflected by the different product packaging for the two products.⁵²

⁴⁷ Petitioner’s Posthearing Brief, Answers to Commission Questions, at 31.

⁴⁸ Indian Respondents’ Prehearing Brief at 6-7.

⁴⁹ Petitioner’s Posthearing Brief, Answers to Commission Questions, at 30 and Exh. 13.

⁵⁰ CR/PR at II-17; Indian Respondents’ Prehearing Brief at 5.

⁵¹ Petitioner’s Posthearing Brief, Answers to Commission Questions, at 29-30 and Exhs. 11-12.

⁵² Indian Respondents’ Prehearing Brief at 7 and Exh. 1; Hearing Tr. at 169 (Atluri).

However, petitioner has presented evidence that cooked shrimp and frozen shrimp are presented alongside each other with near-identical packaging.⁵³

Price. Indian Respondents contend that the Commission's pricing data show that frozen cooked shrimp commands a higher price than other frozen raw products, while petitioner contends that the prices of the two are ***.⁵⁴ These pricing comparisons are based on the Commission's pricing product data, which include a frozen cooked shrimp product (pricing product 3). However, there were only two quarters of domestic product sales reported for this product,⁵⁵ which does not provide a sufficient or reliable basis on which to compare the prices of domestically produced frozen cooked shrimp and domestically produced frozen raw shrimp, and comparing prices of the subject import sales of cooked shrimp is not relevant to the inquiry of whether a clear dividing line exists between domestically produced frozen cooked shrimp and domestically produced frozen raw shrimp.⁵⁶ Consequently, there are limited pricing data available for the Commission's analysis.

Conclusion. The record indicates that frozen cooked shrimp and frozen raw shrimp share basic physical characteristics and the same end use, for meal preparation, with the only apparent difference being that frozen cooked shrimp is cooked and "ready to eat" once thawed while frozen raw shrimp must be cooked before consumption. Both types of shrimp undergo many of the same initial processing steps before freezing, with cooked shrimp undergoing an additional step of cooking before freezing. Additionally, the record does not indicate that there

⁵³ Petitioner's Posthearing Brief, Answers to Commission Questions, at 30 and Exh. 13.

⁵⁴ Indian Respondents' Prehearing Brief at 10-11; Petitioner's Posthearing Brief, Answers to Commission Questions, at 33.

⁵⁵ CR/PR at Table IV-6.

⁵⁶ Indian Respondents' Prehearing Brief at 10-11.

are any clear differences between domestically produced frozen cooked shrimp and domestically produced frozen raw shrimp in terms of channels of distribution or producer and customer perceptions.

There is also evidence that dedicated equipment, FDA approval, and adherence to hygiene protocols may be necessary to produce and sell frozen cooked shrimp, and although there is overlap between U.S. producers of frozen raw shrimp and U.S. producers of frozen cooked shrimp, the record is unclear as to whether any of the three current U.S. producers of frozen cooked shrimp have been producing such shrimp in the same facility with the same employees used to produce frozen raw shrimp. Although a majority of purchasers reported that frozen cooked shrimp and frozen raw shrimp were never interchangeable, packaging materials and websites suggest that processors and retailers market frozen cooked shrimp and frozen raw shrimp as if they were interchangeable. Given the substantial similarities between frozen cooked shrimp and frozen raw shrimp in terms of physical characteristics and uses, as well as some overlap in terms of manufacturing facilities and production processes, channels of distribution, and producer and customer perceptions, we find that there is not a clear dividing

line between them, notwithstanding some limits to interchangeability between the two, and the necessity for additional processing and equipment to produce cooked shrimp.^{57 58}

⁵⁷ We note that in the Commission's February 2004 preliminary determinations in *Certain Frozen or Canned Warmwater Shrimp and Prawns From Brazil, China, Ecuador, India, Thailand, and Vietnam*, the Commission declined to define as two separate domestic like products "primary processed shrimp" (i.e., frozen, unshelled, and deheaded) and "value added shrimp," with cooked shrimp being among the "value added shrimp" products. The Commission found that the products had "no more than minor differences in physical characteristics, end uses, and channels of distribution," even if they were not fully interchangeable and some "value added" products involved further processing requiring additional equipment, and thus there was not "a clear dividing line separating the continuum of processed warmwater shrimp products." *Certain Frozen or Canned Warmwater Shrimp and Prawns From Brazil, China, Ecuador, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1063-1068 (Preliminary), USITC Pub. 3672 at 6-9 (Feb. 2004).

⁵⁸ Contrary to Indian Respondents' arguments, the facts with respect to cooked shrimp are distinguishable from those that supported the Commission's determination to define canned warmwater shrimp as a separate domestic like product from frozen warmwater shrimp in its final determinations for *Certain Frozen or Canned Warmwater Shrimp and Prawns From Brazil, China, Ecuador, India, Thailand, and Vietnam*. *Certain Frozen or Canned Warmwater Shrimp and Prawns From Brazil, China, Ecuador, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1063-1068 (Final), USITC Pub. 3748 at 8-11 (Jan. 2005). In those determinations, the Commission found several clear distinctions between the two products, stating that canned shrimp was always cooked and peeled, packaged through the retort process in a different form than frozen shrimp, was shelf-stable, and was typically of a smaller size than the great majority of frozen shrimp. It was produced in the United States by a single company that produced canned shrimp exclusively, using equipment dedicated to the production of canned shrimp. Further, the Commission found canned shrimp was distinguishable from frozen shrimp because it was generally not used for food preparations in which shrimp would be a central visual focus, was not used to any significant extent by restaurants where the substantial majority of frozen shrimp were being consumed, was marketed by the producer more as a canned seafood product than as a shrimp product, and was priced higher on a per-pound basis than comparable sizes of frozen shrimp. The Commission acknowledged overlap between the two products in terms of end uses and production equipment, but found that those similarities did not obscure the clear dividing line between canned shrimp and frozen shrimp. *Id.* at 8-11.

Unlike the canned shrimp at issue in the prior investigations, the two types of warmwater shrimp products at issue here, frozen cooked shrimp and frozen raw shrimp, are frozen. *Id.* at 8. Moreover, as noted, the Commission found that canned shrimp was physically much smaller than most frozen shrimp; that, unlike frozen shrimp, canned shrimp was only one of several ingredients used and not a central visual focus of the dish being prepared; and there was no overlap between the one U.S. producer of canned shrimp and the U.S. producers of frozen shrimp in terms of manufacturing facilities. *Id.* at 8-10. In these investigations, by contrast, frozen cooked shrimp and frozen raw shrimp are of the same size, they are both used for "center of the plate" dishes, and there are U.S. producers that produce both frozen raw shrimp and frozen cooked shrimp. See Hearing Tr. at 125-127 (Drake).

For the foregoing reasons, we do not define frozen cooked shrimp as a separate domestic like product.

2. Whether out-of-scope fresh warmwater shrimp should be included in the domestic like product

As the Commission stated in the preliminary determinations, the overwhelming majority of fresh warmwater shrimp is not sold as a finished product but rather is used as an input for further processing into frozen products, and therefore a comparison between fresh and processed shrimp is one involving two products at different stages of the same production process.⁵⁹ We consequently consider the appropriate like product treatment for fresh warmwater shrimp by using the Commission's "semifinished products" like product analysis.

Dedication for Use. In the preliminary determinations, the Commission found that the vast majority of fresh warmwater shrimp was purchased by processors for the purpose of undergoing further processing into frozen warmwater shrimp.⁶⁰ There is no new information on the record of the final phase of the investigations that would support a different finding. A slight majority of responding U.S. processors and a larger majority of responding U.S. importers reported that there were no uses for fresh warmwater shrimp other than for the production of frozen warmwater shrimp.⁶¹

Separate Markets. In the preliminary determinations, the Commission found that the record indicated that there were separate markets for fresh and frozen warmwater shrimp in the sense that vessels sell their catch to a dock house or processor, whereas processors sell

⁵⁹ *Preliminary Determinations*, USITC Pub. 5482 at 15.

⁶⁰ *Preliminary Determinations*, USITC Pub. 5482 at 15.

⁶¹ CR/PR at Table I-9.

shrimp to distributors, retailers, and end users.⁶² However, in these final phase investigations, majorities of responding U.S. processors and importers reported that the market for fresh warmwater shrimp was not separate and distinct from the market for frozen warmwater shrimp.⁶³

Differences in Physical Characteristics and Functions of the Upstream and Downstream Articles. In the preliminary determinations, the Commission found that frozen warmwater shrimp at the initial stage of processing were not substantially different from the fresh product sold at the dock, nor did they have different product characteristics, beyond longer shelf lives. It stated that the ultimate use of both fresh and frozen shrimp was in food preparations.⁶⁴ In these final phase investigations, a majority of responding U.S. processors reported that there were differences in physical characteristics between fresh warmwater shrimp and frozen warmwater shrimp, while a majority of responding U.S. importers reported that there were not such differences.⁶⁵

Differences in Value. In the preliminary determinations, the Commission found that the limited information on the record indicated that additional raw materials, processing costs, selling, general and administrative expenses, and profit together accounted for less than 30 percent of the value of the final frozen warmwater shrimp product.⁶⁶ There is no new information on the record of the final phase of the investigations to indicate that the difference in value between fresh warmwater shrimp and frozen warmwater shrimp has changed. A

⁶² *Preliminary Determinations*, USITC Pub. 5482 at 16.

⁶³ CR/PR at Table I-9.

⁶⁴ *Preliminary Determinations*, USITC Pub. 5482 at 16.

⁶⁵ CR/PR at Table I-9.

⁶⁶ *Preliminary Determinations*, USITC Pub. 5482 at 16.

majority of responding U.S. processors reported that there was a significant difference in the cost or value between fresh warmwater shrimp and frozen warmwater shrimp, while a majority of responding U.S. importers reported that there was not a significant difference.⁶⁷

Extent of Processes Used to Transform Downstream Product into Upstream Product. In the preliminary determinations, the Commission found that a number of the processing steps needed to transform fresh warmwater shrimp to its frozen form, such as cleaning, freezing, and deheading, could be performed manually and onboard shrimping vessels.⁶⁸ In these final phase investigations, a majority of responding U.S. processors reported that the process used to transform fresh warmwater shrimp into frozen warmwater shrimp was significant and labor- or capital- intensive, while a majority of responding U.S. importers reported that it was not.⁶⁹

Conclusion. In the preliminary determinations, the Commission concluded that fresh warmwater shrimp should be included in the same domestic like product as the frozen warmwater shrimp within the scope of the investigations because fresh warmwater shrimp was overwhelmingly sold in a processed form, and the initial stages of processing did not significantly change the physical characteristics and uses of the product and added only moderate value; it also noted the absence of any contrary argument.⁷⁰ As noted in the preliminary determinations, the Commission had recently addressed similar issues in the five-

⁶⁷ CR/PR at Table I-9.

⁶⁸ *Preliminary Determinations*, USITC Pub. 5482 at 16-17.

⁶⁹ CR/PR at Table I-9.

⁷⁰ *Preliminary Determinations*, USITC Pub. 5482 at 15-17.

year reviews of *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, in which it also defined the domestic like product to include fresh warmwater shrimp.⁷¹

The record in the final phase of these investigations does not contain any new information or argument sufficient to warrant reversal of the Commission's definition of the domestic like product to include fresh warmwater shrimp in the preliminary determinations. Moreover, no party has argued that the Commission should not define the domestic like product to include fresh warmwater shrimp. Accordingly, we define a single domestic like product consisting of frozen warmwater shrimp, coextensive with the scope, and out-of-scope fresh warmwater shrimp.

III. Domestic Industry

The domestic industry is defined as the domestic "producers as a whole of a domestic like product, or those producers whose collective output of a domestic like product constitutes a major proportion of the total domestic production of the product."⁷² 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.

In the preliminary determinations, the Commission defined a single domestic industry consisting of all domestic harvesters of fresh warmwater shrimp and processors of frozen warmwater shrimp.⁷³

⁷¹ *Preliminary Determinations*, USITC Pub. 5482 at 17 n.48; see *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, 731-TA-1064 and 1066-1068 (Third Review), USITC Pub. 5432 at 14-15 (June 2023).

⁷² 19 U.S.C. § 1677(4)(A).

⁷³ *Preliminary Determinations*, USITC Pub. 5482 at 18-19.

Petitioner and AHSTAC argue that the Commission should define a single domestic industry consisting of domestic processors of frozen shrimp as well as domestic farmers and fishermen of fresh shrimp.⁷⁴ In accordance with their argument regarding the domestic like product, Indian Respondents argue that the Commission should define a separate domestic industry consisting of all domestic producers of cooked shrimp.⁷⁵ Ecuadorian Respondents state that they do not contest the Commission's definition of the domestic industry from the preliminary determinations.⁷⁶

There are no related parties or other domestic industry issues in the final phase of these investigations, and no party has raised any argument concerning any such issues.⁷⁷ Because we have defined the domestic like product to include fresh warmwater shrimp, the fishermen that harvest warmwater shrimp produce the domestic like product and are consequently part of the domestic industry.⁷⁸ Accordingly, consistent with our definition of the domestic like product,

⁷⁴ Petitioner's Prehearing Brief at 3; Petitioner's Posthearing Brief at 4; AHSTAC's Prehearing Brief at 10-13.

⁷⁵ Indian Respondents' Prehearing Brief at 11.

⁷⁶ Ecuadorian Respondents' Prehearing Brief at 3.

⁷⁷ CR/PR at III-3, III-22. Given that the Commission is not defining frozen cooked shrimp to be a separate domestic like product, there is no basis to find a separate domestic industry consisting of U.S. processors of frozen cooked shrimp. See Indian Respondents' Prehearing Brief at 11.

Commissioner Kearns notes that, on this record, it is unclear whether *** may be a related party pursuant to 19 U.S.C. § 1677(4) based on its purchases of subject imports; the same issue arose in the preliminary investigations. See CR/PR at III-3 n.1, *Preliminary Determinations*, USITC Pub. 5482 at 18 nn.50-51; Confidential Preliminary Determinations at 18 nn. 50-51 (EDIS Document No. 810647). However, he need not make that determination because, even if it were a related party, exclusion would not be appropriate given its small share of domestic production and the ratio of its purchases of subject imports to its domestic production in the full years of the POI; thus, inclusion of *** would not mask injury to the domestic industry. See CR/PR at Table III-1; ; U.S. Processors' Questionnaire Response of *** at II-19 (EDIS Document No. ***); U.S. Processors' Revised Questionnaire Response of *** (EDIS Document No. ***).

⁷⁸ In light of this, it is unnecessary for the Commission to determine whether fishermen should be included in the domestic industry pursuant to the statutory grower/processor provision.

we define the domestic industry to include all domestic harvesters of fresh warmwater shrimp and processors of frozen warmwater shrimp.

IV. Negligible Imports

Section 771(24) of the Tariff Act, which defines “negligibility,” provides that imports from a subject country that are less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or self-initiation, as the case may be, shall be deemed negligible.⁷⁹ The statute further provides that subject imports from a single country which comprise less than 3 percent of total such imports of the product may not be considered negligible if there are several countries subject to investigation with negligible imports and the sum of such imports from all those countries collectively accounts for more than 7 percent of the volume of all such merchandise imported into the United States.⁸⁰ In the case of countervailing duty investigations involving developing countries (as designated by the United States Trade Representative (“USTR”)), the statute indicates that the negligibility limits are 4 percent and 9 percent, rather than 3 percent and 7 percent. Of the three countries subject to the Commission’s countervailing duty investigations, Ecuador is designated by USTR as a developing country for purposes of the 4 percent and 9 percent negligibility limits, while India and Vietnam are not so designated by USTR.⁸¹

⁷⁹ 19 U.S.C. § 1677(24)(A)(i).

⁸⁰ 19 U.S.C. § 1677(24)(A)(ii).

⁸¹ See Designations of Developing Countries and Least Developed Countries Under the Countervailing Duty Law, 85 Fed. Reg. 7613, 7615 (USTR Feb. 10, 2020).

Based on the Commission’s questionnaire data, during the most recent 12-month period for which data are available preceding the filing of the petitions (October 2022 through September 2023), subject imports from Indonesia, which are subject to an antidumping duty investigation, accounted for *** percent of total imports of frozen warmwater shrimp.⁸² In the Commission’s countervailing duty investigations, subject imports from Ecuador accounted for 27.5 percent of total imports of frozen warmwater shrimp, subject imports from India accounted for 40.6 percent of total imports, and subject imports from Vietnam accounted for 6.1 percent of total imports.⁸³

Because subject imports from India, Indonesia, and Vietnam exceed the 3 percent statutory negligibility threshold, and subject imports from Ecuador exceed the 4 percent statutory negligibility threshold for developing countries subject to countervailing duty investigations, we find that imports of frozen warmwater shrimp from Indonesia subject to the antidumping duty investigation, and subject imports from Ecuador, India, and Vietnam subject to the countervailing duty investigations, are not negligible.⁸⁴

V. Cumulation

For purposes of evaluating the volume and effects for a determination of material injury by reason of subject imports, section 771(7)(G)(i) of the Tariff Act requires the Commission to

⁸² CR/PR at Table IV-3.

⁸³ CR/PR at Table IV-4.

⁸⁴ Commerce made negative final determinations in its antidumping duty investigation regarding Ecuador and its countervailing duty investigation regarding Indonesia, so the Commission terminated its corresponding investigations. CR/PR at Tables I-6, I-8; *Frozen Warmwater Shrimp From Indonesia and Ecuador; Termination of Investigations*, 89 Fed. Reg. 88061 (Nov. 6, 2024). In addition, Commerce determined a *de minimis* dumping margin with respect to Indonesian producer PT Bahari Makmur Sejati, so that firm is a nonsubject producer in these investigations. CR/PR at Table I-7.

cumulate subject imports from all countries as to which petitions were filed and/or investigations self-initiated by Commerce on the same day if such imports compete with each other and with the domestic like product in the U.S. market. In assessing whether subject imports compete with each other and with the domestic like product, the Commission generally has considered four factors:

- (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 geographic markets of subject 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 the subject imports are simultaneously present in the market.⁸⁵

While no single factor is necessarily determinative, and the list of factors is not exhaustive, these factors are intended to provide the Commission with a framework for determining whether the subject imports compete with each other and with the domestic like product.⁸⁶ Only a “reasonable overlap” of competition is required.⁸⁷

⁸⁵ See *Certain Cast-Iron Pipe Fittings from Brazil, the Republic of Korea, and Taiwan*, Inv. Nos. 731-TA-278-280 (Final), USITC Pub. 1845 (May 1986), *aff'd*, *Fundicao Tupy, S.A. v. United States*, 678 F. Supp. 898 (Ct. Int’l Trade), *aff'd*, 859 F.2d 915 (Fed. Cir. 1988).

⁸⁶ See, e.g., *Wieland Werke, AG v. United States*, 718 F. Supp. 50 (Ct. Int’l Trade 1989).

⁸⁷ The Statement of Administrative Action (SAA) to the Uruguay Round Agreements Act (URAA), expressly states that “the new section will not affect current Commission practice under which the statutory requirement is satisfied if there is a reasonable overlap of competition.” H.R. Rep. No. 103-316, Vol. I at 848 (1994) (*citing Fundicao Tupy, S.A. v. United States*, 678 F. Supp. at 902; *see Goss Graphic Sys., Inc. v. United States*, 33 F. Supp. 2d 1082, 1087 (Ct. Int’l Trade 1998) (“cumulation does not require two products to be highly fungible”); *Wieland Werke, AG*, 718 F. Supp. at 52 (“Completely overlapping markets are not required.”)).

Petitioner and AHSTAC argue that the Commission should cumulate subject imports from all four subject countries.⁸⁸ Petitioner argues that frozen warmwater shrimp from all four subject countries and domestically produced frozen warmwater shrimp are fungible, are sold through overlapping channels of distribution, were sold in all geographic market areas of the contiguous United States during the January 2021 to March 2024 period of investigation (“POI”), and were simultaneously present in the U.S. market during the POI.⁸⁹ No respondent party argues that the Commission should not cumulate subject imports from all subject countries for its analysis of present material injury.⁹⁰

The statutory threshold for cumulation is satisfied in these investigations because petitioner filed the antidumping and countervailing duty petitions with respect to all four subject countries on the same day, October 25, 2023.⁹¹

Fungibility. Majorities of responding U.S. producers reported that subject imports from all subject sources were always interchangeable with each other as well as with domestically produced frozen warmwater shrimp. Majorities of responding importers reported that in

⁸⁸ Petitioner’s Prehearing Brief at 4-12; AHSTAC’s Prehearing Brief at 14-17.

⁸⁹ Petitioner’s Prehearing Brief at 5-8.

⁹⁰ Ecuadorian Respondents’ Prehearing Brief at 3. Vietnamese Respondents argue that the Commission should not cumulate subject imports from Vietnam with imports from the other three subject countries for its analysis of threat of material injury, but acknowledge that the standards for cumulation for the Commission’s present material analysis are different than those for cumulation for its threat analysis. See Vietnamese Respondents’ Prehearing Brief at 1 and n.2, 4; Hearing Tr. at 178 (Nicely).

⁹¹ We observe that these investigations involve final dumping findings regarding frozen warmwater shrimp from Indonesia and final subsidy findings regarding frozen warmwater shrimp from Ecuador, India, and Vietnam. Consequently, any decision to cumulate imports from all subject sources in these investigations will involve “cross-cumulating” dumped imports with subsidized imports. The Commission has previously explained why it is continuing its longstanding practice of cross-cumulating. See *Polyethylene Terephthalate (PET) Resin from Canada, China, India, and Oman*, Inv. Nos. 701-TA-531-532 and 731-TA-1270-1273 (Final), USITC Pub. 4604 at 9-11 (April 2016).

individual comparisons, subject imports from the four subject countries were always or frequently interchangeable with each other. Majorities of responding importers reported that domestically produced frozen warmwater shrimp was at least sometimes (*i.e.*, “always,” “frequently,” and “sometimes,” aggregated) interchangeable with subject imports from each of the four subject countries.⁹² However, pluralities of responding importers reported that domestically produced frozen warmwater shrimp was never interchangeable with subject imports from each of the four subject countries. Similar to U.S. importers, majorities of responding purchasers reported that, in individual comparisons, subject imports from each of the four subject countries were always or frequently interchangeable with each other.⁹³ However, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp was never interchangeable with subject imports from each of the four subject countries.⁹⁴

Thus, the record shows mixed responses with respect to interchangeability between domestically produced frozen warmwater shrimp and subject imports, with domestic producers generally reporting that the domestic like product and subject imports from each of the subject countries were interchangeable, certain importers and purchasers reporting that the domestically produced frozen warmwater shrimp was not interchangeable with subject imports from each source, and other importers and purchasers reporting varying degrees of

⁹² CR/PR at Table II-13. In one comparison, comparing subject imports from Ecuador with subject imports from Indonesia, importers were equally divided in reporting that they were always or frequently interchangeable and that they were sometimes or never interchangeable. *Id.*

⁹³ CR/PR at Table II-14.

⁹⁴ CR/PR at Table II-14.

interchangeability between the domestically produced frozen warmwater shrimp and frozen warmwater shrimp from each subject source.

Additionally, majorities of responding purchasers reported that domestically produced frozen warmwater shrimp and subject imports from each country were comparable with respect to five to ten out of 22 purchasing factors, depending on the particular country comparison, while pluralities of responding purchasers reported that they were comparable with respect to an additional two to six purchasing factors. Specifically, in comparisons of domestically produced frozen warmwater shrimp and subject imports from Ecuador, majorities of purchasers reported that they were comparable with respect to seven factors, while pluralities of purchasers reported that they were comparable with respect to another five factors. In comparisons of domestically produced frozen warmwater shrimp and subject imports from India, majorities of purchasers reported that they were comparable with respect to nine factors, while pluralities of purchasers reported that they were comparable with respect to another three factors. In comparisons of domestically produced frozen warmwater shrimp and subject imports from Indonesia, majorities of purchasers reported that they were comparable with respect to five factors, while pluralities of purchasers reported that they were comparable with respect to another six factors. In comparisons of domestically produced frozen warmwater shrimp and subject imports from Vietnam, majorities of purchasers reported that they were comparable with respect to ten factors, while pluralities of purchasers reported that they were comparable with respect to another two factors.⁹⁵

⁹⁵ CR/PR at Table II-11. In comparisons of domestically produced frozen warmwater shrimp and subject imports from Ecuador, majorities of responding purchasers reported that domestically produced (Continued...)

The record shows overlap between subject imports from all four sources and domestically produced frozen warmwater shrimp with respect to the type of freezing. In 2023, 47.8 percent of U.S. shipments by U.S. processors were individually quick frozen (“IQF”), as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam.⁹⁶

Similarly, the record shows overlap between subject imports from all four sources and domestically produced frozen warmwater shrimp in terms of product form, particularly with respect to the peeled and deveined product form and the green product form.⁹⁷ In 2023, *** percent of U.S. shipments by U.S. processors were of the peeled and deveined form, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia,

frozen warmwater shrimp were superior with respect to four factors, while majorities or pluralities of responding purchasers reported that subject imports from Ecuador were superior with respect to three factors. *Id.* In comparisons of domestically produced frozen warmwater shrimp and subject imports from India, majorities of responding purchasers reported that domestically produced frozen warmwater shrimp were superior with respect to three factors, while majorities of responding purchasers reported that subject imports from India were superior with respect to four factors. *Id.* In comparisons of domestically produced frozen warmwater shrimp and subject imports from Indonesia, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were superior with respect to five factors, while majorities or pluralities of responding purchasers reported that subject imports from Indonesia were superior with respect to five factors. *Id.* In comparisons of domestically produced frozen warmwater shrimp and subject imports from Vietnam, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were superior with respect to three factors, while majorities or pluralities of responding purchasers reported that subject imports from Vietnam were superior with respect to five factors. *Id.*

⁹⁶ CR/PR at Table IV-5.

⁹⁷ The green product form is defined in the Commission’s questionnaires as “{r}aw, headless, shell-on, and tail on or off.” *See, e.g.,* U.S. Processors’ Questionnaire at II-10 (EDIS Document No. 824492).

and *** percent of U.S. shipments of subject imports from Vietnam.⁹⁸ Moreover, in 2023, *** percent of U.S. shipments by U.S. processors were of the green product form, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam.⁹⁹

The record also shows competition between domestically produced frozen warmwater shrimp and subject imports with respect to the Commission's pricing products. Domestic producers and importers of subject imports from each of the four subject countries reported sales of pricing products 4 and 5 in every quarter of the POI,¹⁰⁰ and also sales of pricing products 1 and 2 in nearly every quarter of the POI, with the exception of one quarter with no sales of product 1 from Vietnam and one quarter with no sales of product 2 from Indonesia.¹⁰¹

Thus, while some responding purchasers and importers reported limited interchangeability between domestically produced frozen warmwater shrimp and subject imports, other evidence indicates that there was substantial overlap between and among

⁹⁸ CR/PR at Table IV-6.

⁹⁹ CR/PR at Table IV-6. There was additional, though more limited, overlap with respect to U.S. shipments of the whole, peeled, and cooked product forms. In 2023, *** percent of U.S. shipments by U.S. processors were of the whole forms, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent for U.S. shipments of subject imports from Indonesia, and *** percent for subject imports from Vietnam. *Id.* In 2023, *** percent of U.S. shipments by U.S. processors were of the peeled form, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam. *Id.* In 2023, *** percent of U.S. shipments by U.S. processors were of the cooked form, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam. *Id.*

¹⁰⁰ CR/PR at Tables V-7, V-8.

¹⁰¹ CR/PR at Tables V-4, V-5.

subject imports from all four sources and domestically produced frozen warmwater shrimp with respect to freezing method, product forms, and reported sales of the pricing products. Thus, the record shows sufficient fungibility for purposes of cumulation.

Channels of Distribution. During the POI, domestic processors reported their largest share of sales going to the distributor/food service channel,¹⁰² as did U.S. importers with respect to their sales of subject imports from Ecuador, India, and Vietnam.¹⁰³ While subject imports from Indonesia were sold mainly to the retailers/grocery chains channel, there was also a substantial share going to the distributor/food service channel.¹⁰⁴ Furthermore, domestically produced frozen warmwater shrimp and subject imports from Ecuador, India, and Vietnam were also sold to the retailers/grocery stores channel in appreciable volumes.¹⁰⁵ Thus, the record indicates that there is overlap between and among subject imports from all four sources

¹⁰² CR/PR at Table II-1. During 2021-2023, the share of U.S. processors' U.S. shipments going to the distributor/food service channel ranged from *** percent to *** percent, and the share going to the retailers/grocery chains channel ranged from *** percent to *** percent; smaller shares went to food processors and restaurants/other end users. *Id.*

¹⁰³ During 2021-2023, the share of U.S. shipments of subject imports from Ecuador going to the distributor/food service channel ranged from *** percent to *** percent, and the share going to the retailers/grocery chains channel ranged from *** percent to *** percent; smaller shares went to restaurants/other end users and food processors. CR/PR at Table II-1. The share of U.S. shipments of subject imports from India going to the distributor/food service channel ranged from *** percent to *** percent, and the share going to the retailers/grocery chains channel ranged from *** percent to *** percent; *** shares went to food processors and restaurants/other end users. *Id.* The share of U.S. shipments of subject imports from Vietnam going to the distributor/food service channel ranged from *** percent to *** percent, and the share going to the retailers/grocery chains channel ranged from *** percent to *** percent; and *** U.S. shipments went to food processors or restaurants/other end users. *Id.*

¹⁰⁴ During 2021-2023, the share of U.S. shipments of subject imports from Indonesia going to the retailers/grocery chains channel ranged from *** percent to *** percent, and the share going to the distributor/food service channel ranged from *** percent to *** percent; smaller shares went to restaurants/other end users and food processors. CR/PR at Table II-1.

¹⁰⁵ CR/PR at Table II-1.

and domestically produced frozen warmwater shrimp in sales to the distributors/food service channel, and to a lesser extent in sales to the retailers/grocery chains channel.

Geographic Overlap. U.S. processors and subject imports from all four sources reported selling frozen warmwater shrimp to all regions in the contiguous United States.¹⁰⁶

Simultaneous Presence in Market. U.S. imports of frozen warmwater shrimp from each of the four subject countries were present in the U.S. market in every month of the January 2021-March 2024 POI.¹⁰⁷ Domestically produced frozen warmwater shrimp was also present in the U.S. market throughout the POI.¹⁰⁸

Conclusion. The record indicates that subject imports from Ecuador, India, Indonesia, and Vietnam are fungible with domestically produced warmwater shrimp and each other for purposes of cumulation. The record also shows that subject imports from each source and domestically produced frozen warmwater shrimp were sold in overlapping channels of distribution, were sold in overlapping geographic markets in the contiguous United States, and were simultaneously present in the U.S. market during the POI. Because the record indicates that there was a reasonable overlap of competition between and among imports from each subject country and domestically produced warmwater shrimp, and in the absence of any opposing arguments by any respondent party regarding cumulation for purposes of our material injury analysis, we cumulate subject imports from Ecuador, India, Indonesia, and Vietnam for purposes of our material injury analysis.

¹⁰⁶ CR/PR at Table II-2.

¹⁰⁷ CR/PR at Table IV-10.

¹⁰⁸ See CR/PR at Tables V-4 to V-5, V-7 to V-8.

VI. Material Injury by Reason of Subject Imports

Based on the record in the final phase of these investigations, we find that an industry in the United States is materially injured by reason of imports of frozen warmwater shrimp from Indonesia that Commerce has found to be sold in the United States at less than fair value and imports of frozen warmwater shrimp from Ecuador, India, and Vietnam that Commerce has found to be subsidized by the governments of Ecuador, India, and Vietnam.

A. Legal Standards

In the final phase of antidumping and countervailing duty investigations, the Commission determines whether an industry in the United States is materially injured or threatened with material injury by reason of the imports under investigation.¹⁰⁹ In making this determination, the Commission must consider the volume of subject imports, their effect on prices for the domestic like product, and their impact on domestic producers of the domestic like product, but only in the context of U.S. production operations.¹¹⁰ The statute defines “material injury” as “harm which is not inconsequential, immaterial, or unimportant.”¹¹¹ In assessing whether the domestic industry is materially injured by reason of subject imports, we consider all relevant economic factors that bear on the state of the industry in the United States.¹¹² No single factor is dispositive, and all relevant factors are considered “within the

¹⁰⁹ 19 U.S.C. §§ 1671d(b), 1673d(b).

¹¹⁰ 19 U.S.C. § 1677(7)(B). The Commission “may consider such other economic factors as are relevant to the determination” but shall “identify each {such} factor ... and explain in full its relevance to the determination.” 19 U.S.C. § 1677(7)(B).

¹¹¹ 19 U.S.C. § 1677(7)(A).

¹¹² 19 U.S.C. § 1677(7)(C)(iii).

context of the business cycle and conditions of competition that are distinctive to the affected industry.”¹¹³

Although the statute requires the Commission to determine whether the domestic industry is “materially injured or threatened with material injury by reason of” unfairly traded imports,¹¹⁴ it does not define the phrase “by reason of,” indicating that this aspect of the injury analysis is left to the Commission’s reasonable exercise of its discretion.¹¹⁵ In identifying a causal link, if any, between subject imports and material injury to the domestic industry, the Commission examines the facts of record that relate to the significance of the volume and price effects of the subject imports and any impact of those imports on the condition of the domestic industry. This evaluation under the “by reason of” standard must ensure that subject imports are more than a minimal or tangential cause of injury and that there is a sufficient causal, not merely a temporal, nexus between subject imports and material injury.¹¹⁶

In many investigations, there are other economic factors at work, some or all of which may also be having adverse effects on the domestic industry. Such economic factors might include nonsubject imports; changes in technology, demand, or consumer tastes; competition

¹¹³ 19 U.S.C. § 1677(7)(C)(iii).

¹¹⁴ 19 U.S.C. §§ 1671d(b), 1673d(b).

¹¹⁵ *Angus Chemical Co. v. United States*, 140 F.3d 1478, 1484-85 (Fed. Cir. 1998) (“{T}he statute does not ‘compel the commissioners’ to employ {a particular methodology}.”), *aff’g*, 944 F. Supp. 943, 951 (Ct. Int’l Trade 1996).

¹¹⁶ The Federal Circuit, in addressing the causation standard of the statute, observed that “{a}s long as its effects are not merely incidental, tangential, or trivial, the foreign product sold at less than fair value meets the causation requirement.” *Nippon Steel Corp. v. USITC*, 345 F.3d 1379, 1384 (Fed. Cir. 2003). This was further ratified in *Mittal Steel Point Lisas Ltd. v. United States*, 542 F.3d 867, 873 (Fed. Cir. 2008), where the Federal Circuit, quoting *Gerald Metals, Inc. v. United States*, 132 F.3d 716, 722 (Fed. Cir. 1997), stated that “this court requires evidence in the record ‘to show that the harm occurred “by reason of” the LTFV imports, not by reason of a minimal or tangential contribution to material harm caused by LTFV goods.’” See also *Nippon Steel Corp. v. United States*, 458 F.3d 1345, 1357 (Fed. Cir. 2006); *Taiwan Semiconductor Industry Ass’n v. USITC*, 266 F.3d 1339, 1345 (Fed. Cir. 2001).

among domestic producers; or management decisions by domestic producers. The legislative history explains that the Commission must examine factors other than subject imports to ensure that it is not attributing injury from other factors to the subject imports, thereby inflating an otherwise tangential cause of injury into one that satisfies the statutory material injury threshold.¹¹⁷ In performing its examination, however, the Commission need not isolate the injury caused by other factors from injury caused by unfairly traded imports.¹¹⁸ Nor does the “by reason of” standard require that unfairly traded imports be the “principal” cause of injury or contemplate that injury from unfairly traded imports be weighed against other factors, such as nonsubject imports, which may be contributing to overall injury to an industry.¹¹⁹ It is

¹¹⁷ SAA at 851-52 (“{T}he Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports.”); S. Rep. 96-249 at 75 (1979) (the Commission “will consider information which indicates that harm is caused by factors other than less-than-fair-value imports.”); H.R. Rep. 96-317 at 47 (1979) (“in examining the overall injury being experienced by a domestic industry, the ITC will take into account evidence presented to it which demonstrates that the harm attributed by the petitioner to the subsidized or dumped imports is attributable to such other factors;” those factors include “the volume and prices of nonsubsidized imports or imports sold at fair value, contraction in demand or changes in patterns of consumption, trade restrictive practices of and competition between the foreign and domestic producers, developments in technology and the export performance and productivity of the domestic industry”); *accord Mittal Steel*, 542 F.3d at 877.

¹¹⁸ SAA at 851-52 (“{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports.”); *Taiwan Semiconductor Industry Ass’n*, 266 F.3d at 1345 (“{T}he Commission need not isolate the injury caused by other factors from injury caused by unfair imports Rather, the Commission must examine other factors to ensure that it is not attributing injury from other sources to the subject imports.” (emphasis in original)); *Asociacion de Productores de Salmon y Trucha de Chile AG v. United States*, 180 F. Supp. 2d 1360, 1375 (Ct. Int’l Trade 2002) (“{t}he Commission is not required to isolate the effects of subject imports from other factors contributing to injury” or make “bright-line distinctions” between the effects of subject imports and other causes.); *see also Softwood Lumber from Canada*, Inv. Nos. 701-TA-414 and 731-TA-928 (Remand), USITC Pub. 3658 at 100-01 (Dec. 2003) (Commission recognized that “{i}f an alleged other factor is found not to have or threaten to have injurious effects to the domestic industry, *i.e.*, it is not an ‘other causal factor,’ then there is nothing to further examine regarding attribution to injury”), *citing Gerald Metals*, 132 F.3d at 722 (the statute “does not suggest that an importer of LTFV goods can escape countervailing duties by finding some tangential or minor cause unrelated to the LTFV goods that contributed to the harmful effects on domestic market prices.”).

¹¹⁹ S. Rep. 96-249 at 74-75; H.R. Rep. 96-317 at 47.

clear that the existence of injury caused by other factors does not compel a negative determination.¹²⁰

Assessment of whether material injury to the domestic industry is “by reason of” subject imports “does not require the Commission to address the causation issue in any particular way” as long as “the injury to the domestic industry can reasonably be attributed to the subject imports.”¹²¹ The Commission ensures that it has “evidence in the record” to “show that the harm occurred ‘by reason of’ the LTFV imports,” and that it is “not attributing injury from other sources to the subject imports.”¹²² The Federal Circuit has examined and affirmed various Commission methodologies and has disavowed “rigid adherence to a specific formula.”¹²³

The question of whether the material injury threshold for subject imports is satisfied notwithstanding any injury from other factors is factual, subject to review under the substantial

¹²⁰ See *Nippon Steel Corp.*, 345 F.3d at 1381 (“an affirmative material-injury determination under the statute requires no more than a substantial-factor showing. That is, the ‘dumping’ need not be the sole or principal cause of injury.”).

¹²¹ *Mittal Steel*, 542 F.3d at 876 &78; see also *id.* at 873 (“While the Commission may not enter an affirmative determination unless it finds that a domestic industry is materially injured ‘by reason of’ subject imports, the Commission is not required to follow a single methodology for making that determination ... {and has} broad discretion with respect to its choice of methodology.”) citing *United States Steel Group v. United States*, 96 F.3d 1352, 1362 (Fed. Cir. 1996) and S. Rep. 96-249 at 75. In its decision in *Swift-Train v. United States*, 793 F.3d 1355 (Fed. Cir. 2015), the Federal Circuit affirmed the Commission’s causation analysis as comporting with the Court’s guidance in *Mittal*.

¹²² *Mittal Steel*, 542 F.3d at 873 (quoting from *Gerald Metals*, 132 F.3d at 722), 877-79. We note that one relevant “other factor” may involve the presence of significant volumes of price-competitive nonsubject imports in the U.S. market, particularly when a commodity product is at issue. In appropriate cases, the Commission collects information regarding nonsubject imports and producers in nonsubject countries in order to conduct its analysis.

¹²³ *Nucor Corp. v. United States*, 414 F.3d 1331, 1336, 1341 (Fed. Cir. 2005); see also *Mittal Steel*, 542 F.3d at 879 (“*Bratsk* did not read into the antidumping statute a Procrustean formula for determining whether a domestic injury was ‘by reason’ of subject imports.”).

evidence standard.¹²⁴ Congress has delegated this factual finding to the Commission because of the agency’s institutional expertise in resolving injury issues.¹²⁵

B. Conditions of Competition and the Business Cycle

The following conditions of competition inform our analysis of whether there is material injury by reason of subject imports.

1. Demand Considerations

U.S. demand for frozen warmwater shrimp depends on the demand for shrimp as food, either as a standalone item or as an ingredient in other food.¹²⁶ Firms reported seasonality in U.S. demand for warmwater shrimp, with some reporting that demand from restaurants is higher in the summer, while retail demand is higher during the winter holidays and during Lent.¹²⁷

A majority of responding U.S. processors and purchasers and the plurality of responding importers reported that U.S. demand for frozen warmwater shrimp declined (either fluctuating downward or steadily decreasing) over the POI.¹²⁸

¹²⁴ We provide in our discussion below a full analysis of other factors alleged to have caused any material injury experienced by the domestic industry.

¹²⁵ *Mittal Steel*, 542 F.3d at 873; *Nippon Steel Corp.*, 458 F.3d at 1350, citing *U.S. Steel Group*, 96 F.3d at 1357; S. Rep. 96-249 at 75 (“The determination of the ITC with respect to causation is ... complex and difficult, and is a matter for the judgment of the ITC.”).

¹²⁶ CR/PR at II-10.

¹²⁷ CR/PR at II-10.

¹²⁸ CR/PR at Table II-4. Indian Respondents contend that U.S. demand for shrimp has generally risen over the past two decades, and attribute the decline in apparent U.S. consumption from 2021 to 2023 to a large increase in demand in 2021 related to the COVID-19 pandemic, asserting that U.S. demand reverted back to its normal levels in 2022 and 2023. They further contend that the higher level of apparent U.S. consumption in interim 2024 compared with interim 2023 shows a reversion to the long-term trend of growing U.S. demand. Indian Respondents’ Prehearing Brief at 19-22; Indian Respondents’ Posthearing Brief at 2-3.

Apparent U.S. consumption declined by 13.6 percent between 2021 and 2023, falling from 2.0 billion pounds in 2021 to 1.8 billion pounds in 2022 and 1.7 billion pounds in 2023; it was 3.4 percent higher, at 395.4 million pounds, in interim 2024, compared with 382.5 million pounds in interim 2023.¹²⁹

2. Supply Considerations

During the POI, cumulated subject imports accounted for the largest share of apparent U.S. consumption, followed by nonsubject imports, and then the domestic industry.¹³⁰

As noted in section I above, domestic industry data are from the questionnaire responses of 20 U.S. processors and 388 farmers/fishermen.¹³¹

Domestically processed shrimp is overwhelmingly wild-caught, with *** percent of U.S. processors' U.S. shipments of frozen warmwater shrimp in 2023 being wild-caught and only *** percent being farm-raised.¹³² U.S. shrimp fishermen harvest warmwater shrimp in the waters of the Gulf of Mexico and off the Atlantic Coast from the Carolinas to Florida.¹³³ Available evidence on the record indicates that U.S. processors' production of frozen warmwater shrimp is seasonal, with one firm reporting that the heaviest production is from May to mid-July and then from August to mid-December.¹³⁴ For U.S. shrimp fishermen, shrimp harvesting in the South Atlantic and Gulf of Mexico is seasonal, with seasonal peaks varying by species.¹³⁵ The record indicates that seasonality is less of a constraint for both U.S. shrimp fishermen and U.S.

¹²⁹ CR/PR at Tables IV-11, C-1.

¹³⁰ CR/PR at Tables IV-11, C-1.

¹³¹ CR/PR at I-5, III-1, F-3.

¹³² CR/PR at Table IV-7. *** responding U.S. processors reported that the shrimp that they processed were domestically harvested. *Id.* at II-1 n.2.

¹³³ CR/PR at II-7.

¹³⁴ CR/PR at II-10.

¹³⁵ CR/PR at I-13 n.17.

processors than in the past. Several hearing witnesses for petitioner testified that fishermen may be able to harvest shrimp all year long (subject to regulatory limits), given freezer boats and other modern equipment that enable them to freeze the shrimp on board the boat.¹³⁶ Witnesses also testified that the seasons during which certain warmwater shrimp species, such as white shrimp and Key West pink shrimp, may be caught have expanded, with fishermen now able to harvest such shrimp several months past their traditional seasonal harvesting periods, in part because of warmer water.¹³⁷

U.S. processors' practical capacity increased by 1.0 percent from 2021 to 2023, rising from 279.3 million pounds in 2021 to 287.5 million pounds in 2022, and then declining to 282.0 million pounds in 2023; practical capacity was 1.6 percent higher in interim 2024, at 73.0 million pounds, compared with 71.9 million pounds in interim 2023.¹³⁸ U.S. processors' capacity utilization declined by 10.3 percentage points from 2021 to 2023, falling from 47.2 percent in 2021 to 35.8 percent in 2022, and then increasing to 36.9 percent in 2023; capacity utilization was 4.1 percentage points higher in interim 2024, at 24.5 percent, compared with 20.4 percent in interim 2023.¹³⁹

Most U.S. processors, importers, and purchasers reported that they had not experienced supply constraints since January 1, 2021, either before or after the filing of the

¹³⁶ Hearing Tr. at 79-84 (Garcia, Gollott, Pearson).

¹³⁷ Hearing Tr. at 108-109 (Antley, Gollott).

¹³⁸ CR/PR at Tables III-5, C-1. We note that U.S. processors reported various capacity constraints during the POI, which they were instructed to take into consideration when reporting their practical production capacity. *Id.* at Table III-6; U.S. Processors' Questionnaire at II-3a (EDIS Document No. 824492).

¹³⁹ CR/PR at Tables III-5, C-1.

petitions on October 25, 2023.¹⁴⁰ Eight U.S. processors reported supply constraints occurring before the filing of the petitions on October 25, 2023, and five reported supply constraints occurring after the filing. U.S. processors reported supply constraints related to low shrimp prices and high input costs that had decreased the supply of fresh shrimp, lack of cold storage space, unavailability of certain sizes of shrimp at times, freight issues, items that are seasonally unavailable, and further processed items requiring increased labor.¹⁴¹ Of 66 U.S. importers that submitted questionnaire responses, 12 reported supply constraints occurring before the filing of the petitions, and 15 reported supply constraints occurring after the filing. U.S. importers reported COVID-19-related constraints, such as shipment and production delays; logistical constraints because of issues with shipping through the Red Sea and the Panama Canal; the impact of the weather on supply; and constraints from the imposition of preliminary antidumping and countervailing duties on subject imports by the Department of Commerce in the spring of 2024.¹⁴² Of 20 U.S. purchasers that submitted questionnaire responses, seven reported supply constraints occurring before the filing of the petitions, and five reported supply constraints occurring after the filing. U.S. purchasers reported supply constraints, largely temporary, related to shipping and foreign labor during the COVID-19 pandemic, and constraints after the filing of the petitions relating to a lack of certain shrimp sizes because shrimp farmers did not reseed their ponds, ocean shipping constraints, and an inability of some suppliers to make timely shipments.¹⁴³

¹⁴⁰ CR/PR at II-9.

¹⁴¹ CR/PR at II-9.

¹⁴² CR/PR at II-9.

¹⁴³ CR/PR at II-9.

A majority of responding U.S. processors (14 of 20 for 2021 and 2022 and 13 of 20 for 2023 and year-to-date 2024) reported that the availability of wild-caught fresh warmwater shrimp in the United States did not constrain their ability to process frozen warmwater shrimp during the POI.¹⁴⁴ Moreover, over 90 percent of responding U.S. fishermen (352 of 385) reported that the availability of live warmwater shrimp in the Gulf of Mexico or off the Atlantic Coast in U.S. territorial waters did not affect the supply of fresh warmwater shrimp for processing.¹⁴⁵

Cumulated subject imports' share of apparent U.S. consumption increased from *** percent in 2021 to *** percent in 2022 and *** percent in 2023; their market share was higher in interim 2024, at *** percent, compared with *** percent in interim 2023.¹⁴⁶ Almost all (*** percent) of subject imports are farm-raised, while a small share (*** percent) are wild-caught.¹⁴⁷ There have been antidumping duty orders in effect since 2005 on imports of frozen warmwater shrimp from India and Vietnam.¹⁴⁸ Those antidumping duty orders were continued in 2023 after the Commission's affirmative determinations in its third five-year reviews of the orders.¹⁴⁹

¹⁴⁴ CR/PR at Table III-10.

¹⁴⁵ CR/PR at Table F-8.

¹⁴⁶ CR/PR at Tables IV-11, C-1.

¹⁴⁷ CR/PR at Table IV-7.

¹⁴⁸ *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from India*, 70 Fed. Reg. 5147 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the Socialist Republic of Vietnam*, 70 Fed. Reg. 5152 (Feb. 1, 2005).

¹⁴⁹ *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, 731-TA-1064 and 1066-1068 (Third Review), USITC Pub. 5432 (June 2023); *Certain Frozen Warmwater Shrimp From the People's Republic of China, India, Thailand, and the Socialist Republic of Vietnam: Continuation of Antidumping Duty Orders; Correction*, 89 Fed. Reg. 1883 (Jan. 11, 2024).

Nonsubject imports' share of apparent U.S. consumption fell from *** percent in 2021 to *** percent in 2022 and *** percent in 2023; their market share was lower in interim 2024, at *** percent, compared with *** percent in interim 2023.¹⁵⁰ In addition to nonsubject Indonesian producer PT Bahari Makmur, the largest sources of nonsubject imports during the POI were Thailand, Mexico, and Argentina.¹⁵¹

The domestic industry's share of apparent U.S. consumption declined from 7.6 percent in 2021 to 6.4 percent in 2022, and then increased to 6.8 percent in 2023; its market share was higher in interim 2024, at 6.7 percent, compared with 5.4 percent in interim 2023.¹⁵²

There have been antidumping duty orders in effect since 2005 on imports of frozen warmwater shrimp from China and Thailand, both nonsubject countries in these investigations.¹⁵³ Those antidumping duty orders were continued in 2023 after the Commission's affirmative determinations in its third five-year review of the orders.¹⁵⁴ In

¹⁵⁰ CR/PR at Tables IV-11, C-1.

¹⁵¹ CR/PR at II-8.

¹⁵² CR/PR at Tables IV-11, C-1. U.S. processors' share of apparent U.S. consumption fell from 6.8 percent in 2021 to 5.5 percent in 2022, and then increased to 5.8 percent in 2023; their market share was higher, at 6.5 percent in 2024, compared with 5.0 percent in 2023. The share of apparent U.S. consumption accounted for by U.S. fishermen's U.S. shipments of fresh warmwater shrimp increased from 0.8 percent in 2021 to 0.9 percent in 2022 and 1.0 percent in interim 2023; their market share was lower, at 0.2 percent, in interim 2024, compared with 0.4 percent in interim 2023. *Id.*

¹⁵³ *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from the People's Republic of China*, 70 Fed. Reg. 5149 (Feb. 1, 2005); *Notice of Amended Final Determination of Sales at Less Than Fair Value and Antidumping Duty Order: Certain Frozen Warmwater Shrimp from Thailand*, 70 Fed. Reg. 5152 (Feb. 1, 2005).

¹⁵⁴ *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, 731-TA-1064 and 1066-1068 (Third Review), USITC Pub. 5432 (June 2023); *Certain Frozen Warmwater Shrimp From the People's Republic of China, India, Thailand, and the Socialist Republic of Vietnam: Continuation of Antidumping Duty Orders; Correction*, 89 Fed. Reg. 1883 (Jan. 11, 2024).

addition, imports of frozen warmwater shrimp from China have been subject to an additional 25 percent duty under Section 301 of the Trade Act of 1974 since May 2019.¹⁵⁵

3. Substitutability and Other Conditions

We find that there is at least a moderate degree of substitutability between domestically produced frozen warmwater shrimp and frozen warmwater shrimp imported from subject sources.¹⁵⁶

Majorities of responding U.S. processors reported that subject imports were always interchangeable with domestically produced frozen warmwater shrimp. Majorities of responding importers reported that domestically produced frozen warmwater shrimp was at least sometimes interchangeable with subject imports, but pluralities reported that domestically produced frozen warmwater shrimp was never interchangeable with subject imports. Majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp was never interchangeable with subject imports, while the remaining purchasers reported varying degrees of interchangeability.¹⁵⁷ Majorities of responding U.S. processors reported that differences other than price between subject imports from each subject country and domestically produced frozen warmwater shrimp were never important, while pluralities of responding U.S. importers and purchasers reported that non-price differences were always important.¹⁵⁸

¹⁵⁵ CR/PR at I-11.

¹⁵⁶ CR/PR at II-12.

¹⁵⁷ CR/PR at Tables II-12 to II-14.

¹⁵⁸ CR/PR at Tables II-15 to II-17.

U.S. purchasers reported that domestically produced frozen warmwater shrimp were comparable or superior to subject imports with respect to many of the non-price factors rated most important by purchasers other than availability and reliability of supply.¹⁵⁹ Majorities of responding purchasers reported that domestically produced frozen warmwater shrimp were comparable to subject imports from each subject country with respect to product consistency, quality meets industry standards, quality exceeds industry standards, and count size.¹⁶⁰ Majorities of responding purchasers reported that domestically produced frozen warmwater shrimp were superior to subject imports from each subject country with respect to delivery time.¹⁶¹ However, while majorities of responding purchasers reported that domestically produced frozen warmwater shrimp were comparable or superior to subject imports from Ecuador and India with respect to availability, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were inferior to subject imports from Indonesia and Vietnam with respect to availability.¹⁶² Similarly, while a majority of responding purchasers reported that domestically produced frozen warmwater shrimp were comparable or superior to subject imports from Ecuador with respect to reliability of supply, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were inferior to subject imports from India, Indonesia, and Vietnam with respect to reliability of supply.¹⁶³

¹⁵⁹ See CR/PR at Tables II-6, II-7.

¹⁶⁰ CR/PR at Table II-11.

¹⁶¹ CR/PR at Table II-11.

¹⁶² CR/PR at Table II-11.

¹⁶³ CR/PR at Table II-11.

A majority of responding U.S. processors reported that farm-raised and wild-caught warmwater shrimp could always be used interchangeably, while a majority of responding U.S. importers reported that they could never be used interchangeably.¹⁶⁴ Responding purchasers generally reported that wild-caught and farm-raised shrimp had limited interchangeability. Most responding retailer or restaurant purchasers (7 of 12) reported that consumers always distinguish between wild-caught and farm-raised shrimp, while four purchasers reported that consumers sometimes do so, and one reported that they never do so.¹⁶⁵ A majority of distributor or wholesaler purchasers reported that their customers at least sometimes accept farm-raised warmwater shrimp for wild-caught warmwater shrimp, but a plurality reported that their customers never do so.¹⁶⁶ A majority of responding purchasers reported that they and their customers never or only sometimes make purchasing decision based on the country of origin.¹⁶⁷

Other evidence on the record supports finding that there is interchangeability between subject imported farm-raised shrimp and domestically produced wild-caught shrimp. The record indicates that seafood restaurants frequently advertise their selections with pictures of U.S. Gulf Coast shrimp boats and nets, suggesting that they serve domestic wild-caught shrimp, but nevertheless serve only farm-raised imported shrimp, and that distributor and retailer customers discourage U.S. processors from labeling their shrimp as “made in the USA” to

¹⁶⁴ CR/PR at Table II-8.

¹⁶⁵ CR/PR at II-16.

¹⁶⁶ CR/PR at II-16.

¹⁶⁷ CR/PR at Table II-5.

differentiate it from imported shrimp.¹⁶⁸ Thus, while U.S. processors would like to market their domestic wild-caught shrimp as a premium product to consumers that might prefer wild-caught shrimp, their restaurant, retail, and distributor customers frequently discourage such efforts,¹⁶⁹ leaving consumers that buy shrimp unaware of whether they are buying wild-caught domestic shrimp or farm-raised imported shrimp.¹⁷⁰

We find that price is an important factor in purchasing decisions for frozen warmwater shrimp, among other important factors. The most often cited top three factors considered by responding purchasers in their purchasing decisions for frozen warmwater shrimp were quality (cited by 17 firms), availability/supply (14), and price (11).¹⁷¹ Quality was the most frequently cited first-most important factor (cited by 10 firms); availability/supply was the most frequently reported second-most important factor (8); and price was the most frequently reported third-most important factor (5).¹⁷² When purchasers were asked to rate the importance of 22 factors in their purchasing decisions, the factors rated as very important by more than half of responding purchasers were product consistency (cited by 20 firms); availability and reliability of supply (19); count size, delivery time, quality meets industry standards, and quality exceeds industry standards (17 each); availability of IQF (16); delivery terms and availability of farm-raised (15); and price (14).¹⁷³

¹⁶⁸ Hearing Tr. at 27-28, 85 (Gollott), 86-87 (Pearson), 88 (Antley); Petitioner's Posthearing Brief at Exhs. 8-10.

¹⁶⁹ Louisiana passed a law in 2019 requiring labeling of whether shrimp and crawfish served in restaurants were domestic or imported. Health inspectors found 2,600 violations of that law in 2023. Hearing Tr. at 27-28 (Gollott); Petitioner's Posthearing Brief at Exh. 10.

¹⁷⁰ Hearing Tr. at 88 (Antley).

¹⁷¹ CR/PR at Table II-6.

¹⁷² CR/PR at Table II-6.

¹⁷³ CR/PR at Table II-7.

U.S. processors and importers both reported selling most of their frozen warmwater shrimp on the spot market, and to a lesser extent through short-term contracts.¹⁷⁴ Majorities of both U.S. processors and importers reported setting prices for frozen warmwater shrimp using transaction-by-transaction negotiations, with some firms also reporting using contracts or set price lists.¹⁷⁵

Most U.S. commercial shipments of domestically produced frozen warmwater shrimp came from inventories, while most U.S. commercial shipments of subject imports were produced to order. U.S. processors reported that 74.9 percent of their U.S. commercial shipments came from inventories, with lead times averaging six days, while the remaining 25.1 percent of their shipments were produced to order, with lead times averaging 10 days. Importers of subject merchandise reported that 56.4 percent of their U.S. commercial shipments were produced to order, with lead times averaging 60 days, while 31.5 percent of their shipments were from U.S. inventories, with lead times averaging 26 days, and the remaining 12.1 percent of their shipments were from foreign inventories, with lead times averaging 33 days.¹⁷⁶

The largest component of U.S. processors' cost of goods sold ("COGS") was raw materials, specifically raw warmwater shrimp.¹⁷⁷ Raw materials represented between 75.2

¹⁷⁴ CR/PR at V-3. U.S. processors reported selling *** percent of their U.S. commercial shipments via the spot market, *** percent via short-term contracts, *** percent via long-term contracts, and *** percent via annual contracts. CR/PR at Table V-3. U.S. importers reported selling *** percent of their U.S. commercial shipments via the spot market, *** percent via short-term contracts, *** percent via annual contracts, and *** percent via long-term contracts. *Id.*

¹⁷⁵ CR/PR at Table V-2.

¹⁷⁶ CR/PR at II-15.

¹⁷⁷ CR/PR at V-1, VI-14.

percent and 85.6 percent of U.S. processors' total COGS during the 2021-2023 period.¹⁷⁸ U.S. processors' raw material costs decreased overall by 48.6 percent from 2021 to 2023, but were 0.1 percent higher in interim 2024 compared with interim 2023.¹⁷⁹ The domestic industry's unit raw material costs decreased from 2021 to 2023 by \$1.20 per pound, and were \$0.71 per pound lower in interim 2024 compared with interim 2023.¹⁸⁰ All responding U.S. processors reported that raw material costs for frozen warmwater shrimp decreased over the POI, while responses from responding importers were mixed, with nearly equal numbers reporting an increase as reporting a decrease.¹⁸¹

Fuel was the largest production cost for U.S. shrimp fishermen. Diesel prices in the Gulf Coast region increased from January 2021 to June 2022, decreased through June 2023, and then fluctuated thereafter, for an overall increase of 52.4 percent during the POI.¹⁸² U.S. fishermen's reported fuel and oil expenses increased by 8.5 percent from 2021 to 2022, then decreased by 27.2 percent from 2022 to 2023, for an overall decrease of 21.1 percent from 2021 to 2023.¹⁸³ On a unit basis, U.S. fishermen's reported fuel and oil expenses increased from \$1.03 per pound in 2021 to \$1.18 per pound in 2022, and then fell to \$0.84 per pound in 2023.¹⁸⁴

¹⁷⁸ CR/PR at Table VI-1.

¹⁷⁹ CR/PR at VI-14.

¹⁸⁰ CR/PR at Table VI-2.

¹⁸¹ VR/PR at V-2.

¹⁸² CR/PR at V-1, Figure V-1, Table V-1.

¹⁸³ CR/PR at Table F-14.

¹⁸⁴ CR/PR at Table F-14

C. Volume of Subject Imports

Section 771(7)(C)(i) of the Tariff Act provides that the “Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States, is significant.”¹⁸⁵

The volume of cumulated subject imports declined by *** percent from 2021 to 2023, falling from *** pounds in 2021 to *** pounds in 2022 and 2023;¹⁸⁶ the volume of cumulated subject imports was *** percent higher in interim 2024, at *** pounds, as compared with *** pounds in interim 2023.¹⁸⁷

Cumulated subject imports as a share of apparent U.S. consumption increased by *** percentage points from 2021 to 2023, rising from *** percent of apparent U.S. consumption in 2021 to *** percent in 2022 and *** percent in 2023; cumulated subject import market share was *** percentage points higher in interim 2024, at *** percent, compared with *** percent in interim 2023.¹⁸⁸

Cumulated subject imports as a ratio to domestic industry production was *** percent in 2021, *** percent in 2022, and *** percent in 2023; the ratio was lower in interim 2024, at *** percent, compared with *** percent in interim 2023.¹⁸⁹

¹⁸⁵ 19 U.S.C. § 1677(7)(C)(i).

¹⁸⁶ Expressed in thousands of pounds, the volume of cumulated subject imports fell from *** in 2021 to *** in 2022 and *** in 2023. CR/PR at Tables IV-2, C-1.

¹⁸⁷ CR/PR at Tables IV-2, C-1.

¹⁸⁸ CR/PR at Tables IV-11, C-1.

¹⁸⁹ CR/PR at Table IV-2.

We find that the volume of cumulated subject imports is significant in absolute terms and relative to production and consumption in the United States, and that the increase in subject imports relative to production and consumption in the United States is also significant.

D. Price Effects of the Subject Imports

Section 771(7)(C)(ii) of the Tariff Act provides that, in evaluating the price effects of the subject imports, the Commission shall consider whether

(I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and

(II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree.¹⁹⁰

As discussed in section VI.B.3 above, we find that there is at least a moderate degree of substitutability between subject imports and domestically produced frozen warmwater shrimp, and that price is an important factor in purchasing decisions, among other important factors.

The Commission collected quarterly quantity and f.o.b. pricing data on sales of five frozen warmwater shrimp products shipped to unrelated U.S. customers during the POI.¹⁹¹ Fifteen U.S. processors and 49 importers provided usable pricing data for sales of the requested

¹⁹⁰ 19 U.S.C. § 1677(7)(C)(ii).

¹⁹¹ CR/PR at V-5. The five pricing products are:

Product 1.-- Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D (peeled and deveined), tail-off, block frozen (cut or not cut).

Product 2.-- Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Product 3.-- Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D (peeled and deveined), headless, tail-on or-tail off, individually quick frozen (IQF).

Product 4.-- Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, P&D (peeled and deveined), tail-off, individually quick frozen (IQF).

Product 5.-- Frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, individually quick frozen (IQF). *Id.*

products, although not all firms reported pricing data for all products for all quarters.¹⁹² The reported pricing data accounted for approximately 10.9 percent of U.S. processors' U.S. shipments in 2023, 13.1 percent of U.S. shipments of subject imports from Ecuador, 26.4 percent of U.S. shipments of subject imports from India, 17.9 percent of U.S. shipments of subject imports from Indonesia, 4.9 percent of U.S. shipments of subject imports from Vietnam, and 20.5 percent of total U.S. shipments of subject imports.¹⁹³

Subject imports undersold domestically produced frozen warmwater shrimp in 141 of 214 (or 65.9 percent of) quarterly comparisons, with underselling margins ranging between 0.0 percent and 63.2 percent, and averaging 19.7 percent.¹⁹⁴ Subject imports oversold domestically produced frozen warmwater shrimp in the remaining 73 (or 34.1 percent of) quarterly comparisons, with overselling margins ranging between 1.1 percent and 70.1 percent and averaging 19.5 percent.¹⁹⁵ There were *** pounds of subject imports in the quarters with underselling, accounting for *** percent of reported subject import sales volume in the Commission's pricing data, and *** pounds of subject merchandise in the quarters with overselling, accounting for *** percent of reported subject import sales volume in the Commission's pricing data.¹⁹⁶

¹⁹² CR/PR at V-5.

¹⁹³ CR/PR at V-5.

¹⁹⁴ CR/PR at Table V-10.

¹⁹⁵ CR/PR at Table V-10.

¹⁹⁶ CR/PR at Table V-10. We disagree with Ecuadorian Respondents' argument that the Commission's pricing data are inadequate because the Commission did not collect pricing data in its final phase questionnaires for all four of the products they proposed in their comments on the draft questionnaires. Ecuadorian Respondents' Prehearing Brief at 19-23. As Ecuadorian Respondents acknowledge, the Commission did collect pricing data for one of their proposed products, with their proposed product 8 becoming product 5 in the Commission's final phase questionnaires (frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, (Continued...))

We have also considered information from purchasers regarding alleged lost sales. Ten of the 20 responding purchasers reported that they had purchased subject imports instead of domestically produced product during the POI. Of the 10 purchasers, eight firms reported that the subject imports were priced lower. Seven of these purchasers reported that price was a primary reason for the decision to purchase subject imports rather than U.S.-produced product, including four purchasers that estimated that they purchased *** pounds of subject imports instead of the domestic like product due to the lower price,¹⁹⁷ equivalent to *** percent of the

individually quick frozen (IQF)). See Ecuadorian Respondents' Prehearing Brief at 23. Their other proposed pricing products would not have yielded useful price comparisons, however, because they were either "niche" products, produced domestically in only small quantities, or else ill-defined, in the case of "EZ peel" shrimp. The additional requested pricing products proposed by Ecuadorian Respondents were very large 10-12 count shrimp, Black Tiger species shrimp, and "EZ peel" shrimp. The record indicates that very large 10-12 per pound count shrimp are very high-priced and much rarer than other sizes of shrimp caught. See, e.g., AHSTAC's Prehearing Brief at Exh. 6 (landings data for UN/15 shrimp). As for Black Tiger shrimp, the main species caught by U.S. shrimp fishermen are white, brown, and pink shrimp, CR/PR at I-13, II-7, while Black Tiger shrimp do not account for a meaningful portion of U.S. commercial shrimp landings. According to Vietnamese Respondents, the Black Tiger species is the largest of 300 commercially available shrimp species worldwide, and there is limited availability from the domestic industry. Hearing Tr. at 179 (Nicely). The goal of the Commission's pricing data is to capture head-to-head competition between the domestic like product and subject imports, and thus including products for which there is limited domestic production would undermine this goal. As for "EZ peel" shrimp, while Ecuadorian Respondents referenced the phrase several times in their comments on the draft questionnaires, they provided no definition of "EZ peel" in their comments, and the Commission's inclusion of such an undefined pricing product would likely not have yielded reliable pricing data. Only in their prehearing brief did the Ecuadorian Respondents belatedly provide such a definition. Ecuadorian Respondents' Prehearing Brief at 14 n.10.

We note that Ecuadorian Respondents purported to provide detailed rationales in their prehearing brief for their proposed pricing products that they neglected to provide in their comments on the draft questionnaires, at a time when the Commission could have considered those rationales. Ecuadorian Respondents' Prehearing Brief at 21-22 and Exh. 1. In any event, Ecuadorian Respondents now contend that Black Tiger shrimp and "EZ peel" shrimp are rarely produced by U.S. processors and that their goal in proposing these pricing products was not to yield useful price comparisons, but rather to show limited competition between U.S. producers and subject imports as to these products, *id.*, a rationale that supports the Commission's decision not to include the products in the final phase questionnaires.

¹⁹⁷ CR/PR at V-19, Tables V-14, V-15.

total volume of responding purchasers' purchases during the POI,¹⁹⁸ and *** percent of U.S. processors' U.S. shipments during the POI.¹⁹⁹

We disagree with Indian Respondents' argument that the confirmed lost sales are not credible and should be disregarded by the Commission.²⁰⁰ Specifically, they contend that purchasers *** attributed all their purchases as sales "lost" by the domestic industry as a result of lower-priced subject imports even though they reported ***.²⁰¹ It should not be unexpected that these purchasers purchased *** domestically produced shrimp, however, given their focus on sourcing the lowest-priced shrimp and *** during the POI.²⁰² Furthermore, these purchasers provided clear responses on this issue, reporting that they purchased specific volumes of subject imports instead of the domestic like product due to their lower price during the period, and we see no basis to disregard these answers.

Based on the foregoing, including the at least moderate degree of substitutability between subject imports and the domestic like product, the importance of price in purchasing decisions for frozen warmwater shrimp, the pervasive subject import underselling, and the

¹⁹⁸ Derived from CR/PR at Tables V-13, V-15.

¹⁹⁹ Derived from CR/PR at Tables V-15, C-1. The quantity of the confirmed lost sales was *** percent as a ratio to the U.S. shipments of the domestic industry as a whole (including fresh as well as frozen warmwater shrimp) during the POI. *Id.* Given the relatively small share of apparent U.S. consumption held by U.S. processors, the volume of confirmed lost sales compared with the volume of U.S. processors' U.S. shipments amplifies the impact of lost sales on their financial condition. Thus, we disagree with Indian Respondents' contention that the quantity of confirmed lost sales was not significant. Indian Respondents' Posthearing Brief, Answers to Commission Questions, at 30.

²⁰⁰ Indian Respondents' Posthearing Brief, Answers to Commission Questions, at 30-35.

²⁰¹ Indian Respondents' Posthearing Brief, Answers to Commission Questions, at 30-35.

²⁰² See U.S. Purchasers' Revised Questionnaire Response of *** at II-3 (EDIS Document No. 828288; U.S. Purchasers' Revised Questionnaire Response of *** at II-3 (EDIS Document No. 827650); U.S. Purchasers' Questionnaire Response of *** at II-3 (EDIS Document No. 827653); U.S. Purchasers' Revised Questionnaire Response of *** at II-3 (EDIS Document No. 830768); Revised U.S. Purchasers' Questionnaire Response of *** at II-3 (EDIS Document No. 827659).

substantial volume of confirmed lost sales, we find that cumulated subject imports significantly undersold the domestic like product during the POI. The underselling led to significant lost sales by the domestic industry and a shift in market share from the domestic industry to cumulated subject imports between 2021 and 2023. As previously discussed in section VI.C above, subject imports gained *** percentage points of market share between 2021 and 2023, partially at the expense of the domestic industry, which lost 0.8 percentage points of market share to subject imports over the period.²⁰³ This market share loss was equivalent to over 10 percent of the domestic industry's 7.6 percent market share in 2021.²⁰⁴

We are not persuaded by respondents' argument that the Commission's pricing data do not show significant underselling by subject imports because competition is attenuated between subject imports and domestically produced frozen warmwater shrimp, based on differences in wild-caught and farm-raised shrimp, geographical regions served, and availability of value-added products.²⁰⁵

The record does not support the assertion that competition between subject imports and domestically produced frozen warmwater shrimp is attenuated by virtue of almost all subject imports being farm-raised and almost all domestically produced frozen warmwater shrimp being wild-caught. We acknowledge that, as discussed in section VI.B.3 above, some responding purchasers and importers reported that wild-caught and farm-raised shrimp have limited interchangeability, including a majority of responding U.S. importers reporting that they

²⁰³ CR/PR at Tables IV-11, C-1.

²⁰⁴ CR/PR at Tables IV-11, C-1.

²⁰⁵ Indian Respondents' Posthearing Brief at 8-9 and Answers to Commission Questions at 1-8, 36-40; Indian Respondents' Prehearing Brief at 39; Ecuadorian Respondents' Posthearing Brief at 4-6.

are never interchangeable, while a majority of responding U.S. processors reported that farm-raised and wild-caught warmwater shrimp are always interchangeable.²⁰⁶ However, the record indicates that frozen warmwater shrimp is frequently marketed and sold in ways that downplay the distinctions between domestic wild-caught shrimp and imported farm-raised shrimp, which inhibits purchasing decisions on that basis and elevates distinctions in prices.²⁰⁷ That retailers and consumers often do not know whether they have purchased wild-caught shrimp or farm-raised shrimp, and simply request shrimp without regard to its origin, indicates that there is interchangeability between the two.²⁰⁸ As previously discussed, a majority of responding purchasers reported that they and their customers never or only sometimes make purchasing decision based on the country of origin.²⁰⁹

Moreover, majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were comparable to subject imports from each subject country with respect to several characteristics, including product consistency, quality meets industry standards, quality exceeds industry standards, and count size.²¹⁰ Thus, as we have found, subject imports and domestically produced frozen warmwater shrimp are at least moderately substitutable, and price is an important factor in their competition for sales in the U.S. market. Moreover, respondents' claim of attenuated competition is inconsistent with the

²⁰⁶ CR/PR at II-16, Table II-8.

²⁰⁷ Hearing Tr. at 27-28, 85 (Gollott), 86-87 (Pearson), 88 (Antley); Petitioner's Posthearing Brief, Answers to Commission Questions, at 22-25.

²⁰⁸ Hearing Tr. at 27-28 (Gollott), 64-65 (Pearson), 88 (Antley).

²⁰⁹ CR/PR at Table II-5.

²¹⁰ CR/PR at Table II-11. The fact that majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp were inferior to subject imports from Indonesia and Vietnam with respect to availability is likely a reflection of the much greater market share of subject imports compared to the domestic industry. *Id.*

responses from half of the responding purchasers confirming that they purchased subject imports instead of domestically produced frozen warmwater shrimp during the POI, and the significant volume of confirmed lost sales in these investigations.²¹¹ Thus, we do not find that competition is attenuated between subject and domestically produced frozen warmwater shrimp based on the distinction between farm-raised and wild-caught shrimp.

We disagree with Indian Respondents' contention that the underselling in the Commission's pricing data reflects a price premium commanded by domestically produced wild-caught shrimp, rather than lower prices for comparable subject imported shrimp, because customers in the Gulf Coast region allegedly have a cultural or taste preference for wild-caught shrimp.²¹² Respondents have provided no evidentiary support for this claim and made no effort to quantify the alleged premium commanded by wild-caught shrimp. Furthermore, as discussed in section VI.B.3 above, the record indicates that the domestic industry has tried to market its wild-caught shrimp as a premium product, but has had limited success in doing so.²¹³ U.S. processors testified that restaurants, retailers, and distributors have discouraged efforts to market domestic wild-caught shrimp as a distinct product, and reported that vendors were offering imported shrimp almost exclusively at recent 2024 shrimp festivals in Alabama and Louisiana, regions where respondents asserted that there is a preference for domestic wild-

²¹¹ CR/PR at V-19, Table V-15.

²¹² Indian Respondents' Posthearing Brief, Answers to Commission Questions, at 5-6; Hearing Tr. at 185 (Dougan). We note that respondents' witnesses testified that several imported products from subject sources are in fact "premium" products that command a higher price in the U.S. market. Hearing Tr. at 145-146 (Halpern), 180 (Nicely).

²¹³ Hearing Tr. at 64-65 (Pearson).

caught shrimp.²¹⁴ The record also indicates that subject imported farm-raised shrimp are often marketed by seafood restaurants and grocery stores with pictures featuring shrimping boats, implying that the shrimp has been wild-caught.²¹⁵ This evidence suggests that U.S. consumers are largely unaware of whether they are buying domestically produced wild-caught shrimp or imported farm-raised shrimp, and thus are not in a position to offer a premium for wild-caught shrimp.²¹⁶

We also do not find that competition between subject imports and domestically produced frozen warmwater shrimp is attenuated based on differences in the geographic markets they serve. As discussed in section V above, domestically processed frozen warmwater shrimp and subject imports from all four sources were shipped to all regions in the contiguous United States during the POI.²¹⁷ While the majority of U.S. processors' overall shipments went to the Gulf Coast/South Atlantic region, majorities of the 20 responding U.S. processors also reported shipments to the Northeast, Midwest, and South (not coastal) regions as well as the Gulf Coast/South Atlantic region, while 9 of 20 U.S. processors reported selling to the Pacific Coast region and 5 of 20 reported selling to the Mountains region.²¹⁸ Thus U.S. processors competed with subject imports in all regions, and while their market share was greatest in the Gulf Coast/South Atlantic region, they possessed market shares in 2023 in the Midwest, South (not Coastal), and Mountain regions that were similar to their share of apparent U.S.

²¹⁴ Hearing Tr. at 27-28, 85 (Gollott), 86-87 (Pearson), 88 (Antley); Petitioner's Posthearing Brief at Exh. 10.

²¹⁵ Hearing Tr. at 27 (Gollott), 86 (Pearson); Petitioner's Posthearing Brief at Exhs. 7-10.

²¹⁶ Hearing Tr. at 27-28, 85 (Gollott), 86-87 (Pearson), 88 (Antley).

²¹⁷ CR/PR at Table II-2.

²¹⁸ CR/PR at Table II-2.

consumption.²¹⁹ Respondents' arguments regarding geographic attenuation focus on volume disparities, which again are primarily a reflection of the much larger market share of subject imports than the domestic industry.²²⁰ As AHSTAC points out, the issue before the Commission "is not whether subject imports compete with the domestic like product for every sale, but rather whether the domestic industry must compete with subject imports in order to sell the domestic like product."²²¹ The record in these investigations shows that the domestic industry is competing against lower-priced subject imports in all geographic regions where it attempts sales.²²²

We also do not find that competition is attenuated between subject imports and domestically produced frozen warmwater shrimp because of differences in availability of value-added products. Majorities or pluralities of responding purchasers reported that domestically produced frozen warmwater shrimp was comparable or superior to subject imports from three of the four subject countries (Ecuador, India, and Indonesia) with respect to product range.²²³ As discussed in section V above, the record shows substantial overlap between subject imports and domestically produced frozen warmwater shrimp with respect to the IQF type of freezing.²²⁴ Indeed, majorities of responding purchasers reported that domestically produced

²¹⁹ CR/PR at Tables IV-9, C-1.

²²⁰ See Vietnamese Respondents' Posthearing Brief at 8-9; Indian Respondents' Posthearing Brief at 3-4; CR/PR at Table C-1.

²²¹ AHSTAC's Posthearing Brief at A-2.

²²² CR/PR at Table IV-9.

²²³ CR/PR at Table II-11. Responding purchasers were equally divided between reporting that subject imports from Vietnam and domestically produced frozen warmwater shrimp were comparable in product range and that subject imports from Vietnam were superior. *Id.*

²²⁴ In 2023, 47.8 percent of U.S. shipments by U.S. processors were individually quick frozen ("IQF"), as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam. CR/PR at Table IV-5.

frozen warmwater shrimp were comparable or superior to subject imports from all sources in availability of IQF.²²⁵ The record likewise shows substantial overlap between subject imports and domestically produced frozen warmwater shrimp in the peeled and deveined product form.²²⁶

We have considered whether subject imports depressed the domestic industry's prices or prevented price increases, which otherwise would have occurred, to a significant degree during the investigation period. In our analysis, we have taken into account the following data. In general, prices decreased over the POI, with an increase in 2021 and the first half of 2022 and then a decrease thereafter.²²⁷ U.S. processors' price decreases ranged from *** to *** percent from 2021 to 2023, depending on the product, while subject import price decreases ranged from *** to *** percent over the same period, depending on the product and subject country.²²⁸ In addition, U.S. fishermen experienced a sharp decline in the prices they received for the shrimp they harvested, with their net sales average unit value ("AUV") declining by 42.6 percent from 2021 to 2023, falling from \$3.66 per pound in 2021 to \$3.05 per pound in 2022 and \$2.10 per pound in 2023.²²⁹

²²⁵ CR/PR at Table II-11.

²²⁶ In 2023, *** percent of U.S. shipments by U.S. processors were of the peeled and deveined form, as were *** percent of U.S. shipments of subject imports from Ecuador, *** percent of U.S. shipments of subject imports from India, *** percent of U.S. shipments of subject imports from Indonesia, and *** percent of U.S. shipments of subject imports from Vietnam. CR/PR at Table IV-6.

²²⁷ CR/PR at V-16. While we have considered the pricing data for the entire POI, we have given particular attention to the pricing data for the 2021 to 2023 period, given that this corresponds to the other industry data available from U.S. fishermen, who were not asked to submit data for interim 2024.

²²⁸ Derived from CR/PR at Tables V-4 to V-5, V-7 to V-9. U.S. processors' price decreases ranged from 5.6 to 36.7 percent during the period from January 2021 through the end of interim 2024, depending on the product, while subject import price decreases ranged from 0.6 to 40.2 percent, depending on the product and subject country. CR/PR at V-16.

²²⁹ CR/PR at Table F-15.

In particular, U.S. processors' prices for product 1 declined by *** percent from the first quarter of 2021 to the fourth quarter of 2023, while subject import price declines for product 1 from *** declined by *** percent and *** percent, respectively, and subject import prices for product 1 from ***. U.S. processors' prices for product 2 declined by *** percent from the first quarter of 2021 to the fourth quarter of 2023, while subject import prices for product 2 declined by *** percent to *** percent, depending on the subject country. U.S. processors' prices for product 4 declined by *** percent from the first quarter of 2021 to the fourth quarter of 2023, while subject import prices declined by *** percent to *** percent, depending on the subject country. U.S. processors' prices for product 5 declined by *** percent from the first quarter of 2021 to the fourth quarter of 2023, while subject import priced declined by *** percent to *** percent, depending on the subject country.²³⁰

The domestic industry's financial data show that U.S. processors' COGS-to-net-sales ratio declined between 2021 and 2023, falling from 92.4 percent in 2021 to 90.8 percent in 2022 and 89.0 percent in 2023; it was lower in interim 2024, at 88.0 percent, compared with 91.9 percent in interim 2023.²³¹ However, the fishermen's operating-expenses- to-net-sales

²³⁰ Derived from CR/PR at Tables V-4 to V-5, V-7 to V-9. With respect to the POI as a whole, including the first quarter of 2024, U.S. processors' prices for product 1 declined by *** percent, while subject import prices for product 1 from *** declined by *** percent to *** percent, while subject import prices for product 1 from ***. U.S. processors' prices for product 2 declined by *** percent, while subject import prices for product 2 declined by *** percent to *** percent, depending on the subject country. U.S. processors' prices for product 4 declined by *** percent, while subject import prices for product 5 declined by *** percent to *** percent, depending on the subject country. U.S. processors' prices for product 5 declined by *** percent, while subject import prices for product 5 declined by *** percent to *** percent, depending on the subject country. CR/PR at Table V-9. As previously discussed, U.S. processors supplied pricing data for product 3 in only two quarters, leaving the pricing data for that product of limited utility for the Commission's price effects analysis. *Id.* at Table V-6.

²³¹ CR/PR at Tables VI-1, C-1. We note that the decline in the ratio in 2022 and 2023 was due entirely to the sharply lower prices being paid to fishermen.

ratio increased from 2021 to 2023, from 93.8 percent in 2021 to 102.1 percent in 2022 and 102.4 percent in 2023.²³²

We note that, as discussed in section VI.B.1 above, apparent U.S. consumption declined by 13.6 percent between 2021 and 2023, falling from 2.0 billion pounds in 2021 to 1.8 billion pounds in 2022 and 1.7 billion pounds in 2023; it was 3.4 percent higher, at 395.4 million pounds, in interim 2024, compared with 382.5 million pounds in interim 2023.²³³ We also note that U.S. processors' raw material costs declined on a per-unit basis, from \$3.85 per pound in 2021 to \$3.63 per pound in 2022 and \$2.65 per pound in 2023; they were lower in interim 2024, at \$2.09 per pound, compared with \$2.80 per pound in interim 2023.²³⁴ However, as processors' raw material costs consist largely of raw shrimp, the declines in raw material costs reflected lower sales prices for the fishermen.²³⁵

We find that subject imports depressed prices for the domestic like product to a significant degree. U.S. processors' sales prices declined by *** to *** percent between 2021 and 2023, depending on the product.²³⁶ Between 2021 and 2023, the AUVs of U.S. processors' U.S. shipments of frozen shrimp declined by 17.9 percent, and the AUVs of U.S. fishermen's net sales of fresh shrimp declined by 42.6 percent.²³⁷ Although apparent U.S. consumption declined by *** percent from 2021 to 2023, this does not explain the far greater declines in domestic industry prices and AUVs, particularly given that the record indicates demand for

²³² CR/PR at Table C-1.

²³³ CR/PR at Tables IV-11, C-1.

²³⁴ CR/PR at Table VI-1.

²³⁵ See CR/PR at Table F-14.

²³⁶ Derived from CR/PR at Tables V-4 to V-5, V-7 to V-9.

²³⁷ CR/PR at Tables C-1, F-14, F-15.

shrimp remained relatively strong during the POI. Indeed, Indian Respondents asserted that U.S. shrimp demand remained strong throughout the POI and only appeared to decline due to particularly elevated demand in 2021 related to the COVID-19 pandemic,²³⁸ which is consistent with record evidence that apparent U.S. consumption was higher in 2023 than in 2020.²³⁹ We note that U.S. processors' prices were lower in interim 2024 compared to interim 2023,²⁴⁰ despite the fact that apparent U.S. consumption was 3.4 percent higher in interim 2024 as compared with interim 2023, which suggests that there is not a strong correlation between apparent U.S. consumption and the domestic industry's pricing trends.²⁴¹ Nor can declining costs explain the extent of the domestic industry's price declines. The fishermen's cost of fuel and oil declined by 21.2 percent during the 2021-2023 period, while their net sales AUVs declined by a far greater 42.6 percent.²⁴² Further, as addressed below, while U.S. processors' net sales AUVs declined to a slightly lesser degree than their unit COGS between 2021 and 2023, allowing them to improve their COGS to net sales ratio from *** percent to *** percent, they nevertheless remained unprofitable during the POI with operating margins that remained around *** percent.²⁴³ Additionally, as noted above, the decline in the processors' costs

²³⁸ Indian Respondents' Prehearing Brief at 21-22; Indian Respondents' Posthearing Brief at 2-3.

²³⁹ In the Preliminary Determinations, the Commission found that apparent U.S. consumption was 1.6 billion pounds in 2020. *Preliminary Determinations*, USITC Pub. 5482 at 29. As discussed in section VI.B.1 above, apparent U.S. consumption was 1.7 billion pounds in 2023. CR/PR at Table C-1.

²⁴⁰ The domestic industry's U.S. shipment AUVs were 26.1 percent lower in interim 2024, at \$3.36 per pound, compared with \$4.54 per pound in interim 2023. CR/PR at Table C-1. The Commission's pricing data show that U.S. processors' prices were lower for product 1, 2, and 4 in interim 2024 compared with interim 2023, while they were higher for product 5. CR/PR at Tables V-4 to V-5, V-7 to V-8.

²⁴¹ CR/PR at Table C-1.

²⁴² CR/PR at F-10, Tables C-1, F-15.

²⁴³ CR/PR at Table C-1.

directly translated to lower prices for the fishermen.²⁴⁴ Finally, we note that all 20 responding U.S. processors reported that they had to either reduce prices or forgo needed price increases to compete with subject imports during the POI.²⁴⁵

Thus, based on the pervasive underselling by subject imports which held a commanding and expanding share of the U.S. market throughout the POI, as well as the at least moderate degree of substitutability between subject imports and the domestic like product and the importance of price to purchasing decisions, we find that subject imports depressed domestic prices to a significant degree. As U.S. processors had to lower their prices to compete with subject imports in the U.S. market, they in turn were forced to lower the prices they could pay fishermen, and the fishermen's prices therefore were also depressed by low-priced subject import competition.

We are unpersuaded by respondents' argument that the decline in the prices that U.S. fishermen received during the POI was not attributable to subject imports, but rather to the decisions of U.S. processors to lower the prices they paid to fishermen for their catch and thus increase the processors' gross profits.²⁴⁶ Contrary to this argument, the sharp declines in the U.S. processors' prices during the POI were accompanied by declines in their financial indicators, including a 12.0 percent decline in gross profits between 2021 and 2023, and a

²⁴⁴ CR/PR at F-10, Tables C-1, F-15.

²⁴⁵ CR/PR at V-19. Two responding purchasers reported that U.S. processors had reduced prices to compete with lower-priced subject imports, with one of them reporting a 40 percent price reduction by a U.S. processor to compete with subject imports from Ecuador, while the other did not report the amount of a price reduction. Eight purchasers reported that U.S. processors had not reduced prices to compete with lower-priced subject imports, and ten purchasers reported that they did not know. *Id.* at V-22.

²⁴⁶ Indian Respondents' Posthearing Brief, Answers to Commission Questions at 28-29.

marginal operating profit in 2021 that turned into operating losses in 2022 and 2023, as subject imports undersold domestically produced frozen warmwater shrimp, took sales and market share from the domestic industry, and depressed prices.²⁴⁷ The reduced prices that U.S. fishermen received from U.S. processors²⁴⁸ came as those processors were themselves suffering price declines, experiencing large increases in inventories, and incurring substantial financial losses due to underselling by subject imports, giving the processors little choice but to reduce the prices they paid the fishermen.²⁴⁹ Thus, the lower prices to fishermen were the result of low-priced subject import competition affecting both parts of the industry.

We also disagree with respondents' contention that the U.S. shrimp fishermen's data should be given limited weight because of differences between the fishermen's net sales value data and the U.S. processors' raw material cost data.²⁵⁰ As noted, the Commission received usable responses from 388 fishermen.²⁵¹ There are several reasons why the net sales value data reported by fishermen and the raw material cost data reported by processors would not be expected to be identical.²⁵² The record indicates that U.S. commercial shrimpers do not sell all of their catch directly to U.S. processors, but may also sell to dealers (including docks and fish

²⁴⁷ CR/PR at Table C-1.

²⁴⁸ We also note that U.S. processors' raw material costs declined sharply between 2021 and 2023, falling from \$506.8 million in 2021 to \$354.9 million in 2022 and \$260.5 million in 2023; their raw material costs were slightly higher in interim 2024, at \$53.6 million, compared with \$53.5 million in interim 2023. CR/PR at Table VI-1. U.S. processors' unit raw material costs (*i.e.*, raw shrimp) declined by \$1.20 per pound (or by 31.1 percent) between 2021 and 2023, and by \$0.71 per pound (or by 25.4 percent) between the interim 2023 and interim 2024 periods. CR/PR at Tables VI-1, VI-2.

²⁴⁹ Hearing Tr. at 94-95 (Gollott); 95-97 (Pearson), 97-98 (Gibson).

²⁵⁰ Hearing Tr. at 167-168 (Dougan); Indian Respondents' Posthearing Brief at 11-12 and Answers to Commission Questions at 27-28.

²⁵¹ CR/PR at F-3.

²⁵² See CR/PR at Tables VI-1 to VI-2, F-14 to F-15.

houses) or may sell their harvest as “fresh” shrimp.²⁵³ U.S. processors likewise do not obtain all of their raw shrimp directly from fishermen, but may also obtain it from dealers (subject to possible price markups by those dealers) or from other processors that have already performed some processing activities, and may keep shrimp in inventory for a period of time.²⁵⁴ Thus, the fact that there are differences between the U.S. fishermen’s net sales value data and the U.S. processors’ raw material cost data is neither surprising nor indicative of deficiencies that would call into question the reliability of these data.

In sum, we find that cumulated subject imports undersold the domestic like product to a significant degree, causing subject imports to gain sales and market share at the expense of the domestic industry, and depressed prices of the domestic like product to a significant degree. Thus, we find that cumulated subject imports had significant price effects.

E. Impact of the Subject Imports²⁵⁵

Section 771(7)(C)(iii) of the Tariff Act provides that in examining the impact of subject imports, the Commission “shall evaluate all relevant economic factors which have a bearing on

²⁵³ AHSTAC’s Posthearing Brief at 10-15, A-14 to A-15.

²⁵⁴ Petitioner’s Posthearing Brief, Answers to Commission Questions, at 5-6; AHSTAC’s Posthearing Brief at 10-15, A-14 to A-15.

²⁵⁵ The statute instructs the Commission to consider the “magnitude of the dumping margin” in an antidumping proceeding as part of its consideration of the impact of imports. 19 U.S.C. § 1677(7)(C)(iii)(V). In its final determination of sales at less value with respect to imports from Indonesia, Commerce found dumping margins of 0.00 percent (*de minimis*) for PT Bahari Makmur, 3.90 percent for PT First Marine Seafoods/PT Khom Foods, and 3.90 percent for all others. *Frozen Warmwater Shrimp From Indonesia: Final Affirmative Determination of Sales at Less- Than-Fair Value*, 89 Fed. Reg. 85498, 85499 (Oct. 28, 2024). We take into account in our analysis the fact that Commerce has made final findings that certain subject producers in Indonesia are selling subject imports in the United States at less than fair value. In addition to this consideration, our impact analysis has considered other factors affecting domestic prices. Our analysis of the significant underselling of subject imports, described in both the price effects discussion and below, is particularly probative to an assessment of the impact of the subject imports.

the state of the industry.”²⁵⁶ These factors include output, sales, inventories, capacity utilization, market share, employment, wages, productivity, gross profits, net profits, operating profits, cash flow, return on investment, return on capital, ability to raise capital, ability to service debts, research and development, and factors affecting domestic prices. No single factor is dispositive and all relevant factors are considered “within the context of the business cycle and conditions of competition that are distinctive to the affected industry.”²⁵⁷

We examine the data pertaining to the domestic industry’s performance separately for the two primary segments of the domestic industry, U.S. shrimp fishermen and U.S. shrimp processors, as the Commission did in prior investigations involving shrimp.²⁵⁸

U.S. fishermen saw declines between 2021 and 2023 in their number of employees, fishing days, boats operated, and net sales quantity. They experienced a sharp decline in their

²⁵⁶ 19 U.S.C. § 1677(7)(C)(iii); *see also* SAA at 851 and 885 (“In material injury determinations, 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 domestic industry, they also may demonstrate that an industry is facing difficulties from a variety of sources and is vulnerable to dumped or subsidized imports.”).

²⁵⁷ 19 U.S.C. § 1677(7)(C)(iii).

²⁵⁸ *See, e.g., Frozen Warmwater Shrimp from China, Ecuador, India, Malaysia, and Vietnam*, Inv. Nos. 701-TA-491-493, 495, and 497 (Final), USITC Pub. 4429 (Oct. 2013) at 31; *Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam*, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Pub. 5432 (June 2023) at 84. We note that in the 2023 reviews, which involved three of the four subject countries covered by these investigations, the Commission found that the domestic industry was vulnerable to material injury. *Id.* at 89 (“In light of the domestic processors’ loss of market share, resulting in a market share lower in 2021 than in any of the prior proceedings, low rate of capacity utilization despite historically low capacity levels, declining employment, weak financial performance, and declining prices towards the end of the {period of review}, we find that the domestic industry is vulnerable to the continuation or recurrence of material injury in the event of revocation of the orders.”).

net sales AUVs, leading to a significant deterioration in their financial performance, including operating losses in 2022 and 2023.²⁵⁹

Responding U.S. shrimp fishermen reported that the number of production and related workers (whether directly or indirectly employed) (“PRWs”) fell by 11.5 percent between 2021 to 2023, declining from 1,553 PRWs in 2021 to 1,489 PRWs in 2022 and 1,374 PRWs in 2023.²⁶⁰ U.S. fishermen’s productivity (in 1,000 pounds per PRW) fell from 23.9 in 2021 to 23.3 in 2022, and then increased to 27.7 in 2023.²⁶¹

U.S. fishermen’s net sales quantity fell by 2.7 percent from 2021 to 2023, declining from 36.0 million pounds in 2021 to 34.0 million pounds in 2022, and then increasing to 35.0 million pounds in 2023.²⁶² U.S. fishermen’s fishing days declined by 16.6 percent from 2021 to 2023, falling from 57,355 days in 2021 to 51,351 days in 2022 and 47,857 days in 2023, while the number of boats operated fell by 3.2 percent from 2021 to 2023, increasing from 441 in 2021 to 447 in 2022, and then falling to 427 in 2023.²⁶³ U.S. fishermen’s net sales AUVs declined by 42.6 percent from 2021 to 2023, falling from \$3.66 per pound in 2021 to \$3.05 per pound in 2022 and \$2.10 per pound in 2023.²⁶⁴

U.S. fishermen’s net sales value fell by 44.2 percent from 2021 to 2023, declining from \$131.8 million in 2021 to \$103.7 million in 2022 and \$73.6 million in 2023.²⁶⁵ U.S. fishermen’s

²⁵⁹ CR/PR at Tables C-1, F-11, F-14. The Commission did not collect interim data from fishermen to reduce the burden on these mostly small enterprises in responding to the Commission’s questionnaire.

²⁶⁰ CR/PR at Tables C-1, F-11.

²⁶¹ CR/PR at Table F-11.

²⁶² CR/PR at Tables C-1, F-14.

²⁶³ CR/PR at Table F-13.

²⁶⁴ CR/PR at Table C-1.

²⁶⁵ CR/PR at Tables C-1, F-14.

operating income worsened from \$8.1 million in 2021 to operating losses of \$2.2 million in 2022 and \$1.8 million in 2023.²⁶⁶ U.S. fishermen's ratio of operating income to net sales worsened from 6.2 percent in 2021 to negative 2.1 percent in 2022 and negative 2.4 percent in 2023.²⁶⁷ U.S. fishermen's net income worsened from \$6.7 million in 2021 to net losses of \$4.3 million in 2022 and \$2.7 million in 2023.²⁶⁸ U.S. fishermen's ratio of net income to net sales worsened from 5.1 percent in 2021 to negative 4.2 percent in 2022, and then improved slightly to negative 3.7 percent in 2023.²⁶⁹

U.S. processors similarly experienced declines in many performance indicators during the POI, with declines in production, capacity utilization, U.S. shipments, employment indicators, and market share between 2021 and 2023, while their inventories increased. U.S. processors' financial performance was weak in 2021 and sharply deteriorated over the POI, leading to operating losses in both 2022 and 2023.

U.S. processors' practical capacity increased by 1.0 percent from 2021 to 2023, rising from 279.3 million pounds in 2021 to 287.5 million pounds in 2022 pounds, and then declining to 282.0 million pounds in 2023; practical capacity was 1.6 percent higher in interim 2024, at 73.0 million pounds, compared with 71.9 million pounds in interim 2023.²⁷⁰ U.S. processors' production quantity declined by 21.1 percent from 2021 to 2023, falling from 131.9 million pounds in 2021 to 103.0 million pounds in 2022, and then increasing to 104.1 million pounds in 2023; production was 21.9 percent higher in interim 2024, at 17.9 million pounds, compared

²⁶⁶ CR/PR at Tables C-1, F-14.

²⁶⁷ CR/PR at Tables C-1, F-14.

²⁶⁸ CR/PR at Tables C-1, F-14.

²⁶⁹ CR/PR at Table F-14.

²⁷⁰ CR/PR at Tables III-5, C-1.

with 14.7 million pounds in interim 2023.²⁷¹ U.S. processors' capacity utilization declined by 10.3 percentage points from 2021 to 2023, falling from 47.2 percent in 2021 to 35.8 percent in 2022, and then increasing to 36.9 percent in 2023; capacity utilization was 4.1 percentage points higher in interim 2024, at 24.5 percent, compared with 20.4 percent in interim 2023.²⁷²

U.S. processors' U.S. shipments fell by 26.3 percent from 2021 to 2023, declining from 132.8 million pounds in 2021 to 98.6 million pounds in 2022 and then decreasing slightly to 97.9 million pounds in 2023; U.S. shipments were 34.1 percent higher in interim 2024, at 25.6 million pounds, compared with 19.1 million pounds in interim 2023.²⁷³ U.S. processors' share of apparent U.S. consumption declined by 1.0 percentage point from 2021 to 2023, falling from 6.8 percent in 2021 to 5.5 percent in 2022, and then increasing to 5.8 percent in 2023; their market share was 1.5 percentage points higher in interim 2024, at 6.5 percent, compared with 5.0 percent in interim 2023.²⁷⁴

U.S. processors' end-of-period inventories increased dramatically by 69.7 percent from 2021 to 2023, increasing from 21.6 million pounds in 2021 to 28.5 million pounds in 2022 and 36.6 million pounds in 2023; end of period inventories were 19.4 percent higher in interim 2024, at 28.9 million pounds, compared with 24.2 million pounds in interim 2023.²⁷⁵

²⁷¹ CR/PR at Tables III-5, C-1.

²⁷² CR/PR at Tables III-5, C-1.

²⁷³ CR/PR at Tables III-14, C-1.

²⁷⁴ CR/PR at Tables IV-11, C-1.

²⁷⁵ CR/PR at Tables III-15, C-1. The ratio of U.S. processors' end of period inventories to their U.S. shipments increased sharply between 2021 and 2023, rising from 16.2 percent in 2021 to 28.9 percent in 2022 and 37.4 percent in 2023; it was lower in interim 2024, at 28.2 percent, as compared with 31.6 percent in interim 2023. *Id.* at Table III-15.

U.S. processors' employment indicators declined from 2021 to 2023. The number of PRWs declined by 3.7 percent from 2021 to 2023, increasing from 1,081 PRWs in 2021 to 1,117 PRWs in 2022, and then falling to 1,041 PRWs in 2023; the number of PRWs was 0.9 percent lower in interim 2024, at 771 PRWs, compared with 778 PRWs in interim 2023.²⁷⁶ Hours worked declined by 7.0 percent from 2021 to 2023, falling from 2.3 million hours in 2021 to 2.2 million hours in 2022, and 2.1 million hours in 2023; hours worked were 6.9 percent higher in interim 2024, at 356,000 hours, compared with 333,000 hours in interim 2023.²⁷⁷ Wages paid declined by 1.8 percent from 2021 to 2023, rising from \$36.2 million in 2021 to \$37.5 million in 2022, and then falling to \$35.5 million in 2023; wages paid were 3.0 percent lower in interim 2024, at \$5.6 million, compared with \$5.8 million in interim 2023.²⁷⁸ Productivity declined by 15.2 percent from 2021 to 2023, decreasing from 58.1 pounds per hour in 2021 to 47.4 pounds per hour in 2022, and then increasing to 49.3 pounds per hour in 2023; productivity was 14.1 percent higher in interim 2024, at 50.3 pounds per hour, compared with 44.1 pounds per hour in interim 2023.²⁷⁹

U.S. processors' net sales value fell by 39.2 percent from 2021 to 2023, declining from \$640.6 million in 2021 to \$484.8 million in 2022 and \$389.6 million in 2023; net sales value was 3.0 percent lower in interim 2024, at \$87.5 million, compared with \$90.2 million in interim 2023.²⁸⁰ U.S. processors' gross profit declined by 12.0 percent from 2021 to 2023, falling from \$48.9 million in 2021 to \$44.4 million in 2022 and \$43.0 million in 2023; gross profit was 43.5

²⁷⁶ CR/PR at Tables III-16, C-1.

²⁷⁷ CR/PR at Tables III-16, C-1.

²⁷⁸ CR/PR at Tables III-16, C-1.

²⁷⁹ CR/PR at Tables III-16, C-1.

²⁸⁰ CR/PR at Tables VI-1, C-1.

percent higher in interim 2024, at \$10.5 million, compared with \$7.3 million in interim 2023.²⁸¹

U.S. processors' operating income worsened from \$1.0 million in 2021 to operating losses of \$4.2 million in 2022 and \$1.2 million in 2023; operating income was \$546,000 in interim 2024, compared with an operating loss of \$2.6 million in interim 2023.²⁸² U.S. processors' ratio of operating income to net sales worsened from 0.2 percent in 2021 to negative 0.9 percent in 2022, and then was negative 0.3 percent in 2023; their ratio of operating income to net sales was 0.6 percent in interim 2024, compared with negative 2.9 percent in interim 2023.²⁸³ U.S. processors' net income declined from \$18.0 million in 2021 to \$5.9 million in 2022, and then became a net loss of \$185,000 in 2023; they reported a net loss of \$675,000 in interim 2024, compared with a net loss of \$2.8 million in interim 2023.²⁸⁴ U.S. processors' ratio of net income to net sales declined from 2.8 percent in 2021 to 1.2 percent in 2022 and 0.0 percent in 2023; their ratio of net income to net sales was negative 0.8 percent in interim 2024, compared with negative 3.1 percent in interim 2023.²⁸⁵ U.S. processors' net assets declined by 6.7 percent from 2021 to 2023, falling from \$272.1 million in 2021 to \$271.1 million in 2022 and \$253.8 million in 2023.²⁸⁶ U.S. processors' return on assets worsened from 0.4 percent in 2021 to negative 1.5 percent in 2022, and then was negative 0.5 percent in 2023.²⁸⁷

U.S. processors' capital expenditures increased by 26.1 percent from 2021 to 2023, falling from \$8.9 million in 2021 to \$6.9 million in 2022, and then rising to \$11.3 million in 2023;

²⁸¹ CR/PR at Tables VI-1, C-1.

²⁸² CR/PR at Tables VI-1, C-1.

²⁸³ CR/PR at Tables VI-1, C-1.

²⁸⁴ CR/PR at Tables VI-1, C-1.

²⁸⁵ CR/PR at Tables VI-1, C-1.

²⁸⁶ CR/PR at Tables VI-6, C-1.

²⁸⁷ CR/PR at Table VI-7.

their capital expenditures were 14.0 percent higher, at \$2.4 million in interim 2024, compared with \$2.1 million in interim 2023.²⁸⁸ U.S. processors' reported research and development expenses were *** in 2021, \$*** in 2022, and \$*** in 2023.²⁸⁹

As explained above, we find that the significant volume of cumulated subject imports significantly undersold the domestic like product during the POI. This caused the domestic industry to lose sales and market share to subject imports, and significantly depressed the U.S. processors' and fishermen's prices for fresh and frozen warmwater shrimp. The U.S. processors' loss of sales and market share to subject imports led to declines in their production, capacity utilization, and U.S. shipments. While the processors' financial performance was weak in 2021, its lower output and depressed prices as a result of subject import underselling caused a sharp decline in the industry's financial performance during the POI, including operating losses in 2022 and 2023.²⁹⁰ U.S. fishermen also experienced declining financial performance,

²⁸⁸ CR/PR at Tables VI-4, C-1.

²⁸⁹ CR/PR at Table VI-18 n.28, C-1.

²⁹⁰ Petitioner argues that Commerce's preliminary affirmative countervailing duty determinations on April 1, 2024, and its preliminary affirmative antidumping duty determinations on May 30, 2024, have benefited the domestic industry, confirming the causal link between subject imports and injury to the domestic industry. It asserts that imports from the four subject countries declined by 14 percent in June through August 2024 as compared with subject imports in the same months in 2023. It argues that available data show that the domestic industry is enjoying higher production and returning customers and has begun to see its first price increases in two years, and shrimp fishermen have also experienced benefits as dockside prices have begun to recover. Petitioner's Posthearing Brief, Answers to Commission Questions, at 41-45.

We find it noteworthy that market conditions improved somewhat for the domestic industry after Commerce imposed preliminary duties on imports of shrimp from the four subject countries in the spring of 2024, after the end of the POI, with subject import volumes declining and the prices received by U.S. processors and fishermen increasing, as asserted by petitioner. Available import data from DataWeb confirm that total cumulated U.S. imports of frozen warmwater shrimp from the four subject countries declined by 14.0 percent in June-August 2024 as compared with June-August 2023. *Id.* at 42. Available pricing data from Urner Barry show that U.S. prices for a particular frozen warmwater shrimp product, after being stable from November 2023 to June 2024, had an uptick in July 2024, and then (Continued...)

as U.S. processors, faced with loss of market share and lower prices due to subject imports, lowered the price they would pay for fresh shrimp, resulting in lower prices for fishermen and reducing their incentive to shrimp, which in turn resulted in fewer fishing days, fewer boats in operation, fewer PRWs, and lower output.²⁹¹

Respondents argue that subject imports could not have caused any injury to the domestic industry because of biological constraints on domestic harvests of warmwater shrimp, and assert that various causes other than subject imports explain any injury to the domestic industry, including falling demand, environmental factors, labor constraints, diesel prices, failure to make capital investments, and increasing selling, general, and administrative (“SG&A”) expenses. As explained below, the factors highlighted by the respondents do not sever the causal link between the significant volume of low-priced subject imports and the domestic industry’s deteriorating condition during the POI.

We are unpersuaded by Indian Respondents’ argument that there is no causal link between subject imports and any injury to the domestic industry because of biological limits on the amount of wild-caught shrimp that U.S. fishermen can harvest. They contend that because of these limits, domestic supply is largely fixed, and subject import volumes could have no effect on the domestic industry’s sales volume or fishermen’s ex-vessel prices, and subject

further increased in October 2024. *Id.* at 42-43. Moreover, available landings data show that fishermen’s ex-vessel prices for most of the shrimp products surveyed were higher, in some cases substantially higher, in June and July 2024 as compared with June and July of 2023. *Id.* at 43-44. The domestic industry’s improved pricing after Commerce’s imposition of preliminary duties lends further support to our finding that low-priced subject imports caused the industry’s declining performance during the POI.

²⁹¹ CR/PR at Tables F-12 to F-14.

import prices likewise could have no effect on domestic supply.²⁹² In support of this argument, they proffer an economic analysis prepared by ION Economics (the “ION report”).²⁹³

It is undisputed that there is ultimately some biological limit on the quantity of warmwater shrimp in the Gulf Coast and other U.S. territorial waters that can be harvested during any particular period of time.²⁹⁴ However, the existence of an undefined biological limit is irrelevant given evidence on the record that subject imports adversely impacted the domestic industry during the POI, and there is no information in the record that this undefined limit constrained supplies of domestically produced warmwater shrimp during the period and prevented the domestic industry from increasing production. As discussed in section VI.B.2 above, 352 of 385 (91.4 percent) responding U.S. fishermen reported that the availability of live warmwater shrimp in the Gulf of Mexico or off the Atlantic Coast in U.S. territorial waters did not affect the supply of fresh warmwater shrimp.²⁹⁵ Moreover, a majority of responding U.S. processors reported that availability of wild-caught fresh warmwater shrimp in the United States did not constrain their ability to process frozen warmwater shrimp during the POI.²⁹⁶ In addition, the processors’ end of period inventories increased over the POI, and were equivalent to 28.9 percent of the processors’ total U.S. shipments in 2022 and 37.4 percent in 2023. Thus, U.S. processors had the ability to ship additional volumes of frozen warmwater shrimp to the

²⁹² Indian Respondents’ Prehearing Brief at 23-26; Indian Respondents’ Posthearing Brief at 6-8; Hearing Tr. at 157-160 (Dougan).

²⁹³ Indian Respondents’ Prehearing Brief, ION Economic Analysis Appendix.

²⁹⁴ Hearing Tr. at 113 (Drake).

²⁹⁵ CR/PR at Table F-8. Similarly, individual U.S. fishermen that commented on the availability of live warmwater shrimp reported that the supply of shrimp is abundant. Hearing Tr. at 42 (Garcia), 50 (Jones), 101 (Tran); CR/PR at Table F-7. When asked if there were other factors affecting demand for warmwater shrimp, however, 354 of 384 fishermen reported that there were such factors, with many highlighting the ***. CR/PR at Tables F-9, F-10.

²⁹⁶ CR/PR at Table III-10.

market (the 2023 inventory level was equivalent to 2.2 percent of apparent consumption that year).²⁹⁷

Furthermore, notwithstanding any eventual limit on the volume of warmwater shrimp that may be harvested in U.S. territorial waters, the quantity of wild-caught shrimp harvested by U.S. fishermen during the POI, and hence the quantity of domestic production of frozen warmwater shrimp by U.S. processors during the period, is largely dictated by the financial incentives for fishermen to harvest shrimp. As noted above, many U.S. shrimp fishermen have been reducing their fishing efforts or abandoning them entirely, because the declining ex-vessel prices as a result of competition from subject import have made it no longer viable for many of them to continue.²⁹⁸ Responding U.S. fishermen reported a decline of 11.5 percent from 2021 to 2023 in the number of PRWs employed, a 16.6 percent decline in the total number of fishing days, and a 3.2 percent decline in the number of boats operated.²⁹⁹

Moreover, we are unpersuaded that the ION economic report establishes that domestic warmwater shrimp supplies are determined by biological limits, given the report's limitations. For example, at the hearing, a representative for respondents acknowledged that they were unable to include substantial data regarding landings in the South Atlantic in the ION report because those data were not available from the National Oceanic and Atmospheric Administration ("NOAA") in time for preparation of the report.³⁰⁰ Furthermore, the ION report

²⁹⁷ Derived from CR/PR at Tables III-15, C-1.

²⁹⁸ CR/PR at Tables F-9, F-16 through F-21; Hearing Tr. at 32, 98 (Gibson), 39-43, 117-118 (Garcia), 43-46, 100-101 (Tran), 50 (Jones), 98-100, 118 (Cooper).

²⁹⁹ CR/PR at F-9, Tables F-11, F-13.

³⁰⁰ Hearing Tr. at 216-217 (Dougan). Petitioner and AHSTAC contend that the ION report relies on interim data from NOAA that were subsequently revised substantially, making the ION report data (Continued...)

has methodological flaws, in that it runs a series of simple regression analyses to test the relationship between a single independent variable (*e.g.*, ex-vessel prices), and the dependent variable (*e.g.*, domestic landings), but did not perform any multiple regression analyses to control for the many factors simultaneously affecting the independent and dependent variables (*e.g.* diesel prices).³⁰¹ In addition, the ION report's focus on a time period (2012 through June 2024) in which imports dominated the U.S. shrimp market, to the exclusion of supply conditions before imports entered the market in such large quantities, calls into question the finding that domestic supply is determined by fixed biological limits, and not affected by imports.³⁰² Accordingly, we do not rely on the ION report in our analysis, and we disagree with Indian Respondents that an eventual unknown limit on U.S. fishermen's harvesting of wild warmwater shrimp should supersede other record evidence indicating that there was available supply of wild warmwater shrimp throughout the POI. As discussed above, the record shows that fishermen reduced their output during the POI and limited the days they fished, not because of

unreliable, while Indian Respondents dispute this, contending that the ION report relied upon the revised and most currently available data. Petitioner's Posthearing Brief, Answers to Commission Questions, at 13-14; AHSTAC's Posthearing Brief at B-1 to B-2, C-3 to C-10; Indian Respondents' Final Comments at 6-10. We are unable to resolve this data issue on this record.

³⁰¹ Petitioner's Posthearing Brief, Answers to Commissioner Questions, at 14. Petitioner also alleges that the regression model's time series data (*e.g.*, monthly landings) failed to account for the "autocorrelation" principle that landings in one month may affect landings in the subsequent month. See Indian Respondents' Prehearing Brief, ION Economic Analysis Appendix, Exhibits ION-A through ION-C; Petitioner's Reply Brief, Answers to Commission Questions, at 14-15.

³⁰² Indian Respondents' Prehearing Brief, ION Economic Analysis Appendix at 3; Petitioner's Posthearing Brief, Answers to Commission Questions, at 15-16. The ION report states that it chose to use data for the period beginning in 2012 because prior to that year the relevant HTS number for imports of shrimp combined coldwater shrimp with warmwater shrimp, and the import data were thus not comparable with the landings data. Indian Respondents' Prehearing Brief, ION Economic Analysis Appendix at 3 n.2.

limitations on the availability of warmwater shrimp in the sea, but because of competition from low-priced subject imports.³⁰³

We are also unpersuaded by respondents' argument that any injury to the domestic industry can be explained by falling U.S. demand between 2021 and 2023.³⁰⁴ Declining U.S. consumption does not explain the market share shift from U.S. processors to cumulated subject imports between 2021 and 2023. Indeed, that market share shift at a time of declining demand is inconsistent with Indian Respondents' argument that the role of subject imports is to fill the gap when demand increases that the domestic industry cannot supply, given its steady level of sales and production.³⁰⁵ Here, as apparent U.S. consumption declined between 2021 and 2023, cumulated subject imports nevertheless increased their market share by *** percentage points, and took 0.8 percentage points of market share from the domestic industry, even though the industry was capable of supplying additional volumes of shrimp.³⁰⁶ Moreover, a decline in U.S. consumption does not explain the extent of the deterioration in the domestic industry's condition during the POI, as the industry's output indicators declined by far more than apparent U.S. consumption. As apparent U.S. consumption declined by 13.6 percent between 2021 and 2023, U.S. processors' production declined by 21.1 percent and their U.S. shipments declined by 26.3 percent.³⁰⁷ In addition, the domestic industry's net sales AUVs declined by 21.7

³⁰³ See, e.g., CR/PR at Tables F-7 to F-14.

³⁰⁴ Indian Respondents' Posthearing Brief at 12, 15

³⁰⁵ Indian Respondents' Prehearing Brief at 19, 24-26; Hearing Tr. at 17 (Almond). We note that respondents' argument that subject imports are filling a gap in demand due to limited domestic supply seems to undermine their argument that subject imports and the domestic product are not interchangeable. See, e.g., Indian Respondents' Posthearing Brief at 7 and Answers to Commission Questions at 4.

³⁰⁶ CR/PR at Table C-1. As discussed above, U.S. processors' production, U.S. shipments, and capacity utilization all declined from 2021 to 2023 as inventory levels increased by 69.7 percent. *Id.*

³⁰⁷ CR/PR at Table C-1.

percent, and the value of U.S. shipments declined by 39.5 percent,³⁰⁸ while U.S. fishermen saw their sales value declining by 44.2 percent.³⁰⁹ Finally, Indian Respondents assert that demand was strong throughout the POI, and that apparent U.S. consumption declined from 2021 to 2023 only because of elevated U.S. demand in 2021 related to the COVID-19 pandemic, while demand reverted to “long-term steady growth levels” in 2022 and 2023.³¹⁰

We are also unpersuaded by Indonesian Respondents’ argument that any injury to the domestic industry is explained by several environmental factors, including hurricanes, a “dead zone” in the Gulf of Mexico, and rising water temperatures.³¹¹ Although these environmental conditions exist, the Indonesian Respondents’ argument that these conditions explain the deterioration in the domestic industry’s performance during the POI is highly speculative and without support in the record.

There were several hurricanes affecting the domestic industry during the POI, in particular Hurricane Ida, which hit Louisiana in August 2021, and Hurricane Ian, which hit Florida in September 2022, both striking areas with many shrimp boats and destroying some of those boats.³¹² Although some U.S. fishermen and U.S. processors reported that their operations were damaged by hurricanes,³¹³ the record does not indicate that they significantly

³⁰⁸ CR/PR at Table C-1.

³⁰⁹ CR/PR at F-10.

³¹⁰ Indian Respondents’ Prehearing Brief at 21-22; Indian Respondents’ Posthearing Brief at 2-3; Hearing Tr. at 17-18, 139-140 (Almond); 260 (Colarusso).

³¹¹ Indonesian Respondents’ Prehearing Brief at 22-26; Indonesian Respondents’ Posthearing Brief at 11-15.

³¹² CR/PR at Table III-3. Several U.S. fishermen reported that hurricanes had affected supply at least temporarily during the POI, with one, ***, reporting ***. CR/PR at Table F-5.

³¹³ CR/PR at Table III-4. A hearing witness from Tidelands Seafood Company reported that it lost power for months because of Hurricane Ida, while *** reported that it ***, and *** reported that it ***. *Id.*; Hearing Tr. at 33 (Gibson).

affected the U.S. shrimp fishing fleet's overall ability to harvest warmwater shrimp or U.S. processors' ability to process it. When U.S. fishermen were asked whether any natural disasters or diseases had affected the supply of fresh warmwater shrimp, 72.9 percent of responding fishermen (280 of 384) reported that they had not affected supply.

Since hurricanes and other storms are a common experience in the Gulf Coast and Florida coast regions, U.S. fishermen and processors are experienced at avoiding the worst of hurricanes, and cooperating with each other to continue fishing and/or processing warmwater shrimp after a hurricane.³¹⁴ U.S. fishermen have modernized fleets enabling them to harvest shrimp in a larger geographical area than before, and thus can position their boats to move to a different region and avoid the path of the hurricane.³¹⁵ Some industry witnesses testified at the hearing that shrimp harvests are actually larger for fishermen when they fish behind a hurricane or after a hurricane has passed.³¹⁶ Thus, the record does not indicate that hurricanes explain the injury that the domestic industry suffered during the POI.

Similarly, there is no evidence in the record that hypoxia, a "dead zone" in the Gulf of Mexico, was a cause of injury to the domestic industry. The record indicates that the dead zone is a natural event that occurs annually in the Gulf of Mexico, and is known both by shrimp fishermen and shrimp populations.³¹⁷ Industry witnesses testified that warmwater shrimp

³¹⁴ Hearing Tr. at 33 (Gibson); 106 (Pearson).

³¹⁵ Hearing Tr. at 104-106 (Antley), 106-107 (Pearson), 109-110 (Tran).

³¹⁶ Hearing Tr. at 105 (Antley), 110 (Tran), 110 (Londrie). One of the Indonesian Respondents' own exhibits confirms that hurricanes can result in large shrimp harvests, with a press article stating that "{s}torms stir things up, which encourages feeding, so shrimping is often better in the year after a hurricane, despite the immediate disruptive aftermath" and quoting a long-time shrimp fisherman who stated that "{u}sually a hurricane helps us." Indonesian Respondents' Prehearing Brief at Exh. 6.

³¹⁷ AHSTAC's Posthearing Brief at A-8 to A-9 and Exh. APP-11.

sense the existence of a dead zone and move ahead of it to avoid it, and that there is no documented case of shrimp dying off from a dead zone. U.S. shrimp fishermen likewise move their boats to avoid a dead zone and locate where the shrimp have moved and concentrated, and catch them there.³¹⁸ Thus, the record does not support respondents' argument that the existence of a dead zone is a source of injury to the domestic industry.³¹⁹

We are unpersuaded by Indonesian Respondents' argument that the domestic industry's deteriorating financial condition during the POI was caused by labor constraints rather than subject imports.³²⁰ A number of U.S. processors reported problems during the POI in finding qualified labor.³²¹ However, U.S. processors were instructed to take these constraints into consideration when reporting their practical production capacity, and the processors' practical capacity actually increased during the POI, yet capacity utilization declined.³²² In addition, as noted, a number of shrimp fishermen reported labor issues because their crews could not make enough money to keep working on the boats in light of the low dockside prices

³¹⁸ Hearing Tr. at 107 (Pearson, Gollott).

³¹⁹ Likewise, there is no evidence that warmer waters resulting from global warming or climate change in general explain the injury to the domestic industry, and in particular its loss of market share and its price declines. Indonesian Respondents' Prehearing Brief at 25-26. Moreover, industry witnesses testified that warmer waters have resulted in longer shrimp harvesting seasons and a larger geographical area on the East Coast in which shrimp have been caught, including Virginia, Maryland, and New Jersey. Hearing Tr. at 108 (Garcia), 108-109 (Antley), 110 (Londale), 114 (Jones).

³²⁰ Indonesian Respondents' Prehearing Brief at 20-21; Indonesian Respondents' Posthearing Brief at 9.

³²¹ CR/PR at Table III-6. One U.S. processor testified that processors have run their plants more efficiently in light of labor constraints and thus have not been affected by labor shortages as much as shrimp fishermen have. Hearing Tr. at 120 (Pearson).

³²² See U.S. Processors' Questionnaire at II-3a (explaining that practical capacity refers to the level of production a firm could have reasonably expected to achieve without hiring new personnel); CR/PR at Tables III-5, III-6.

and reduced shrimping activity as a result of competition from low-priced subject imports.³²³ Thus, the record indicates that the industry's labor constraints were not a cause of its injury, but rather in some cases were a result of subject imports depressing the domestic industry's prices.³²⁴

Respondents argue that an increase in the cost of diesel fuel was the cause of any injury to U.S. shrimp fishermen.³²⁵ As noted, the record shows that cost of diesel fuel in the Gulf Coast increased during the first half of the POI, but then declined during the second half of the POI, with some fluctuations.³²⁶ While U.S. fishermen's fuel and oil operating expenses increased by 8.5 percent from 2021 to 2022, they dropped sharply by 27.2 percent in 2023, for an overall decrease of 21.1 percent between 2021 and 2023.³²⁷ Similarly, the fishermen's unit value for its fuel and oil expenses declined by 18.9 percent from 2021 to 2023, increasing from \$1.03 per pound in 2021 to \$1.18 per pound in 2022, and then declining to \$0.84 per pound in 2023.³²⁸

If, as respondents claim, the fuel and oil cost was the most important driver of any injury to the fishermen, then there should have been a major improvement in their financial condition in 2023 given the sharp decline in their fuel and oil cost.³²⁹ Instead, the fishermen

³²³ CR/PR at Tables F-9, F-16 through F-21; Hearing Tr. at 32, 98 (Gibson), 39-43, 117-118 (Garcia), 43-46, 100-101 (Tran), 98-100, 118 (Cooper).

³²⁴ Hearing Tr. at 41-42, 117-118 (Garcia), 45-46 (Tran), 118 (Cooper), 118-119 (Londrie).

³²⁵ Ecuadorian Respondents' Posthearing Brief at 1-4; Indonesian Respondents' Prehearing Brief at 20-21; Indonesian Respondents' Posthearing Brief at 8-9.

³²⁶ CR/PR at V-1, Figure V-1, Table V-1.

³²⁷ CR/PR at F-10. U.S. fishermen's fuel and oil expenses increased from \$37.1 million to \$40.3 million in 2022, and then declined to \$29.3 million in 2023. *Id.* at Table F-14.

³²⁸ CR/PR at Table F-14. On a per unit basis, U.S. fishermen's fuel and oil expenses increased by 15.0 percent from 2021 to 2022, then declined by 29.4 percent from 2022 to 2023. *Id.* at Table F-15.

³²⁹ The fishermen's unit value for their fuel and oil expenses declined by 29.4 percent from 2022 to 2023. CR/PR at Table F-15.

experienced an operating loss that year, with their worst operating ratio (negative 2.4 percent) of the POI, as their net sales AUV declined by a much greater amount than the unit value of their fuel and oil expenses.³³⁰ Thus, the fishermen’s injury was not caused by their fuel and oil expenses, but rather by their falling prices as a result of subject imports.³³¹

We also are unpersuaded by the Ecuadorian Respondents’ argument that the domestic industry failed to make sufficient investments to produce “value-added” products to compete with subject imports of farm-raised warmwater shrimp.³³² To the contrary, the record shows that the domestic industry did try to make such investments, as its capital expenditures increased by 26.1 percent from 2021 to 2023, and were 14.0 percent higher in interim 2024 than in interim 2023.³³³ Moreover, a substantial number of responding U.S. processors reported that they had to cancel, postpone, or scale back investment projects, including projects to enable them to produce more value-added products, because of competition from low-priced subject imports.³³⁴ Thus, the record indicates that the domestic industry’ efforts to

³³⁰ CR/PR at Table F-14. The fishermen’s net sales AUV declined by 42.6 percent from 2021 to 2023, falling from \$3.66 per pound in 2021 to \$3.05 per pound in 2022 and \$2.10 per pound in 2023. *Id.*

³³¹ We note that the spread between the fishermen’s net sales AUV and their unit fuel and oil costs reached its lowest level during the POI in 2023, declining from \$2.63 per pound in 2021 to \$1.87 per pound in 2022 and then to \$1.26 per pound in 2023. Derived from CR/PR at Table F-14.

³³² Ecuadorian Respondents’ Prehearing Brief at 27-29.

³³³ CR/PR at Tables VI-4, C-1. For example, C.F. Gollott and Son Seafood made a multi-million dollar investment in a large IQF line and a packing line to run it. Hearing Tr. at 29 (Gollott).

³³⁴ CR/PR at Table VI-11. For example, as a result of its weak financial performance due to subject imports, Wood’s Fisheries shelved or paused capital investments to help it produce high-end peeled and deveined product and to offer its products in steam bags that could be prepared in a microwave oven. Hearing Tr. at 37 (Antley).

make capital investments to increase its ability to produce value-added products were hampered by competition from low-priced subject imports.³³⁵

We have also considered the role of nonsubject imports in these investigations. The volume of nonsubject imports declined by *** percent from 2021 to 2023 and was *** percent lower in interim 2024 as compared with interim 2023.³³⁶ The market share of nonsubject imports declined by *** percentage points from 2021 to 2023, falling from *** percent in 2021 to *** percent in 2022 and *** percent in 2023; it was *** percentage points lower at *** percent, in interim 2024, as compared with *** percent in interim 2023.³³⁷ Thus, nonsubject imports do not account for the domestic industry's declining market share from 2021 to 2023. Moreover, the AUVs for nonsubject imports were *** those of cumulated subject imports and

³³⁵ We also are unpersuaded by Indian Respondents' argument that the decline in the domestic industry's financial performance was attributable not to subject imports, but to an increase in the six largest U.S. processors' sales, general, and administrative (SG&A) expenses between 2021 and 2023, driven by absolute increases in those expenses by *** of the largest U.S. processors. Indian Respondents' Posthearing Brief, Answers to Commission Questions, at 25-27. As an initial matter, we must consider the impact of subject imports on the domestic industry as a whole, not on individual firms. 19 U.S.C. § 1677(4)(A). While U.S. processors' total SG&A expenses declined by 7.7 percent between 2021 and 2023, U.S. processors' net sales quantity and net sales revenue declined by much more, 25.4 and 39.2 percent, respectively, as subject imports significantly undersold the domestic like product, took market share from the domestic industry, and depressed U.S. producers' prices. CR/PR at Table C-1. Thus, the record indicates that U.S. processors' SG&A expenses increased as a ratio to net sales as net sales values declined faster than SG&A expenses and on a per unit basis as processors had fewer sales over which to spread those expenses. CR/PR at Table VI-1. Accordingly, we do not find that increases in SG&A expenses by certain individual processors explain the domestic industry's declining financial performance.

³³⁶ The volume of nonsubject imports declined from *** pounds in 2021 to *** pounds in 2022 and *** pounds in 2023; it was lower in interim 2024, at *** million pounds, as compared with *** pounds in interim 2023. CR/PR at Tables IV-2, C-1.

³³⁷ CR/PR at Tables IV-11, C-1.

the domestic like product throughout the POI.³³⁸ Accordingly, nonsubject imports do not explain the injury we have attributed to cumulated subject imports over the POI.

Ecuadorian Respondents contend that the Commission failed to develop an adequate record for these investigations because it did not adopt all of the questions proposed in their comments on the Commission's draft final phase questionnaires.³³⁹ In considering the questions proposed by parties in their comments on the draft questionnaires, however, the Commission must weigh the likely probative value of the information those requests would elicit against the burden that including those requests in the questionnaire would impose on responding parties. Furthermore, the Commission must evaluate different, often conflicting, requests from the comments of other interested parties on the same issues.³⁴⁰ With respect to

³³⁸ Nonsubject import AUVs were \$*** per pound in 2021, \$*** per pound in 2022, and \$*** per pound in 2023; they were lower in interim 2024, at \$*** per pound, compared with \$*** per pound in interim 2023. CR/PR at Table C-1. Cumulated subject import AUVs were *** per pound in 2021, \$*** per pound in 2022, and \$*** per pound in 2023; they were lower in interim 2024, at \$*** per pound, compared with \$*** per pound in interim 2023. *Id.* The domestic industry's U.S. shipment AUVs were \$4.69 per pound in 2021, \$4.63 per pound in 2022, and \$3.67 per pound in 2023; they were higher in interim 2024, at \$4.54 per pound, compared with \$3.36 per pound in interim 2023. *Id.*

³³⁹ Specifically they contend that the Commission (1) failed to ask shrimp fishermen to report the volume of diesel fuel that they purchased during the POI; (2) failed to ask U.S. processors to report the volume of shrimp that they shipped to each state during 2023; (3) failed to ask U.S. processors to report their U.S. shipments by product type; (4) failed to request information processors to report their shipment volumes to each distinct channel of distribution; and (5) failed to request information from U.S. processors regarding the nature and amount of their capital investments during the POI. Ecuadorian Respondents' Prehearing Brief at 3-19.

³⁴⁰ The Commission circulated draft final phase questionnaires on January 26, 2024 for comment by the parties (EDIS Document No. 812701). The Commission received six sets of comments on March 4, 2024 on the draft questionnaires from the following parties: petitioner (EDIS Document No. 815420); AHSTAC (EDIS Document No. 815428); U.S. Shrimpers' Coalition (EDIS Document No. 815443); Ecuadorian Respondents (EDIS Document No. 815430); Indian Respondents (EDIS Document No. 815451); and Vietnamese Respondents (EDIS Document No. 815433). After taking into account the comments from the parties, the Commission issued its final phase questionnaires on June 26, 2024 (EDIS Document No. 824492).

each issue identified by the Ecuadorian Respondents, the Commission collected sufficient data to analyze the issue.

Diesel Fuel. The Commission collected data from U.S. fishermen concerning their costs of fuel and oil,³⁴¹ and gathered publicly available data on the price of diesel fuel in the Gulf Coast region.³⁴² Ecuadorian Respondents were able to present their principal argument in their posthearing brief regarding diesel fuel costs based on the record data that the Commission presented in the prehearing report.³⁴³

Geographical Shipments. The Commission requested that U.S. processors and importers report the percentage of their U.S. shipments to seven geographic regions in the United States in 2023 (with the states in each region identified).³⁴⁴ In doing so, the Commission chose to adopt the regional approach requested by the Vietnamese Respondents rather than the 50 state approach requested by Ecuadorian Respondents, which would have been far more burdensome for responding U.S. processors and importers.³⁴⁵

Shipments by Product Type. The Commission asked U.S. processors and importers to report their U.S. shipments by various product types, including raw, head on, shell on shrimp, and semi-block IQF, as requested by Ecuadorian Respondents.³⁴⁶ The final questionnaires requested shipment data for both deveined and undeveined shrimp, but did not include

³⁴¹ U.S. Fishermen's Questionnaire at III-2 (EDIS Document 8244492); CR/PR at F-10 to F-13, Tables F-14 to F-15.

³⁴² CR/PR at V-1 to V-2, Figure V-1, Table V-1.

³⁴³ Ecuadorian Respondents' Posthearing Brief at 1-4.

³⁴⁴ U.S. Processors' Questionnaire at IV-10 (EDIS Document No. 824492); U.S. Importers' Questionnaire at III-10 (EDIS Document No. 824492); CR/PR at Tables II-2, IV-9, Figures IV-6, IV-7.

³⁴⁵ Ecuadorian Respondents' Prehearing Brief, Exh. 1, at 4-6; see Vietnamese Respondents' Comments on Draft Questionnaires, March 4, 2024, at 2 (EDIS Document No. 815433).

³⁴⁶ U.S. Processors' Questionnaire at II-10 (EDIS Document No. 824492); U.S. Importers' Questionnaire at II-5c through II-14c (EDIS Document No. 824492).

questions asking for shipments of “EZ peel” shrimp, given Ecuadorian Respondents’ lack of a definition of the term in their comments.³⁴⁷

Channels of Distribution. The Commission collected information from U.S. processors and importers on their shipment volumes to four distinct channels of distribution, including “food processors” as requested by Ecuadorian Respondents.³⁴⁸ The Commission also asked each purchaser to check a box identifying to which of nine distribution categories it belonged.³⁴⁹

Capital Investments. The Commission asked U.S. processors to provide descriptions and the amounts of their largest reported capital expenditures, as requested by Ecuadorian Respondents.³⁵⁰

Thus, the Commission collected all the information necessary for it to fully consider the relevant issues raised by Ecuadorian Respondents and all other issues in the investigations, as reflected by the voluminous information in the Commission’s report.

In sum, based on the record of the final phase of these investigations, we conclude that cumulated subject imports had a significant adverse impact on the domestic industry.

³⁴⁷ As noted, the Ecuadorian Respondents did not define “EZ peel” shrimp until much later, in their prehearing brief. Ecuadorian Respondents’ Prehearing Brief at 14 n.10.

³⁴⁸ U.S. Processors’ Questionnaire at II-9 (EDIS Document No. 824492); U.S. Importers’ Questionnaire at II-5b, II-14b (EDIS Document No. 824492); CR/PR at Table II-1.

³⁴⁹ U.S. Purchasers’ Questionnaire at III-1 (EDIS Document No. 824492). The Commission declined to incorporate Ecuadorian Respondents’ request that each U.S. processor and importer provide data for shipment volumes and identify the five largest customers for nine separate channels of distribution, given the burden this would have placed on responding parties.

³⁵⁰ U.S. Processors’ Questionnaire at Question III-13b (EDIS Document No.824492); CR/PR at VI-18 to VI-19. Tables VI- to VI-5.

VII. Conclusion

For the reasons stated above, we determine that an industry in the United States is materially injured by reason of subject imports of frozen warmwater shrimp from Indonesia that are sold in the United States at less than fair value, and subject imports of frozen warmwater shrimp from Ecuador, India, and Vietnam that are subsidized by the governments of Ecuador, India, and Vietnam.

Part I: Introduction

Background

These investigations result from petitions filed with the U.S. Department of Commerce (“Commerce”) and the U.S. International Trade Commission (“USITC” or “Commission”) by the American Shrimp Processors Association (“ASPA”), Port Arthur, Texas, on October 25, 2023, alleging that an industry in the United States is materially injured and threatened with material injury by reason of less-than-fair-value (“LTFV”) imports of frozen warmwater shrimp¹ from Ecuador and Indonesia and subsidized imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam. Table I-1 presents information relating to the background of these investigations.^{2 3}

¹ See the section entitled “The subject merchandise” in Part I of this report for a complete description of the merchandise subject in this proceeding.

² Pertinent Federal Register notices are referenced in appendix A, and may be found at the Commission’s website (www.usitc.gov).

³ Appendix B presents a list of witnesses who appeared at the Commission’s hearing.

Table I-1
Frozen warmwater shrimp: Information relating to the background and schedule of this proceeding

Effective date	Action
October 25, 2023	Petitions filed with Commerce and the Commission; institution of the Commission investigations (88 FR 74511, October 31, 2023)
November 14, 2023	Commerce's notice of initiation of its AD investigations with respect to Ecuador and Indonesia (88 FR 81043, November 21, 2023); and its CVD investigations with respect to Ecuador, India, Indonesia, and Vietnam (88 FR 81053, November 21, 2023)
December 11, 2023	Commission's preliminary determinations (88 FR 86677, December 14, 2023)
April 1, 2024	Commerce's preliminary affirmative CVD determinations with respect to Ecuador, India, and Vietnam (89 FR 22379, 89 FR 22386, and 89 FR 22374, April 1, 2024); and its preliminary negative CVD determination with respect to Indonesia (89 FR 22383, April 1, 2024)
April 25, 2024	Commerce's amended preliminary affirmative CVD determination with respect to Ecuador (89 FR 31722, April 25, 2024)
May 30, 2024	Commerce's preliminary AD determinations with respect to Ecuador and Indonesia (89 FR 46857 and 89 FR 46861, May 30, 2024); scheduling of final phase of Commission investigations (89 FR 53444, June 26, 2024)
October 22, 2024	Commission's hearing
October 28, 2024	Commerce's final affirmative CVD determinations with respect to Ecuador, India, and Vietnam (89 FR 85506, 89 FR 85502, and 89 FR 85500, October 28, 2024); its final negative CVD determination with respect to Indonesia (89 FR 85512, October 28, 2024); its final affirmative AD determination with respect to Indonesia (89 FR 85498, October 28, 2024); and its final negative AD determination with respect to Ecuador (89 FR 85508, October 28, 2024)
October 28, 2024	Commission's termination of the CVD investigation with respect to Indonesia and the AD investigation with respect to Ecuador (89 FR 88061, November 6, 2024)
November 19, 2024	Commission's vote
December 12, 2024	Commission's views

Statutory criteria

Section 771(7)(B) of the Tariff Act of 1930 (the “Act”) (19 U.S.C. § 1677(7)(B)) provides that in making its determinations of injury to an industry in the United States, the Commission--

shall consider (I) the volume of imports of the subject merchandise, (II) the effect of imports of that merchandise on prices in the United States for domestic like products, and (III) the impact of imports of such merchandise on domestic producers of domestic like products, but only in the context of production operations within the United States; and. . . may consider such other economic factors as are relevant to the determination regarding whether there is material injury by reason of imports.

Section 771(7)(C) of the Act (19 U.S.C. § 1677(7)(C)) further provides that--⁴

In evaluating the volume of imports of merchandise, the Commission shall consider whether the volume of imports of the merchandise, or any increase in that volume, either in absolute terms or relative to production or consumption in the United States is significant. . . .In evaluating the effect of imports of such merchandise on prices, the Commission shall consider whether. . .(I) there has been significant price underselling by the imported merchandise as compared with the price of domestic like products of the United States, and (II) the effect of imports of such merchandise otherwise depresses prices to a significant degree or prevents price increases, which otherwise would have occurred, to a significant degree. . . . In examining the impact required to be considered under subparagraph (B)(i)(III), the Commission shall evaluate (within the context of the business cycle and conditions of competition that are distinctive to the affected industry) all relevant economic factors which have a bearing on the state of the industry in the United States, including, but not limited to. . . (I) actual and potential decline in output, sales, market share, gross profits, operating profits, net profits, ability to service debt, productivity, return on investments, return on assets, and utilization of capacity, (II) factors affecting domestic prices, (III) actual and potential negative effects on cash flow, inventories, employment, wages, growth, ability to raise capital, and investment, (IV) actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and (V) in {an antidumping investigation}, the magnitude of the margin of dumping.

⁴ Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

In addition, Section 771(7)(J) of the Act (19 U.S.C. § 1677(7)(J)) provides that—⁵

(J) EFFECT OF PROFITABILITY.—The Commission may not determine that there is no material injury or threat of material injury to an industry in the United States merely because that industry is profitable or because the performance of that industry has recently improved.

Organization of report

Part I of this report presents information on the subject merchandise, subsidy rates/dumping margins, and domestic like product. Part II of this report presents information on conditions of competition and other relevant economic factors. Part III presents information on the condition of the U.S. industry, including data on capacity, production, shipments, inventories, and employment. Parts IV and V present the volume of subject imports and pricing of domestic and imported products, respectively. Part VI presents information on the financial experience of U.S. producers. Part VII presents the statutory requirements and information obtained for use in the Commission’s consideration of the question of threat of material injury as well as information regarding nonsubject countries.

Market summary

Frozen warmwater shrimp is generally used for human consumption. The leading U.S. producers of frozen warmwater shrimp are ***, while leading producers of frozen warmwater shrimp outside the United States include *** of Ecuador, *** of India, *** of Indonesia, and *** of Vietnam.

The leading U.S. importers of frozen warmwater shrimp from Ecuador are ***. The leading importers of frozen warmwater shrimp from India are ***. The leading importers of frozen warmwater shrimp from subject sources in Indonesia are ***.

⁵ Amended by PL 114-27 (as signed, June 29, 2015), Trade Preferences Extension Act of 2015.

The leading importers of frozen warmwater shrimp from the nonsubject source in Indonesia (PT Bahari Makmur Sejati “BMS”) are ***. The leading importer of frozen warmwater shrimp from Vietnam is ***. Leading importers of frozen warmwater shrimp from other nonsubject countries include ***.

Apparent U.S. consumption of fresh and frozen warmwater shrimp totaled approximately 1.7 billion pounds (\$6.5 billion) in 2023. Currently, twenty firms are known to produce frozen warmwater shrimp in the United States. U.S. producers’ U.S. shipments of frozen warmwater shrimp totaled 97.9 million pounds (\$389.7 million) in 2023, and accounted for 5.8 percent of apparent U.S. consumption by quantity and 6.0 percent by value. U.S. imports of frozen warmwater shrimp from subject sources totaled *** pounds (\$***) in 2023 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value.

U.S. imports of frozen warmwater shrimp from nonsubject sources totaled *** pounds (\$***) in 2023 and accounted for *** percent of apparent U.S. consumption by quantity and *** percent by value. U.S. fishermen’s sales of fresh warmwater shrimp totaled approximately 17.3 million pounds (\$32.9 million) in 2023 and accounted for 1.0 percent of apparent U.S. consumption by quantity and 0.5 percent by value. U.S. imports of fresh warmwater shrimp totaled approximately 757,000 pounds (\$4.0 million) in 2023 and accounted for less than 0.05 percent of apparent U.S. consumption by quantity and 0.1 percent by value.

Summary data and data sources

A summary of data collected in these investigations is presented in appendix C, table C-1. Except as noted, U.S. industry data are based on questionnaire responses of 20 firms that accounted for over 80 percent of U.S. production of frozen warmwater shrimp based on live (head-on, shell-on) weight during 2023. U.S. imports are based on adjusted official import statistics from Commerce.

Previous and related investigations

The Commission has conducted previous import relief investigations on frozen warmwater shrimp. Table I-2 presents information on previous and related investigations.

Table I-2
Frozen warmwater shrimp: Previous and related Commission proceedings and status of orders

Date	Number	Country	Determination	Current Status of Order
2003	731-TA-1063	Brazil	Affirmative	Order revoked after the second review, effective April 2016
2003	731-TA-1064	China	Affirmative	Order continued after third review, July 2023
2003	731-TA-1065	Ecuador	Affirmative	Order revoked prior to the first review, August 2007
2003	731-TA-1066	India	Affirmative	Order continued after third review, July 2023
2003	731-TA-1067	Thailand	Affirmative	Order continued after third review, July 2023
2003	731-TA-1068	Vietnam	Affirmative	Order continued after third review, July 2023
2012	701-TA-491	China	Negative (Commission)	---
2012	701-TA-492	Ecuador	Negative (Commission)	---
2012	701-TA-493	India	Negative (Commission)	---
2012	701-TA-494	Indonesia	Negative (Commerce)	---
2012	701-TA-495	Malaysia	Negative (Commission)	---
2012	701-TA-496	Thailand	Negative (Commerce)	---
2012	701-TA-497	Vietnam	Negative (Commission)	---

Source: U.S. International Trade Commission publications and Federal Register notices.

Note: "Date" refers to the year in which the investigation was instituted by the Commission.

Nature and extent of subsidies and sales at LTFV

Subsidies

On October 28, 2024, Commerce published notices in the Federal Register of its final affirmative determinations of countervailable subsidies for producers and exporters of frozen warmwater shrimp from Ecuador, India, and Vietnam.⁶ Also on October 28, 2024, Commerce published a notice in the Federal Register of its final negative determination of countervailable subsidies for producers and exporters of frozen warmwater shrimp from Indonesia.⁷ Tables I-3, I-4, and I-5 present Commerce’s final affirmative findings of subsidization of frozen warmwater shrimp from Ecuador, India, and Vietnam, respectively, and table I-6 presents Commerce’s final negative determination of subsidization of frozen warmwater shrimp from Indonesia.

Table I-3
Frozen warmwater shrimp: Commerce’s final affirmative subsidy determination with respect to imports from Ecuador

Entity	Final countervailable subsidy rate (percent)
Industrial Pesquera Santa Priscila	3.57
Sociedad Nacional de Galapagos C.A.	4.41
All others	3.78

Source: 89 FR 85506, October 28, 2024.

Note: For further information on programs determined to be countervailable, see Commerce’s associated Issues and Decision Memorandum.

⁶ 89 FR 85506, 89 FR 85502, and 89 FR 85500, October 28, 2024.

⁷ 89 FR 85512, October 28, 2024.

Table I-4**Frozen warmwater shrimp: Commerce’s final affirmative subsidy determination with respect to imports from India**

Entity	Final countervailable subsidy rate (percent)
Devi Sea Foods Limited; Devi Seafoods Inc; Devee Horizon LLP, Devee Power Corporation Limited, Devee Superior Feeds Limited	5.87
Sandhya Aqua Exports Pvt. Ltd.; Neeli Sea Foods Private Limited; Vijay Aqua Processors Private Limited; Neeli Aqua Farms	5.63
All others	5.77

Source: 89 FR 85502, October 28, 2024.

Note: For further information on programs determined to be countervailable, see Commerce’s associated Issues and Decision Memorandum

Table I-5**Frozen warmwater shrimp: Commerce’s final affirmative subsidy determination with respect to imports from Vietnam**

Entity	Final countervailable subsidy rate (percent)
Soc Trang Seafood Joint Stock Company	2.84
Thong Thuan Company Limited	221.82
All others	2.84

Source: 89 FR 85500, October 28, 2024.

Note: For further information on programs determined to be countervailable, see Commerce’s associated Issues and Decision Memorandum.

Table I-6**Frozen warmwater shrimp: Commerce’s final negative subsidy determination with respect to imports from Indonesia**

Entity	Final countervailable subsidy rate (percent)
PT Bahari Makmur Sejati	0.20 (de minimis)
PT First Marine Seafoods/PT Khom Foods	0.71 (de minimis)

Source: 89 FR 85512, October 28, 2024.

Sales at LTFV

On October 28, 2024, Commerce published a notice in the Federal Register of its affirmative final determination of sales at LTFV with respect to imports from Indonesia.⁸ Also on October 28, 2024, Commerce published a notice in the Federal Register of its negative final determination of sales at LTFV with respect to imports from Ecuador.⁹ Table I-7 present Commerce's final dumping margins with respect to imports from Indonesia and table I-8 presents Commerce's final negative determination of sales at LTFV with respect to imports from Ecuador.

Table I-7

Frozen warmwater shrimp: Commerce's final weighted-average LTFV margins with respect to imports from Indonesia

Exporter/producer	Final dumping margin (percent)
PT Bahari Makmur Sejati	0.00 (de minimis)
PT First Marine Seafoods/PT Khom Foods	3.90
All others	3.90

Source: 89 FR 85498, October 28, 2024.

Table I-8

Frozen warmwater shrimp: Commerce's final negative LTFV determination with respect to imports from Ecuador

Exporter/producer	Final dumping margin (percent)
Sociedad Nacional de Galápagos C.A./Marina del Rey	0.00 (de minimis)
Industrial Pesquera Santa Priscila S.A./Tropical Packing Ecuador Tropack S.A	0.48 (de minimis)

Source: 89 FR 85508, October 28, 2024.

⁸ 89 FR 85498, October 28, 2024.

⁹ 89 FR 85508, October 28, 2024.

The subject merchandise

Commerce's scope

In the current proceeding, Commerce has defined the scope as follows:¹⁰

The scope of this investigation includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. "Tails" in this context means the tail fan, which includes the telson and the uropods.

*The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size. The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).*

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not "prepared meals," that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.21.10.20); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheading 1605.21.05.00 and 1605.29.05.00); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.29.10.40); and (7) certain

¹⁰ 89 FR 85506, October 28, 2024.

battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a “dusting” layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to IQF freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

Tariff treatment

Warmwater shrimp is classifiable in the Harmonized Tariff Schedule of the United States (“HTS”) under subheadings 0306.17.00 (frozen warmwater shrimps and prawns, whether or not farmed, whether or not in shell), 1605.21.10 (prepared or preserved shrimps and prawns, not in airtight containers), and 1605.29.10 (other prepared or preserved shrimps and prawns). Such shrimp are currently imported under the following HTS statistical reporting numbers: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. Warmwater shrimp imported from the subject countries enter the U.S. market at a column 1-general duty rate of “free” under all three HTS subheadings. As of September 24, 2018, warmwater shrimp originating in China, a non-subject country, were subject to an additional 10 percent ad valorem duty under Section 301 of the Trade Act of 1974.¹¹ On May 10, 2019, the additional duty on such warmwater shrimp from China was raised to 25 percent, and the 25 percent additional duty remains in effect.¹² Decisions on the tariff classification and treatment of imported goods are within the authority of U.S. Customs and Border Protection.

¹¹ 83 FR 47974, September 21, 2018.

¹² 84 FR 20459, May 9, 2019.

The product

Description and applications¹³

The imported products subject to these investigations are warmwater shrimp. The subject product can be any species of warmwater shrimp and includes both shrimp that were harvested from the ocean (wild-caught) and those produced by aquaculture (farm-raised). The shrimp can be in a wide variety of processed forms including head-on or head-off, tail-on or tail-off, shell-on or peeled, and deveined or not deveined. They may be raw or further processed by cooking, skewering, or processing with marinades, spices, or sauces. Food preparations containing more than 20 percent by weight of shrimp are included in the subject product. Fresh shrimp (never frozen) in any form are excluded. Likewise, coldwater shrimp in any form, shrimp in prepared meals, breaded shrimp, canned shrimp, and dried shrimp are excluded from the subject product.

Warmwater shrimp are crustaceans that usually inhabit salt waters in coastal regions in the tropics and subtropics. There are also freshwater species of shrimp. The warmwater shrimp subject to these investigations are either wild-caught or farm-raised in tropical or subtropical regions, are mostly classified in the Penaeidae family, and comprise shrimp of several genera and species.¹⁴ Imported shrimp are often farm-raised in ponds. One advantage of producing shrimp through aquaculture is that harvests of farm-raised shrimp are available year-round. Also, farmers can adjust production to respond to demand for different sizes and species. Farms also have a different cost structure than fishing boats, including lower fuel costs, which reportedly incentivized some U.S. shrimp producers to look at diversifying into aquaculture in recent years.¹⁵

¹³ Unless otherwise noted, this information is based on Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063, 1064, 1066-1068 (Review), USITC Publication 4221, March 2011, pp. I-22-I-23.

¹⁴ Subject imports may include, but are not limited to, shrimp from the following species: whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Machrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

¹⁵ This interest reportedly declined in 2022 and 2023, as shrimp prices fell. Conference transcript, pp. 26 and 99 (Antley).

A downside of shrimp farming, however, is that shrimp ponds are periodically affected by diseases that can dramatically reduce harvest levels. While these diseases can also affect wild shrimp, they are more common in farming because shrimp populations in ponds are much denser. For example, an outbreak of a disease called Early Mortality Syndrome (“EMS”) began in China in 2009 and spread to shrimp farms in Southeast Asia between 2010 and 2012. The outbreak severely curtailed production in some of the subject countries for several years thereafter. Management and prevention of this disease and others that affect farmed shrimp is an ongoing process, and the losses and costs associated with outbreaks have been known to force smaller producers out of business.¹⁶

In the United States, virtually all warmwater shrimp production remains wild-caught, despite some limited recent investments in indoor and outdoor aquaculture. The wild catch is composed primarily of brown shrimp (*Penaeus aztecus*), white shrimp (*Penaeus setiferus*), and pink shrimp (*Penaeus duorarum*). Shrimp vary greatly in size, depending on age and species. They typically grow to a harvestable size within one year; their size largely depends on the time of year they are harvested.¹⁷

Warmwater shrimp are used principally for human consumption and are sold primarily on the basis of size. Because the tail section is the edible portion and spoilage is more rapid with the head on, most shrimp are marketed raw and frozen with the heads off. The market tendency is for large shrimp (less than 36 per pound, heads-off, shell-on basis) to be sold raw and frozen to restaurants, hotels, and other food institutions; for small to medium shrimp (36 to 60 per pound) to be breaded, canned, or sold at retail; and for extra small (61 to 70 per pound) and tiny shrimp (more than 70 per pound) to be used by canners, dryers, and producers of specialty products. Over time, U.S. individually quick frozen (“IQF”) production as a share of total shipments has increased, suggesting that retail markets have become more important to U.S. processors (see the next section for a description of IQF freezing).¹⁸

¹⁶ Alune, “Everything You Need to Know about EMS in Shrimp Farming,” *The Fish Site*, November 30, 2020.

¹⁷ U.S. shrimp fisheries in both the South Atlantic and the Gulf of Mexico are seasonal, and seasonal peaks vary by species.

¹⁸ A representative from Gollot & Son Seafoods testified that the firm is installing a new IQF line to serve more of that retail market. Conference transcript, p. 83 (Drake) (Gollot).

Manufacturing processes

Harvesting

The U.S. Gulf and South Atlantic warmwater shrimp fleet¹⁹ is composed of thousands of vessels and is spread across about two dozen port communities. The vessels fall into one of three broad categories: recreational shrimpers, commercial bait shrimpers, and commercial shrimpers. Commercial shrimpers account for the bulk of all U.S. Gulf and South Atlantic warmwater shrimp landings; the catch of recreational shrimpers and commercial bait shrimpers is relatively small. There are two categories of commercial shrimpers. Inshore shrimpers operate small boats typically manned by one person on day-long trips in bays, estuaries, and shallow near-shore waters. Offshore shrimpers operate larger vessels typically manned by a crew of three in deeper waters up to the 200-mile U.S. territorial limit.²⁰ Some offshore vessels can freeze their catch and thus make trips lasting several weeks. Most vessels are individually owned, often by the skipper. While horizontal and vertical integration is limited, some shrimpers also process shrimp and/or own multiple vessels. Offshore shrimpers use vessels that are typically 56 to 85 feet long, constructed of steel, and diesel-powered. Such vessels are often equipped with sophisticated electronic gear for navigating, communicating, and locating shrimp. Major costs of operating a vessel include crew share (wages) and fuel as well as depreciation, mortgage payments, insurance, and maintenance on the vessel. Vessels catch shrimp by towing one or more large, funnel-shaped nets.

¹⁹ Shrimp harvested off the Pacific and Northern Atlantic coasts is coldwater shrimp.

²⁰ In 2019, shrimp caught within 3 miles of shore accounted for approximately 46 percent of total commercial shrimp landings. *NMFS, Fisheries of the United States, 2019*, May 2021, p. 18.

The U.S. fleet, particularly the portion in the Gulf, is relatively mobile and migrates with the seasonal warmwater shrimp populations, or away from areas of poor fishing. As a result, vessels may land shrimp at different ports in different states. Some shrimp vessels are equipped to perform simple processing steps (e.g., deheading, washing, grading, icing, or freezing) while at sea. Shrimp may be placed in mesh bags prior to freezing. Thus, warmwater shrimp can be landed either whole or headed (heads-off) and either fresh or frozen, and shrimp in different forms can be landed from the same trip. Upon unloading, shrimp are generally sold at dockside to dealers or processors. The vessel's crew typically are paid a percentage of the revenue generated by the catch. Because of the differing feeding habits, migration patterns, and habitats of the different species, Gulf and South Atlantic shrimp vessels usually land one species at a time. Likewise, harvesting activities and hence, landings in the U.S. Gulf and South Atlantic, exhibit seasonal patterns that are influenced by the natural patterns of development of the different species of warmwater shrimp.

Processing

While some processors own their boats, most have buying arrangements with several shrimp vessels. After unloading, shrimp are transferred to processing facilities, which are often located dockside. The shrimp may be held frozen in storage for later processing or may immediately undergo initial processing such as separating shrimp from ice, weighing, washing, sizing, and grading. At this stage, shrimp may either be frozen in whole form (head-on, shell-on) or may undergo a number of further steps such as deheading, peeling, deveining, and cooking. Resulting from these steps are shrimp in a variety of forms (e.g., head-on, shell-on; headless, shell-on; raw, peeled; and cooked, peeled). Regardless of their specific processed form, shrimp then are typically frozen with the exception that cooked, peeled shrimp may be canned rather than frozen. Shrimp may be frozen either in block form or individually quick frozen ("IQF"). Block frozen shrimp is typically sold to foodservice or restaurant buyers because the entire block must be thawed at one time. IQF shrimp are typically sold to grocery retailers for the consumer market since they offer the convenience of thawing only as many shrimp as needed. An IQF line is relatively expensive to install, as it requires either a tunnel or spiral freezer built for this purpose.²¹

²¹ Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. I-27.

Many of the processing steps (e.g., washing, grading, peeling, deveining, and cooking) may be performed manually or mechanically using purpose-built machinery, but much of the process is performed mechanically in most U.S. processing facilities. Shrimp grading or sorting machines are available from approximately five companies²² and can be installed onboard shrimp vessels, but they are more often found in shrimp processing facilities. Peeling can be done by one of two types of machines – the Laitram machine that operates by pushing the shrimp out of its shell, or the Jonsson machine that must be fed manually and that peels the shrimp with cutting equipment. Processing of warmwater shrimp is conducted by a variety of types of operations. Dealers (a.k.a. shrimp houses or fish houses) and packing houses perform minimal processing steps (e.g., weighing, washing, sorting, and packing) for other processors or distributors. Various types of processors produce the range of processed forms of shrimp noted previously and perform additional steps such as breading, cutting, and preparing specialty items.

Aquaculture

A small share of U.S. domestic production of warmwater shrimp is produced by aquaculture (i.e., farm-raised). In 2021, an estimated 2.2 percent of U.S. production of warmwater shrimp was farm-raised.²³ U.S. aquaculture of shrimp reached a maximum of 13 million pounds (approximately 4.5 percent of total production) in 2003 prior to the imposition of U.S. antidumping duties on imports of frozen warmwater shrimp. The decline in shrimp farming since then has reportedly been because of price pressure, high feed costs, and environmental regulations. These factors continue to limit U.S. shrimp aquaculture despite a small uptick in indoor shrimp farming, and despite a temporary 2020–21 increase in interest in diversifying into shrimp farming from some producers as noted above.²⁴

²² Such companies include those that specialize only in sorting or grading, such as Tomra, and those that offer machinery for all stages of shrimp processing, such as Laitram. North Carolina State University, “Feasibility Study for a Shrimp Processing Line,” 2013.

²³ Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Publication 5432, June 2023), p. I-27.

²⁴ Treece, “The Rise and Decline in U.S. Shrimp Farming,” Texas Aquaculture Association, 2017; conference transcript, pp. 26 and 99 (Antley).

Domestic like product issues

The petitioner and the Ad Hoc Shrimp Trade Action Committee (“AHSTAC”) contend that the Commission should define the domestic like product as consisting of frozen warmwater shrimp that is coextensive with the scope, as well as out-of-scope fresh warmwater shrimp.²⁵ Respondent Seafood Exporters Association of India (“SEAI”) contend that the Commission should find frozen cooked shrimp to be a separate like product from frozen raw shrimp.²⁶ Respondents Industrial Pesquera Santa Priscila S.A. and Sociedad Nacional de Galapagos C.A. (“Ecuadorian respondents”), the Shrimp Committee of the Vietnam Association of Seafood Exporters and Producers (“VASEP Shrimp Committee”), and the Indonesian Fishery Producers Processing and Marketing Association (“AP5I”) did not comment on the domestic like product definition. In its preliminary determinations, the Commission defined a single domestic like product consisting of frozen warmwater shrimp, coextensive with the scope of the investigations, and out-of-scope fresh warmwater shrimp.²⁷

Intermediate products

U.S. processors and U.S. importers were asked about the differences between fresh warmwater shrimp (the upstream product) and frozen warmwater shrimp (the downstream product) based on five key factors. Table I-9 presents the U.S. processors’ and U.S. importers’ reporting of those differences.²⁸ A slight majority of U.S. processors reported that there were no uses for fresh warmwater shrimp other than for the production of frozen warmwater shrimp and that the market for fresh warmwater shrimp was not separate and distinct from the market for frozen warmwater shrimp. A majority of U.S. processors found differences between the two products with respect to their costs and characteristics and that the processes used to transform fresh warmwater shrimp into frozen warmwater shrimp are significant and particularly labor or capital intensive.

²⁵ Petitioner’s prehearing brief, pp. 2-3 and AHSTAC’s prehearing brief, pp. 3-10.

²⁶ SEAI’s prehearing brief, pp. 2-11.

²⁷ Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam, Inv. Nos. 701-TA-699-702 and 731-TA-1659-1660 (Preliminary), USITC Publication 5482, December 2023, pp. 11-17.

²⁸ Appendix D presents U.S. processors’ and U.S. importers’ narrative responses regarding the similarities and differences between fresh and frozen warmwater shrimp.

A majority of U.S. importers found that there were no uses for fresh warmwater shrimp other than for the production of frozen warmwater shrimp; no separate markets for the two products; no differences in the physical characteristics of the two products; no significant difference in the cost or value of the two products; and that the processes used to transform fresh warmwater shrimp into frozen warmwater shrimp are not significant nor particularly labor or capital intensive.

Table I-9
Fresh and frozen warmwater shrimp: Count of U.S. processors and U.S. importers reporting differences and similarities between the unfinished and finished products, by factor

Count in number of firms reporting

Item	Firm type	No	Yes
Other uses	U.S. processors	10	9
Separate market	U.S. processors	10	9
Differences in characteristics	U.S. processors	7	12
Differences in cost	U.S. processors	6	14
Transformation intensive	U.S. processors	2	17
Other uses	Importers	45	7
Separate market	Importers	38	15
Differences in characteristics	Importers	38	15
Differences in cost	Importers	31	21
Transformation intensive	Importers	31	21

Source: Compiled from data submitted in response to Commission questionnaires.

Part II: Conditions of competition in the U.S. market

U.S. market characteristics

Frozen warmwater shrimp are intended for human consumption, may be farm-raised or wild-caught, and may be processed to varying levels (e.g., peeled, deveined, shell-off, tail-off, marinated, skewered, or sauced). There are also multiple species of shrimp that are both farm-raised and wild-caught, and they exist in a range of sizes. For U.S. processed frozen warmwater shrimp, fresh shrimp are harvested (generally wild) and brought to dock by fishermen. Some deheading, sorting, and freezing may take place on the fishing boats. U.S. processors buy the fresh or frozen shrimp at the dock, and then may inspect, weigh, count, devein, peel, and cook it, before freezing or refreezing it. Some of the processed shrimp is put into inventory for later sale. U.S. processors sell the frozen warmwater shrimp to distributors, directly to retail customers, or have their sales handled by brokers. The market is similar for importers of frozen warmwater shrimp; however, importers sometimes import the frozen warmwater shrimp and then process it themselves, either into another form of in-scope frozen warmwater shrimp (e.g., marinated or sauced) or into an out-of-scope product (e.g., breaded shrimp). Some U.S. processors may process both domestic and imported shrimp.^{1 2}

Most U.S. processors but the minority of responding importers and purchasers (11 of 16 U.S. processors, 13 of 63 importers, and 4 of 18 purchasers) indicated that the market was subject to distinct conditions of competition. U.S. processors mainly reported that low import prices and high import volumes affected the market. Importers mentioned seasonal demand, availability of supply, and prices of competing proteins such as chicken and pork as distinct conditions. One purchaser stated that demand in the shrimp market can be affected by large buying countries, such as China, while another firm mentioned that prices for frozen warmwater shrimp can vary across countries, depending on supply and demand, down to a specific item or size.

Apparent U.S. consumption of frozen warmwater shrimp decreased in each year during 2021 to 2023. It was higher in first quarter (“interim”) 2024 than in interim 2023.

¹ The information in this paragraph is from Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Nos. 731-TA-1064, 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. II-1.

² In these investigations, *** responding U.S. processors reported that the shrimp they processed were domestic.

U.S. purchasers

The Commission received 20 usable questionnaire responses from firms that had purchased frozen warmwater shrimp since January 1, 2021.^{3 4 5} Thirteen responding purchasers are distributors (3 broadline food service distributors and 12 other distributors/wholesalers), 5 are end users (4 food processors and 1 restaurant chain), and 5 are retailers (3 grocery chains, 1 big box store, and 1 other retailer). Large purchasers of frozen warmwater shrimp include retailers ***.

Impact of section 301 tariffs

When asked if section 301 tariffs on Chinese origin frozen warmwater shrimp had an impact on the U.S. market for the product, most U.S. processors (13 firms) responded that they did not know, while most of the remainder (6) reported that there was an impact, and two reported no impact. Almost all responding importers and purchasers reported either no impact (35 importers and 8 purchasers) or they did not know (30 importers and 11 purchasers). Some firms reported that the tariffs on Chinese product had limited imports and increased prices, but one U.S. processor reported that Chinese product was coming in through Indonesia.

Channels of distribution

Domestic product and subject imports were shipped to all four specified channels (distributors, retailers, food processors, and restaurants), except no shipments from Vietnam (and very few shipments from India) were reported in the food processor and restaurant/end user channels. U.S.-produced frozen warmwater shrimp and subject imports from Ecuador, India, and Vietnam were shipped mainly to the distributor/food service channel whereas subject imports from Indonesia were mainly shipped to retailers (table II-1).

³ The following firms provided purchaser questionnaire responses: ***.

⁴ Of the 20 responding purchasers, 16 purchased domestic frozen warmwater shrimp, 18 purchased subject imports (16 for Ecuador, 17 for India, 13 for Indonesia, and 14 Vietnam), and 17 purchased imports from nonsubject sources.

⁵ Nineteen purchasers indicated they had marketing/pricing knowledge of domestic product, 17 of Ecuadorian product, 17 of Indian product, 14 of Indonesian product, 15 of Vietnamese product and 14 of product from nonsubject countries.

Table II-1
Frozen warmwater shrimp: Share of U.S. shipments by source, channel of distribution, and period

Shares in percent

Source	Channel	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
United States	Distributors/food service	***	***	***	***	***
United States	Retailers/grocery chains	***	***	***	***	***
United States	Food processors	***	***	***	***	***
United States	Restaurants/other end users	***	***	***	***	***
Ecuador	Distributors/food service	***	***	***	***	***
Ecuador	Retailers/grocery chains	***	***	***	***	***
Ecuador	Food processors	***	***	***	***	***
Ecuador	Restaurants/other end users	***	***	***	***	***
India	Distributors/food service	***	***	***	***	***
India	Retailers/grocery chains	***	***	***	***	***
India	Food processors	***	***	***	***	***
India	Restaurants/other end users	***	***	***	***	***
Indonesia, subject	Distributors/food service	***	***	***	***	***
Indonesia, subject	Retailers/grocery chains	***	***	***	***	***
Indonesia, subject	Food processors	***	***	***	***	***
Indonesia, subject	Restaurants/other end users	***	***	***	***	***
Vietnam	Distributors/food service	***	***	***	***	***
Vietnam	Retailers/grocery chains	***	***	***	***	***
Vietnam	Food processors	***	***	***	***	***
Vietnam	Restaurants/other end users	***	***	***	***	***
Subject	Distributors/food service	***	***	***	***	***
Subject	Retailers/grocery chains	***	***	***	***	***
Subject	Food processors	***	***	***	***	***
Subject	Restaurants/other end users	***	***	***	***	***
Indonesia, nonsubject	Distributors/food service	***	***	***	***	***
Indonesia, nonsubject	Retailers/grocery chains	***	***	***	***	***
Indonesia, nonsubject	Food processors	***	***	***	***	***
Indonesia, nonsubject	Restaurants/other end users	***	***	***	***	***
All other	Distributors/food service	***	***	***	***	***
All other	Retailers/grocery chains	***	***	***	***	***
All other	Food processors	***	***	***	***	***
All other	Restaurants/other end users	***	***	***	***	***
Nonsubject	Distributors/food service	***	***	***	***	***
Nonsubject	Retailers/grocery chains	***	***	***	***	***
Nonsubject	Food processors	***	***	***	***	***
Nonsubject	Restaurants/other end users	***	***	***	***	***

Table continued.

Table II-1 Continued**Frozen warmwater shrimp: Share of U.S. shipments by source, channel of distribution, and period**

Shares in percent

Source	Channel	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
All imports	Distributors/food service	***	***	***	***	***
All imports	Retailers/grocery chains	***	***	***	***	***
All imports	Food processors	***	***	***	***	***
All imports	Restaurants/other end users	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Geographic distribution

U.S. processors and importers from all subject countries reported selling frozen warmwater shrimp to all contiguous U.S. regions (table II-2). Nearly three-quarters of U.S. processors' shipments were to the Gulf Coast/South Atlantic region whereas subject import shipments were less concentrated in a specific region. For U.S. processors, 20.4 percent of sales were within 100 miles of their production facility, 32.5 percent were between 101 and 250 miles, 20.1 percent were between 251 and 500 miles, and 27.1 percent were over 500 miles. Importers sold 56.5 percent within 100 miles of their U.S. point of shipment, 22.1 percent were between 101 and 250 miles, 10.1 percent were between 251 and 500 miles, and 11.3 percent were over 500 miles.

Table II-2**Frozen warmwater shrimp: Count of U.S. processors' and U.S. importers' geographic markets**

Region	U.S. processors	Ecuador	India	Indonesia, subject	Vietnam	Subject sources
Northeast	14	18	24	21	9	57
Midwest	13	17	19	17	4	47
Gulf Coast / South Atlantic	20	15	23	15	8	51
South (not coastal)	11	13	12	15	4	34
Mountains	5	9	2	13	0	15
Pacific Coast	9	15	18	19	7	46
Other	1	3	4	5	2	11
All regions (except Other)	4	9	2	13	0	15
Reporting firms	20	19	26	23	10	62

Table continued.

Table II-2 Continued**Frozen warmwater shrimp: Share of U.S. processors' and U.S. importers' U.S. shipments, by geographic market**

Shares in percent

Region	U.S. processors	Ecuador	India	Indonesia, subject	Vietnam	Subject sources
Northeast	11.3	18.8	37.3	25.7	45.3	31.2
Midwest	8.0	9.2	10.7	15.4	2.8	10.8
Gulf Coast / South Atlantic	72.1	20.8	30.7	19.3	27.0	26.1
South (not coastal)	4.7	5.6	6.6	13.2	3.8	7.4
Mountains	1.1	1.4	1.1	6.4	---	2.1
Pacific Coast	2.7	43.0	13.0	19.0	20.2	21.6
Other	0.0	1.2	0.6	1.0	0.9	0.8
All regions	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Other U.S. markets includes AK, HI, PR, and VI. The sum of responses may not add up to the total number of responding firms as each firm was instructed to check all geographic markets. Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Supply and demand considerations

U.S. supply

Table II-3 provides a summary of the supply factors regarding frozen warmwater shrimp from U.S. processors and from subject countries. Reported capacity in subject countries was much higher than reported capacity in the United States. U.S. processors reported no exports in 2023, whereas exports comprised most shipments from the subject countries. U.S. processors reported lower capacity utilization than reporting producers in subject countries.

Most U.S. frozen warmwater shrimp are wild harvested while most imported shrimp are farm-raised. Wild-caught shrimp are typically available seasonally, although the period of availability may differ by location. Because seasons differ between species and regions (and because more fishing vessels are now able to freeze shrimp on board as noted below), it is possible to smooth out seasonality to some degree. Still, U.S. processing facilities' capacity availability may reflect the needs of peak fishing seasons and may be underutilized for much of the year. The processing facilities for farm-raised shrimp also need to be adequate to cover peak harvesting season, thus the processing capacity utilization rate may normally be relatively low. Two U.S. processors testified that modern equipment, particularly freezer boats, has allowed the industry to operate year-round.⁶

Table II-3
Frozen warmwater shrimp: Supply factors that affect the ability to increase shipments to the U.S. market, by country

Quantity in 1,000 pounds; ratios and shares in percent; Count in number of firms reporting

Factor	Measure	United States	Ecuador	India	Indonesia, subject	Vietnam	Subject suppliers
Capacity 2021	Quantity	279,263	***	1,036,828	***	698,092	2,506,377
Capacity 2023	Quantity	281,988	***	1,174,963	***	710,253	2,912,341
Capacity utilization 2021	Ratio	47.2	***	56.9	***	78.3	73.3
Capacity utilization 2023	Ratio	36.9	***	48.1	***	68.0	68.3
Inventories to total shipments 2021	Ratio	16.2	***	16.5	***	17.5	12.6
Inventories to total shipments 2023	Ratio	37.4	***	18.4	***	22.4	13.9
Home market shipments 2023	Share	100.0	***	0.0	***	30.5	9.2
Non-US export market shipments 2023	Share	---	***	29.0	***	48.4	46.3
Ability to shift production	Count	3 of 20	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Responding U.S. processors accounted for over 80 percent of U.S. production of frozen warmwater shrimp in 2023. Responding foreign producer/exporter firms accounted for approximately *** percent, *** percent, *** percent, and *** percent of U.S. imports of frozen warmwater shrimp from Ecuador, India, Indonesia (subject sources), and Vietnam, respectively, during 2023. For additional data on the number of responding firms and their share of U.S. production and of U.S. imports from each subject country, please refer to Part III and Part VII.

⁶ Hearing transcript, pp. 79-80 (Garcia, Gollott).

Domestic production

U.S. supply of fresh shrimp and natural cycle

U.S. shrimp fishermen generally harvest white, pink, and brown shrimp from the Gulf of Mexico, and white and pink shrimp from the Carolina and Florida Atlantic coasts. U.S. shrimp fishermen typically harvest only shrimp. Shifting to harvesting other types of seafood would be expensive since their equipment (trawlers, nets, etc.) is not appropriate for catching other forms of seafood. Fishermen's decisions on whether to harvest shrimp depend on fixed costs, including the cost of the boat, insurance, and debt-servicing costs, and variable costs, particularly fuel, as well as equipment repair and replacement, and labor.⁷

U.S. processors' supply

Based on available information, U.S. processors of frozen warmwater shrimp have the ability to respond to changes in demand with moderate changes in the quantity of shipments of U.S.-produced frozen warmwater shrimp to the U.S. market. The main contributing factors increasing supply responsiveness are available inventories and a large unused processing capacity. Factors decreasing supply responsiveness are lack of exports, limited production alternatives, and the seasonal availability of wild shrimp. The availability of fresh wild-caught shrimp also limits processors' ability to increase production because of biological/environmental limits on the amount of fresh shrimp that can be fished from U.S. waters. While the population of shrimp targeted by the U.S. fleet is healthy and fishermen testified that they had no trouble finding shrimp to catch,⁸ wild populations naturally vary and are less predictable than farmed production. The size, success, and activeness of the shrimp fishing fleet determine how much of the shrimp that could be harvested is available for processing.⁹

⁷ The information in this paragraph is from Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Nos. 731-TA-1064, 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. II-7.

⁸ Hearing transcript, p. 114 (Gollott).

⁹ Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Nos. 731-TA-1064, 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. II-7.

U.S. processors reported lower production and higher capacity in 2023 than in 2021, which resulted in lower capacity utilization. U.S. processors' inventories relative to total shipments increased from 2021 to 2023.¹⁰ U.S. processors reported no exports during the period. Almost all processors reported not being able to switch production from other products to frozen warmwater shrimp.

Subject imports from subject countries

In general, producers in subject countries have the ability to respond to changes in demand with moderate-to-large changes in the quantity of shipments of frozen warmwater shrimp to the U.S. market. The main contributing factors to this degree of responsiveness of supply are the availability of unused capacity, an ability to shift shipments from alternative markets, and moderate inventory levels. The limited ability to shift production to or from alternate products mitigates the responsiveness of supply.

Overall reported production capacity in the subject countries increased from 2021 to 2023, with increases by subject producers in all four subject countries. Overall reported capacity utilization in the subject countries was lower in 2023 than in 2021, except in Ecuador. Reported inventories as a ratio to total shipments increased overall and in each subject country from 2021 to 2023. Subject countries' exports to markets other than the United States accounted for slightly less than half of their total shipments in 2023. Shares of each subject countries' shipments to markets other than the United States ranged from just under *** for subject producers in Indonesia to just under *** for Ecuador.

Most responding foreign processors reported that they could not produce other products on the same equipment used to produce frozen warmwater shrimp. A small number of foreign processors indicated an ability to shift production between frozen warmwater shrimp and other products. These firms reported being able to produce breaded frozen shrimp or other seafood such as clams, cuttlefish, fish, octopus, and squid using some shared equipment.

Imports from nonsubject sources

Imports of frozen warmwater shrimp from nonsubject countries accounted for 7.7 percent of total U.S. imports in 2023 (see part IV). The largest sources of nonsubject imports during January 2021-March 2024, in descending order of quantity, were Thailand, Mexico, and Argentina.

¹⁰ Some U.S. processors reported that the reason for increased U.S. processor inventories in 2023 was lower demand and sales of domestic product (see part III).

Supply constraints

Most U.S. processors, importers, and purchasers reported that they had not experienced supply constraints since January 1, 2021, either before or after the filing of the petitions.¹¹ Among the eight U.S. processors reporting supply constraints before the filing and five reporting constraints after the filing, firms reported constraints related to low prices and high input costs which have decreased the supply of fresh shrimp, lack of cold storage space, unavailability of certain sizes at times, and freight issues (including lack of drivers). One U.S. processor reported constraints on some items that are seasonally unavailable and on “further processed items which require increased labor for certain months of the year.”

Among the 12 importers reporting supply constraints before the filing and 15 reporting constraints after the filing, firms reported COVID-19-related constraints, including shipment and production delays as well as ongoing logistical constraints because of issues with shipping through the Red Sea and the Panama Canal, weather impacting supply, and constraints because of the preliminary duties.

Seven purchasers reported constraints before the petitions were filed and five reported constraints after the petitions were filed. Purchasers reported constraints related to shipping and foreign labor during the COVID-19 pandemic. Constraints reported since the petitions were filed included a lack of certain shrimp sizes because farmers did not reseed their ponds, ocean shipping constraints, and an inability to meet timely shipments.

New suppliers

Most purchasers (17 of 20) reported that no new suppliers entered the U.S. market since January 1, 2021. Three purchasers named new suppliers, including: AZ Gems, Choice Canning, Galaxy Seafood, Industrial Pesquera Santa Priscila, Lamar Seafood, Mindhola Foods, NK Marine Exports, PT. Bumi Pangan Utama, PT. Tamron Akuatik Produk Industri, Tastematic Foods, and Thamasha Aqua Service.

¹¹ Among responding U.S. processors, 11 of 19 reported no constraints before the petitions were filed and 11 of 16 reported no constraints after the petitions were filed. Among responding importers, 53 of 65 firms reported no constraints before the petitions were filed, and 50 of 65 reported no constraints after the petitions were filed. Most responding purchasers reported no supply constraints from January 1, 2021 until the petitions were filed (12 of 19 purchasers) or after the petitions were filed (13 of 18 purchasers).

U.S. demand

Based on available information, the overall demand for frozen warmwater shrimp is likely to experience moderate changes in response to changes in price. Although there are no direct substitutes for frozen warmwater shrimp, other proteins can be substituted in a meal, and shrimp comprises a relatively high share of the cost of a meal.

End uses and cost share

U.S. demand for frozen warmwater shrimp depends on the demand for shrimp as food, either as a standalone item or as an ingredient with other food. Frozen warmwater shrimp accounts for a moderate-to-large share of the cost of meals. Purchasers reported that frozen warmwater shrimp accounts for 60 to 80 percent of the cost of preparations including breaded popcorn shrimp, beer batter shrimp, fried shrimp, sauce enrobed shrimp, and grilled shrimp. U.S. processors reported cost shares of 50 percent for frozen warmwater shrimp used in gumbo and 25 percent for entrees in general.

Business cycles

Eleven of 16 responding U.S. processors, 18 of 65 responding importers, and 14 of 20 purchasers indicated that the market was subject to business cycles, with firms reporting seasonality in both supply and in demand. U.S. processor *** reported that wild shrimp is heavily produced in two seasons: May to mid-July and August through mid-December. Some purchasers reported that harvesting by farmers occurs in the summer to prepare for spikes in demand during the winter and holidays, and *** reported that most farmed shrimp is typically harvested between April to June, during monsoon season. Firms reported that demand from restaurants is higher in the summer while retail demand is higher during the winter holidays and during Lent. One importer reported that demand for frozen warmwater shrimp is linked to economic conditions as shrimp are considered a luxury food item.

Demand trends

A majority of responding U.S. processors and purchasers and the plurality of responding importers reported that U.S. demand for frozen warmwater shrimp had decreased since January 1, 2021 (table II-4). Several purchasers reported lower consumer demand for frozen warmwater shrimp because of inflationary and economic pressures and declines in the restaurant business, although retailer *** reported steady growth in its demand for the product.

Table II-4
Frozen warmwater shrimp: Count of firms' responses regarding overall domestic and foreign demand, by firm type

Market	Firm type	Steadily Increase	Fluctuate Up	No change	Fluctuate Down	Steadily Decrease
Domestic demand	U.S. processors	1	2	2	5	11
Domestic demand	Importers	16	6	16	22	5
Domestic demand	Purchasers	5	0	2	8	4
Foreign demand	U.S. processors	1	0	1	0	3
Foreign demand	Importers	12	5	14	17	1
Foreign demand	Purchasers	0	0	3	3	2
Demand for end use products	Purchasers	0	0	2	3	2

Source: Compiled from data submitted in response to Commission questionnaires.

Substitute products

Nearly all responding U.S. processors, importers, and purchasers reported that there were no substitutes for frozen warmwater shrimp.¹² One importer reported that Argentine red shrimp was a substitute. While there may be no close substitutes for frozen warmwater shrimp, other proteins can be substituted in a meal. Purchaser *** stated that “customers are trading down to other proteins” because of difficult economic conditions.

¹² Four U.S. processors checked the yes box when asked if there were substitutes; however, all four firms listed imported shrimp as the substitute product.

Substitutability issues

This section assesses the degree to which U.S.-produced frozen warmwater shrimp and imports of frozen warmwater shrimp from subject countries can be substituted for one another by examining the importance of certain purchasing factors and the comparability of frozen warmwater shrimp from domestic and imported sources based on those factors. Based on available data, staff believes that there is a moderate degree of substitutability between domestically produced frozen warmwater shrimp and frozen warmwater shrimp imported from subject sources.¹³ Factors increasing the level of substitutability include limited preferences or requirements for particular countries of origin or producers and technical interchangeability between domestic and subject sources. Factors reducing substitutability include differences related to the U.S. frozen warmwater shrimp typically being wild-caught and imports typically being farm-raised (discussed below) and differences in availability.

Factors affecting purchasing decisions

Purchaser decisions based on source

As shown in table II-5, a majority of purchasers reported that they and their customers sometimes or never make purchasing decisions based on the producer or country of origin. Five purchasers reported that they always make decisions based on the producer, of which three purchasers cited reasons, including specifications which restrict sourcing, requirements for Grade A product, and longstanding relationships with suppliers. One purchaser that usually makes decisions based on the producer explained that it tries to avoid product from Vietnam due to traceability concerns and from China due to labor concerns.

¹³ The degree of substitution between domestic and imported frozen warmwater shrimp depends upon the extent of product differentiation between the domestic and imported products and reflects how easily purchasers can switch from domestically produced frozen warmwater shrimp to the frozen warmwater shrimp imported from subject countries (or vice versa) when prices change. The degree of substitution may include such factors as quality differences (e.g., grade standards, defect rates, etc.), and differences in sales conditions (e.g., lead times between order and delivery dates, reliability of supply, product services, etc.).

Table II-5

Frozen warmwater shrimp: Count of purchasers' responses regarding frequency of purchasing decisions based on producer and country of origin

Firm making decision	Decision based on	Always	Usually	Sometimes	Never
Purchaser	Producer	5	4	3	8
Customer	Producer	1	3	6	7
Purchaser	Country	3	5	8	4
Customer	Country	2	4	6	5

Source: Compiled from data submitted in response to Commission questionnaires.

Importance of purchasing domestic product

Responding purchasers reported that 96 percent of their 2023 purchases overall had no domestic product requirements. Most responding purchasers (15 of 20) reported that most or all of their purchases did not require purchasing U.S.-produced product. Three reported that domestic product was required by law (for 2 to 100 percent of their purchases), seven reported it was required by their customers (for 5 to 91 percent of their purchases), and two reported other preferences for domestic product. ***.

Most important purchase factors

The most often cited top three factors firms consider in their purchasing decisions for frozen warmwater shrimp were quality (17 firms), availability/supply (14 firms), and price (11 firms) as shown in table II-6. Quality was the most frequently cited first-most important factor (cited by 10 firms); availability/supply was the most frequently reported second-most important factor (8 firms); and price was the most frequently reported third-most important factor (5 firms). Purchasers listed many other factors in their purchase decisions including certification, food safety, producer, brand, and country of origin.

Table II-6

Frozen warmwater shrimp: Count of ranking of factors used in purchasing decisions as reported by purchasers, by factor

Factor	First	Second	Third	Total
Quality	10	4	3	17
Availability/supply	3	8	3	14
Price	3	3	5	11
All other factors	5	5	8	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Price includes cost and value. Other factors include food safety (listed by 2 purchasers); social compliance; company vision; must be domestic; and specification, form, producer, and country of origin for first factor. Additional other factors were sustainability, Grade A, performance history, range of product line, certification, brand, service, and delivery schedule for second factor; and credit period, traceability, customer requirements, flavor profiles, desired product, service, food safety, and payment terms for third factor.

The majority of purchasers (11 of 20) reported that they sometimes purchase the lowest-priced product, five reported that they never do, three reported usually, and one reported it always purchases the lowest-priced product.

Importance of specified purchase factors

Purchasers were asked to rate the importance of 22 factors in their purchasing decisions (table II-7). The factors rated as very important by more than half of responding purchasers were product consistency (20 firms); availability and reliability of supply (19 firms each); count size, delivery time, quality meets industry standards, and quality exceeds industry standards (17 each); availability of IQF (16); delivery terms and availability of farm-raised (15); and price (14).

Table II-7
Frozen warmwater shrimp: Count of purchasers' responses regarding importance of purchase factors, by factor

Factor	Very important	Somewhat important	Not important
Availability	19	1	0
Availability of cooked shrimp	9	5	6
Availability of farm-raised	15	4	1
Availability of wild-caught	8	6	6
Availability of IQF	16	3	1
Availability of block frozen	7	4	9
Availability of other freezing types	1	7	11
Count size	17	3	0
Delivery terms	15	3	1
Delivery time	17	1	2
Discounts offered	5	11	5
Minimum quantity requirements	6	8	6
Packaging	10	7	3
Payment terms	10	7	3
Price	14	5	1
Product consistency	20	0	0
Product range	8	12	0
Quality meets industry standards	17	4	0
Quality exceeds industry standards	17	2	1
Reliability of supply	19	1	0
Technical support/service	6	10	4
U.S. transportation costs	10	7	3

Source: Compiled from data submitted in response to Commission questionnaires.

Lead times

U.S. processors reported that 74.9 percent of their commercial shipments came from inventories, with lead times averaging 6 days. The remaining 25.1 percent were produced-to-order, with lead times averaging 10 days. Subject importers reported that 56.4 percent of their commercial shipments were produced to order with lead times averaging 60 days. They reported that 31.5 percent were from U.S. inventories with lead times averaging 26 days and 12.1 percent were from foreign inventories with lead times averaging 33 days.

Farm-raised and wild-caught frozen warmwater shrimp

Most responding U.S. processors reported that farm-raised and wild-caught frozen warmwater shrimp could always or usually be used interchangeably whereas most responding importers reported that they were never interchangeable (table II-8). Among the three U.S. processors that reported that the products were never interchangeable, one stated that farm-raised and wild-caught shrimp taste different and are not the same product and another stated that “farm raised product volume is not sufficient to sustain interchangeability.” Importers generally reported differences in taste, availability, and customer preferences between wild-caught and farm-raised product. They reported that buyers prefer either farm-raised or wild-caught; that quality and quantity can vary with wild-caught; that the forms have distinct flavor differences; and that there is lower availability of wild-caught shrimp. Some importers reported that when availability is limited (i.e., wild-caught or farm-raised product is not available), customers may use the other type of product.

Table II-8
Frozen warmwater shrimp: Count of firms reporting interchangeability between farm-raised and wild-caught product, by firm type

Firm type	Always	Usually	Sometimes	Never
U.S. processors	14	4	0	3
Importers	0	2	18	46

Source: Compiled from data submitted in response to Commission questionnaires.

Purchasers generally reported that wild-caught and farm-raised shrimp had limited interchangeability. Most responding retailer or restaurant purchasers (7 of 12) reported that consumers “always” distinguish between wild-caught and farm-raised shrimp; four answered “sometimes” and one answered “never.” Most purchasers that were distributors or wholesalers reported that their customers sometimes (4 firms) or never (5 firms) accept farm-raised for wild caught while two firms each reported that they always or usually do. Finally, for food processing, four firms reported that the wild-caught and farm-raised shrimp were never interchangeable in their production processes, one reported that they were sometimes interchangeable, and two reported they were always interchangeable.

Raw, cooked, peeled, and unpeeled shrimp

Most responding purchasers (15 firms) reported that raw and cooked shrimp were never interchangeable, although a few firms reported they were sometimes interchangeable. All responding purchasers reported that raw peeled shrimp and raw unpeeled shrimp were never (9 firms) or sometimes (8 firms) interchangeable.

Supplier certification

Twelve of 19 responding purchasers require their suppliers to become certified or qualified to sell frozen warmwater shrimp to their firm. Purchasers reported that the time to qualify a new supplier ranged from 5 to 180 days, with almost all firms reporting 90 days or fewer. Four purchasers reported that a supplier had failed in its attempt to qualify frozen warmwater shrimp or had lost its approved status since 2021, specifically naming suppliers in India, Indonesia, and Thailand.

Minimum quality specifications

As can be seen from table II-9, most responding purchasers reported that domestically produced product and imported product always or usually met minimum quality specifications.

Table II-9
Frozen warmwater shrimp: Count of purchasers' responses regarding suppliers' ability to meet minimum quality specifications, by source

Source of purchases	Always	Usually	Sometimes	Rarely or never	Don't Know
United States	9	4	2	0	5
Ecuador	11	5	0	0	3
India	11	6	0	0	3
Indonesia	9	7	1	0	3
Vietnam	9	5	0	0	6
All other sources	8	0	1	0	3

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Purchasers were asked how often domestically produced or imported frozen warmwater shrimp meets minimum quality specifications for their own or their customers' uses.

Purchasers reported factors that determined quality included appearance/color, chemical free, certification/regulatory compliance/sustainability, freshness, meeting specifications, moisture content, odor, size/count/weight, taste, temperature controlled/properly frozen, and texture.

Changes in purchasing patterns

Eleven purchasers reported that they had changed suppliers since January 1, 2021, while nine reported that they had not. Firms reported changing suppliers because of better price and availability, certification requirements, quality control, and adding suppliers for unique items. Purchasers stated that they are constantly reviewing, analyzing, and upgrading suppliers.

Purchasers were also asked about changes in their purchasing patterns from different countries since January 1, 2021 (table II-10). Firms generally reported that price and availability were the main reasons for changes in purchases. Purchasers reported decreased purchases of U.S.-produced product because of higher prices and reduced availability. Reasons for increased purchases of domestic product included a focus on domestic promotions and growth in the purchaser's overall business. Purchasers reported changes in purchases of product from subject countries because of availability, customer requests for specific products, changes in demand, and preferences among purchasers for better reliability, price, and quality. One purchaser (***) reported increased purchases from India because of high quality and good pricing and reduced purchases from Vietnam because of quality issues. Another purchaser (***) reported increased purchases from Ecuador because of shorter lead times than other imports. Purchasers reported increased purchases of product from nonsubject countries, specifically Argentina, Guyana, and Panama, because of increased availability.

Table II-10
Frozen warmwater shrimp: Count of purchasers' responses regarding changes in purchase patterns from U.S., subject, and nonsubject countries

Source of purchases	Steadily Increase	Fluctuate Up	No change	Fluctuate Down	Steadily Decrease	Did not purchase
United States	2	3	4	7	2	3
Ecuador	6	4	3	3	1	2
India	5	2	3	7	0	1
Indonesia	1	0	7	7	1	2
Vietnam	1	1	5	4	3	4
All other sources	3	1	5	2	3	2
Sources unknown	1	1	4	2	1	7

Source: Compiled from data submitted in response to Commission questionnaires.

Purchase factor comparisons of domestic products, subject imports, and nonsubject imports

Purchasers were asked a number of questions comparing frozen warmwater shrimp produced in the United States, subject countries, and nonsubject countries. First, purchasers were asked for a country-by-country comparison on the same 22 factors (table II-11) for which they were asked to rate the importance. Of the 22 factors, half or more of responding purchasers reported that domestic product was comparable to product from Ecuador, India, and Vietnam on 12 factors, and that domestic product was comparable to Indonesian product on 10 factors.

As noted earlier, all 20 purchasers rated product consistency as a very important factor in their purchase decisions and 19 rated availability and reliability of supply as very important factors. With respect to product consistency, at least half of purchasers comparing each subject country to domestic product reported that imported product was comparable to the domestic product. With respect to reliability of supply, a majority or plurality (depending on the comparison) reported that subject imports from India, Indonesia, and Vietnam were superior to domestic product, but purchasers reported mixed answers in comparisons of U.S. and Ecuadorian product.

With respect to overall availability, a majority of purchasers reported the U.S. product to be comparable or inferior to the Ecuadorian and Indian products, and a majority reported the U.S. product to be inferior to product from Indonesia and Vietnam. With respect to price, firms had mixed answers regarding comparisons of domestic product to imports from Ecuador and Vietnam, but a majority of purchasers reported that prices of imports from India and Indonesia were lower than domestic prices.

Table II-11
Frozen warmwater shrimp: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Ecuador	1	5	5
Availability of cooked shrimp	U.S. vs Ecuador	0	2	6
Availability of farm-raised	U.S. vs Ecuador	2	3	6
Availability of wild-caught	U.S. vs Ecuador	7	1	2
Availability of IQF	U.S. vs Ecuador	3	5	2
Availability of block frozen	U.S. vs Ecuador	4	6	1
Availability of other freezing types	U.S. vs Ecuador	1	4	2
Count size	U.S. vs Ecuador	1	7	3
Delivery terms	U.S. vs Ecuador	5	5	0
Delivery time	U.S. vs Ecuador	7	3	0
Discounts offered	U.S. vs Ecuador	1	6	0
Minimum quantity requirements	U.S. vs Ecuador	5	4	0
Packaging	U.S. vs Ecuador	3	4	2
Payment terms	U.S. vs Ecuador	2	5	2
Price	U.S. vs Ecuador	3	2	4
Product consistency	U.S. vs Ecuador	3	6	2
Product range	U.S. vs Ecuador	1	5	4
Quality meets industry standards	U.S. vs Ecuador	4	5	1
Quality exceeds industry standards	U.S. vs Ecuador	3	5	2
Reliability of supply	U.S. vs Ecuador	4	3	4
Technical support/service	U.S. vs Ecuador	1	5	1
U.S. transportation costs	U.S. vs Ecuador	6	3	0

Table continued.

Table II-11 Continued**Frozen warmwater shrimp: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair**

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs India	1	5	5
Availability of cooked shrimp	U.S. vs India	0	2	7
Availability of farm-raised	U.S. vs India	0	2	9
Availability of wild-caught	U.S. vs India	7	2	2
Availability of IQF	U.S. vs India	4	4	3
Availability of block frozen	U.S. vs India	5	6	1
Availability of other freezing types	U.S. vs India	1	4	2
Count size	U.S. vs India	0	9	2
Delivery terms	U.S. vs India	7	5	0
Delivery time	U.S. vs India	9	3	0
Discounts offered	U.S. vs India	0	8	0
Minimum quantity requirements	U.S. vs India	5	5	0
Packaging	U.S. vs India	2	5	2
Payment terms	U.S. vs India	3	7	1
Price	U.S. vs India	1	2	6
Product consistency	U.S. vs India	1	7	3
Product range	U.S. vs India	1	6	3
Quality meets industry standards	U.S. vs India	3	6	2
Quality exceeds industry standards	U.S. vs India	3	5	3
Reliability of supply	U.S. vs India	1	4	6
Technical support/service	U.S. vs India	0	5	2
U.S. transportation costs	U.S. vs India	4	5	1

Table continued.

Table II-11 Continued**Frozen warmwater shrimp: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair**

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Indonesia	0	4	6
Availability of cooked shrimp	U.S. vs Indonesia	0	2	7
Availability of farm-raised	U.S. vs Indonesia	0	2	8
Availability of wild-caught	U.S. vs Indonesia	6	2	2
Availability of IQF	U.S. vs Indonesia	2	3	3
Availability of block frozen	U.S. vs Indonesia	4	5	1
Availability of other freezing types	U.S. vs Indonesia	1	4	2
Count size	U.S. vs Indonesia	1	7	2
Delivery terms	U.S. vs Indonesia	6	4	0
Delivery time	U.S. vs Indonesia	8	2	0
Discounts offered	U.S. vs Indonesia	0	7	0
Minimum quantity requirements	U.S. vs Indonesia	5	4	0
Packaging	U.S. vs Indonesia	2	4	2
Payment terms	U.S. vs Indonesia	2	6	1
Price	U.S. vs Indonesia	1	2	5
Product consistency	U.S. vs Indonesia	2	5	3
Product range	U.S. vs Indonesia	1	5	4
Quality meets industry standards	U.S. vs Indonesia	3	5	2
Quality exceeds industry standards	U.S. vs Indonesia	2	4	3
Reliability of supply	U.S. vs Indonesia	2	3	5
Technical support/service	U.S. vs Indonesia	1	4	2
U.S. transportation costs	U.S. vs Indonesia	5	4	1

Table continued.

Table II-11 Continued**Frozen warmwater shrimp: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair**

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Vietnam	0	4	6
Availability of cooked shrimp	U.S. vs Vietnam	1	1	8
Availability of farm-raised	U.S. vs Vietnam	0	1	9
Availability of wild-caught	U.S. vs Vietnam	7	2	1
Availability of IQF	U.S. vs Vietnam	1	5	3
Availability of block frozen	U.S. vs Vietnam	3	5	1
Availability of other freezing types	U.S. vs Vietnam	1	4	2
Count size	U.S. vs Vietnam	1	6	3
Delivery terms	U.S. vs Vietnam	5	5	0
Delivery time	U.S. vs Vietnam	7	3	0
Discounts offered	U.S. vs Vietnam	0	7	1
Minimum quantity requirements	U.S. vs Vietnam	5	4	1
Packaging	U.S. vs Vietnam	2	5	2
Payment terms	U.S. vs Vietnam	3	6	1
Price	U.S. vs Vietnam	2	3	4
Product consistency	U.S. vs Vietnam	2	6	2
Product range	U.S. vs Vietnam	0	5	5
Quality meets industry standards	U.S. vs Vietnam	2	6	2
Quality exceeds industry standards	U.S. vs Vietnam	2	4	3
Reliability of supply	U.S. vs Vietnam	1	3	6
Technical support/service	U.S. vs Vietnam	1	5	2
U.S. transportation costs	U.S. vs Vietnam	4	5	1

Table continued.

Table II-11 Continued**Frozen warmwater shrimp: Count of purchasers' responses comparing U.S.-produced and imported product, by factor and country pair**

Factor	Country pair	Superior	Comparable	Inferior
Availability	U.S. vs Nonsubject sources	0	5	4
Availability of cooked shrimp	U.S. vs Nonsubject sources	1	1	7
Availability of farm-raised	U.S. vs Nonsubject sources	0	1	8
Availability of wild-caught	U.S. vs Nonsubject sources	5	4	1
Availability of IQF	U.S. vs Nonsubject sources	1	6	1
Availability of block frozen	U.S. vs Nonsubject sources	3	5	0
Availability of other freezing types	U.S. vs Nonsubject sources	1	3	1
Count size	U.S. vs Nonsubject sources	1	5	2
Delivery terms	U.S. vs Nonsubject sources	4	5	0
Delivery time	U.S. vs Nonsubject sources	7	2	0
Discounts offered	U.S. vs Nonsubject sources	0	5	1
Minimum quantity requirements	U.S. vs Nonsubject sources	3	4	1
Packaging	U.S. vs Nonsubject sources	2	4	1
Payment terms	U.S. vs Nonsubject sources	2	5	1
Price	U.S. vs Nonsubject sources	1	3	2
Product consistency	U.S. vs Nonsubject sources	1	6	2
Product range	U.S. vs Nonsubject sources	0	4	4
Quality meets industry standards	U.S. vs Nonsubject sources	2	6	1
Quality exceeds industry standards	U.S. vs Nonsubject sources	2	4	2
Reliability of supply	U.S. vs Nonsubject sources	1	3	5
Technical support/service	U.S. vs Nonsubject sources	1	5	0
U.S. transportation costs	U.S. vs Nonsubject sources	4	4	0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: With respect to cost/price factors, a rating of superior means that cost/price for the first source in the country pair is generally lower. For example, if a firm reported "U.S. superior," it meant that the U.S. product was generally priced lower than the imported product.

Comparison of U.S.-produced and imported frozen warmwater shrimp

In order to determine whether U.S.-produced frozen warmwater shrimp can generally be used in the same applications as subject imports, U.S. processors, importers, and purchasers were asked whether the products can always, frequently, sometimes, or never be used interchangeably (tables II-12 to II-14). All but one responding U.S. processor reported that frozen warmwater shrimp from the United States and from subject and nonsubject countries were always or frequently interchangeable. The majority of importers and purchasers reported that U.S.-produced frozen warmwater shrimp were sometimes or never interchangeable with frozen warmwater shrimp from subject and nonsubject countries, but that frozen warmwater shrimp from subject and nonsubject countries were always or frequently interchangeable with each other.

Table II-12
Frozen warmwater shrimp: Count of U.S. processors reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	11	5	0	1
United States vs. India	10	6	0	1
United States vs. Indonesia	10	6	0	1
United States vs. Vietnam	9	6	0	1
Ecuador vs. India	11	5	0	0
Ecuador vs. Indonesia	11	5	0	0
Ecuador vs. Vietnam	11	5	0	0
India vs. Indonesia	11	5	0	0
India vs. Vietnam	10	5	0	0
Indonesia vs. Vietnam	10	5	0	0
United States vs. Other	8	5	0	1
Ecuador vs. Other	8	5	0	0
India vs. Other	8	5	0	0
Indonesia vs. Other	8	5	0	0
Vietnam vs. Other	8	5	0	0

Source: Compiled from data submitted in response to Commission questionnaires.

Table II-13

Frozen warmwater shrimp: Count of importers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	6	1	13	16
United States vs. India	7	3	17	18
United States vs. Indonesia	8	4	9	18
United States vs. Vietnam	8	3	9	18
Ecuador vs. India	19	9	14	2
Ecuador vs. Indonesia	12	8	15	5
Ecuador vs. Vietnam	15	5	14	5
India vs. Indonesia	22	12	9	2
India vs. Vietnam	21	9	11	4
Indonesia vs. Vietnam	16	8	11	4
United States vs. Other	8	2	7	10
Ecuador vs. Other	11	5	11	1
India vs. Other	16	6	10	1
Indonesia vs. Other	12	5	9	2
Vietnam vs. Other	11	5	10	3

Source: Compiled from data submitted in response to Commission questionnaires.

Table II-14

Frozen warmwater shrimp: Count of purchasers reporting the interchangeability between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	2	2	5	8
United States vs. India	3	2	3	9
United States vs. Indonesia	3	1	4	9
United States vs. Vietnam	3	0	3	8
Ecuador vs. India	4	7	2	3
Ecuador vs. Indonesia	3	6	2	5
Ecuador vs. Vietnam	3	6	2	3
India vs. Indonesia	6	6	1	3
India vs. Vietnam	5	6	1	2
Indonesia vs. Vietnam	6	6	1	2
United States vs. Other	1	1	5	4
Ecuador vs. Other	2	5	2	2
India vs. Other	3	5	1	2
Indonesia vs. Other	2	5	2	2
Vietnam vs. Other	2	5	2	2

Source: Compiled from data submitted in response to Commission questionnaires.

One U.S. processor provided additional comments regarding interchangeability, stating that it differentiates its product as “U.S. wild caught.” Reasons for the lack of interchangeability reported by importers and purchasers were differences between wild-caught and farm-raised frozen warmwater shrimp, including species differences and preferences for wild-caught. One importer stated that wild is a different market and product. One purchaser reported that it is harder to interchange between products if a customer wants a U.S. product. Another purchaser answered that domestic product is interchangeable with imported product for shell-on shrimp but never interchangeable for peeled or cooked shrimp since there is not sufficient U.S. production of those items.

In addition, U.S. processors, importers, purchasers were asked to assess how often differences other than price were significant in sales/purchases of frozen warmwater shrimp from the United States, subject, or nonsubject countries. As seen in tables II-15 to II-17, most U.S. processors reported that differences other than price between frozen warmwater shrimp produced in the United States, subject, and nonsubject countries were sometimes or never significant in their sales of the product. On the other hand, most importers and purchasers reported that differences other than price between each country source were at least sometimes significant in their sales or purchases of the product. Factors other than price mentioned by importers included availability (including year-round availability), quality (including consistent texture and quality of farm-raised shrimp), product types, assortment of sizes, compliance with contract and delivery schedules, and supplier reliability. Purchasers reported that quality, availability, and a specification for U.S. wild-caught shrimp were reasons for purchases.

Table II-15

Frozen warmwater shrimp: Count of U.S. producers reporting the significance of differences other than price between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	2	1	3	10
United States vs. India	2	1	3	10
United States vs. Indonesia	2	1	3	10
United States vs. Vietnam	2	1	3	10
Ecuador vs. India	0	1	2	10
Ecuador vs. Indonesia	0	1	2	10
Ecuador vs. Vietnam	0	1	2	10
India vs. Indonesia	0	1	2	10
India vs. Vietnam	0	1	2	10
Indonesia vs. Vietnam	0	1	2	10
United States vs. Other	1	0	3	9
Ecuador vs. Other	0	0	3	9
India vs. Other	0	0	3	9
Indonesia vs. Other	0	0	3	9
Vietnam vs. Other	0	0	3	9

Source: Compiled from data submitted in response to Commission questionnaires.

Table II-16

Frozen warmwater shrimp: Count of importers reporting the significance of differences between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	18	3	9	9
United States vs. India	18	4	15	7
United States vs. Indonesia	17	6	10	7
United States vs. Vietnam	18	5	9	8
Ecuador vs. India	10	4	17	10
Ecuador vs. Indonesia	9	4	16	9
Ecuador vs. Vietnam	10	3	15	10
India vs. Indonesia	11	4	15	13
India vs. Vietnam	13	4	15	11
Indonesia vs. Vietnam	10	2	16	11
United States vs. Other	14	2	8	5
Ecuador vs. Other	8	3	12	5
India vs. Other	11	2	13	6
Indonesia vs. Other	8	1	13	6
Vietnam vs. Other	8	1	13	7

Source: Compiled from data submitted in response to Commission questionnaires.

Table II-17

Frozen warmwater shrimp: Count of purchasers reporting the significance of differences between product produced in the United States and in other countries, by country pair

Country pair	Always	Frequently	Sometimes	Never
United States vs. Ecuador	7	3	4	1
United States vs. India	7	3	4	1
United States vs. Indonesia	7	3	3	2
United States vs. Vietnam	7	3	3	2
Ecuador vs. India	1	4	11	0
Ecuador vs. Indonesia	1	4	11	0
Ecuador vs. Vietnam	1	4	10	0
India vs. Indonesia	1	3	8	3
India vs. Vietnam	1	3	6	4
Indonesia vs. Vietnam	1	3	7	3
United States vs. Other	2	2	4	1
Ecuador vs. Other	0	1	8	0
India vs. Other	1	1	6	1
Indonesia vs. Other	0	1	7	1
Vietnam vs. Other	0	1	6	1

Source: Compiled from data submitted in response to Commission questionnaires.

Elasticity estimates

This section discusses elasticity estimates. No parties commented on these estimates in prehearing or posthearing briefs.

U.S. supply elasticity

The domestic supply elasticity for frozen warmwater shrimp measures the sensitivity of the quantity supplied by U.S. producers to changes in the U.S. market price of frozen warmwater shrimp. The elasticity of domestic supply depends on several factors including the level of excess capacity, the ease with which producers can alter capacity, producers' ability to shift to production of other products, the existence of inventories, and the availability of alternate markets for U.S.-produced frozen warmwater shrimp. Analysis of these factors indicates that the U.S. industry is likely to have a moderate ability to increase or decrease shipments to the U.S. market; an estimate in the range of 3 to 6 is suggested.¹⁴

¹⁴ Staff has revised its estimate from the prehearing report slightly upwards upon further consideration of the available information, particularly the large amounts of inventories held by U.S. processors in 2023.

U.S. demand elasticity

The U.S. demand elasticity for frozen warmwater shrimp measures the sensitivity of the overall quantity demanded to a change in the U.S. market price of frozen warmwater shrimp. This estimate depends on factors discussed above such as the existence, availability, and commercial viability of substitute products, as well as the component share of the frozen warmwater shrimp in the production of any downstream products. Based on the available information, the aggregate demand for warmwater shrimp is likely to be moderately elastic; a range of -1 to -3 is suggested.

Substitution elasticity

The elasticity of substitution depends upon the extent of product differentiation between the domestic and imported products.¹⁵ Product differentiation, in turn, depends upon such factors as quality (e.g., preferences for farm-raised vs wild-caught, appearance, level of processing, preferences for specific species, etc.) and conditions of sale (e.g., availability, sales terms/discounts/promotions, etc.). Based on available information, the elasticity of substitution between U.S.-produced warmwater shrimp and imported warmwater shrimp is likely to be in the range of 3 to 5. Factors increasing the level of substitutability include limited preferences or requirements for particular countries of origin or producers and technical interchangeability between domestic and subject sources. Factors reducing substitutability include differences related to the U.S. frozen warmwater shrimp typically being wild-caught and imports typically being farm-raised and differences in availability.

¹⁵ The substitution elasticity measures the responsiveness of the relative U.S. consumption levels of the subject imports and the domestic like products to changes in their relative prices. This reflects how easily purchasers switch from the U.S. product to the subject products (or vice versa) when prices change.

Part III: U.S. processors' production, shipments, and employment

The Commission analyzes a number of factors in making injury determinations (see 19 U.S.C. §§ 1677(7)(B) and 1677(7)(C)). Information on the subsidies and dumping margins was presented in Part I of this report and information on the volume and pricing of imports of the subject merchandise is presented in Part IV and Part V. Information on the other factors specified is presented in this section and/or Part VI and (except as noted) is based on the questionnaire responses of twenty firms that accounted for over 80 percent of U.S. production of frozen warmwater shrimp during 2023.

U.S. processors

The Commission issued a U.S. processors' questionnaire to 32 firms based on information contained in the petitions. Twenty firms provided usable data on their operations. Table III-1 lists the U.S. processors of frozen warmwater shrimp, their production locations, positions on the petitions, and shares of total production.

Table III-1**Frozen warmwater shrimp: U.S. processors, their positions on the petitions, production location(s), and shares of reported production, 2023**

Firm	Position on petitions	Production location(s)	Share of production
Bayou	ASPA member	Delcambre, Louisiana	***
Best Sea Pack	ASPA member	Danbury, Texas	***
Biloxi	ASPA member	Biloxi, Mississippi	***
C.F. Gollott	ASPA member	D'Iberville, Mississippi	***
Dominick's Seafood	ASPA member	Bayou La Batre, Louisiana	***
Graham	ASPA member	Bayou La Batre, Louisiana	***
Gulf Crown	ASPA member	Delcambre, Louisiana	***
Gulf Island	ASPA member	Dulac, Louisiana Independence, Louisiana	***
Gulf Pride	ASPA member	Biloxi, Mississippi	***
Hi Seas	ASPA member	Dulac, Louisiana	***
JBS Packing	ASPA member	Port Arthur, Texas	***
LaFitte	ASPA member	Lafitte, Louisiana Violet, Louisiana	***
Ocean Springs	ASPA member	Biloxi, Mississippi	***
Palmer	ASPA member	Bayou La Batre, Louisiana	***
Paul Piazza	ASPA member	New Orleans, Louisiana	***
Sea Pearl	ASPA member	Bayou La Batre, Louisiana	***
Seabrook	ASPA member	Kemah, Texas	***
Tidelands	ASPA member	Dulac, Louisiana	***
Tommy's	ASPA member	New Orleans, Louisiana	***
Wood's Fisheries	ASPA member	Port St. Joe, Florida	***
All firms	Various	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The American Shrimp Processors Association ("ASPA") is the petitioner in these investigations. *** responding members report supporting the petition with respect to each subject country.

Table III-2 presents information on U.S. processors' ownership, related and/or affiliated firms.

Table III-2**Frozen warmwater shrimp: U.S. processors' ownership, related and/or affiliated firms**

Reporting firm	Relationship type and related firm	Details of relationship
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

None of the responding U.S. processors are related to foreign processors, importers, or exporters of the subject merchandise. None of the U.S. processors imported the subject merchandise or purchased imports of the subject merchandise during the period of investigation.¹

Table III-3 presents events in the U.S. industry since January 1, 2021.

Table III-3
Frozen warmwater shrimp: Important industry events since January 1, 2021

Item	Event
Temporary reduction in availability of workers under H-2B visa program	Many positions in shrimp processing plants and some positions on shrimp vessels are filled using the H-2B visa program, which provides entry for some non-agricultural temporary workers. In 2020, due to COVID-19-related border restrictions, the number of H-2B visa issuances was cut nearly in half, temporarily reducing the availability of workers to the U.S. shrimp industry.
Hurricanes	Several major hurricanes have affected shrimp producers during the period of investigation. In particular, Hurricane Ida, which hit Louisiana in August 2021 and Hurricane Ian, which hit Florida in September 2022, struck areas with many shrimp boats. The number of shrimp boats destroyed reportedly led to reduced harvesting activity in the months after the storms.
Diesel fuel price spike	Prices of diesel fuel, which affect the activity of shrimp fishermen and therefore the availability of U.S. shrimp, declined slightly at the beginning of the COVID-19 pandemic but began to increase in late 2020. In early 2022, diesel prices began to climb more rapidly and, in June of that year, reached a 15-year high. Diesel fuel prices have since generally declined but remain above historical averages. In addition, diesel fuel prices increased in July, August, and September 2023 (see part V).
Pursuit of industry certifications	In early 2023, the American Shrimp Processors Association announced that it was contracting with a third-party certifier to obtain Marine Stewardship Council and Certified Seafood Collaborative Responsible Fisheries Management certifications for the U.S. Gulf shrimp fishery. Certification assessments are ongoing.

Source: ASPA, "The American Shrimp Processors Association Pursues Both MSC and CSC RFM Certifications," April 28, 2023; Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. III-2; U.S. Energy Information Administration, "Weekly U.S. No. 2 Diesel Ultra Low Sulfur (0-15 ppm) Retail Prices," accessed September 23, 2024.

¹ In its response to the Commission's questionnaire in the preliminary phase of these investigations, ***. However, *** and consequently did not report any purchases of the subject merchandise in its response to the Commission's questionnaire for the final phase of these investigations. Email from ***, September 13, 2024.

Processors in the United States were asked to report any change in the character of their operations or organization relating to the production of frozen warmwater shrimp since January 1, 2021. Table III-4 presents their narrative responses.

Table III-4
Frozen warmwater shrimp: U.S. processors' reported changes in operations, since January 1, 2021

Item	Firm name and narrative response
Plant openings	***
Plant closings	***
Plant closings	***
Prolonged shutdowns	***
Prolonged shutdowns	***
Prolonged shutdowns	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Relocations	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***

Table continued.

Table III-4 Continued
Frozen warmwater shrimp: U.S. processors' reported changes in operations, since January 1, 2021

Item	Firm name and narrative response
Acquisitions	***
Consolidations	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Other	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. production, capacity, and capacity utilization

Table III-5 presents U.S. processors' installed and practical capacity and production on the same equipment used to produce frozen warmwater shrimp. Between 2021 and 2023, 18 firms reported no change in their installed overall capacity, one firm reported an increase in its installed overall capacity, and one firm reported a decrease in its installed overall capacity. During the same period, 17 firms reported no change in their practical overall capacity, two firms reported an increase in their practical overall capacity, and one firm reported a decrease in its practical overall capacity.

Between 2021 and 2023, installed overall capacity and practical overall capacity increased by 0.6 percent and 1.0 percent, respectively. Installed overall capacity and practical overall capacity were 1.5 percent and 1.6 percent higher, respectively, in interim 2024 than in interim 2023. Installed overall capacity utilization and practical overall capacity utilization decreased by 7.3 percentage points and 10.3 percentage points, respectively, from 2021 to 2023. Installed overall capacity utilization and practical overall capacity utilization were 3.1 percentage points and 4.1 percentage points higher, respectively, in interim 2024 than in interim 2023.

Table III-5**Frozen warmwater shrimp: U.S. processors' installed and practical capacity and production on the same equipment as in-scope production, by period**

Capacity and production in 1,000 pounds; utilization in percent

Item	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Installed overall	Capacity	386,329	394,329	388,784	96,892	98,392
Installed overall	Production	131,888	103,004	104,050	14,672	17,890
Installed overall	Utilization	34.1	26.1	26.8	15.1	18.2
Practical overall	Capacity	279,263	287,533	281,988	71,855	73,025
Practical overall	Production	131,888	103,004	104,050	14,672	17,890
Practical overall	Utilization	47.2	35.8	36.9	20.4	24.5
Practical frozen warmwater shrimp	Capacity	279,263	287,533	281,988	71,855	73,025
Practical frozen warmwater shrimp	Production	131,888	103,004	104,050	14,672	17,890
Practical frozen warmwater shrimp	Utilization	47.2	35.8	36.9	20.4	24.5

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors were asked about production constraints that set the limits of their practical overall capacity. Table III-6 presents U.S. processors reported narratives regarding practical capacity constraints.

Table III-6**Frozen warmwater shrimp: U.S. processors' reported capacity constraints since January 1, 2021**

Item	Firm name and narrative response
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***

Table continued.

Table III-6 Continued

Frozen warmwater shrimp: U.S. processors' reported capacity constraints since January 1, 2021

Item	Firm name and narrative response on constraints to practical overall capacity
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***

Table continued.

Table III-6 Continued

Frozen warmwater shrimp: U.S. processors' reported capacity constraints since January 1, 2021

Item	Firm name and narrative response on constraints to practical overall capacity
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***

Table continued.

Table III-6 Continued

Frozen warmwater shrimp: U.S. processors' reported capacity constraints since January 1, 2021

Item	Firm name and narrative response on constraints to practical overall capacity
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-7 presents information on U.S. processors' types of freezing and processing capacity. Most firms reported having both block frozen and IQF freezing capacity. A majority of U.S. processors (13 out of 20) reported having peeling capacity.

Table III-7

Frozen warmwater shrimp: Count of U.S. processors' type of freezing and processing capacity

Count in number of firms reporting

Item	Block frozen	IQF	Other frozen	Peeling
Count	17	16	1	13

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The sum of responses may not add up to the total number of responding firms as each firm was instructed to check all applicable capacity types.

Table III-8 presents the number of U.S. processors that reported cold-storage constraints since January 1, 2021 and table III-9 presents information on the actions taken by those firms to address those constraints. A majority of responding U.S. processors reported having constraints on cold storage capacity at some point between 2021 and 2023, while most firms did not report having such constraints in 2024.

Table III-8
Frozen warmwater shrimp: Count of U.S. processors reporting cold storage constraints since January 1, 2021, by period

Count in number of firms reporting “yes”

Item	2021	2022	2023	2024 year-to-date
Count	11	12	12	7

Source: Compiled from data submitted in response to Commission questionnaires.

Note: *** processors reported no cold storage constraints throughout the period of investigation. The sum of responses may not add up to the total number of responding firms as each firm was instructed to check all applicable periods.

Table III-9
Frozen warmwater shrimp: U.S. processors’ responses to cold storage constraints, by firm

Firm	Reported cold storage constraints	Narrative on actions taken to address cold storage constraints
Bayou	***	***
Best Sea Pack	***	***
Biloxi	***	***
C.F. Gollott	***	***
Dominick's Seafood	***	***
Graham	***	***
Gulf Crown	***	***
Gulf Island	***	***
Gulf Pride	***	***
Hi Seas	***	***
JBS Packing	***	***
LaFitte	***	***
Ocean Springs	***	***
Palmer	***	***
Paul Piazza	***	***
Sea Pearl	***	***
Seabrook	***	***
Tidelands	***	***
Tommy's	***	***
Wood's Fisheries	***	***
All firms	Yes--13; No--7	NA

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors were asked whether the availability of wild-caught fresh warmwater shrimp in the United States was a constraint on their ability to produce frozen warmwater shrimp. A majority of firms (14 out of 20 in 2021 and 2022 and 13 out of 20 in 2023 and 2024 year-to-date) reported that availability of wild-caught fresh warmwater shrimp in the United States did not constrain their ability to process frozen warmwater shrimp since January 1, 2021. Table III-10 presents U.S. processors' responses.

Table III-10
Frozen warmwater shrimp: U.S. processors' responses regarding the availability of U.S. wild-caught fresh warmwater shrimp as a constraint on production since January 1, 2021

Count in number of firms reporting; quantity in 1,000 pounds; share in percent

Period	Measure	No	Yes	Total
2021	Count	14	6	20
2022	Count	14	6	20
2023	Count	13	7	20
2024 year-to-date	Count	13	7	20
2021	Share of count	70.0	30.0	100.0
2022	Share of count	70.0	30.0	100.0
2023	Share of count	65.0	35.0	100.0
2024 year-to-date	Share of count	65.0	35.0	100.0
2021	Quantity	89,239	42,649	131,888
2022	Quantity	78,156	24,848	103,004
2023	Quantity	79,086	24,964	104,050
2024 year-to-date	Quantity	15,853	2,037	17,890
2021	Share of quantity	67.7	32.3	100.0
2022	Share of quantity	75.9	24.1	100.0
2023	Share of quantity	76.0	24.0	100.0
2024 year-to-date	Share of quantity	88.6	11.4	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Quantity represents the quantity of shrimp processed by the firm based on whether or not it indicated constraints.

Table III-11 and figure III-1 present data on U.S. processors' production, capacity, and capacity utilization between January 2021 and March 2024. Reported capacity fluctuated modestly, increasing from 2021 to 2022, then decreasing from 2022 to 2023, ending 1.0 percent higher overall.² Two processors reported an increase in their capacity, one processor reported a decrease in its capacity, and 17 firms reported no change in their capacity. Reported capacity was 1.6 percent higher in interim 2024 than in interim 2023. Only two firms reported a change in capacity between the interim periods.

Reported production also fluctuated, but in the opposite direction from capacity, decreasing from 2021 to 2022, then increasing modestly from 2022 to 2023, ending 21.1 percent lower. Fourteen of the 20 processors reported less production in 2023 than in 2021, with the majority of those processors reporting year-to-year decreases.³ However, reported production was 21.9 percent higher in interim 2024 than in interim 2023. Ten of 20 processors reported more production in interim 2024 than in interim 2023.⁴

U.S. processors' average capacity utilization fluctuated, decreasing from 2021 to 2022, then increasing modestly from 2022 to 2023, ending 10.3 percentage points lower overall. Fifteen of 20 responding U.S. processors reported a lower capacity utilization in 2023 than in 2021. U.S. processors' average capacity utilization was 4.1 percentage points higher in interim 2024 than in interim 2023. Ten of 20 responding processors reported higher capacity utilization in interim 2024 than in interim 2023.

² *** accounted for most of the increase in practical capacity from 2021 to 2022. The increase in ***. Email from ***, November 17, 2023. ***. ***.

³ ***. Email from ***, August 7, 2024.

⁴ *** reported the largest increases in production between the interim periods. ***. Email from ***, August 7, 2024. ***. Email from ***, August 7, 2024.

***. Representatives from ***. Email from ***, August 7, 2024.

Table III-11
Frozen warmwater shrimp: U.S. processors' output: Practical capacity, by firm and period

Practical capacity

Capacity in 1,000 pounds

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Bayou	***	***	***	***	***
Best Sea Pack	***	***	***	***	***
Biloxi	***	***	***	***	***
C.F. Gollott	***	***	***	***	***
Dominick's Seafood	***	***	***	***	***
Graham	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
Hi Seas	***	***	***	***	***
JBS Packing	***	***	***	***	***
LaFitte	***	***	***	***	***
Ocean Springs	***	***	***	***	***
Palmer	***	***	***	***	***
Paul Piazza	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommy's	***	***	***	***	***
Wood's Fisheries	***	***	***	***	***
All firms	279,263	287,533	281,988	71,855	73,025

Table continued.

Table III-11 Continued
Frozen warmwater shrimp: U.S. processors' output: Production, by firm and period
Production

Production in 1,000 pounds

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Bayou	***	***	***	***	***
Best Sea Pack	***	***	***	***	***
Biloxi	***	***	***	***	***
C.F. Gollott	***	***	***	***	***
Dominick's Seafood	***	***	***	***	***
Graham	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
Hi Seas	***	***	***	***	***
JBS Packing	***	***	***	***	***
LaFitte	***	***	***	***	***
Ocean Springs	***	***	***	***	***
Palmer	***	***	***	***	***
Paul Piazza	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommy's	***	***	***	***	***
Wood's Fisheries	***	***	***	***	***
All firms	131,888	103,004	104,050	14,672	17,890

Table continued.

Table III-11 Continued
Frozen warmwater shrimp: U.S. processors' output: Capacity utilization, by firm and period
Capacity utilization

Capacity utilization ratio in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Bayou	***	***	***	***	***
Best Sea Pack	***	***	***	***	***
Biloxi	***	***	***	***	***
C.F. Gollott	***	***	***	***	***
Dominick's Seafood	***	***	***	***	***
Graham	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
Hi Seas	***	***	***	***	***
JBS Packing	***	***	***	***	***
LaFitte	***	***	***	***	***
Ocean Springs	***	***	***	***	***
Palmer	***	***	***	***	***
Paul Piazza	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommy's	***	***	***	***	***
Wood's Fisheries	***	***	***	***	***
All firms	47.2	35.8	36.9	20.4	24.5

Note: Capacity utilization ratio represents the ratio of the U.S. processor's production to its production capacity.

Table continued.

Table III-11 Continued
Frozen warmwater shrimp: U.S. processors' output: Share of production, by firm and period
Share of production

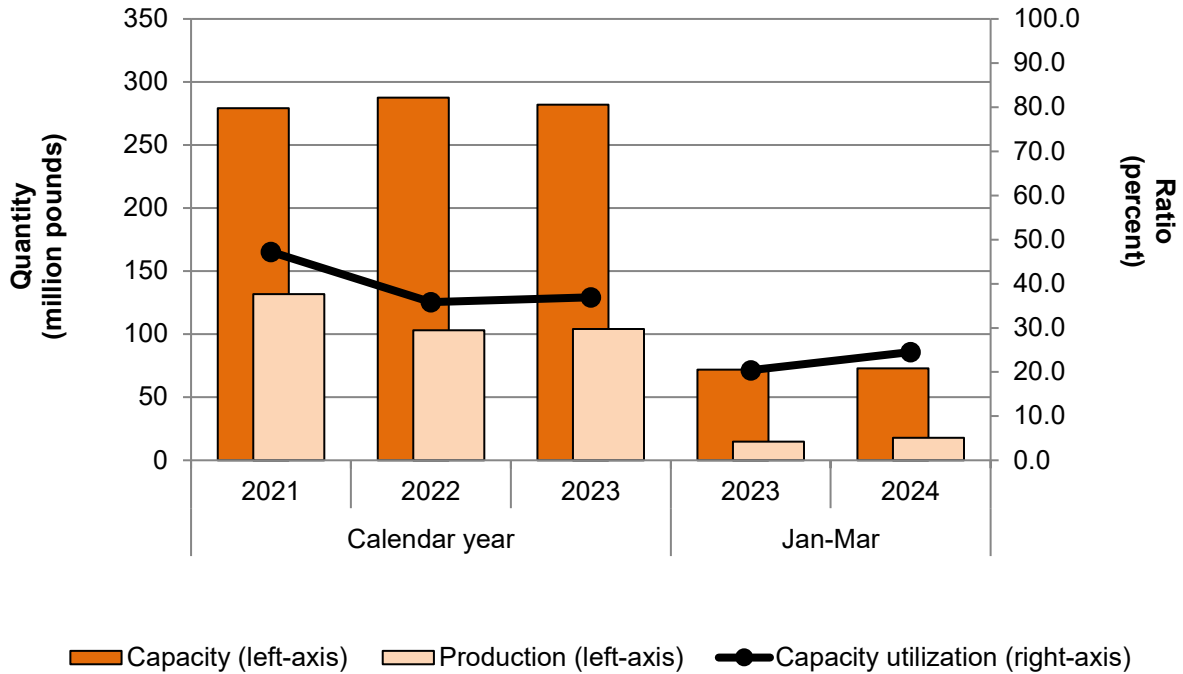
Share in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Bayou	***	***	***	***	***
Best Sea Pack	***	***	***	***	***
Biloxi	***	***	***	***	***
C.F. Gollott	***	***	***	***	***
Dominick's Seafood	***	***	***	***	***
Graham	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
Hi Seas	***	***	***	***	***
JBS Packing	***	***	***	***	***
LaFitte	***	***	***	***	***
Ocean Springs	***	***	***	***	***
Palmer	***	***	***	***	***
Paul Piazza	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommy's	***	***	***	***	***
Wood's Fisheries	***	***	***	***	***
All firms	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure III-1
Frozen warmwater shrimp: U.S. processors' capacity, production, and capacity utilization, by period



Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors were asked whether they have or are able to produce cooked frozen warmwater shrimp. A majority (14 out of 20 firms) reported that they are unable to produce cooked frozen warmwater shrimp. Among the six firms that reported being able to produce cooked frozen warmwater shrimp, three reported producing the product. Table III-12 presents information on responding U.S. processors' ability to produce cooked frozen warmwater shrimp and table III-13 presents U.S. processors' technical reasons for not being able to produce cooked frozen warmwater shrimp and the investments needed for production.

Table III-12

Frozen warmwater shrimp: U.S. processors' production capability and actual production of cooked frozen warmwater shrimp, by firm

Quantity in 1,000 pounds

Firm	Able to produce	Actually produced	Quantity produced in 2023	Able to produce but did not	Narrative on reasons for not producing when they could
Bayou	***	***	***	***	***
Best Sea Pack	***	***	***	***	***
Biloxi	***	***	***	***	***
C.F. Gollott	***	***	***	***	***
Dominick's Seafood	***	***	***	***	***
Graham	***	***	***	***	***
Gulf Crown	***	***	***	***	***
Gulf Island	***	***	***	***	***
Gulf Pride	***	***	***	***	***
Hi Seas	***	***	***	***	***
JBS Packing	***	***	***	***	***
LaFitte	***	***	***	***	***
Ocean Springs	***	***	***	***	***
Palmer	***	***	***	***	***
Paul Piazza	***	***	***	***	***
Sea Pearl	***	***	***	***	***
Seabrook	***	***	***	***	***
Tidelands	***	***	***	***	***
Tommy's	***	***	***	***	***
Wood's Fisheries	***	***	***	***	***
All firms	Yes--6; No--14	Yes--3; No--3	***	Yes--3; No--0	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Table III-13

Frozen warmwater shrimp: U.S. processors' narratives on technical reasons for not being able to produce cooked frozen warmwater shrimp and the necessary investments to produce such product, by firm

Firm	Narrative on technical reasons for not being able to produce	Narrative on new investment needed to produce
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

No U.S. processor reported producing alternative products using the same equipment, machinery, or employees used to produce frozen warmwater shrimp.

U.S. processors' U.S. shipments and exports

Table III-14 presents U.S. processors' U.S. shipments, export shipments, and total shipments. U.S. shipments decreased each year from 2021 to 2023, most noticeably from 2021 to 2022, ending 26.3 percent lower overall. Fourteen of the 20 responding U.S. processors reported lower U.S. shipments in 2023 than in 2021.⁵ However, U.S. shipments were 34.1 percent higher in interim 2024 than in interim 2023. Twelve of the 20 responding U.S. processors reported higher U.S. shipments in interim 2024 than in interim 2023. No processor reported export shipments between January 2021 and March 2024.

The value of U.S. processors' U.S. shipments also decreased each year from 2021 to 2023, ending 39.5 percent lower. It was 3.1 percent lower in interim 2024 than in interim 2023. The average unit value ("AUV") of U.S. processors' U.S. shipments fluctuated between 2021 and 2023, increasing from 2021 to 2022, then decreasing more noticeably from 2022 to 2023, ending 17.9 percent lower overall. It was 27.7 percent lower in interim 2024 than in interim 2023, reaching a period low.

⁵ *** collectively accounted for *** in U.S. shipments between 2021 and 2023. ***. Additionally, *** Emails from Elizabeth Drake ***, August 5, 2024 and August 7, 2024.

Table III-14
Frozen warmwater shrimp: U.S. processors' shipments, by destination and period

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

Item	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
U.S. shipments	Quantity	132,815	98,565	97,948	19,129	25,646
Export shipments	Quantity	---	---	---	---	---
Total shipments	Quantity	132,815	98,565	97,948	19,129	25,646
U.S. shipments	Value	643,981	488,429	389,716	90,295	87,467
Export shipments	Value	---	---	---	---	---
Total shipments	Value	643,981	488,429	389,716	90,295	87,467
U.S. shipments	Unit value	4.85	4.96	3.98	4.72	3.41
Export shipments	Unit value	---	---	---	---	---
Total shipments	Unit value	4.85	4.96	3.98	4.72	3.41
U.S. shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
Export shipments	Share of quantity	---	---	---	---	---
Total shipments	Share of quantity	100.0	100.0	100.0	100.0	100.0
U.S. shipments	Share of value	100.0	100.0	100.0	100.0	100.0
Export shipments	Share of value	---	---	---	---	---
Total shipments	Share of value	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: ***. In follow up correspondence, ***. Email from ***, November 16, 2023. ***. See part VI for a detailed explanation for ***.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

U.S. processors' inventories

Table III-15 presents U.S. processors' end-of-period inventories and the ratio of their inventories to production, U.S. shipments, and total shipments. End-of-period inventories increased in each year between 2021 and 2023, ending 69.7 percent higher. Sixteen of 20 processors reported more end-of-period inventories in 2023 than in 2021. End-of-period inventories were 19.4 percent higher in interim 2024 than in interim 2023. Eleven of 20 processors reported more end-of-period inventories in interim 2024 than in interim 2023.

The ratio of U.S. processors' end-of-period inventories to their production increased in each year between 2021 and 2023, ending 18.8 percentage points higher. The ratio of U.S. processors' end-of-period inventories to their U.S. shipments also increased in each year between 2021 and 2023, ending 21.2 percentage points higher. The ratios of U.S. processors' end-of-period inventories to their production and U.S. shipments were 0.8 percentage points and 3.4 percentage points lower, respectively, in interim 2024 than in interim 2023.

Table III-15
Frozen warmwater shrimp: U.S. processors' inventories and their ratio to select items, by period

Quantity in 1,000 pounds; ratio in percent

Item	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
End-of-period inventory quantity	21,564	28,471	36,603	24,195	28,891
Inventory ratio to U.S. production	16.4	27.6	35.2	41.2	40.4
Inventory ratio to U.S. shipments	16.2	28.9	37.4	31.6	28.2
Inventory ratio to total shipments	16.2	28.9	37.4	31.6	28.2

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. processors' imports from subject sources

No responding U.S. processor reported imports of frozen warmwater shrimp from any source between January 2021 and March 2024.

U.S. processors' purchases of imports from subject sources

No responding U.S. processor reported purchases of imports of frozen warmwater shrimp from any subject source between January 2021 and March 2024.⁶

⁶ In its response to the Commission's questionnaire in the preliminary phase of these investigations, ***. However, *** and consequently did not report any purchases of the subject merchandise in its response to the Commission's questionnaire for the final phase of these investigations. Email from ***, September 13, 2024.

U.S. employment, wages, and productivity

Table III-16 shows U.S. processors' employment-related data. The number of production-related workers ("PRWs") fluctuated between 2021 and 2023, increasing from 2021 to 2022, then decreasing more noticeably from 2022 to 2023, ending 3.7 percent lower overall. It was 0.9 percent lower in interim 2024 than in interim 2023. Productivity decreased by 15.2 percent from 2021 to 2023. However, it was 14.1 percent higher in interim 2024 than in interim 2023. Total hours worked, hours worked per PRW, and wages paid were lower in 2023 than in 2021, while hourly wages and unit labor costs were higher. Total hours worked, hours worked per PRW, and productivity were higher in interim 2024 than in interim 2023, while wages paid, hourly wages, and unit labor costs were lower.

Table III-16

Frozen warmwater shrimp: U.S. processors' employment-related information, by item and period

Item	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Production and related workers (PRWs) (number)	1,081	1,117	1,041	778	771
Total hours worked (1,000 hours)	2,270	2,171	2,112	333	356
Hours worked per PRW (hours)	2,100	1,944	2,029	428	462
Wages paid (\$1,000)	36,159	37,526	35,526	5,783	5,611
Hourly wages (dollars per hour)	\$15.93	\$17.29	\$16.82	\$17.37	\$15.76
Productivity (pounds per hour)	58.1	47.4	49.3	44.1	50.3
Unit labor costs (dollars per pound)	\$0.27	\$0.36	\$0.34	\$0.39	\$0.31

Source: Compiled from data submitted in response to Commission questionnaires.

Part IV: U.S. imports, apparent U.S. consumption, and market shares

U.S. importers

The Commission issued importer questionnaires to 175 firms believed to be importers of subject frozen warmwater shrimp, as well as to all U.S. producers of frozen warmwater shrimp.¹ Usable questionnaire responses were received from 66 companies.² Based on adjusted official Commerce statistics, U.S. importers' questionnaire data accounted for *** percent of subject imports and 56.0 percent of total imports in 2023 classified under HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. Firms responding to the Commission's questionnaire accounted for the following shares of imports (as a share of adjusted official Commerce statistics, by quantity) in 2023.³

- *** percent of imports from Ecuador
- *** percent of imports from India
- *** percent of imports from subject sources in Indonesia
- *** percent of imports from Vietnam
- *** percent of imports from nonsubject sources

Table IV-1 lists all responding U.S. importers of frozen warmwater shrimp from Ecuador, India, Indonesia, Vietnam, and other sources, their locations, and their shares of U.S. imports, in 2023.

¹ The Commission issued questionnaires to those firms identified in the petitions; staff research; and proprietary, Census-edited Customs' import records.

² The Commission also received questionnaire responses from ***. However, these responses were not incorporated into this part of the report because these firms were unable to provide complete data despite follow-up requests by Commission staff. *** was unable to report any commercial U.S. shipment or pricing data. *** did not report any imports, while *** reported approximately *** pounds of imports from subject sources in 2023, equivalent to *** percent of all subject imports.

³ Subject import coverage was calculated as a share of subject imports, as reported in questionnaire responses, divided by official import statistics from Commerce, adjusted using proprietary, Customs-edited records.

Table IV-1
Frozen warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2023

Share in percent

Firm	Headquarters	Ecuador	India	Indonesia , subject	Vietnam	Subject sources
AEL Seafood	Fort Lee, NJ	***	***	***	***	***
Ananda Enterprises	Bhimavaram, AP	***	***	***	***	***
Ananda Group	Bhimavaram, West Godavari District, AP	***	***	***	***	***
Anantha USA	Austin, TX	***	***	***	***	***
Aqua Star	Seattle, WA	***	***	***	***	***
Arctic Food Services	St Louis, MO	***	***	***	***	***
Asvini	Chennai, TN	***	***	***	***	***
Atalanta	Elizabeth, NJ	***	***	***	***	***
Avanti Frozen	Hyderabad, TS	***	***	***	***	***
AZ Gems	Redlands, CA	***	***	***	***	***
Beaver Street Fisheries	Jacksonville, FL	***	***	***	***	***
BMR Industries	Nellore, AP	***	***	***	***	***
C.P. Food	Columbia, MD	***	***	***	***	***
CenSea	Northbrook, IL	***	***	***	***	***
Choice Trading	Chennai, TN	***	***	***	***	***
Clean Seafood	Soc Trang, Vietnam	***	***	***	***	***
Coastal Aqua	Kakinada, AP	***	***	***	***	***
Coastal Corporation	Visakhapatnam, AP	***	***	***	***	***
Cuulong Seaproducts	Tra Vinh City,	***	***	***	***	***
Devi Fisheries	Visakhapatnam, AP	***	***	***	***	***
Devi Sea Foods Limited	Visakhapatnam, AP	***	***	***	***	***
Devi Seafoods Inc.	Houston, TX	***	***	***	***	***
Direct Source Seafood	Bellevue, WA	***	***	***	***	***
Eastern Fish	Teaneck, NJ	***	***	***	***	***
Falcon Marine	Bhubaneswar, OD	***	***	***	***	***
Fish One	Hau Giang,	***	***	***	***	***
Global Seafood	Villa Park, IL	***	***	***	***	***
Godavari	Bhimavaram Mandal, AP	***	***	***	***	***
Golden Harvest	San Gabriel, CA	***	***	***	***	***
H & N Group	Vernon, CA	***	***	***	***	***

Table continued.

Table IV-1 Continued

Frozen warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2023

Share in percent

Firm	Headquarters	Ecuador	India	Indonesia, subject	Vietnam	Subject sources
High Liner Foods	Portsmouth, NH	***	***	***	***	***
Kader Exports	Mumbai, MH	***	***	***	***	***
Kim Anh Company	Soc Trang, Vietnam	***	***	***	***	***
Leopard USA	Philadelphia, PA	***	***	***	***	***
Liberty Seafood	Horsham, PA	***	***	***	***	***
Limson Trading	Norwalk, CT	***	***	***	***	***
LNSK Green House	Nellore, AP	***	***	***	***	***
Mangala Marine	Kochi, KL	***	***	***	***	***
Mangala Sea Foods	Alappuzha, KL	***	***	***	***	***
Mazzetta	Highland Park, IL	***	***	***	***	***
Mseafood	Fountain Valley, CA	***	***	***	***	***
Nekkanti Sea Foods	Visakhapatnam, AP	***	***	***	***	***
Ngoc Tri Seafood	Bac Lieu, Vietnam	***	***	***	***	***
NTSF Company	Rosemead, CA	***	***	***	***	***
Ocean Garden	San Diego, CA	***	***	***	***	***
Pacific Breeze Seafood	Long Beach, CA	***	***	***	***	***
Prime	Dumont, NJ	***	***	***	***	***
QNL Company	Chau Thanh,	***	***	***	***	***
Royale Marine Impex	Kavurivarpalem, AP	***	***	***	***	***
Sagar Grandhi	Chennai, TN	***	***	***	***	***
Sai Marine	Maharanipeta, AP	***	***	***	***	***
Sandhya Marines	Visakhapatnam, AP	***	***	***	***	***
Santa Priscila	Guayaquil, Ecuador	***	***	***	***	***
Sea Port Products	Kirkland, WA	***	***	***	***	***
Seafood Trading	Miami, FL	***	***	***	***	***
Seattle Shrimp	Bellevue, WA	***	***	***	***	***
SK Food Brands	Los Angeles, CA	***	***	***	***	***
Southwind Foods	Carson, CA	***	***	***	***	***
Stavis	Boston, MA	***	***	***	***	***
Suram	Coral Gables, FL	***	***	***	***	***
Taika Seafood	Soc Trang, Vietnam	***	***	***	***	***
Thuan Phuoc	Da Nang, Vietnam	***	***	***	***	***
Tri-Union	El Segundo, CA	***	***	***	***	***
Wellcome Fisheries	Chennai, TN	***	***	***	***	***
Wismettac	Santa Fe Springs, CA	***	***	***	***	***
Worldwide Seafood	Perth Amboy, NJ	***	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0	100.0

Table continued.

Table IV-1 Continued

Frozen warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2023

Share in percent

Firm	Headquarters	Indonesia, nonsubject	All other sources	Nonsubject sources	All import sources
AEL Seafood	Fort Lee, NJ	***	***	***	***
Ananda Enterprises	Bhimavaram, AP	***	***	***	***
Ananda Group	Bhimavaram, West Godavari District, AP	***	***	***	***
Anantha USA	Austin, TX	***	***	***	***
Aqua Star	Seattle, WA	***	***	***	***
Arctic Food Services	St Louis, MO	***	***	***	***
Asvini	Chennai, TN	***	***	***	***
Atalanta	Elizabeth, NJ	***	***	***	***
Avanti Frozen	Hyderabad, TS	***	***	***	***
AZ Gems	Redlands, CA	***	***	***	***
Beaver Street Fisheries	Jacksonville, FL	***	***	***	***
BMR Industries	Nellore, AP	***	***	***	***
C.P. Food	Columbia, MD	***	***	***	***
CenSea	Northbrook, IL	***	***	***	***
Choice Trading	Chennai, TN	***	***	***	***
Clean Seafood	Soc Trang, Vietnam	***	***	***	***
Coastal Aqua	Kakinada, AP	***	***	***	***
Coastal Corporation	Visakhapatnam, AP	***	***	***	***
Cuulong Seaproducts	Tra Vinh City,	***	***	***	***
Devi Fisheries	Visakhapatnam, AP	***	***	***	***
Devi Sea Foods Limited	Visakhapatnam, AP	***	***	***	***
Devi Seafoods Inc.	Houston, TX	***	***	***	***
Direct Source Seafood	Bellevue, WA	***	***	***	***
Eastern Fish	Teaneck, NJ	***	***	***	***
Falcon Marine	Bhubaneswar, OD	***	***	***	***
Fish One	Hau Giang,	***	***	***	***
Global Seafood	Villa Park, IL	***	***	***	***
Godavari	Bhimavaram Mandal, AP	***	***	***	***
Golden Harvest	San Gabriel, CA	***	***	***	***
H & N Group	Vernon, CA	***	***	***	***

Table continued.

Table IV-1 Continued

Frozen warmwater shrimp: U.S. importers, their headquarters, and share of imports within each source, 2023

Share in percent

Firm	Headquarters	Indonesia, nonsubject	All other sources	Nonsubject sources	All import sources
High Liner Foods	Portsmouth, NH	***	***	***	***
Kader Exports	Mumbai, MH	***	***	***	***
Kim Anh Company	Soc Trang, Vietnam	***	***	***	***
Leopard USA	Philadelphia, PA	***	***	***	***
Liberty Seafood	Horsham, PA	***	***	***	***
Limson Trading	Norwalk, CT	***	***	***	***
LNSK Green House	Nellore, AP	***	***	***	***
Mangala Marine	Kochi, KL	***	***	***	***
Mangala Sea Foods	Alappuzha, KL	***	***	***	***
Mazzetta	Highland Park, IL	***	***	***	***
Mseafood	Fountain Valley, CA	***	***	***	***
Nekkanti Sea Foods	Visakhapatnam, AP	***	***	***	***
Ngoc Tri Seafood	Bac Lieu,	***	***	***	***
NTSF Company	Rosemead, CA	***	***	***	***
Ocean Garden	San Diego, CA	***	***	***	***
Pacific Breeze Seafood	Long Beach, CA	***	***	***	***
Prime	Dumont, NJ	***	***	***	***
QNL Company	Chau Thanh,	***	***	***	***
Royale Marine Impex	Kavurivarpalem, AP	***	***	***	***
Sagar Grandhi	Chennai, TN	***	***	***	***
Sai Marine	Maharanipeta., AP	***	***	***	***
Sandhya Marines	Visakhapatnam, AP	***	***	***	***
Santa Priscila	Guayaquil, Ecuador,	***	***	***	***
Sea Port Products	Kirkland, WA	***	***	***	***
Seafood Trading	Miami, FL	***	***	***	***
Seattle Shrimp	Bellevue, WA	***	***	***	***
SK Food Brands	Los Angeles, CA	***	***	***	***
Southwind Foods	Carson, CA	***	***	***	***
Stavis	Boston, MA	***	***	***	***
Suram	Coral Gables, FL	***	***	***	***
Taika Seafood	Soc Trang, Vietnam	***	***	***	***
Thuan Phuoc	Da Nang, Vietnam	***	***	***	***
Tri-Union	El Segundo, CA	***	***	***	***
Wellcome Fisheries	Chennai, TN	***	***	***	***
Wismettac	Santa Fe Springs, CA	***	***	***	***
Worldwide Seafood	Perth Amboy, NJ	***	***	***	***
All firms	Various	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

U.S. imports

Table IV-2 and figure IV-1 present data for U.S. imports of frozen warmwater shrimp from Ecuador, India, Indonesia, Vietnam and all other sources as well as imports of fresh warmwater shrimp. Subject sources, by quantity, accounted for a large majority of total imports of frozen warmwater shrimp in every year from 2021 to 2023 (***) percent) and in interim 2024 (***) percent). Among the subject sources, India accounted for the largest share of total imports of frozen warmwater shrimp between 2021 and 2023 and in interim 2024, followed by Ecuador.

From 2021 to 2023, the quantity and value of subject imports of frozen warmwater shrimp decreased by *** percent and *** percent, respectively, resulting in the unit value decreasing by *** percent. The quantity of subject imports was *** percent higher in interim 2024 than in interim 2023, while the value was *** percent lower. Consequently, the unit value of subject imports was *** percent lower in interim 2024 than in interim 2023.

The quantity and value of nonsubject imports decreased in each year between 2021 and 2023, ending *** percent and *** percent lower, respectively, resulting in the unit value increasing by *** percent. The quantity and value of nonsubject imports were *** percent and *** percent lower, respectively, in interim 2024 than in interim 2023. Consequently, the unit value of nonsubject imports was *** percent lower in interim 2024 than in interim 2023.

Table IV-2
Fresh and frozen warmwater shrimp: U.S. imports, by source and period

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

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: Ecuador	Quantity	391,524	421,824	440,905	110,100	120,644
Frozen: India	Quantity	747,915	665,058	648,808	137,755	146,472
Frozen: Indonesia, subject	Quantity	***	***	***	***	***
Frozen: Vietnam	Quantity	161,721	112,822	103,970	12,334	17,075
Frozen: Subject sources	Quantity	***	***	***	***	***
Frozen: Indonesia, nonsubject	Quantity	***	***	***	***	***
Frozen: All other sources	Quantity	182,074	163,845	121,737	31,235	28,768
Frozen: Nonsubject sources	Quantity	***	***	***	***	***
Frozen: All import sources	Quantity	1,815,248	1,671,190	1,583,166	361,752	368,649
Fresh: All import sources	Quantity	2,085	2,663	757	132	225
Fresh and frozen: All import sources	Quantity	1,817,333	1,673,853	1,583,923	361,884	368,874
Frozen: Ecuador	Value	1,361,585	1,499,696	1,397,744	346,801	378,484
Frozen: India	Value	3,124,218	2,958,128	2,389,151	534,658	502,315
Frozen: Indonesia, subject	Value	***	***	***	***	***
Frozen: Vietnam	Value	894,877	686,700	537,318	68,944	84,333
Frozen: Subject sources	Value	***	***	***	***	***
Frozen: Indonesia, nonsubject	Value	***	***	***	***	***
Frozen: All other sources	Value	955,408	959,880	691,023	186,084	155,319
Frozen: Nonsubject sources	Value	***	***	***	***	***
Frozen: All import sources	Value	7,811,909	7,620,221	6,062,850	1,419,870	1,322,125
Fresh: All import sources	Value	8,197	11,952	3,975	976	888
Fresh and frozen: All import sources	Value	7,820,106	7,632,173	6,066,826	1,420,846	1,323,013

Table continued.

Table IV-2 Continued
Fresh and frozen warmwater shrimp: U.S. imports, by source and period

Unit value in dollars per pound; share in percent

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: Ecuador	Unit value	3.48	3.56	3.17	3.15	3.14
Frozen: India	Unit value	4.18	4.45	3.68	3.88	3.43
Frozen: Indonesia, subject	Unit value	***	***	***	***	***
Frozen: Vietnam	Unit value	5.53	6.09	5.17	5.59	4.94
Frozen: Subject sources	Unit value	***	***	***	***	***
Frozen: Indonesia, nonsubject	Unit value	***	***	***	***	***
Frozen: All other sources	Unit value	5.25	5.86	5.68	5.96	5.40
Frozen: Nonsubject sources	Unit value	***	***	***	***	***
Frozen: All import sources	Unit value	4.30	4.56	3.83	3.92	3.59
Fresh: All import sources	Unit value	3.93	4.49	5.25	7.38	3.95
Fresh and frozen: All import sources	Unit value	4.30	4.56	3.83	3.93	3.59
Frozen: Ecuador	Share of quantity	21.5	25.2	27.8	30.4	32.7
Frozen: India	Share of quantity	41.2	39.7	41.0	38.1	39.7
Frozen: Indonesia, subject	Share of quantity	***	***	***	***	***
Frozen: Vietnam	Share of quantity	8.9	6.7	6.6	3.4	4.6
Frozen: Subject sources	Share of quantity	***	***	***	***	***
Frozen: Indonesia, nonsubject	Share of quantity	***	***	***	***	***
Frozen: All other sources	Share of quantity	10.0	9.8	7.7	8.6	7.8
Frozen: Nonsubject sources	Share of quantity	***	***	***	***	***
Frozen: All import sources	Share of quantity	99.9	99.8	100.0	100.0	99.9
Fresh: All import sources	Share of quantity	0.1	0.2	0.0	0.0	0.1
Fresh and frozen: All import sources	Share of quantity	100.0	100.0	100.0	100.0	100.0

Table continued.

Table IV-2 Continued
Fresh and frozen warmwater shrimp: U.S. imports, by source and period

Share and ratio in percent

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: Ecuador	Share of value	17.4	19.6	23.0	24.4	28.6
Frozen: India	Share of value	40.0	38.8	39.4	37.6	38.0
Frozen: Indonesia, subject	Share of value	***	***	***	***	***
Frozen: Vietnam	Share of value	11.4	9.0	8.9	4.9	6.4
Frozen: Subject sources	Share of value	***	***	***	***	***
Frozen: Indonesia, nonsubject	Share of value	***	***	***	***	***
Frozen: All other sources	Share of value	12.2	12.6	11.4	13.1	11.7
Frozen: Nonsubject sources	Share of value	***	***	***	***	***
Frozen: All import sources	Share of value	99.9	99.8	99.9	99.9	99.9
Fresh: All import sources	Share of value	0.1	0.2	0.1	0.1	0.1
Fresh and frozen: All import sources	Share of value	100.0	100.0	100.0	100.0	100.0
Frozen: Ecuador	Ratio	296.9	413.9	425.0	750.4	674.4
Frozen: India	Ratio	567.1	652.5	625.4	938.9	818.7
Frozen: Indonesia, subject	Ratio	***	***	***	***	***
Frozen: Vietnam	Ratio	122.6	110.7	100.2	84.1	95.4
Frozen: Subject sources	Ratio	***	***	***	***	***
Frozen: Indonesia, nonsubject	Ratio	***	***	***	***	***
Frozen: All other sources	Ratio	138.1	160.8	117.3	212.9	160.8
Frozen: Nonsubject sources	Ratio	***	***	***	***	***
Frozen: All import sources	Ratio	1,376.4	1,639.7	1,526.1	2,465.6	2,060.6
Fresh: All import sources	Ratio	1.6	2.6	0.7	0.9	1.3
Fresh and frozen: All import sources	Ratio	1,377.9	1,642.3	1,526.8	2,466.5	2,061.9

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note: Share of quantity is the share of U.S. imports by quantity; share of value is the share of U.S. imports by value; ratio are U.S. imports to production.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent.

Figure IV-1
Fresh and frozen warmwater shrimp: U.S. import quantities and average unit values, by source and period

* * * * *

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Imports from Ecuador increased in every year between 2021 and 2023, ending 12.6 percent higher. Imports from India, subject sources in Indonesia, and Vietnam, conversely, decreased in every year during the same period, ending 13.3 percent, *** percent, and 35.7 percent lower, respectively. Imports from Ecuador were 9.6 percent higher in interim 2024 than in interim 2023. Imports from India were 6.3 percent higher in interim 2024 than in interim 2023, while imports from subject sources in Indonesia were *** percent lower. Imports from Vietnam were 38.4 percent higher in interim 2024 than in interim 2023.

The value of imports from Ecuador fluctuated, increasing from 2021 to 2022, then decreasing from 2022 to 2023, ending 2.7 percent higher overall. Conversely, the values of imports from India, subject sources in Indonesia, and Vietnam decreased by 23.5 percent, *** percent, and 40.0 percent, respectively, from 2021 to 2023. The value of imports from Ecuador was 9.1 percent higher in interim 2024 than in interim 2023. The values of imports from India and subject sources in Indonesia were 6.0 percent and *** percent lower, respectively, in interim 2024 than in interim 2023, while the value of imports from Vietnam was 22.3 percent higher.

The unit values of imports from Ecuador, India, subject sources in Indonesia, and Vietnam each fluctuated, increasing from 2021 to 2022 then decreasing from 2022 to 2023, ending 8.8 percent, 11.8 percent, *** percent, and 6.6 percent lower overall, respectively. The unit value of imports from Ecuador was basically the same in both interim periods. The unit values of imports from India, subject sources in Indonesia, and Vietnam were 11.6 percent, *** percent, and 11.6 percent lower, respectively, in interim 2024 than in interim 2023.

Imports of fresh warmwater shrimp, by quantity, were no more than 0.2 percent of the total imports of frozen warmwater shrimp between 2021 and 2023, and in interim 2024. Imports of fresh warmwater shrimp decreased by 63.7 percent from 2021 to 2023 but were 70.0 percent higher in interim 2024 than in interim 2023.

Negligibility

The statute requires that an investigation be terminated without an injury determination if imports of the subject merchandise are found to be negligible.⁴ Negligible imports are generally defined in the Act, as amended, as imports from a country of merchandise corresponding to a domestic like product where such imports account for less than 3 percent of the volume of all such merchandise imported into the United States in the most recent 12-month period for which data are available that precedes the filing of the petition or the initiation of the investigation. However, if there are imports of such merchandise from a number of countries subject to investigations initiated on the same day that individually account for less than 3 percent of the total volume of the subject merchandise, and if the imports from those countries collectively account for more than 7 percent of the volume of all such merchandise imported into the United States during the applicable 12-month period, then imports from such countries are deemed not to be negligible.⁵

Table IV-3 presents U.S. imports subject to Commerce's final affirmative LTFV determination in the 12-month period preceding the filing of the petitions. By quantity, imports from sources in Indonesia subject to the affirmative LTFV determination accounted for *** percent of U.S. imports of frozen warmwater shrimp from October 2022 to September 2023.

⁴ Sections 703(a)(1), 705(b)(1), 733(a)(1), and 735(b)(1) of the Act (19 U.S.C. §§ 1671b(a)(1), 1671d(b)(1), 1673b(a)(1), and 1673d(b)(1)).

⁵ Section 771 (24) of the Act (19 U.S.C § 1677(24)).

Table IV-3**Frozen warmwater shrimp: U.S. imports subject to affirmative final sales at less than fair value (AD) determination in the twelve-month period preceding the filing of the petitions, October 2022 through September 2023**

Quantity in 1,000 pounds; share in percent

Source of imports	Quantity	Share of quantity
Indonesia, subject	***	***
India	629,616	40.6
Vietnam	95,205	6.1
Ecuador	426,397	27.5
Indonesia, nonsubject	***	***
All other sources	129,808	8.4
All import sources	1,549,112	100.0

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series.

Table IV-4 presents U.S. imports subject to Commerce’s final affirmative countervailing duty determinations in the 12-month period preceding the filing of the petitions. By quantity, imports from Ecuador, India, and Vietnam accounted for 27.5 percent, 40.6 percent, and 6.1 percent, respectively, of U.S. imports of frozen warmwater shrimp from October 2022 to September 2023.

Table IV-4**Frozen warmwater shrimp: U.S. imports subject to affirmative final countervailable subsidies (CVD) determinations in the twelve-month period preceding the filing of the petitions, October 2022 through September 2023**

Quantity in 1,000 pounds; share in percent

Source of imports	Quantity	Share of quantity
Ecuador	426,397	27.5
India	629,616	40.6
Indonesia, subject	---	---
Vietnam	95,205	6.1
Subject CVD sources	1,151,219	74.3
Indonesia, nonsubject	268,086	17.3
All other sources	129,808	8.4
Nonsubject CVD sources	397,894	25.7
All import sources	1,549,112	100.0

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024. Imports are based on the imports for consumption data series.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

Cumulation considerations

In assessing whether imports should be cumulated, the Commission determines whether U.S. imports from the subject countries compete with each other and with the domestic like product and has generally considered four factors: (1) fungibility, (2) presence of sales or offers to sell in the same geographical markets, (3) common or similar channels of distribution, and (4) simultaneous presence in the market. Information regarding channels of distribution, market areas, and interchangeability appear in Part II. Additional information concerning fungibility, geographical markets, and simultaneous presence in the market is presented below.

Fungibility

Table IV-5 and figure IV-2 present data on U.S. processors' and U.S. importers' U.S. shipments of frozen warmwater shrimp by freezing type in 2023. U.S. processors' U.S. shipments were nearly evenly divided between block frozen and IQF; no other freezing methods were reported. U.S. shipments of imports from Ecuador were fairly evenly distributed among different freezing types, while the majority or vast majority of U.S. shipments of imports from India, subject sources in Indonesia, and Vietnam were individually quick frozen ("IQF") shrimp. Overall, the majority of U.S. shipments of subject imports were IQF shrimp.

Table IV-5
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and type of freezing, 2023

Quantity in 1,000 pounds

Source	Block frozen	IQF	Other freezing methods	All freezing methods
U.S. processors	51,119	46,829	---	97,948
Ecuador	***	***	***	193,525
India	***	***	***	425,313
Indonesia, subject	***	***	***	144,548
Vietnam	***	***	***	42,934
Subject sources	89,101	652,739	64,480	806,320
Indonesia, nonsubject	***	***	***	44,122
All other sources	***	***	***	22,974
Nonsubject sources	***	***	***	67,096
All import sources	***	***	***	873,416
All sources	***	***	***	971,364

Table continued.

Table IV-5 Continued
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and type of freezing, 2023

Share across in percent

Source	Block frozen	IQF	Other freezing methods	All freezing methods
U.S. processors	52.2	47.8	---	100.0
Ecuador	***	***	***	100.0
India	***	***	***	100.0
Indonesia, subject	***	***	***	100.0
Vietnam	***	***	***	100.0
Subject sources	11.1	81.0	8.0	100.0
Indonesia, nonsubject	***	***	***	100.0
All other sources	***	***	***	100.0
Nonsubject sources	***	***	***	100.0
All import sources	***	***	***	100.0
All sources	***	***	***	100.0

Table continued.

Table IV-5 Continued
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and type of freezing, 2023

Share down in percent

Source	Block frozen	IQF	Other freezing methods	All freezing methods
U.S. processors	***	***	***	10.1
Ecuador	***	***	***	19.9
India	***	***	***	43.8
Indonesia, subject	***	***	***	14.9
Vietnam	***	***	***	4.4
Subject sources	***	***	***	83.0
Indonesia, nonsubject	***	***	***	4.5
All other sources	***	***	***	2.4
Nonsubject sources	***	***	***	6.9
All import sources	***	***	***	89.9
All sources	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure IV-2
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and type of freezing, 2023

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-6 and figures IV-3 and IV-4 present data on U.S. processors' and U.S. importers' U.S. shipments of frozen warmwater shrimp by product form in 2023. Most of U.S. processors' U.S. shipments were green, peeled, or peeled and deveined ("P&D") shrimp. Most U.S. shipments of imports from Ecuador were whole, green, or P&D shrimp. The majority of U.S. shipments of imports from India, subject sources in Indonesia, and Vietnam was P&D or cooked shrimp. Overall, the majority of U.S. shipments of subject imports was P&D or cooked shrimp.

Table IV-6
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and product form, 2023

Quantity in 1,000 pounds

Source	Whole	Green	Peeled	Peeled and deveined	Cooked	Other product forms	All product forms
U.S. processors	***	***	***	***	***	***	97,948
Ecuador	***	***	***	***	***	***	193,525
India	***	***	***	***	***	***	425,313
Indonesia, subject	***	***	***	***	***	***	144,548
Vietnam	***	***	***	***	***	***	42,934
Subject sources	***	***	***	***	***	***	806,320
Indonesia, nonsubject	***	***	***	***	***	***	44,122
All other sources	***	***	***	***	***	***	22,974
Nonsubject sources	***	***	***	***	***	***	67,096
All import sources	***	***	***	***	***	***	873,416
All sources	***	***	***	***	***	***	971,364

Table continued.

Table IV-6 Continued
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and product form, 2023

Share across in percent

Source	Whole	Green	Peeled	Peeled and deveined	Cooked	Other product forms	All product forms
U.S. processors	***	***	***	***	***	***	100.0
Ecuador	***	***	***	***	***	***	100.0
India	***	***	***	***	***	***	100.0
Indonesia, subject	***	***	***	***	***	***	100.0
Vietnam	***	***	***	***	***	***	100.0
Subject sources	***	***	***	***	***	***	100.0
Indonesia, nonsubject	***	***	***	***	***	***	100.0
All other sources	***	***	***	***	***	***	100.0
Nonsubject sources	***	***	***	***	***	***	100.0
All import sources	***	***	***	***	***	***	100.0
All sources	***	***	***	***	***	***	100.0

Table continued.

Table IV-6 Continued
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and product form, 2023

Share down in percent

Source	Whole	Green	Peeled	Peeled and deveined	Cooked	Other product forms	All product forms
U.S. processors	***	***	***	***	***	***	10.1
Ecuador	***	***	***	***	***	***	19.9
India	***	***	***	***	***	***	43.8
Indonesia, subject	***	***	***	***	***	***	14.9
Vietnam	***	***	***	***	***	***	4.4
Subject sources	***	***	***	***	***	***	83.0
Indonesia, nonsubject	***	***	***	***	***	***	4.5
All other sources	***	***	***	***	***	***	2.4
Nonsubject sources	***	***	***	***	***	***	6.9
All import sources	***	***	***	***	***	***	89.9
All sources	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”.

Figure IV-3
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and product form, 2023

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Figure IV-4
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by source and product form, 2023

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Table IV-7 and figure IV-5 present data on U.S. processors' production and U.S. importers' imports by shrimp type in 2023. Nearly all U.S. processors' production was wild-caught shrimp, while all or nearly all imports from each subject source were farm-raised shrimp.

Table IV-7
Frozen warmwater shrimp: U.S. processors' production and U.S. importers' imports, by source and product type, 2023

Quantity in 1,000 pounds

Source	Farm-raised	Wild-caught	All product types
U.S. processors	***	***	104,050
Ecuador	***	***	198,349
India	***	***	426,753
Indonesia, subject	***	***	146,037
Vietnam	***	***	51,628
Subject sources	***	***	822,767
Indonesia, nonsubject	***	***	41,388
All other sources	***	***	22,868
Nonsubject sources	***	***	64,256
All import sources	***	***	887,023
All sources	***	***	991,073

Table continued.

Table IV-7 Continued
Frozen warmwater shrimp: U.S. processors' production and U.S. importers' imports, by source and product type, 2023

Share across in percent

Source	Farm-raised	Wild-caught	All product types
U.S. processors	***	***	100.0
Ecuador	***	***	100.0
India	***	***	100.0
Indonesia, subject	***	***	100.0
Vietnam	***	***	100.0
Subject sources	***	***	100.0
Indonesia, nonsubject	***	***	100.0
All other sources	***	***	100.0
Nonsubject sources	***	***	100.0
All import sources	***	***	100.0
All sources	***	***	100.0

Table continued.

Table IV-7 Continued
Frozen warmwater shrimp: U.S. processors' production and U.S. importers' imports, by source and product type, 2023

Share down in percent

Source	Farm-raised	Wild-caught	All product types
U.S. processors	***	***	10.5
Ecuador	***	***	20.0
India	***	***	43.1
Indonesia, subject	***	***	14.7
Vietnam	***	***	5.2
Subject sources	***	***	83.0
Indonesia, nonsubject	***	***	4.2
All other sources	***	***	2.3
Nonsubject sources	***	***	6.5
All import sources	***	***	89.5
All sources	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Figure IV-5
Frozen warmwater shrimp: U.S. processors' production and U.S. importers' imports, by source and product type, 2023

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Geographical markets

According to official import statistics from Commerce, imports of frozen warmwater shrimp from each subject source entered the United States through ports in every region. Most imports from each subject source entered the United States through ports located in the East, South, or West. Imports of fresh warmwater shrimp entered the United States through ports located in the East, South, or West. Table IV-8 presents data on U.S. imports of fresh and frozen warmwater shrimp by border of entry in 2023.

Table IV-8
Fresh and frozen warmwater shrimp: U.S. imports by source and border of entry, 2023

Quantity in 1,000 pounds

Source	East	North	South	West	All borders
Frozen: Ecuador	162,749	12,482	113,521	152,153	440,905
Frozen: India	338,033	47,335	140,291	123,149	648,808
Frozen: Indonesia, subject	***	***	***	***	***
Frozen: Vietnam	51,147	6,073	21,358	25,392	103,970
Frozen: Subject sources	***	***	***	***	***
Frozen: Indonesia, nonsubject	***	***	***	***	***
Frozen: All other sources	43,924	4,088	17,919	55,807	121,737
Frozen: Nonsubject sources	***	***	***	***	***
Frozen: All import sources	711,853	79,836	354,345	437,131	1,583,166
Fresh: All import sources	364	---	331	62	757
Fresh and frozen: All import sources	712,217	79,836	354,677	437,193	1,583,923

Table continued.

Table IV-8 Continued
Fresh and frozen warmwater shrimp:: U.S. imports by source and border of entry, 2023

Share across in percent

Source	East	North	South	West	All borders
Frozen: Ecuador	36.9	2.8	25.7	34.5	100.0
Frozen: India	52.1	7.3	21.6	19.0	100.0
Frozen: Indonesia, subject	***	***	***	***	100.0
Frozen: Vietnam	49.2	5.8	20.5	24.4	100.0
Frozen: Subject sources	***	***	***	***	100.0
Frozen: Indonesia, nonsubject	***	***	***	***	100.0
Frozen: All other sources	36.1	3.4	14.7	45.8	100.0
Frozen: Nonsubject sources	***	***	***	***	100.0
Frozen: All import sources	45.0	5.0	22.4	27.6	100.0
Fresh: All import sources	48.1	---	43.8	8.1	100.0
Fresh and frozen: All import sources	45.0	5.0	22.4	27.6	100.0

Table continued.

Table IV-8 Continued
Fresh and frozen warmwater shrimp: U.S. imports by source and border of entry, 2023

Share down in percent

Source	East	North	South	West	All borders
Frozen: Ecuador	22.9	15.6	32.0	34.8	27.8
Frozen: India	47.5	59.3	39.6	28.2	41.0
Frozen: Indonesia, subject	***	***	***	***	***
Frozen: Vietnam	7.2	7.6	6.0	5.8	6.6
Frozen: Subject sources	***	***	***	***	***
Frozen: Indonesia, nonsubject	***	***	***	***	***
Frozen: All other sources	6.2	5.1	5.1	12.8	7.7
Frozen: Nonsubject sources	***	***	***	***	***
Frozen: All import sources	99.9	100.0	99.9	100.0	100.0
Fresh: All import sources	0.1	---	0.1	0.0	0.0
Fresh and frozen: All import sources	100.0	100.0	100.0	100.0	100.0

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Note: Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table IV-9 and figures IV-6 and IV-7 present data on U.S. processors' and U.S. importers' U.S. shipments of frozen warmwater shrimp by geographic region in 2023. A large majority of U.S. processors' U.S. shipments (72.1 percent) went to customers in the Gulf Coast/South Atlantic region. The Northeast was the only other market that accounted for more than 10 percent of U.S. processors' U.S. shipments. The largest share of U.S. shipments of imports from Ecuador went to the Pacific Coast, followed by the Gulf Coast/South Atlantic, and the Northeast. The majority of U.S. shipments of imports from India went to customers in the Northeast or Gulf Coast/South Atlantic. U.S. shipments of imports from subject sources in Indonesia were fairly evenly distributed to customers in the Northeast, Gulf Coast/South Atlantic, Pacific Coast, Midwest, and South. The vast majority of U.S. shipments of imports from Vietnam went customers in the Northeast, Gulf Coast/South Atlantic, or Pacific Coast. Overall, most U.S. shipments of subject imports went to the Northeast, Gulf Coast/South Atlantic, or Pacific Coast.

Table IV-9
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023

Quantity in 1,000 pounds

Region	U.S. processors	Ecuador	India	Indonesia
Northeast	11,068	33,790	150,609	35,723
Midwest	7,863	16,462	43,104	21,386
Gulf Coast/South Atlantic	70,602	37,387	124,162	26,855
South (not coastal)	4,623	10,049	26,729	18,392
Mountains	1,114	2,594	4,345	8,902
Pacific Coast	2,636	77,399	52,569	26,479
Other	43	2,112	2,529	1,351
All regions	97,948	179,795	404,047	139,088

Table continued.

Table IV-9 Continued
Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023

Quantity in 1,000 pounds

Region	Vietnam	Subject sources	U.S. processors and subject sources
Northeast	18,304	238,427	249,495
Midwest	1,127	82,079	89,941
Gulf Coast/South Atlantic	10,900	199,304	269,906
South (not coastal)	1,546	56,717	61,340
Mountains	---	15,842	16,956
Pacific Coast	8,163	164,611	167,246
Other	355	6,346	6,389
All regions	40,395	763,325	861,273

Table continued.

Table IV-9 Continued**Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023**

Share across in percent

Region	U.S. processors	Ecuador	India	Indonesia
Northeast	4.4	13.5	60.4	14.3
Midwest	8.7	18.3	47.9	23.8
Gulf Coast/South Atlantic	26.2	13.9	46.0	9.9
South (not coastal)	7.5	16.4	43.6	30.0
Mountains	6.6	15.3	25.6	52.5
Pacific Coast	1.6	46.3	31.4	15.8
Other	0.7	33.1	39.6	21.1
All regions	11.4	20.9	46.9	16.1

Table continued.

Table IV-9 Continued**Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023**

Share across in percent

Region	Vietnam	Subject sources	U.S. processors and subject sources
Northeast	7.3	95.6	100.0
Midwest	1.3	91.3	100.0
Gulf Coast/South Atlantic	4.0	73.8	100.0
South (not coastal)	2.5	92.5	100.0
Mountains	---	93.4	100.0
Pacific Coast	4.9	98.4	100.0
Other	5.6	99.3	100.0
All regions	4.7	88.6	100.0

Table continued.

Table IV-9 Continued**Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023**

Share down in percent

Region	U.S. processors	Ecuador	India	Indonesia
Northeast	11.3	18.8	37.3	25.7
Midwest	8.0	9.2	10.7	15.4
Gulf Coast/South Atlantic	72.1	20.8	30.7	19.3
South (not coastal)	4.7	5.6	6.6	13.2
Mountains	1.1	1.4	1.1	6.4
Pacific Coast	2.7	43.0	13.0	19.0
Other	0.0	1.2	0.6	1.0
All regions	100.0	100.0	100.0	100.0

Table continued.

Table IV-9 Continued**Frozen warmwater shrimp: U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023**

Share down in percent

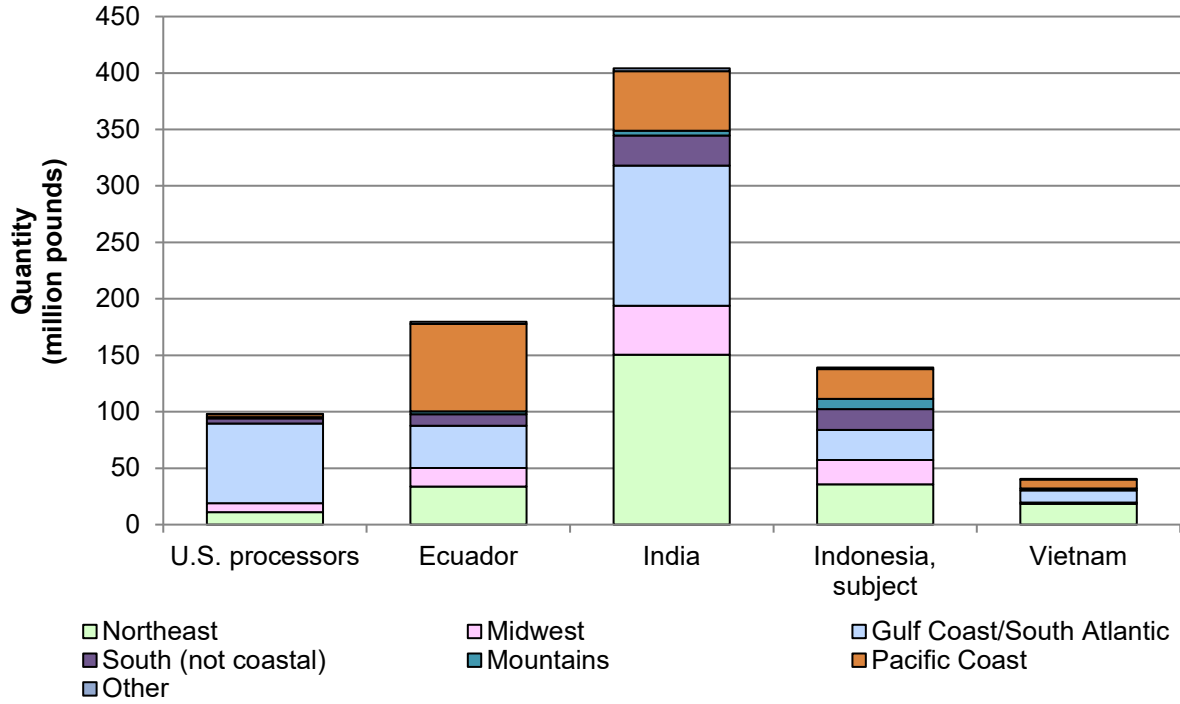
Region	Vietnam	Subject sources	U.S. processors and subject sources
Northeast	45.3	31.2	29.0
Midwest	2.8	10.8	10.4
Gulf Coast/South Atlantic	27.0	26.1	31.3
South (not coastal)	3.8	7.4	7.1
Mountains	---	2.1	2.0
Pacific Coast	20.2	21.6	19.4
Other	0.9	0.8	0.7
All regions	100.0	100.0	100.0

Note: Other U.S. markets includes AK, HI, PR, and VI. Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Note: U.S. shipments of imports from Indonesia include shipments from subject and nonsubject sources.

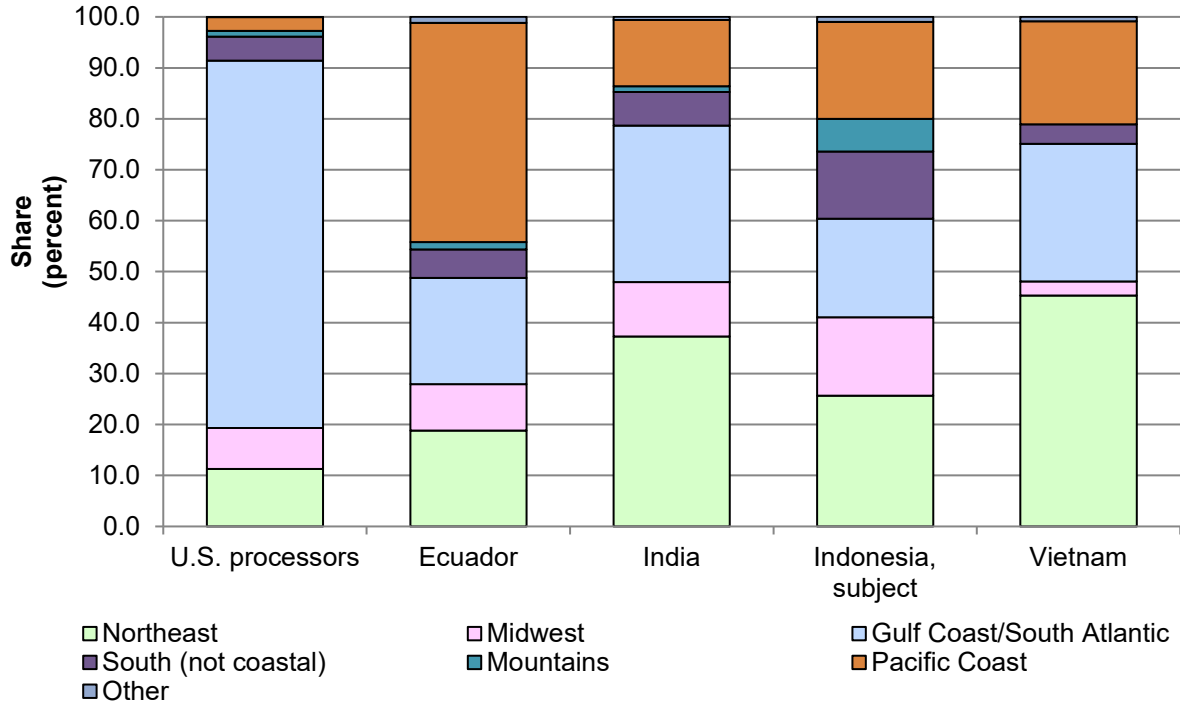
Source: Compiled from data submitted in response to Commission questionnaires.

Figure IV-6
Frozen warmwater shrimp: Quantity of U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023



Source: Compiled from data in response to Commission questionnaires.

Figure IV-7
Frozen warmwater shrimp: Share of U.S. processors' and U.S. importers' U.S. shipments, by geographic market, 2023



Source: Compiled from data in response to Commission questionnaires.

Presence in the market

U.S. imports of frozen warmwater shrimp from each subject source and imports of fresh warmwater shrimp were present in every month between January 2021 and March 2024. Table IV-10 and figures IV-8 and IV-9 present monthly data for subject and nonsubject imports of frozen warmwater shrimp and imports of fresh warmwater shrimp from all sources between January 2021 and March 2024.

Table IV-10
Fresh and frozen warmwater shrimp: Quantity of U.S. imports, by month and source

Quantity in 1,000 pounds

Year	Month	Frozen: Ecuador	Frozen: India	Frozen: Indonesia, subject	Frozen: Vietnam	Frozen: Subject sources
2021	January	20,336	59,666	***	10,791	***
2021	February	23,666	44,134	***	7,126	***
2021	March	31,336	44,141	***	5,893	***
2021	April	32,656	40,174	***	5,926	***
2021	May	35,823	70,350	***	10,239	***
2021	June	48,739	57,038	***	12,932	***
2021	July	37,772	65,752	***	16,110	***
2021	August	35,030	80,511	***	25,125	***
2021	September	29,118	72,009	***	15,751	***
2021	October	26,607	80,819	***	17,363	***
2021	November	30,262	64,562	***	15,479	***
2021	December	40,181	68,759	***	18,985	***
2022	January	31,193	64,642	***	11,061	***
2022	February	34,268	50,532	***	7,787	***
2022	March	38,464	51,341	***	7,715	***
2022	April	32,607	43,463	***	9,742	***
2022	May	37,984	52,649	***	10,635	***
2022	June	41,709	69,739	***	12,591	***
2022	July	42,258	52,774	***	12,544	***
2022	August	35,892	62,567	***	9,653	***
2022	September	31,426	59,873	***	8,921	***
2022	October	32,193	60,301	***	7,706	***
2022	November	31,274	46,700	***	8,563	***
2022	December	32,556	50,477	***	5,903	***

Table continued.

Table IV-10 Continued
Fresh and frozen warmwater shrimp: Quantity of U.S. imports, by month and source

Quantity in 1,000 pounds

Year	Month	Frozen: Ecuador	Frozen: India	Frozen: Indonesia, subject	Frozen: Vietnam	Frozen: Subject sources
2023	January	39,732	53,661	***	5,584	***
2023	February	33,395	43,088	***	3,122	***
2023	March	36,973	41,007	***	3,628	***
2023	April	28,627	47,085	***	4,803	***
2023	May	35,351	47,667	***	8,118	***
2023	June	37,006	51,089	***	9,958	***
2023	July	39,594	58,373	***	13,013	***
2023	August	39,762	66,678	***	12,263	***
2023	September	39,935	63,491	***	12,542	***
2023	October	39,563	65,539	***	11,801	***
2023	November	33,673	61,302	***	10,915	***
2023	December	37,295	49,828	***	8,220	***
2024	January	37,744	43,782	***	5,718	***
2024	February	35,987	52,005	***	5,288	***
2024	March	46,913	50,685	***	6,069	***

Table continued.

Table IV-10 Continued
Fresh and frozen warmwater shrimp: Quantity of U.S. imports, by month and source

Quantity in 1,000 pounds

Year	Month	Frozen: Indonesia, nonsubject	Frozen: All other sources	Frozen: Nonsubject sources	Frozen: All import sources	Fresh: All import sources	Fresh and frozen: All import sources
2021	January	***	17,357	***	140,071	121	140,193
2021	February	***	13,550	***	107,531	61	107,592
2021	March	***	14,238	***	127,390	58	127,448
2021	April	***	12,425	***	122,655	119	122,774
2021	May	***	12,473	***	162,244	192	162,435
2021	June	***	11,780	***	156,609	188	156,797
2021	July	***	11,220	***	150,760	349	151,109
2021	August	***	13,746	***	179,383	350	179,734
2021	September	***	12,416	***	151,013	132	151,145
2021	October	***	18,589	***	174,744	84	174,829
2021	November	***	23,888	***	162,749	219	162,968
2021	December	***	20,392	***	180,098	213	180,311
2022	January	***	17,830	***	154,310	263	154,572
2022	February	***	13,829	***	133,188	223	133,411
2022	March	***	15,270	***	149,236	567	149,802
2022	April	***	14,397	***	131,324	471	131,796
2022	May	***	13,775	***	146,640	402	147,042
2022	June	***	11,432	***	155,539	472	156,011
2022	July	***	10,821	***	136,957	20	136,978
2022	August	***	12,698	***	143,238	32	143,270
2022	September	***	10,256	***	131,141	30	131,171
2022	October	***	15,478	***	139,562	34	139,596
2022	November	***	14,638	***	126,299	66	126,365
2022	December	***	13,420	***	123,755	83	123,838

Table continued.

Table IV-10 Continued**Fresh and frozen warmwater shrimp: Quantity of U.S. imports, by month and source**

Quantity in 1,000 pounds

Year	Month	Frozen: Indonesia, nonsubject	Frozen: All other sources	Frozen: Nonsubject sources	Frozen: All import sources	Fresh: All import sources	Fresh and frozen: All import sources
2023	January	***	12,482	***	137,721	55	137,776
2023	February	***	8,270	***	107,084	46	107,130
2023	March	***	10,483	***	116,947	31	116,978
2023	April	***	8,636	***	112,597	51	112,648
2023	May	***	8,893	***	125,851	62	125,914
2023	June	***	8,888	***	125,681	63	125,744
2023	July	***	8,618	***	140,417	73	140,490
2023	August	***	9,364	***	149,413	92	149,505
2023	September	***	10,637	***	143,785	57	143,841
2023	October	***	12,148	***	152,423	85	152,507
2023	November	***	12,300	***	141,248	79	141,327
2023	December	***	11,018	***	129,999	63	130,062
2024	January	***	11,148	***	118,883	73	118,956
2024	February	***	9,142	***	120,330	85	120,415
2024	March	***	8,478	***	129,436	67	129,503

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Figure IV-8

Frozen warmwater shrimp: U.S. imports from individual subject sources, by source and month

* * * * *

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Figure IV-9
Fresh and frozen warmwater shrimp: U.S. imports from aggregated subject and nonsubject sources, by month

* * * * *

Source: Compiled from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series. Value data reflect landed duty-paid values.

Apparent U.S. consumption and market shares

Quantity

Table IV-11 and figure IV-10 present data on apparent U.S. consumption and U.S. market shares, by quantity, for frozen warmwater shrimp and fresh warmwater shrimp. Apparent U.S. consumption decreased in each year between 2021 and 2023, ending 13.6 percent lower. The decrease in apparent U.S. consumption was largely driven by U.S. processors' U.S. shipments and declining imports from India and Vietnam, which collectively offset the increase in imports from Ecuador.⁶ Apparent U.S. consumption was 3.4 percent higher in interim 2024 than in interim 2023.

U.S. processors' market share, by quantity, fluctuated between 2021 and 2023, decreasing from 2021 to 2022, then increasing from 2022 to 2023, ending 1.0 percentage points lower overall. However, it was 1.5 percentage points higher in interim 2024 than in interim 2023. The market share of imports from Ecuador, conversely, increased in every year between 2021 and 2023, ending 6.0 percentage points higher. It was 1.7 percentage points higher in interim 2024 than in interim 2023, reaching a period high. The market share of imports from India was largely steady between 2021 and 2023, not changing by more than 1.0 percentage points in either direction during that period. It was slightly higher (1.0 percentage points) in interim 2024 than in interim 2023.

The market share of imports from subject sources in Indonesia increased modestly in each year between 2021 and 2023, ending *** percentage points higher. However, it was *** percentage points lower in interim 2024 than in interim 2023, reaching a period low. The market share of imports from Vietnam decreased modestly in each year from 2021 to 2023, ending 2.1 percentage points lower. However, it was 1.1 percentage points higher in interim 2024 than in interim 2023. Overall, imports from India had the largest market share among subject sources, followed by Ecuador. Imports from each subject source had a larger market share than U.S. processors between 2021 and 2023. U.S. fishermen's dock sales of fresh warmwater shrimp accounted for no more than 1.0 percent of apparent U.S. consumption between 2021 and 2023.

⁶ For more detailed discussion on trends in U.S. processors' U.S. shipments, see part III and for more detailed discussion on trends in subject and nonsubject imports see the section titled "U.S. imports".

Table IV-11
Fresh and frozen warmwater shrimp: Apparent U.S. consumption and market shares based on quantity, by source and period

Quantity in 1,000 pounds

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: U.S. processors	Quantity	132,815	98,565	97,948	19,129	25,646
Fresh: U.S. fishermen dock sales	Quantity	16,331	16,254	17,266	1,510	917
Fresh and frozen: U.S. processors and fishermen	Quantity	149,146	114,819	115,214	20,639	26,563
Frozen: Ecuador	Quantity	391,524	421,824	440,905	110,100	120,644
Frozen: India	Quantity	747,915	665,058	648,808	137,755	146,472
Frozen: Indonesia, subject	Quantity	***	***	***	***	***
Frozen: Vietnam	Quantity	161,721	112,822	103,970	12,334	17,075
Frozen: Subject sources	Quantity	***	***	***	***	***
Frozen: Indonesia, nonsubject	Quantity	***	***	***	***	***
Frozen: All other sources	Quantity	182,074	163,845	121,737	31,235	28,768
Frozen: Nonsubject sources	Quantity	***	***	***	***	***
Frozen: All import sources	Quantity	1,815,248	1,671,190	1,583,166	361,752	368,649
Fresh: All import sources	Quantity	2,085	2,663	757	132	225
Fresh and frozen: All import sources	Quantity	1,817,333	1,673,853	1,583,923	361,884	368,874
Fresh and frozen: All sources	Quantity	1,966,479	1,788,672	1,699,137	382,523	395,437

Table continued.

Table IV-11 Continued
Fresh and frozen warmwater shrimp: Apparent U.S. consumption and market shares based on quantity, by source and period

Share in percent

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: U.S. processors	Share	6.8	5.5	5.8	5.0	6.5
Fresh: U.S. fishermen dock sales	Share	0.8	0.9	1.0	0.4	0.2
Fresh and frozen: U.S. processors and fishermen	Share	7.6	6.4	6.8	5.4	6.7
Frozen: Ecuador	Share	19.9	23.6	25.9	28.8	30.5
Frozen: India	Share	38.0	37.2	38.2	36.0	37.0
Frozen: Indonesia, subject	Share	***	***	***	***	***
Frozen: Vietnam	Share	8.2	6.3	6.1	3.2	4.3
Frozen: Subject sources	Share	***	***	***	***	***
Frozen: Indonesia, nonsubject	Share	***	***	***	***	***
Frozen: All other sources	Share	9.3	9.2	7.2	8.2	7.3
Frozen: Nonsubject sources	Share	***	***	***	***	***
Frozen: All import sources	Share	92.3	93.4	93.2	94.6	93.2
Fresh: All import sources	Share	0.1	0.1	0.0	0.0	0.1
Fresh and frozen: All import sources	Share	92.4	93.6	93.2	94.6	93.3
Fresh and frozen: All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series.

Note: Shares shown as "0.0" represent values greater than zero, but less than "0.05" percent.

Figure IV-10
Fresh and frozen warmwater shrimp: Apparent U.S. consumption based on quantity, by source and period

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series.

Overall, the market share of subject imports increased in each year from 2021 to 2023, ending *** percentage points higher. It was *** percentage points higher in interim 2024 than in interim 2023. The market share of nonsubject imports, conversely, decreased in each year between 2021 and 2023, most noticeably from 2022 to 2023, ending *** percentage points lower. It was *** percentage points lower in interim 2024 than in interim 2023. Imports of fresh warmwater shrimp accounted for no more than 0.1 percent of apparent U.S. consumption between 2021 and 2023 and in interim 2024.

Value

Table IV-12 and figure IV-11 present data on apparent U.S. consumption and U.S. market shares, by value, for frozen warmwater shrimp and fresh warmwater shrimp. Apparent U.S. consumption decreased in each year between 2021 and 2023, most noticeably from 2022 to 2023, ending 23.8 percent lower. The decrease in apparent U.S. consumption was driven by U.S. processors' U.S. shipments and declining imports from India and Vietnam, which collectively offset the increase in imports from Ecuador. Apparent U.S. consumption was 6.8 percent lower in interim 2024 than in interim 2023.

U.S. processors' market share, by value, decreased by 1.6 percentage points from 2021 to 2022 and was the same in 2022 and 2023. However, it was slightly higher (0.2 percentage points) in interim 2024 than in interim 2023. The market share of imports from Ecuador, conversely, increased in every year between 2021 and 2023, ending 5.5 percentage points higher. It was 3.9 percentage points higher in interim 2024 than in interim 2023, reaching a period high. The market share of imports from India was largely steady between 2021 and 2023, changing by no more than 0.6 percentage points in either direction during that period. It was slightly higher (0.3 percentage points) in interim 2024 than in interim 2023.

The market share of imports from subject sources in Indonesia fluctuated, ending *** percentage points higher overall. However, it was *** percentage points lower in interim 2024 than in interim 2023. The market share of imports from Vietnam decreased modestly in each year from 2021 to 2023, ending 2.2 percentage points lower. However, it was 1.4 percentage points higher in interim 2024 than in interim 2023. Overall, imports from India had the largest market share among subject sources, followed by Ecuador. Each subject source had a larger market share than U.S. processors between 2021 and 2023. Imports from Vietnam had a smaller market share than U.S. processors in interim 2024. U.S. fishermen's dock sales of fresh warmwater shrimp accounted for no more than 0.6 percent of apparent U.S. consumption between 2021 and 2023 and 0.1 percent in interim 2024.

Table IV-12
Fresh and frozen warmwater shrimp: Apparent U.S. consumption and market shares based on value, by source and period

Value in 1,000 dollars; shares in percent

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: U.S. processors	Value	643,981	488,429	389,716	90,295	87,467
Fresh: U.S. fishermen dock sales	Value	55,116	43,562	32,885	3,492	1,753
Fresh and frozen: U.S. processors and fishermen	Value	699,097	531,991	422,601	93,787	89,220
Frozen: Ecuador	Value	1,361,585	1,499,696	1,397,744	346,801	378,484
Frozen: India	Value	3,124,218	2,958,128	2,389,151	534,658	502,315
Frozen: Indonesia, subject	Value	***	***	***	***	***
Frozen: Vietnam	Value	894,877	686,700	537,318	68,944	84,333
Frozen: Subject sources	Value	***	***	***	***	***
Frozen: Indonesia, nonsubject	Value	***	***	***	***	***
Frozen: All other sources	Value	955,408	959,880	691,023	186,084	155,319
Frozen: Nonsubject sources	Value	***	***	***	***	***
Frozen: All import sources	Value	7,811,909	7,620,221	6,062,850	1,419,870	1,322,125
Fresh: All import sources	Value	8,197	11,952	3,975	976	888
Fresh and frozen: All import sources	Value	7,820,106	7,632,173	6,066,826	1,420,846	1,323,013
Fresh and frozen: All sources	Value	8,519,203	8,164,164	6,489,427	1,514,633	1,412,232

Table continued.

Table IV-12 Continued

Fresh and frozen warmwater shrimp: Apparent U.S. consumption and market shares based on value, by source and period

Source	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen: U.S. processors	Share	7.6	6.0	6.0	6.0	6.2
Fresh: U.S. fishermen dock sales	Share	0.6	0.5	0.5	0.2	0.1
Fresh and frozen: U.S. processors and fishermen	Share	8.2	6.5	6.5	6.2	6.3
Frozen: Ecuador	Share	16.0	18.4	21.5	22.9	26.8
Frozen: India	Share	36.7	36.2	36.8	35.3	35.6
Frozen: Indonesia, subject	Share	***	***	***	***	***
Frozen: Vietnam	Share	10.5	8.4	8.3	4.6	6.0
Frozen: Subject sources	Share	***	***	***	***	***
Frozen: Indonesia, nonsubject	Share	***	***	***	***	***
Frozen: All other sources	Share	11.2	11.8	10.6	12.3	11.0
Frozen: Nonsubject sources	Share	***	***	***	***	***
Frozen: All import sources	Share	91.7	93.3	93.4	93.7	93.6
Fresh: All import sources	Share	0.1	0.1	0.1	0.1	0.1
Fresh and frozen: All import sources	Share	91.8	93.5	93.5	93.8	93.7
Fresh and frozen: All sources	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series.

Figure IV-11

Fresh and frozen warmwater shrimp: Apparent U.S. consumption based on value, by source and period

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (just BMS) were identified using proprietary, Census-edited Customs records, accessed July 2, 2024. Imports are based on the imports for consumption data series.

Overall, the market share of subject imports increased in each year from 2021 to 2023, ending *** percentage points higher. It was *** percentage points higher in interim 2024 than in interim 2023. The market share of nonsubject imports, conversely, fluctuated, ending *** percentage points lower overall. It was *** percentage points lower in interim 2024 than in interim 2023. Imports of fresh warmwater shrimp accounted for no more than 0.1 percent of apparent U.S. consumption between 2021 and 2023 and in interim 2024.

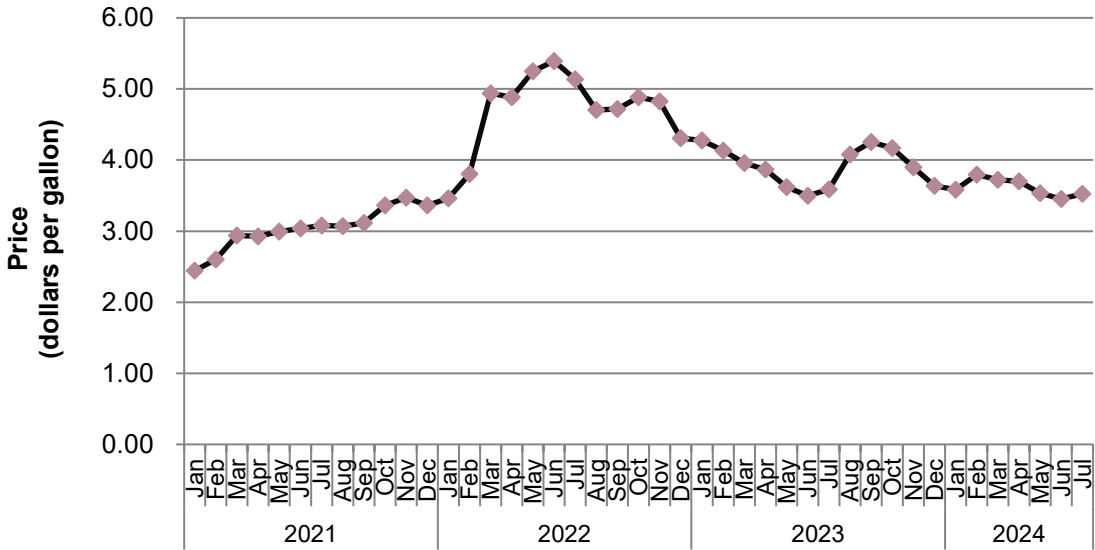
Part V: Pricing data

Factors affecting prices

Input costs

Raw materials (specifically raw shrimp) are the largest component of U.S. processors’ costs (see part VI). Fuel is the most important cost for shrimp fishermen.¹ Diesel prices in the Gulf Coast region increased from January 2021 to June 2022, decreased through June 2023, and then fluctuated thereafter (figure V-1 and table V-1). Between January 2021 and March 2024, Gulf Coast diesel prices increased by 52.4 percent.

Figure V-1
Fuel cost: Gulf Coast No. 2 diesel retail price, by month



Source: U.S. Energy Information Administration, <http://www.eia.gov/petroleum/gasdiesel/> retrieved August 13, 2024.

¹ Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Nos. 731-TA-1064, 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. V-1.

Table V-1
Fuel cost: Gulf Coast No. 2 diesel retail price

Price in dollars per gallon

Month	2021	2022	2023	2024
January	2.44	3.46	4.28	3.58
February	2.60	3.80	4.13	3.80
March	2.94	4.94	3.96	3.72
April	2.93	4.89	3.87	3.70
May	3.00	5.25	3.62	3.54
June	3.04	5.39	3.50	3.45
July	3.08	5.14	3.59	3.53
August	3.07	4.71	4.08	NA
September	3.12	4.72	4.25	NA
October	3.36	4.89	4.17	NA
November	3.47	4.83	3.90	NA
December	3.36	4.31	3.64	NA

Source: U.S. Energy Information Administration, <http://www.eia.gov/petroleum/gasdiesel/> retrieved August 13, 2024.

All responding U.S. processors reported that raw material costs for frozen warmwater shrimp have decreased since January 1, 2021. Several U.S. processors explained that they have had to lower the price they pay for domestic raw shrimp because of low prices for imported frozen warmwater shrimp. Importers reported mixed responses, with nearly equal numbers reporting an increase as reporting a decrease. Half of responding purchasers (10 of 20) reported that they were familiar with raw material costs for frozen warmwater shrimp, and 5 firms reported that raw material costs affected their purchase negotiations for the product.

Transportation costs to the U.S. market

Transportation costs for frozen warmwater shrimp shipped from subject countries to the United States averaged 3.9 percent for Ecuador, 4.1 percent for India, 3.5 percent for Indonesia, and 2.1 percent for Vietnam during 2023. These estimates were derived from official import data and represent the transportation and other charges on imports.²

² The estimated transportation costs were obtained by subtracting the customs value from the c.i.f. value of the imports for 2023 and then dividing by the customs value based on the HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306170006, 0306.17.0007, 0306.17.0008, 0306170009, 0306.17.0010, 0306.17.0011, 0306170012, 0306.17.0013, 0306.17.0014, 0306170015, 0306.17.0016, 0306.17.0017, 0306170018, 0306.17.0019, 0306.17.0020, 0306170021, 0306.17.0022, 0306.17.0023, 0306170024, 0306.17.0025, 0306.17.0026, 0306170027, 0306.17.0028, 0306.17.0029, 0306170040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010.

U.S. inland transportation costs

Most responding U.S. processors (13 of 19) and importers (45 of 65) reported that they typically arrange transportation to their customers. Most U.S. processors reported that their U.S. inland transportation costs ranged from 2 to 15 percent while most importers reported costs of 1 to 5 percent.

Pricing practices

Pricing methods

The vast majority of U.S. processors and importers reported setting prices for frozen warmwater shrimp using transaction-by-transaction negotiations (table V-2). Some firms also reported using contracts or set price lists.

Table V-2
Frozen warmwater shrimp: U.S. processors' and importers' reported price setting methods

Count in number of firms reporting

Method	U.S. processors	Importers
Transaction-by-transaction	15	55
Contract	3	33
Set price list	6	14
Other	3	3
Responding firms	20	66

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The sum of responses down may not add up to the total number of responding firms as each firm was instructed to check all applicable price setting methods employed.

U.S. processors and importers reported selling most of their frozen warmwater shrimp in the spot market. The next largest share was sold through short-term contracts (table V-3).³ Of the U.S. processors and importers that reported short-term contract sales, most reported that they fix both quantity and price with no price renegotiation, and most do not index to raw material prices. U.S. processors reported that their short-term contracts ranged from 30 to 180 days, and importers reported a range of 25 to 270 days. A few firms cited Urner Barry, a weekly published shrimp price, as a raw materials price index. Annual and longer-term contracts comprised a small share of sales by U.S. processors and subject importers.

³ U.S. processors purchase shrimp on a spot basis from U.S. fisherman. Conference transcript, p. 90 (Drake).

Table V-3
Frozen warmwater shrimp: U.S. processors' and subject U.S. importers' shares of commercial U.S. shipments by type of sale, 2023

Share in percent

Type of sale	U.S. processors	Subject U.S. importers
Long-term contracts	***	***
Annual contracts	***	***
Short-term contracts	***	***
Spot sales	***	***
Total	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

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

Four of 20 purchasers reported that they purchase frozen warmwater shrimp daily, 9 purchase weekly, 6 purchase monthly, and 5 purchase annually, quarterly, or at other frequencies. Most responding purchasers (17 of 20) reported that their purchasing frequency had not changed since 2021. Twelve purchasers contact up to 8 suppliers before making a purchase, and eight firms contact up to 10 or more suppliers. The largest responding purchaser, ***, contacts *** suppliers.

Sales terms and discounts

Most responding U.S. processors (13 of 20) and importers (54 of 65) typically quote prices on a delivered basis. Half of responding U.S. processors (10 of 20) and most responding importers (51 of 64) do not have a discount policy.

Price leadership

Eighteen of the 20 purchasers did not name any suppliers as price leaders in the frozen warmwater shrimp market. One purchaser reported that Songa is a price leader and has high prices among Ecuadoran brands. The other firm reported that Aquastar and Chicken of the Sea are price leaders, with the largest importers being price leaders.

Price data

The Commission requested U.S. producers and importers to provide quarterly data for the total quantity and f.o.b. value of the following frozen warmwater shrimp products shipped to unrelated U.S. customers during January 2021–March 2024.

Product 1.-- Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D (peeled and deveined), tail-off, block frozen (cut or not cut).

Product 2.-- Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Product 3.-- Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D (peeled and deveined), headless, tail-on or-tail off, individually quick frozen (IQF).

Product 4.-- Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, P&D (peeled and deveined), tail-off, individually quick frozen (IQF).

Product 5.-- Frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, individually quick frozen (IQF).

Fifteen U.S. processors and 49 importers provided usable pricing data for sales of the requested products, although not all firms reported pricing for all products for all quarters.⁴ Pricing data reported by these firms accounted for approximately 10.9 percent of U.S. processors' U.S. shipments of frozen warmwater shrimp, 13.1 percent of U.S. shipments of subject imports from Ecuador, 26.4 percent of U.S. shipments of subject imports from India, 17.9 percent of U.S. shipments of subject imports from Indonesia, and 4.9 percent of U.S. shipments of subject imports from Vietnam in 2023.⁵

Price data for products 1-5 are presented in tables V-4 to V-8 and figures V-2 to V-6.⁶

⁴ Per-unit pricing data are calculated from total quantity and total value data provided by U.S. producers and importers. The precision and variation of these figures may be affected by rounding, limited quantities, and producer or importer estimates.

⁵ Pricing coverage is based on U.S. shipments reported in questionnaires.

⁶ Pricing data for nonsubject imports from Indonesia are shown in appendix E.

Table V-4

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 1 and margins of underselling/(overselling), by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound; Margins in percent

Period	U.S. price	U.S. quantity	Ecuador price	Ecuador quantity	Ecuador margin	India price	India quantity	India margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***

Period	Indonesia, subject price	Indonesia, subject quantity	Indonesia, subject margin	Vietnam price	Vietnam quantity	Vietnam margin
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D (peeled and deveined), tail-off, block frozen (cut or not cut).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Table V-5

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 2 and margins of underselling/(overselling), by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound; Margins in percent

Period	U.S. price	U.S. quantity	Ecuador price	Ecuador quantity	Ecuador margin	India price	India quantity	India margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***

Period	Indonesia, subject price	Indonesia, subject quantity	Indonesia, subject margin	Vietnam price	Vietnam quantity	Vietnam margin
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Table V-6

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 3 and margins of underselling/(overselling), by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound; Margins in percent

Period	U.S. price	U.S. quantity	Ecuador price	Ecuador quantity	Ecuador margin	India price	India quantity	India margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***

Period	Indonesia, subject price	Indonesia, subject quantity	Indonesia, subject margin	Vietnam price	Vietnam quantity	Vietnam margin
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D (peeled and deveined), headless, tail-on or-tail off, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Table V-7

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 4 and margins of underselling/(overselling), by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound; Margins in percent

Period	U.S. price	U.S. quantity	Ecuador price	Ecuador quantity	Ecuador margin	India price	India quantity	India margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***

Period	Indonesia, subject price	Indonesia, subject quantity	Indonesia, subject margin	Vietnam price	Vietnam quantity	Vietnam margin
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, P&D (peeled and deveined), tail-off, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Table V-8

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 5 and margins of underselling/(overselling), by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound; Margins in percent

Period	U.S. price	U.S. quantity	Ecuador price	Ecuador quantity	Ecuador margin	India price	India quantity	India margin
2021 Q1	***	***	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***	***	***

Period	Indonesia, subject price	Indonesia, subject quantity	Indonesia, subject margin	Vietnam price	Vietnam quantity	Vietnam margin
2021 Q1	***	***	***	***	***	***
2021 Q2	***	***	***	***	***	***
2021 Q3	***	***	***	***	***	***
2021 Q4	***	***	***	***	***	***
2022 Q1	***	***	***	***	***	***
2022 Q2	***	***	***	***	***	***
2022 Q3	***	***	***	***	***	***
2022 Q4	***	***	***	***	***	***
2023 Q1	***	***	***	***	***	***
2023 Q2	***	***	***	***	***	***
2023 Q3	***	***	***	***	***	***
2023 Q4	***	***	***	***	***	***
2024 Q1	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 5: Frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Figure V-2

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 1, by source and quarter

Price of product 1

* * * * *

Volume of product 1

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D (peeled and deveined), tail-off, block frozen (cut or not cut).

Figure V-3

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 2, by source and quarter

Price of product 2

* * * * *

Volume of product 2

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 2: Frozen, raw warmwater shrimp or prawns, all species, 26 to 30 count, headless, shell-on, block frozen.

Figure V-4

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 3, by source and quarter

Price of product 3

* * * * *

Volume of product 3

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D (peeled and deveined), headless, tail-on or-tail off, individually quick frozen (IQF).

Figure V-5

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 4, by source and quarter

Price of product 4

* * * * *

Volume of product 4

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, P&D (peeled and deveined), tail-off, individually quick frozen (IQF).

Figure V-6

Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 5, by source and quarter

Price of product 5

* * * * *

Volume of product 5

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 5: Frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, individually quick frozen (IQF).

Price trends

In general, prices decreased between the first quarter of 2021 and the first quarter of 2024, with an increase in 2021 and the first half of 2022 and then a decrease thereafter. As shown in table V-9, domestic price decreases ranged from 5.6 to 36.7 percent during January 2021 to March 2024 while subject import price decreases ranged from 0.6 to 40.2 percent.⁷

Table V-9
Frozen warmwater shrimp: Summary of price data, by product and source, January 2021 through March 2024

Prices in dollars per pound; Quantity in 1,000 pounds; Change in percent

Product	Source	Number of quarters	Quantity	Low price	High price	First quarter price	Last quarter price	Change over period
Product 1	United States	13	***	***	***	***	***	***
Product 1	Ecuador	13	***	***	***	***	***	***
Product 1	India	13	***	***	***	***	***	***
Product 1	Indonesia, subject	13	***	***	***	***	***	***
Product 1	Vietnam	12	***	***	***	***	***	***
Product 2	United States	13	***	***	***	***	***	***
Product 2	Ecuador	13	***	***	***	***	***	***
Product 2	India	13	***	***	***	***	***	***
Product 2	Indonesia, subject	12	***	***	***	***	***	***
Product 2	Vietnam	13	***	***	***	***	***	***
Product 3	United States	2	***	***	***	***	***	***
Product 3	Ecuador	13	***	***	***	***	***	***
Product 3	India	13	***	***	***	***	***	***
Product 3	Indonesia, subject	13	***	***	***	***	***	***
Product 3	Vietnam	13	***	***	***	***	***	***
Product 4	United States	13	***	***	***	***	***	***
Product 4	Ecuador	13	***	***	***	***	***	***
Product 4	India	13	***	***	***	***	***	***
Product 4	Indonesia, subject	13	***	***	***	***	***	***
Product 4	Vietnam	13	***	***	***	***	***	***
Product 5	United States	13	***	***	***	***	***	***
Product 5	Ecuador	13	***	***	***	***	***	***
Product 5	India	13	***	***	***	***	***	***
Product 5	Indonesia, subject	13	***	***	***	***	***	***
Product 5	Vietnam	13	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Changes shown as "0.0" represent values greater than zero, but less than "0.05" percent. Percent change is the change from the first quarter to the last quarter of the data collection period.

⁷ Prices for product 1 from Ecuador increased over the period.

Price comparisons

As shown in tables V-10 to V-12, prices for frozen warmwater shrimp imported from subject sources were below those for domestic product in 141 of 214 instances (387.5 million pounds); margins of underselling ranged from 0.0 to 63.2 percent. In the remaining 73 instances (56.8 million pounds), prices for product from subject sources were between 1.1 and 70.1 percent above prices for the domestic product. Four of the pricing products had more instances of underselling than overselling and one (product 1) had more instances of overselling. Three of the subject countries (Ecuador, India, and Vietnam) had more instances of underselling than overselling while Indonesia (subject) had more instances of overselling than underselling.⁸ There were more instances of underselling than of overselling in each full year and in interim 2024.

Table V-10
Frozen warmwater shrimp: Instances of underselling and overselling and the range and average of margins, by product

Quantity in 1,000 pounds; margin in percent

Product	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Product 1	Underselling	23	***	***	***	***
Product 2	Underselling	33	***	***	***	***
Product 3	Underselling	8	***	***	***	***
Product 4	Underselling	46	***	***	***	***
Product 5	Underselling	31	***	***	***	***
Total, all products	Underselling	141	387,483	19.7	0.0	63.2
Product 1	Overselling	28	***	***	***	***
Product 2	Overselling	18	***	***	***	***
Product 3	Overselling	---	***	***	***	***
Product 4	Overselling	6	***	***	***	***
Product 5	Overselling	21	***	***	***	***
Total, all products	Overselling	73	56,794	(19.5)	(1.1)	(70.1)

Source: Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

⁸ One importer of Indonesian product, ***, reported that its products sell for higher prices because they are chemical free instead of treated product.

Table V-11
Frozen warmwater shrimp: Instances of underselling and overselling and the range and average of margins, by source

Quantity in 1,000 pounds; margin in percent

Source	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
Ecuador	Underselling	48	***	***	***	***
India	Underselling	45	***	***	***	***
Indonesia	Underselling	18	***	***	***	***
Vietnam	Underselling	30	***	***	***	***
Total, all subject sources	Underselling	141	387,483	19.7	0.0	63.2
Ecuador	Overselling	6	***	***	***	***
India	Overselling	9	***	***	***	***
Indonesia	Overselling	35	***	***	***	***
Vietnam	Overselling	23	***	***	***	***
Total, all subject sources	Overselling	73	56,794	(19.5)	(1.1)	(70.1)

Source: Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table V-12
Frozen warmwater shrimp: Instances of underselling and overselling and the range and average of margins, by year

Quantity in 1,000 pounds; margin in percent

Year	Type	Number of quarters	Quantity	Average margin	Min margin	Max margin
2021	Underselling	47	***	***	***	***
2022	Underselling	42	***	***	***	***
2023	Underselling	42	***	***	***	***
2024 Q1	Underselling	10	***	***	***	***
All periods	Underselling	141	387,483	19.7	0.0	63.2
2021	Overselling	16	***	***	***	***
2022	Overselling	22	***	***	***	***
2023	Overselling	29	***	***	***	***
2024 Q1	Overselling	6	***	***	***	***
All periods	Overselling	73	56,794	(19.5)	(1.1)	(70.1)

Source: Compiled from data submitted in response to Commission questionnaires.

Note: These data include only quarters in which there is a comparison between the U.S. and subject product. Margins shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Lost sales and lost revenue

In the preliminary phase of the investigations, the Commission requested that U.S. processors of frozen warmwater shrimp report purchasers with which they experienced instances of lost sales or revenue due to competition from imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam during January 2020–June 2023. Nine U.S. processors submitted lost sales and lost revenue allegations in the petitions.⁹ The nine U.S. processors identified 94 firms with which they lost sales or revenue. Allegations included both lost sales and lost revenue. All four subject countries were listed in at least some of the allegations and all allegations listed the time period as “since 2020.”

In the final phase of the investigations, all 20 responding U.S. processors reported that they had to either reduce prices or roll back announced price increases, and 19 U.S. processors reported that they had lost sales. The Commission received questionnaire responses from 20 purchasers. Responding purchasers reported purchasing and importing 1.4 billion pounds of frozen warmwater shrimp during January 2021-March 2024 (table V-13).

Ten of the 20 responding purchasers reported that they had purchased imported frozen warmwater shrimp from subject countries instead of U.S.-produced product since January 1, 2021 (tables V-14 and V-15). Of these 10 purchasers, 7 reported purchasing imports from Ecuador, 6 reported purchasing imports from India, 5 reported purchasing imports from subject sources in Indonesia, and 5 reported purchasing imports from Vietnam. Of the 10 purchasers, 8 firms reported that the subject imports were priced lower (5 from Ecuador, 5 from India, 3 from Indonesia (subject), and 3 from Vietnam). Seven of these purchasers reported that price was a primary reason for the decision to purchase subject imports (4 from Ecuador, 4 from India, 3 from Indonesia (subject), and 3 from Vietnam) rather than U.S.-produced product. Four purchasers estimated the quantity of subject imports purchased instead of domestic product; quantities ranged from *** to *** million pounds. Purchasers identified availability and quality as non-price reasons for purchasing imported rather than U.S.-produced product.

⁹ The petitions included lost sales and lost revenues submitted by the following firms: ***. Although 94 purchasers were listed in allegations, many of the allegations did not include usable purchaser email contact information.

Table V-13
Frozen warmwater shrimp: Purchasers' reported purchases and imports, by firm and source

Quantity in 1,000 pounds; Change in shares in percentage points

Firm	Domestic quantity	Subject quantity	All other quantity	Change in domestic share	Change in subject share
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	73,833	1,260,248	107,992	(1.7)	3.4

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The all other category includes unknown sources. Changes in shares represent the share of the firm's total purchases of domestic and/or subject country imports between first and last years and are presented in percentage points. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table V-14
Frozen warmwater shrimp: Purchasers' responses to purchasing subject imports instead of domestic product, by firm

Quantity in 1,000 pounds

Firm	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity	Narrative on reasons for purchasing imports
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All firms	Yes--10; No—10	Yes--8; No--1	Yes--7; No--4	***	NA

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes and null values are suppressed and shown as “--”.

Table V-15
Frozen warmwater shrimp: Purchasers' responses to purchasing subject imports instead of domestic product, by source

Count in number of firms reporting; Quantity in 1,000 pounds

Source	Purchased subject imports instead of domestic	Imports priced lower	Choice based on price	Quantity
Ecuador	7	5	4	***
India	6	5	4	***
Indonesia, subject	5	3	3	***
Vietnam	5	3	3	***
Subject sources	10	8	7	***

Source: Compiled from data submitted in response to Commission questionnaires.

Of the 20 responding purchasers, 2 reported that U.S. processors had reduced prices to compete with lower-priced subject imports, 8 reported that U.S. processors had not reduced prices to compete with lower-priced subject imports, and 10 reported that they did not know. Of the two purchasers that reported price reductions, one (***) reported a 40 percent reduction to compete with imports from Ecuador and the other *** did not report the amount of a price reduction.

Part VI: Financial experience of U.S. processors

Background¹

Twenty U.S. processors provided usable financial results on their frozen warmwater shrimp operations. All U.S. processors except *** reported financial data on a calendar year basis and eleven processors provided data on the basis of GAAP.²

Figure VI-1 presents the top six responding processors' share of the total reported net sales quantity in 2023.^{3 4}

¹ The following abbreviations are used in the tables and/or text of this section: generally accepted accounting principles ("GAAP"), fiscal year ("FY"), net sales ("NS"), cost of goods sold ("COGS"), selling, general, and administrative expenses ("SG&A expenses"), average unit values ("AUVs"), research and development expenses ("R&D expenses"), and return on assets ("ROA").

² ***. U.S. processors' questionnaire responses, sections III-2a and III-2b.

³ ***. U.S. Processors' questionnaire responses, section II-6, emails from ***, November 16, 2023, email from ***, November 27, 2023, and August 20, 2024, email from *** August 14, 2024, and email from ***, December 4, 2023.

⁴ Staff conducted a verification of *** U.S. processor questionnaire data, and changes from the verification are incorporated within the report.

Figure VI-1

Frozen warmwater shrimp: U.S. processors' share of net sales quantity in 2023, by firm

* * * * *

Source: Compiled from data submitted in response to Commission questionnaires.

Note: "All other firms" includes the data reported by ***.

Operations on frozen warmwater shrimp

Table VI-1 presents aggregated data on U.S. processors' operations in relation to frozen warmwater shrimp, while table VI-2 presents corresponding changes in AUVs. Table VI-3 presents selected company-specific financial data.

Table VI-1
Frozen warmwater shrimp: U.S. processors' results of operations, by item and period

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

Item	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Total net sales	Quantity	131,623	97,832	98,231	19,129	25,673
Total net sales	Value	640,601	484,794	389,559	90,222	87,513
COGS: Raw materials	Value	506,752	354,919	260,500	53,490	53,559
COGS: All other	Value	84,974	85,459	86,071	29,416	23,455
COGS: Total	Value	591,726	440,378	346,571	82,906	77,014
Gross profit or (loss)	Value	48,875	44,416	42,988	7,316	10,499
SG&A expenses	Value	47,840	48,576	44,146	9,915	9,953
Operating income or (loss)	Value	1,035	(4,160)	(1,158)	(2,599)	546
Other expense/ (income)	Value	(17,012)	(10,025)	(973)	207	1,221
Net income or (loss)	Value	18,047	5,865	(185)	(2,806)	(675)
Depreciation/amortization	Value	7,767	6,402	5,459	1,537	915
Cash flow	Value	25,814	12,267	5,274	(1,269)	240
COGS: Raw materials	Ratio to NS	79.1	73.2	66.9	59.3	61.2
COGS: All other	Ratio to NS	13.3	17.6	22.1	32.6	26.8
COGS: Total	Ratio to NS	92.4	90.8	89.0	91.9	88.0
Gross profit	Ratio to NS	7.6	9.2	11.0	8.1	12.0
SG&A expense	Ratio to NS	7.5	10.0	11.3	11.0	11.4
Operating income or (loss)	Ratio to NS	0.2	(0.9)	(0.3)	(2.9)	0.6
Net income or (loss)	Ratio to NS	2.8	1.2	(0.0)	(3.1)	(0.8)

Table continued.

Table VI-1 Continued**Frozen warmwater shrimp: U.S. processors' results of operations, by item and period**

Shares in percent; unit values in dollars per pound; count in number of firms reporting

Item	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
COGS: Raw materials	Share	85.6	80.6	75.2	64.5	69.5
COGS: All other	Share	14.4	19.4	24.8	35.5	30.5
COGS: Total	Share	100.0	100.0	100.0	100.0	100.0
Total net sales	Unit value	4.87	4.96	3.97	4.72	3.41
COGS: Raw materials	Unit value	3.85	3.63	2.65	2.80	2.09
COGS: All other	Unit value	0.65	0.87	0.88	1.54	0.91
COGS: Total	Unit value	4.50	4.50	3.53	4.33	3.00
Gross profit or (loss)	Unit value	0.37	0.45	0.44	0.38	0.41
SG&A expenses	Unit value	0.36	0.50	0.45	0.52	0.39
Operating income or (loss)	Unit value	0.01	(0.04)	(0.01)	(0.14)	0.02
Net income or (loss)	Unit value	0.14	0.06	(0.00)	(0.15)	(0.03)
Operating losses	Count	9	12	10	12	8
Net losses	Count	5	10	8	13	10
Data	Count	20	20	20	20	20

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares represent the share of COGS. Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table VI-2
Frozen warmwater shrimp: Changes in AUVs between comparison periods

Changes in percent

Item	2021-23	2021-22	2022-23	Jan-Mar 2023-24
Total net sales	▼(18.5)	▲1.8	▼(20.0)	▼(27.7)
COGS: Raw materials	▼(31.1)	▼(5.8)	▼(26.9)	▼(25.4)
COGS: All other	▲35.7	▲35.3	▲0.3	▼(40.6)
COGS: Total	▼(21.5)	▲0.1	▼(21.6)	▼(30.8)

Table continued.

Table VI-2 Continued
Frozen warmwater shrimp: Changes in AUVs between comparison periods

Changes in dollars per pound

Item	2021-23	2021-22	2022-23	Jan-Mar 2023-24
Total net sales	▼(0.90)	▲0.09	▼(0.99)	▼(1.31)
COGS: Raw materials	▼(1.20)	▼(0.22)	▼(0.98)	▼(0.71)
COGS: All other	▲0.23	▲0.23	▲0.00	▼(0.62)
COGS: Total	▼(0.97)	▲0.01	▼(0.97)	▼(1.33)
Gross profit or (loss)	▲0.07	▲0.08	▼(0.02)	▲0.03
SG&A expense	▲0.09	▲0.13	▼(0.05)	▼(0.13)
Operating income or (loss)	▼(0.02)	▼(0.05)	▲0.03	▲0.16
Net income or (loss)	▼(0.14)	▼(0.08)	▼(0.06)	▲0.12

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Percentages and unit values shown as “0.0” or “0.00” represent values greater than zero, but less than “0.05” or “0.005,” respectively. Zeroes, null values, and undefined calculations are suppressed and shown as “--”. Period changes preceded by a “▲” represent an increase, while period changes preceded by a “▼” represent a decrease.

Table VI-3**Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period****Net sales quantity**

Quantity in 1,000 pounds

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	131,623	97,832	98,231	19,129	25,673

Table continued.

Table VI-3 Continued**Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period****Net sales value**

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	640,601	484,794	389,559	90,222	87,513

Table continued.

Table VI-3 Continued**Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period****COGS**

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	591,726	440,378	346,571	82,906	77,014

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss)

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	48,875	44,416	42,988	7,316	10,499

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

SG&A expenses

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	47,840	48,576	44,146	9,915	9,953

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss)

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	1,035	(4,160)	(1,158)	(2,599)	546

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Net income or (loss)

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	18,047	5,865	(185)	(2,806)	(675)

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

COGS to net sales ratio

Ratios in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	92.4	90.8	89.0	91.9	88.0

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Gross profit or (loss) to net sales ratio

Ratios in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	7.6	9.2	11.0	8.1	12.0

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

SG&A expenses to net sales ratio

Ratios in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	7.5	10.0	11.3	11.0	11.4

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Operating income or (loss) to net sales ratio

Ratios in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.2	(0.9)	(0.3)	(2.9)	0.6

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Net income or (loss) to net sales ratio

Ratios in percent

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	2.8	1.2	(0.0)	(3.1)	(0.8)

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit net sales value

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	4.87	4.96	3.97	4.72	3.41

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit raw material costs

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	3.85	3.63	2.65	2.80	2.09

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit all other costs

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.65	0.87	0.88	1.54	0.91

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit COGS

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	4.50	4.50	3.53	4.33	3.00

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit gross profit or (loss)

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.37	0.45	0.44	0.38	0.41

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit SG&A expenses

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.36	0.50	0.45	0.52	0.39

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit operating income or (loss)

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.01	(0.04)	(0.01)	(0.14)	0.02

Table continued.

Table VI-3 Continued

Frozen warmwater shrimp: U.S. processors' sales, costs/expenses, and profitability, by firm and period

Unit net income or (loss)

Unit values in dollars per pound

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All processors	0.14	0.06	(0.00)	(0.15)	(0.03)

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Note: "All other processors" includes the data reported by ***.

Note: The top six firms are selected based on 2023 total net sales quantity.

Net sales

Revenue primarily reflects commercial sales, but also includes a small amount of internal consumption (less than 1 percent of total sales quantity in 2023). Internal consumption is included in the financial data, but not shown separately in this section of the report.⁵ Total sales quantity and value decreased overall by 25.4 and 39.2 percent, respectively, from 2021 to 2023, with the majority of the decrease occurring from 2021 to 2022. Sales quantity was 34.2 percent higher in January-March 2024 (“interim 2024”) compared with January-March 2023 (“interim 2023”), while sales value was 3.0 percent lower. As shown in table VI-3, *** reported a decrease in sales quantity and value from 2021 to 2023. In the two comparable interim periods, sales quantity trends varied between the ***, while sales values were more uniform with *** reporting a lower sales value in interim 2024 compared with interim 2023.^{6 7 8} *** reported an overall decrease in sales quantity and value from 2021 to 2023, and higher sales quantity and value in interim 2024 compared with interim 2023.⁹ The average net sales unit

⁵ Internal consumption reported by ***. Email from ***, November 09, 2023.

⁶ ***. Email from ***, August 20, 2024.

⁷ ***, September 6, 2024, staff telephone interview with ***, and ***, August 8, 2024.

⁸ ***. Email from ***, August 09, 2024.

⁹ Among the 14 smaller processors, ***.

value (per pound) irregularly decreased from 2021 to 2023, and was lower in interim 2024 compared with interim 2023. As shown in table VI-3, *** and *** reported an overall decrease in their per pound sales values from 2021 to 2023, and lower per pound sales values in interim 2024 compared with interim 2023.^{10 11}

Cost of goods sold and gross profit or loss

Raw material costs, all of which represent the cost of domestic shrimp and prawns, are the largest component of COGS, ranging between 64.5 and 85.6 percent of total COGS during the reporting period. Raw material costs decreased overall by 48.6 percent from 2021 to 2023, and were 0.1 percent higher in interim 2024 compared with interim 2023.¹² On a per-pound basis, raw material costs decreased from 2021 to 2023, and were lower in interim 2024 compared with interim 2023. As shown in table VI-3, company-specific unit raw material costs were consistent with the broader trend, with the *** and *** showing a decrease from 2021 to 2023, and lower unit values in interim 2024

¹⁰ ***. Emails from ***, November 13 and 28, 2023.

¹¹ Among the 14 smaller processors, ***. For all processors combined, ***.

¹² ***. Emails from ***, August 5, 7, and 14, 2024.

compared with interim 2023.^{13 14} As a ratio to net sales, raw material costs decreased from 2021 to 2023, and were higher in interim 2024 compared with interim 2023.^{15 16}

All other COGS, comprising mostly (***) , are the second largest component of COGS ranging between 14.4 and 35.5 percent during the reporting period.^{17 18} All other COGS increased overall by 1.3 percent from 2021 to 2023, and were 20.3 percent lower in interim 2024 compared with interim 2023. On a per-pound basis, all other COGS increased overall from 2021 to 2023, and were lower in interim 2024 compared with interim 2023.¹⁹ As shown in table VI-3, the *** processors, and *** reported an increase in their all other COGS per-pound values from 2021 to 2023,

¹³ Among the 14 smaller processors, *** . For all processors combined, *** .

¹⁴ *** . Email from *** , September 6, 2024.

¹⁵ *** . Email from *** , September 16, 2024.

¹⁶ *** . Purchases were reported in a manner consistent with the companies' accounting books and records. U.S. processors' questionnaire responses, sections III-6 and III-7.

¹⁷ U.S. processors' questionnaire responses, section III-9a.

¹⁸ Petitioner indicated that labor costs are the second largest cost after raw materials, and a witness further explained that different processes have different levels of labor costs. For example "you would have more labor in an easy peel or P&D tail on than you would have in a machine-peeled peel and deveined." Conference transcript, p. 93 (Pearson).

¹⁹ *** . Petitioner's posthearing brief, response to Commissioner Questions, p.4

and lower per-pound values in interim 2024 compared with interim 2023.²⁰ As a ratio to net sales, all other COGS increased overall from 2021 to 2023, and were lower in interim 2024 compared with interim 2023.

Total COGS decreased by 41.4 percent from 2021 to 2023, and was 7.1 percent lower in interim 2024 compared with interim 2023. On a per-pound basis, total COGS remained unchanged from 2021 to 2022, then decreased in 2023, and was lower in interim 2024 compared with interim 2023. As shown in table VI-3, *** and *** reported a decrease in their total COGS per-pound values from 2021 to 2023, and lower COGS per-pound values in interim 2024 compared with interim 2023.²¹ As a ratio to net sales, total COGS decreased from 2021 to 2023, and was lower in interim 2024 compared with interim 2023.

As shown in table VI-1, total gross profit decreased from \$48.9 million in 2021 to \$44.4 million in 2022, and \$43.0 million in 2023. Gross profit was higher in interim 2024 at \$10.5 million compared with interim 2023 at \$7.3 million. As a ratio to net sales, gross profit increased from 2021 to 2023 and was higher in interim 2024 compared with interim 2023. As shown in table VI-3, *** were uniform in trends, with the majority showing a decrease in gross profit from 2021 to 2023, but were less uniform in the two comparable interim periods. *** reported an overall decrease from 2021 to 2023, and a higher gross profit in interim 2024 compared with interim 2023.²²

SG&A expenses and operating income or loss

As shown in table VI-1, SG&A expenses decreased irregularly from 2021 to 2023, and were slightly lower in interim 2024 compared with interim 2023. As shown in table VI-3, *** reported SG&A expenses which varied in directional trends from 2021

²⁰ Among the 14 smaller processors, ***. For all processors combined, ***.

²¹ Among the 14 smaller processors, ***. For all processors combined, ***.

²² Among the 14 smaller processors, ***. For all processors combined, ***.

to 2023, were more uniform in the comparable interim periods, with the majority showing higher expenses in interim 2024 compared with interim 2023. *** showed an increase from 2021 to 2023, and lower values in interim 2024 compared with interim 2023. The corresponding SG&A expense ratio (total SG&A expenses divided by total sales value) increased from 2021 to 2023, and was slightly higher in interim 2024 compared with interim 2023.

Operating income decreased from a positive \$1.0 million in 2021 to a negative \$4.2 million in 2022, then improved to a negative \$1.2 million in 2023. Operating income was higher in interim 2024 at a positive \$546,000 compared with a negative \$2.6 million in interim 2023. As a ratio to net sales, operating income irregularly decreased from 2021 to 2023, and was higher in interim 2024 compared with interim 2023.²³ As shown in table VI-3, *** reported an overall decrease in operating income from 2021 to 2023, and a lower operating income or worsening loss in interim 2024 compared with interim 2023. *** reported a worsening operating loss from 2021 to 2023, and a positive operating income in interim 2024 compared with loss in interim 2023.²⁴

All other expenses and net income or loss

Classified below the operating income level are interest expense, other expense, and other income which are aggregated in table VI-1 as “all other expenses/(income).” As seen in table VI-1, net all other expenses/(income) decreased from 2021 to 2023 (a decline in overall net all other income), and was higher in interim 2024 compared with interim 2023 (an increase in overall net other expense). Interest expense and all other income accounted for the majority of the net amount shown.²⁵

²³ Petitioners indicated that processors were not able to

²⁴ Among the 14 smaller processors, ***. For all processors combined, ***.

²⁵ *** accounted for the majority of other income reported. ***. Emails from ***, November 16, 17 and 27, 2023, and U.S. processors’ questionnaire response, sections III-10a and III-10b.

As shown in table VI-1, other income offset interest expenses and other expenses in each of the full year periods, which caused net income to be greater than operating income in each of those years. Net income decreased from \$18.0 million in 2021 to \$5.9 million in 2022, and further decreased to a \$185,000 loss in 2023. In interim 2024, processors showed an improved loss of \$675,000 compared to a loss of \$2.8 million in interim 2023. As a ratio to net sales, net income decreased from 2021 to 2023, and was higher in interim 2024 compared with interim 2023. As shown in table VI-3, *** processors reported an overall decrease in net income from 2021 to 2023, and a lower net income or worsening loss in interim 2024 compared with interim 2023. *** reported a decrease from a positive net income in 2021 to a net loss in 2023, and a positive net income in interim 2024 compared with a loss interim 2023.^{26 27}

Capital expenditures and research and development expenses

Table VI-4 presents capital expenditures by firm and table VI-5 presents the processors' narrative explanations of the nature, focus, and significance of their capital expenditures. Capital expenditures increased overall from 2021 to 2023, and were higher in interim 2024 compared with interim 2023.²⁸

²⁶ Among the 14 smaller processors ***.

²⁷ Because of the variations in processing activities between the U.S. processors, which affect comparability of unit costs and prices, a variance analysis is not presented.

²⁸ ***. U.S. processors questionnaire responses, sections III-13a and III-13c.

Table VI-4
Frozen warmwater shrimp: U.S. processors' capital expenditures, by firm and period

Value in 1,000 dollars

Firm	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
***	***	***	***	***	***
All other processors	***	***	***	***	***
All responding processors	8,937	6,931	11,272	2,121	2,418

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as “---”. The top six processors are selected based on 2023 total net sales quantity. *** did not report any capital expenditures during the reporting period.

Table VI-5
Frozen warmwater shrimp: Top six U.S. processors' narrative descriptions of their capital expenditures, by firm

Firm	Narrative on capital expenditures
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Assets and return on assets

Table VI-6 presents data on the U.S. processors' total assets while table VI-7 presents their operating ROA.²⁹ Table VI-8 presents U.S. processors' narrative responses explaining their major asset categories and any significant changes in asset levels over time. Total assets decreased overall from 2021 to 2023, and return on assets decreased from a positive 0.4 percent in 2021 to a negative 1.5 percent in 2022, and a negative 0.5 percent in 2023.

²⁹ The operating ROA is calculated as operating income divided by total assets. With respect to a firm's overall operations, the total asset value reflects an aggregation of a number of assets which are generally not product specific. Thus, high-level allocations are generally required in order to report a total asset value on a product-specific basis.

Table VI-6
Frozen warmwater shrimp: U.S. processors' total net assets, by firm and period

Value in 1,000 dollars

Firm	2021	2022	2023
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
All other processors	***	***	***
All processors	272,075	271,091	253,843

Source: Compiled from data submitted in response to Commission questionnaires.

Note: The top six firms are selected based on 2023 total net sales quantity.

Table VI-7
Frozen warmwater shrimp: U.S. processors' ROA, by firm and period

Ratio in percent

Firm	2021	2022	2023
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
***	***	***	***
All other processors	***	***	***
All processors	0.4	(1.5)	(0.5)

Source: Compiled from data submitted in response to Commission questionnaires.

Table VI-8
Frozen warmwater shrimp: U.S. processors' narrative descriptions of their total net assets, by firm

Firm	Narrative on assets
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Capital and investment

The Commission requested U.S. processors of frozen warmwater shrimp to describe any actual or potential negative effects of imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam on their firms' growth, investment, ability to raise capital, development and production efforts, or the scale of capital investments. Table VI-9 presents the number of firms reporting an impact in each category and table VI-10 provides the U.S. processors' narrative responses.

Table VI-9

Frozen warmwater shrimp: Count of firms indicating actual and anticipated negative effects of imports from subject sources on investment, growth, and development since January 1, 2021, by effect

Number of firms reporting

Effect	Category	Count
Cancellation, postponement, or rejection of expansion projects	Investment	15
Denial or rejection of investment proposal	Investment	2
Reduction in the size of capital investments	Investment	9
Return on specific investments negatively impacted	Investment	5
Other investment effects	Investment	4
Any negative effects on investment	Investment	19
Rejection of bank loans	Growth	5
Lowering of credit rating	Growth	6
Problem related to the issue of stocks or bonds	Growth	1
Ability to service debt	Growth	10
Other growth and development effects	Growth	12
Any negative effects on growth and development	Growth	20
Anticipated negative effects of imports	Future	20

Source: Compiled from data submitted in response to Commission questionnaires.

Note: ***.

Table VI-10

Frozen warmwater shrimp: U.S. processors' narratives relating to actual and anticipated negative effects of imports on investment, growth, and development, since January 1, 2021, by firm and effect

Item	Firm name and narrative on impact of imports
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Cancellation, postponement, or rejection of expansion projects	***
Denial or rejection of investment proposal	***
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***

Item	Firm name and narrative on impact of imports
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***
Reduction in the size of capital investments	***
Return on specific investments negatively impacted	***
Return on specific investments negatively impacted	***
Return on specific investments negatively impacted	***
Other negative effects on investments	***
Other negative effects on investments	***
Other negative effects on investments	***
Other negative effects on investments	***
Other negative effects on investments	***
Rejection of bank loans	***
Rejection of bank loans	***
Rejection of bank loans	***
Rejection of bank loans	***
Lowering of credit rating	***
Lowering of credit rating	***
Lowering of credit rating	***
Lowering of credit rating	***
Lowering of credit rating	***

Item	Firm name and narrative on impact of imports
Problem related to the issue of stocks or bonds	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Ability to service debt	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***
Other effects on growth and development	***

Item	Firm name and narrative on impact of imports
Other effects on growth and development	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***
Anticipated effects of imports	***

Source: Compiled from data submitted in response to Commission questionnaires.

Part VII: Threat considerations and information on nonsubject countries

Section 771(7)(F)(i) of the Act (19 U.S.C. § 1677(7)(F)(i)) provides that—

In determining whether an industry in the United States is threatened with material injury by reason of imports (or sales for importation) of the subject merchandise, the Commission shall consider, among other relevant economic factors¹⁻⁻

- (I) if a countervailable subsidy is involved, such information as may be presented to it by the administering authority as to the nature of the subsidy (particularly as to whether the countervailable subsidy is a subsidy described in Article 3 or 6.1 of the Subsidies Agreement), and whether imports of the subject merchandise are likely to increase,*
- (II) any existing unused production capacity or imminent, substantial increase in production capacity in the exporting country indicating the likelihood of substantially increased imports of the subject merchandise into the United States, taking into account the availability of other export markets to absorb any additional exports,*
- (III) a significant rate of increase of the volume or market penetration of imports of the subject merchandise indicating the likelihood of substantially increased imports,*
- (IV) whether imports of the subject merchandise are entering at prices that are likely to have a significant depressing or suppressing effect on domestic prices, and are likely to increase demand for further imports,*
- (V) inventories of the subject merchandise,*

¹ Section 771(7)(F)(ii) of the Act (19 U.S.C. § 1677(7)(F)(ii)) provides that “The Commission shall consider {these factors} . . . as a whole in making a determination of whether further dumped or subsidized imports are imminent and whether material injury by reason of imports would occur unless an order is issued or a suspension agreement is accepted under this title. The presence or absence of any factor which the Commission is required to consider . . . shall not necessarily give decisive guidance with respect to the determination. Such a determination may not be made on the basis of mere conjecture or supposition.”

- (VI) *the potential for product-shifting if production facilities in the foreign country, which can be used to produce the subject merchandise, are currently being used to produce other products,*
- (VII) *in any investigation under this title which involves imports of both a raw agricultural product (within the meaning of paragraph (4)(E)(iv)) and any product processed from such raw agricultural product, the likelihood that there will be increased imports, by reason of product shifting, if there is an affirmative determination by the Commission under section 705(b)(1) or 735(b)(1) with respect to either the raw agricultural product or the processed agricultural product (but not both),*
- (VIII) *the actual and potential negative effects on the existing development and production efforts of the domestic industry, including efforts to develop a derivative or more advanced version of the domestic like product, and*
- (IX) *any other demonstrable adverse trends that indicate the probability that there is likely to be material injury by reason of imports (or sale for importation) of the subject merchandise (whether or not it is actually being imported at the time).²*

Information on the volume and pricing of imports of the subject merchandise is presented in Parts IV and V; and information on the effects of imports of the subject merchandise on U.S. processors' existing development and production efforts is presented in Part VI. Information on inventories of the subject merchandise; foreign processors' operations, including the potential for "product-shifting;" any other threat indicators, if applicable; and any dumping in third-country markets, follows. Also presented in this section of the report is information obtained for consideration by the Commission on nonsubject countries.

² Section 771(7)(F)(iii) of the Act (19 U.S.C. § 1677(7)(F)(iii)) further provides that, in antidumping investigations, ". . . the Commission shall consider whether dumping in the markets of foreign countries (as evidenced by dumping findings or antidumping remedies in other WTO member markets against the same class or kind of merchandise manufactured or exported by the same party as under investigation) suggests a threat of material injury to the domestic industry."

Subject countries

The Commission issued foreign processors' or exporters' questionnaires to 100 firms believed to produce and/or export frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam.³ Sixty-seven firms provided usable responses to the Commission's questionnaires. Table VII-1 presents the number of producers/exporters in each subject country that responded to the Commission's questionnaire, their exports to the United States as a share of U.S. imports by each subject country in 2023, and their estimated share of total production of frozen warmwater shrimp in each subject country during 2023.

³ These firms were identified through a review of information submitted in the petitions and presented in third-party sources.

Table VII-1

Frozen warmwater shrimp: Number of responding producers/exporters, approximate shares of subject country production, and exports to the United States as a share of U.S. imports from subject country, by country, 2023

Subject foreign industry	Number of responding firms	Approximate share of production (percent)	Exports as a share of U.S. imports from subject foreign industry (percent)
Ecuador	2	***	***
India	24	***	***
Indonesia, subject	15	***	***
Vietnam	26	***	***
All subject foreign industries	67	NA	***

Source: Compiled from data in response to Commission questionnaires.

Note: "Approximate share of production" reflects the responding firms' estimates of their production as a share of total country production of frozen warmwater shrimp in 2023. Since firms in Ecuador and Vietnam do not have perfect knowledge of the industry in their home market, there is no credible estimate for the approximate share of production that the responding firms represented in those markets. For subject foreign industries in which more than one firm responded, the average denominator for reasonably reported estimates is used in the share presented. Approximate shares are rounded to the nearest whole number.

Note: "Exports as a share of U.S. imports" reflects a comparison of export data reported by firms in response to the Commission's foreign producer/exporter questionnaire with official Commerce import statistics using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024.

Note: Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table VII-2 presents information on the frozen warmwater shrimp operations of the responding subject processors/exporters by firm. Table VII-3 presents summary data, by subject foreign country. Table VII-4 presents summary data for subject foreign resellers, by firm.

Table VII-2

Frozen warmwater shrimp: Summary data for subject foreign processors, by firm, 2023

Subject foreign industry: Producer name	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Ecuador: Santa Priscila	***	***	***	***	***	***
Ecuador: Sociedad Nacional De Galapagos	***	***	***	***	***	***
India: Ananda Enterprises	***	***	***	***	***	***
India: Ananda Group	***	***	***	***	***	***
India: Aquatica	***	***	***	***	***	***
India: Asvini	***	***	***	***	***	***
India: Avanti	***	***	***	***	***	***
India: BMR Industries	***	***	***	***	***	***
India: Choice Trading	***	***	***	***	***	***
India: Coastal Aqua	***	***	***	***	***	***
India: Coastal Corporation	***	***	***	***	***	***
India: Devi Fisheries	***	***	***	***	***	***
India: Devi Sea Foods Limited	***	***	***	***	***	***
India: Falcon Marine	***	***	***	***	***	***
India: Godavari	***	***	***	***	***	***
India: Kader Exports	***	***	***	***	***	***
India: LNSK Green House	***	***	***	***	***	***
India: Mangala Marine	***	***	***	***	***	***

Table continued.

Table VII-2 Continued

Frozen warmwater shrimp: Summary data for subject foreign processors, by firm, 2023

Subject foreign industry: Producer name	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
India: Mangala Sea Foods	***	***	***	***	***	***
India: Nekkanti Sea Foods	***	***	***	***	***	***
India: Royale Marine Impex	***	***	***	***	***	***
India: Sagar Grandhi	***	***	***	***	***	***
India: Sai Marine	***	***	***	***	***	***
India: Sandhya Aqua	***	***	***	***	***	***
India: Sandhya Marines	***	***	***	***	***	***
India: Wellcome Fisheries	***	***	***	***	***	***
Indonesia: Bumi Pangan Sejahtera	***	***	***	***	***	***
Indonesia: Bumi Pangan Utama	***	***	***	***	***	***
Indonesia: First Marine	***	***	***	***	***	***
Indonesia: Grahamakmur	***	***	***	***	***	***
Indonesia: Indo American Seafoods	***	***	***	***	***	***
Indonesia: Indokom	***	***	***	***	***	***
Indonesia: PT. Pancamitra Multiperdana	***	***	***	***	***	***
Indonesia: PT. Tri Mitra Makmur	***	***	***	***	***	***
Indonesia: Samudra	***	***	***	***	***	***
Indonesia: Sekar Bumi	***	***	***	***	***	***
Indonesia: Surya Adikumala	***	***	***	***	***	***
Indonesia: Surya Alam	***	***	***	***	***	***

Table continued.

Table VII-2 Continued

Frozen warmwater shrimp: Summary data for subject foreign processors, by firm, 2023

Subject foreign industry: Producer name	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Indonesia: Syam Surya	***	***	***	***	***	***
Indonesia: Winaros	***	***	***	***	***	***
Indonesia: Wirontono	***	***	***	***	***	***
Vietnam: C.P Vietnam	***	***	***	***	***	***
Vietnam: Ca Mau Seafood	***	***	***	***	***	***
Vietnam: CAFISH	***	***	***	***	***	***
Vietnam: Clean Seafood	***	***	***	***	***	***
Vietnam: Cuulong Seapro	***	***	***	***	***	***
Vietnam: FIMEX	***	***	***	***	***	***
Vietnam: Fish One	***	***	***	***	***	***
Vietnam: Hai Viet	***	***	***	***	***	***
Vietnam: Kim Anh Company	***	***	***	***	***	***
Vietnam: Minh Hai Export	***	***	***	***	***	***
Vietnam: Minh Hai Joint Stock	***	***	***	***	***	***
Vietnam: Minh Phu Hau Giang Seafood	***	***	***	***	***	***
Vietnam: Minh Phu Seafood	***	***	***	***	***	***
Vietnam: Ngoc Tri Seafood	***	***	***	***	***	***
Vietnam: Nha Trang	***	***	***	***	***	***
Vietnam: QNL Company	***	***	***	***	***	***
Vietnam: Seaprimexco	***	***	***	***	***	***
Vietnam: Soc Trang	***	***	***	***	***	***
Vietnam: Tacvan Seafoods	***	***	***	***	***	***

Table continued.

Table VII-2 Continued

Frozen warmwater shrimp: Summary data for subject foreign processors, by firm, 2023

Subject foreign industry: Producer name	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Vietnam: Taika Seafood	***	***	***	***	***	***
Vietnam: Thong Thuan	***	***	***	***	***	***
Vietnam: Thuan Phuoc	***	***	***	***	***	***
Vietnam: Trang Khanh	***	***	***	***	***	***
Vietnam: Trong Nhan	***	***	***	***	***	***
Vietnam: UTXI	***	***	***	***	***	***
Vietnam: Viet Foods Co.	***	***	***	***	***	***
All individual producers	1,988,555	100.0	890,954	100.0	2,005,222	44.4

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Table VII-3

Frozen warmwater shrimp: Summary data for subject foreign processors, by country 2023

Subject foreign industry	Production (1,000 pounds)	Share of reported production (percent)	Exports to the United States (1,000 pounds)	Share of reported exports to the United States (percent)	Total shipments (1,000 pounds)	Share of firm's total shipments exported to the United States (percent)
Ecuador	***	***	***	***	***	***
India	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***
All subject foreign industries	1,988,555	100.0	890,954	100.0	2,005,222	44.4

Source: Compiled from data submitted in response to Commission questionnaires.

Table VII-4

Frozen warmwater shrimp: Summary data for subject foreign resellers, by subject country, 2023

Reseller and (subject foreign industry)	Resales exported to the United States (1,000 pounds)	Share of resales exported to the United States (percent)
Vietnam: QNL Company	***	***
All individual resellers	***	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Changes in operations

Subject processors were asked to report any change in the character of their operations or organization relating to the production of frozen warmwater shrimp since January 1, 2021. Tables VII-5 and VII-6 present the changes identified by these processors in their responses to the Commission’s questionnaires. Thirty-one of the 67 responding subject processors indicated in their questionnaire responses that they had experienced a change in their operations. The most commonly reported changes were plant openings (13 firms), expansions (8 firms), production curtailments (5 firms), and weather-related or force majeure events (5 firms).

Table VII-5
Frozen warmwater shrimp: Count of reported changes in operations since January 1, 2021, by subject foreign producing country and type of change in operation

Count in number of firms reporting

Item	Ecuador	India	Indonesia, subject	Vietnam	Subject producers
Plant openings	1	9	0	3	13
Plant closings	0	1	1	0	2
Prolonged shutdowns	0	0	0	2	2
Production curtailments	0	0	0	5	5
Relocations	0	1	0	1	2
Expansions	1	5	1	1	8
Acquisitions	1	0	0	0	1
Consolidations	0	1	0	0	1
Weather-related or force majeure events	0	0	2	3	5
Other	0	1	1	4	6
Any change	2	13	3	13	31

Source: Compiled from data submitted in response to Commission questionnaires.

Table VII-6

Frozen warmwater shrimp: Reported changes in operations in subject foreign industries since January 1, 2021, by reported change category and firm

Item	Firm name (subject foreign industry) and accompanying narrative response
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant openings	***
Plant closings	***
Plant closings	***

Table continued.

Table VII-6 Continued

Frozen warmwater shrimp: Reported changes in operations in subject foreign industries since January 1, 2021, by reported change category and firm

Item	Firm name (subject foreign industry) and accompanying narrative response
Prolonged shutdowns	***
Prolonged shutdowns	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Production curtailments	***
Relocations	***
Relocations	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***
Expansions	***

Table continued.

Table VII-6 Continued

Frozen warmwater shrimp: Reported changes in operations in subject foreign industries since January 1, 2021, by reported change category and firm

Item	Firm name (subject foreign industry) and accompanying narrative response
Consolidations	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Weather-related or force majeure events	***
Other	***
Other	***
Other	***
Other	***
Other	***
Other	***
Other	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table VII-7 presents additional events in the subject countries' industries since January 1, 2021, as identified from public sources.

**Table VII-7
Frozen warmwater shrimp: Important industry events in the subject foreign countries since January 1, 2021**

Country	Item	Firm	Event
Ecuador; India; Indonesia	Signing of regulatory partnership arrangement (RPA) with U.S. FDA	All Ecuadorian, Indian, and Indonesian shrimp exporters	As part of ongoing efforts to improve food safety for shrimp, the U.S. FDA entered into an RPA with Ecuador, India, and Indonesia in September 2023. Prior to the RPA, the U.S. FDA undertook an assessment of food safety in the shrimp farming industry in these countries. The RPA reportedly includes ongoing information sharing and support for food safety monitoring and compliance efforts.
Ecuador	Ecuadorian government ended diesel subsidies to large shrimp farms	All Ecuadorian shrimp farms with over 74 acres of production	In December 2022, the Ecuadorian government announced that it would end diesel fuel subsidies it had previously provided to shrimp farms. Those farms with more than about 74 acres of production, which reportedly account for 82 percent of shrimp acreage, would no longer be eligible for subsidies. An Ecuadorian industry representative estimated that this would raise production costs by \$0.16 per pound of shrimp.
Ecuador	Earthquake and flooding	Shrimp producers in El Oro province	On March 18, 2023, an earthquake and subsequent flooding caused damage to large-scale shrimp farms in the El Oro province.
Ecuador	Mitsui investment in Industrial Pesquera Santa Priscila (IPSP)	IPSP	In August 2023, the Japanese Mitsui Group announced that it would invest \$360 million in IPSP, the largest shrimp producer in Ecuador.
Indonesia	Indonesian government implementation of export deposit rule	All Indonesian shrimp processors and exporters	In 2023, the Indonesian government implemented a regulation that requires shrimp exporters to deposit 30 percent of their earnings in Indonesian government-controlled accounts for at least 3 months. The Indonesian industry reported that this would harm their ability to absorb price increases from shrimp farms.
Indonesia	Malaysian investment in Indonesian shrimp producers	Lim Shrimp Aquapolis Pte Ltd and PT Gerbang NTB Emas	In early 2023, the Malaysian firm MAG Holdings announced that it was investing about \$4.7 million in the Indonesian shrimp processing sector by acquiring a 50 percent stake in Lim Shrimp Aquapolis Pte Ltd and entering into a joint venture with PT Gerbang NTB Emas.

Table continued.

Table VII-7 Continued

Frozen warmwater shrimp: Important industry events in the subject foreign countries since January 1, 2021

Country	Item	Firm	Event
Indonesia	Asian Development Bank loan to small-scale Indonesian shrimp farmers	Small-scale Indonesian shrimp farmers	In December 2022, the Asian Development Bank approved a \$93 million loan to improve the sustainability, productivity, quality, and profitability of small-scale shrimp farming in Indonesia.

Sources: Dao, “Indonesia’s Export Deposit Rule Tightens Screws on its Already Strained Shrimp Sector,” *SeafoodSource*, September 5, 2023; Herlinda, “ADB Pours \$93m Loan to Advance Indonesia’s Shrimp Farming,” *The Jakarta Post*, December 16, 2022; Malaysian Reserve, “MAG Holdings Dives into Indonesia’s Shrimp Farming Industry with RM22m Investment,” June 28, 2023; Molinari, “Earthquake, then Flooding Hit Ecuador’s Shrimp Sector,” *SeafoodSource*, April 3, 2023; Molinari, “Ecuador’s CNA Blasts Government End to Diesel Subsidy for Shrimp Farming,” *SeafoodSource*, January 27, 2023; Molinari, “U.S. FDA Signs Agreement with Ecuador to Enhance Shrimp Import Safety,” *SeafoodSource*, September 5, 2023; The Fish Site, “Mitsui Raises Shrimp Stakes with \$360m Investment in Santa Priscilla,” August 9, 2023.

Installed and practical overall capacity

Table VII-8 presents data on subject processors’ installed capacity, practical overall capacity, and practical capacity and production for frozen warmwater shrimp. From 2021 to 2023, 51 firms did not report any change in their installed overall capacity, 16 firms reported an increase in their installed overall capacity, and no firm reported a decrease in their installed overall capacity. During the same period, 16 firms reported an increase in their practical overall capacity, nine firms reported a decrease in their practical overall capacity, and 42 firms reported no change in their practical overall capacity.

Installed overall capacity and practical overall capacity increased in every year from 2021 to 2023, ending 17.1 percent and 16.5 percent higher, respectively. Installed overall capacity was 0.3 percent lower in interim 2024 than in interim 2023, while practical overall capacity was 1.0 percent higher. Installed overall capacity utilization and practical overall capacity utilization decreased in every year from 2021 to 2023, ending 4.0 percentage points and 5.5 percentage points lower, respectively. Installed overall capacity utilization and practical overall capacity utilization were 3.0 percentage points and 3.6 percentage points higher, respectively, in interim 2024 than in interim 2023.

Table VII-8

Frozen warmwater shrimp: Installed and practical capacity and production on the same equipment as in-scope production for processors in the subject foreign industries, by period

Capacity and production in 1,000 pounds; utilization in percent

Item	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Installed overall	Capacity	3,722,359	4,092,557	4,359,255	1,106,039	1,102,275
Installed overall	Production	1,899,141	2,065,719	2,047,267	424,464	456,158
Installed overall	Utilization	51.0	50.5	47.0	38.4	41.4
Practical overall	Capacity	2,591,556	2,869,083	3,019,414	744,455	752,129
Practical overall	Production	1,899,141	2,065,719	2,047,267	424,464	456,158
Practical overall	Utilization	73.3	72.0	67.8	57.0	60.6
Practical frozen warmwater shrimp	Capacity	2,506,377	2,773,234	2,912,341	713,295	725,362
Practical frozen warmwater shrimp	Production	1,837,480	1,996,313	1,988,555	411,543	443,233
Practical frozen warmwater shrimp	Utilization	73.3	72.0	68.3	57.7	61.1

Source: Compiled from data submitted in response to Commission questionnaires.

Constraints on capacity

Tables VII-9 presents the number of reported practical overall capacity constraints by subject processors and table VII-10 presents their reported narratives on those constraints. The most commonly reported capacity constraints were supply of material inputs (32 firms) and existing labor force (25 firms).

Table VII-9

Frozen warmwater shrimp: Count of reported constraints to practical overall capacity since January 1, 2021, by subject foreign producing country and type of constraint

Item	Ecuador	India	Indonesia, subject	Vietnam	Subject producers
Production bottlenecks	0	3	1	3	7
Existing labor force	0	10	1	14	25
Supply of material inputs	1	9	3	19	32
Fuel or energy	1	3	1	1	6
Storage capacity	0	2	1	3	6
Logistics/transportation	0	2	1	5	8
Other constraints	1	10	0	10	21

Source: Compiled from data submitted in response to Commission questionnaires.

Table VII-10

Frozen warmwater shrimp: Producers' in subject foreign industries reported constraints to practical overall capacity, since January 1, 2021

Item	Firm name (subject foreign industry) and narrative response on constraints to practical overall capacity
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Production bottlenecks	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***

Table continued.

Table VII-10 Continued

Frozen warmwater shrimp: Producers' in subject foreign industries reported constraints to practical overall capacity, since January 1, 2021

Item	Firm name (subject foreign industry) and narrative response
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Existing labor force	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***

Table continued.

Table VII-10 Continued

Frozen warmwater shrimp: Producers' in subject foreign industries reported constraints to practical overall capacity, since January 1, 2021

Item	Firm name (subject foreign industry) and narrative response
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Supply of material inputs	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Fuel or energy	***
Storage capacity	***

Table continued.

Table VII-10 Continued

Frozen warmwater shrimp: Producers' in subject foreign industries reported constraints to practical overall capacity, since January 1, 2021

Item	Firm name (subject foreign industry) and narrative response
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Storage capacity	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Logistics/transportation	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***

Table continued.

Table VII-10 Continued

Frozen warmwater shrimp: Producers' in subject foreign industries reported constraints to practical overall capacity, since January 1, 2021

Item	Firm name (subject foreign industry) and narrative response
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***
Other constraints	***

Source: Compiled from data submitted in response to Commission questionnaires.

Operations on frozen warmwater shrimp

Aggregate frozen warmwater shrimp operations in the subject foreign industry

Table VII-11 presents information on the frozen warmwater shrimp operations of the responding processors and exporters in the subject countries. Subject processors' capacity increased in each year from 2021 to 2023, ending 16.2 percent higher. Seventeen firms reported more capacity in 2023 than in 2021, nine firms reported less capacity, and 41 firms reported no change in their capacity.⁴ Their capacity was 1.7 percent higher in interim 2024 than in interim 2023. Subject processors' capacity is projected to be 5.2 percent higher in 2024 than in 2023 and 1.9 percent higher in 2025 than in 2024.

⁴ Two firms, ***, accounted for more than half of the reported increase in capacity, more than offsetting the decrease in capacity reported by nine processors.

Table VII-11
Frozen warmwater shrimp: Data on subject industries, by period

Quantity in 1,000 pounds

Item	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Capacity	2,506,377	2,773,234	2,912,341	713,295	725,362	3,064,616	3,121,737
Production	1,837,480	1,996,313	1,988,555	411,543	443,233	2,042,963	2,153,259
End-of-period inventories	227,684	294,838	278,093	273,438	267,025	258,414	243,525
Internal consumption	101,532	154,325	146,392	18,348	25,777	123,455	133,819
Commercial home market shipments	55,125	50,748	38,807	7,620	9,655	44,031	48,443
Home market shipments	156,657	205,073	185,199	25,968	35,432	167,486	182,262
Exports to the United States	919,504	814,218	890,954	188,518	207,914	892,569	924,367
Exports to all other markets	730,036	909,927	929,069	218,921	211,288	1,002,510	1,061,546
Export shipments	1,649,540	1,724,145	1,820,023	407,439	419,202	1,895,079	1,985,913
Total shipments	1,806,197	1,929,218	2,005,222	433,407	454,634	2,062,565	2,168,175
Resales exported to the United States	***	***	***	***	***	***	***
Total exports to the United States	***	***	***	***	***	***	***

Table continued.

Table VII-11 Continued
Frozen warmwater shrimp: Data on subject industries, by period

Ratio and share in percent

Item	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Capacity utilization ratio	73.3	72.0	68.3	57.7	61.1	66.7	69.0
Inventory ratio to production	12.4	14.8	14.0	16.6	15.1	12.6	11.3
Inventory ratio to total shipments	12.6	15.3	13.9	15.8	14.7	12.5	11.2
Internal consumption share	5.6	8.0	7.3	4.2	5.7	6.0	6.2
Commercial home market shipments share	3.1	2.6	1.9	1.8	2.1	2.1	2.2
Home market shipments share	8.7	10.6	9.2	6.0	7.8	8.1	8.4
Exports to the United States share	50.9	42.2	44.4	43.5	45.7	43.3	42.6
Exports to all other markets share	40.4	47.2	46.3	50.5	46.5	48.6	49.0
Export shipments share	91.3	89.4	90.8	94.0	92.2	91.9	91.6
Total shipments share	100.0	100.0	100.0	100.0	100.0	100.0	100.0
Producers' exports to the United States share	***	***	***	***	***	***	***
Resellers' exports to the United States share	***	***	***	***	***	***	***
Adjusted share of total shipments exported to the United States	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares and ratios shown as "0.0" represent values greater than zero, but less than "0.05" percent. Zeroes, null values, and undefined calculations are suppressed and shown as "--".

Subject processors' production fluctuated, increasing from 2021 to 2022, then decreasing more modestly from 2022 to 2023, ending 8.2 percent higher overall. Although most firms reported a decrease in their production from 2021 to 2023, the increase in production reported by *** was greater than the aggregate decrease reported by the processors reporting decreases.⁵ Subject processors' production was 7.7 percent higher in interim 2024 than in interim 2023. It is projected to be 2.7 percent higher in 2024 than in 2023 and 5.4 percent higher in 2025 than in 2024.

Subject processors' capacity utilization decreased in each year from 2021 to 2023, ending 5.0 percentage points lower. Forty-four firms reported less capacity utilization in 2023 than in 2021, 18 firms reported more capacity utilization, and five reported no change in their capacity utilization. Subject processors' capacity utilization was 3.4 percentage points higher in interim 2024 than in interim 2023. It is projected to be 1.6 percentage points lower in 2024 than in 2023 but 2.3 percentage points higher in 2025 than in 2024, ending higher than in 2023.

Home market shipments accounted for no more than 10.6 percent of subject processors' total shipments between 2021 and 2023 and in interim 2024. Subject processors' home market shipments fluctuated, increasing from 2021 to 2022, then decreasing more modestly from 2022 to 2023, ending 18.2 percent higher overall. It was 36.4 percent higher in interim 2024 than in interim 2023. Subject processors' home market shipments are projected to be 9.6 percent lower in 2024 than in 2023 but 8.8 percent higher in 2025 than in 2024, returning close to 2023 levels.

⁵ Representatives from ***. Email from ***, August 8, 2024.

Export shipments accounted for the vast majority of subject processors' total shipments from 2021 to 2023 and in interim 2024. Exports to the United States accounted for a slight majority of subject processors' total exports in 2021 and a slight minority in 2022 and 2023. Exports to the United States fluctuated, decreasing from 2021 to 2022, then increasing from 2022 to 2023, ending 3.1 percent lower overall.⁶ They were 10.3 percent higher in interim 2024 than in interim 2023. Exports to the United States are projected to be 0.2 percent higher in 2024 than in 2023 and 3.6 percent higher in 2025 than in 2024. Exports to non-U.S. markets increased in every year from 2021 to 2023, ending 27.3 percent higher. However, they were 3.5 percent lower in interim 2024 than in interim 2023. Exports to non-U.S. markets are projected to be 7.9 percent higher in 2024 than in 2023 and 5.9 percent higher in 2025 than in 2024.

Practical frozen warmwater shrimp capacity and production by subject foreign industry

Table VII-12 presents information on the frozen warmwater shrimp operations of the responding processors/exporters by subject country. The leading subject country by reported practical capacity is India. Vietnam was the second largest subject country by reported practical capacity in 2021, while Ecuador was the second largest in 2022 and 2023.

⁶ ***, collectively, accounted for the majority of the decrease in exports to the United States from 2021 to 2022, while *** collectively accounted for the majority of the increase in exports to the United States from 2022 to 2023. Representatives from ***. Email from ***, August 6, 2024. Representatives from ***. Email from ***, August 7, 2024.

Representatives from *** and representatives from ***. Email from ***, August 8, 2024.

Table VII-12**Frozen warmwater shrimp: Subject foreign industries' output: Practical capacity, by subject foreign industry and period****Practical capacity**

Quantity in 1,000 pounds

Subject foreign industry	2021	2022	2023
Ecuador	***	***	***
India	***	***	***
Indonesia, subject	***	***	***
Vietnam	***	***	***
All subject foreign industries	2,506,377	2,773,234	2,912,341

Table continued.

Table VII-12 Continued**Frozen warmwater shrimp: Subject foreign industries' output: Practical capacity, by subject foreign industry and period**

Quantity in 1,000 pounds

Subject foreign industry	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***
India	***	***	***	***
Indonesia, subject	***	***	***	***
Vietnam	***	***	***	***
All subject foreign industries	713,295	725,362	3,064,616	3,121,737

Table continued.

Table VII-12 Continued**Frozen warmwater shrimp: Subject foreign industries' output: Production, by subject foreign industry and period****Production**

Quantity in 1,000 pounds

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	1,837,480	1,996,313	1,988,555	411,543	443,233	2,042,963	2,153,259

Table continued.

Table VII-12 Continued
Frozen warmwater shrimp: Subject foreign industries' output: Capacity utilization ratio, by subject foreign industry and period

Capacity utilization

Ratio in percent

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	73.3	72.0	68.3	57.7	61.1	66.7	69.0

Table continued.

Table VII-12 Continued
Frozen warmwater shrimp: Subject foreign industries' output: Share of production, by subject foreign industry and period

Share of production

Share in percent

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	100.0	100.0	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Ecuadorian processors' capacity and production increased by *** percent and *** percent, respectively, from 2021 to 2023, resulting in an increase in capacity utilization of *** percentage points. Their capacity was the same between the interim periods, while production was *** percent higher in interim 2024 than in interim 2023. Consequently, Ecuadorian processors' capacity utilization was *** percentage points higher in interim 2024 than in interim 2023. Their capacity and production are projected to be higher in 2024 and 2025 than in 2023. Ecuadorian processors' capacity utilization is projected to be lower in 2024 and 2025 than in 2023.

Indian processors' capacity increased by *** percent from 2021 to 2023, while their production decreased by *** percent, resulting in a decrease in capacity utilization of *** percentage points. Their capacity and production were *** percent and *** higher, respectively, in interim 2024 than in interim 2023. Consequently, Indian processors' capacity utilization was *** percentage points higher in interim 2024 than in interim 2023. Their capacity, production, and capacity utilization are projected to be higher in 2024 and 2025 than in 2023.

Indonesian processors' capacity increased by *** percent from 2021 to 2023, while their production decreased by *** percent, resulting in a decrease in capacity utilization of *** percentage points. Their capacity and production were *** percent and *** percent lower, respectively, in interim 2024 than in interim 2023. Consequently, Indonesian processors' capacity utilization was *** percentage points lower in interim 2024 than in interim 2023. Their capacity is projected to be near 2023 levels in 2024 and 2025, while their production and capacity utilization are projected to be noticeably lower.

Vietnamese processors' capacity increased by *** percent from 2021 to 2023, while their production decreased by *** percent, resulting in a decrease in capacity utilization of *** percentage points. Their capacity and production were *** percent and *** percent higher, respectively, in interim 2024 than in interim 2023. Consequently, Vietnamese processors' capacity utilization was *** percentage points higher in interim 2024 than in interim 2023. Their capacity and production are projected to be higher in 2024 and 2025 than in 2023. Their capacity utilization is projected to be slightly lower in 2024 as in 2023 but higher in 2025.

Frozen warmwater shrimp exports, by subject foreign industry

Table VII-13 presents reported export data of the responding processors/exporters by subject foreign country. Exports to the United States accounted for a large majority of total shipments by processors in India and Indonesia. They accounted for a small share of total shipments by processors in Ecuador and Vietnam. From 2021 to 2023, exports to the United States from Ecuador increased by *** percent, while exports to the United States from India, Indonesia, and Vietnam decreased by *** percent, *** percent, and *** percent, respectively. Exports to the United States from Ecuador, India, and Vietnam were *** percent, *** percent, and *** percent higher, respectively, in interim 2024 than in interim 2023, while exports to the United States from Indonesia were *** percent lower. Exports to the United States from Ecuador and India are projected to be higher in 2024 and 2025 than in 2023, while exports to the United States from Indonesia and Vietnam are projected to be lower.

Table VII-13**Frozen warmwater shrimp: Subject foreign industries' exports: Exports to the United States, by subject foreign industry and period****Exports to the United States**

Quantity in 1,000 pounds

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	919,504	814,218	890,954	188,518	207,914	892,569	924,367

Table continued.

Table VII-13 Continued**Frozen warmwater shrimp: Subject foreign industries' exports: Share of total shipments exported to the United States, by subject foreign industry and period****Share of total exports exported to the United States**

Share in percent

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	50.9	42.2	44.4	43.5	45.7	43.3	42.6

Table continued.

Table VII-13 Continued

Frozen warmwater shrimp: Subject foreign industries' exports: Total exports, by subject foreign industry and period

Total exports

Quantity in 1,000 pounds

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	1,649,540	1,724,145	1,820,023	407,439	419,202	1,895,079	1,985,913

Table continued.

Table VII-13 Continued

Frozen warmwater shrimp: Subject foreign industries' exports: Share of total shipments exported, by subject foreign industry and period

Share of total shipments exported

Share in percent

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	***	***	***	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Overall, exports accounted for a large majority of all shipments by processors in all the subject countries. From 2021 to 2023, total exports from Ecuador and India increased by *** percent and *** percent, respectively, while total exports from Indonesia and Vietnam decreased by *** percent and *** percent, respectively. Total exports from India and Vietnam were *** percent and *** percent higher, respectively, in interim 2024 than in interim 2023, while total exports from Ecuador and Indonesia were *** percent and *** percent lower, respectively. Total exports from Ecuador, India, and Vietnam are projected to be higher in 2024 and 2025 than in 2023, while total exports from Indonesia are projected to be lower.

Frozen warmwater shrimp inventories, by subject foreign industry

Table VII-14 presents reported ending inventory data of the responding processors/exporters by subject foreign country. End-of-period inventories for processors in Ecuador, India, Indonesia, and Vietnam increased by *** percent, *** percent, *** percent, and *** percent, respectively, from 2021 to 2023. End-of-period inventories for processors in Ecuador were *** percent higher in interim 2024 than in interim 2023, while end-of-period inventories for processors in India, Indonesia, and Vietnam were *** percent, *** percent, and *** percent lower, respectively. End-of-period inventories for processors in Ecuador are projected to be higher in 2024 and 2025 than in 2023, while end-of-period inventories for processors in India, Indonesia, and Vietnam are projected to be lower.

The ratios of end-of-period inventories to total shipments for processors in Ecuador, India, Indonesia, and Vietnam increased by *** percentage points, *** percentage points, *** percentage points, and *** percentage points, respectively, from 2021 to 2023. The ratios of end-of-period inventories to total shipments for processors in Ecuador and Indonesia were *** percentage points and *** percentage points higher, respectively, in interim 2024 than in interim 2023, while the ratios for processors in India and Vietnam were *** percentage points and *** percentage points lower, respectively. The ratio of end-of-period inventories to total shipments for processors in Ecuador is projected to remain largely the same in 2024 and 2025 as in 2023. The ratios of end-of-period inventories to total shipments for processors in India and Vietnam are projected to be lower in 2024 and 2025 than in 2023 while the ratio for processors in Indonesia is projected to be higher.

Table VII-14

Frozen warmwater shrimp: Subject foreign industries' ending inventories: Ending inventories, by subject foreign industry and period

Quantity in 1,000 pounds

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	227,684	294,838	278,093	273,438	267,025	258,414	243,525

Table continued.

Table VII-14 Continued
Frozen warmwater shrimp: Subject foreign industries' ending inventories: Ratio of ending inventories to total shipments, by subject foreign industry and period

Ratio in percent

Subject foreign industry	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024	Projection 2024	Projection 2025
Ecuador	***	***	***	***	***	***	***
India	***	***	***	***	***	***	***
Indonesia, subject	***	***	***	***	***	***	***
Vietnam	***	***	***	***	***	***	***
All subject foreign industries	12.6	15.3	13.9	15.8	14.7	12.5	11.2

Source: Compiled from data submitted in response to Commission questionnaires.

Alternative products

Table VII-15 presents subject processors' overall production on the same equipment and machinery used to produce frozen warmwater shrimp. Frozen warmwater shrimp accounted for the vast majority (96.6 percent or greater) of subject processors' overall production between 2021 and 2023 and in interim 2024. Eight firms reported production of other products on the same machinery used to produce frozen warmwater shrimp, such as frozen breaded shrimp, crab, and tilapia.

Table VII-15
Frozen warmwater shrimp: Overall production on the same equipment as in-scope production by processors in the subject countries, by period

Quantity in 1,000 pounds; share in percent

Product type	Measure	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Frozen warmwater shrimp	Quantity	1,837,480	1,996,313	1,988,555	411,543	443,233
Other products	Quantity	61,661	69,406	58,712	12,921	12,925
All products	Quantity	1,899,141	2,065,719	2,047,267	424,464	456,158
Frozen warmwater shrimp	Share	96.8	96.6	97.1	97.0	97.2
Other products	Share	3.2	3.4	2.9	3.0	2.8
All products	Share	100.0	100.0	100.0	100.0	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Exports

Table VII-16 presents Global Trade Atlas (“GTA”) data for exports of frozen shrimps and prawns, other than coldwater, which includes frozen warmwater shrimp, from the subject countries to the United States and to all destination markets. By quantity, exports from Ecuador to the United States increased from 2021 to 2023, while exports from the other three subject sources to the United States each decreased. Collectively, exports from the subject countries to the United States fluctuated, decreasing from 2021 to 2022, then increasing modestly from 2022 to 2023, ending 12.4 percent lower overall.

By quantity, exports from Ecuador to all other destination markets increased from 2021 to 2023, while exports from the other three subject sources to all destination markets each decreased. Collectively, exports from the subject countries to all destination markets increased in each year from 2021 to 2023, ending 16.0 percent higher.

Table VII-16

Frozen shrimps and prawns, other than coldwater: Global exports from subject exporters: Exports to the United States, by exporter and period

Quantity in 1,000 pounds

Exporter	Measure	2021	2022	2023
Ecuador	Quantity	350,713	386,619	423,139
India	Quantity	657,499	482,213	528,260
Indonesia	Quantity	269,407	222,561	188,080
Vietnam	Quantity	82,595	52,748	52,204
Subject exporters	Quantity	1,360,214	1,144,141	1,191,684

Table continued.

Table VII-16 Continued

Frozen shrimps and prawns, other than coldwater: Global exports from subject exporters: Exports to all destination markets, by exporter and period

Quantity in 1,000 pounds

Exporter	Measure	2021	2022	2023
Ecuador	Quantity	1,783,467	2,279,990	2,637,088
India	Quantity	1,488,493	1,394,008	1,434,309
Indonesia	Quantity	368,445	354,240	308,565
Vietnam	Quantity	438,978	485,043	353,891
Subject exporters	Quantity	4,079,383	4,513,282	4,733,854

Table continued.

Table VII-16 Continued

Frozen shrimps and prawns, other than coldwater: Global exports from subject exporters: Share of exports exported to the United States, by exporter and period

Share in percent

Exporter	Measure	2021	2022	2023
Ecuador	Share	19.7	17.0	16.0
India	Share	44.2	34.6	36.8
Indonesia	Share	73.1	62.8	61.0
Vietnam	Share	18.8	10.9	14.8
Subject exporters	Share	33.3	25.4	25.2

Source: Official export statistics under HS subheading 0306.17, as reported by the Ecuadorian Central Bank, the India Ministry of Commerce, Statistics Indonesia, and UN Comtrade in the Global Trade Atlas database, accessed August 22, 2024.

U.S. inventories of imported merchandise

Table VII-17 presents data on U.S. importers' reported inventories of frozen warmwater shrimp. End-of-period inventories of imports from subject sources in Indonesia accounted for *** of the total reported end-of-period inventories of subject imports between 2021 and 2023. Overall, U.S. importers' end-of-period inventories of subject imports increased in each year between 2021 and 2023, ending 23.0 percent higher. However, they were 19.3 percent lower in interim 2024 than in interim 2023. The ratio of end-of-period inventories to subject imports ranged from 9.3 percent to 11.4 percent between 2021 and 2023 and was 8.7 percent in interim 2024. End-of-period inventories of nonsubject imports decreased in every year between 2021 and 2023, ending 11.9 percent lower. They were 11.5 percent lower in interim 2024 than in interim 2023. The ratio of end-of-period inventories to imports from nonsubject imports ranged from 35.8 percent to 41.6 percent between 2021 and 2023 and was 52.4 percent in interim 2024.

Table VII-17

Frozen warmwater shrimp: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in 1,000 pounds; ratio in percent

Measure	Source	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Inventories quantity	Ecuador	***	***	***	***	***
Ratio to imports	Ecuador	***	***	***	***	***
Ratio to U.S. shipments of imports	Ecuador	***	***	***	***	***
Ratio to total shipments of imports	Ecuador	***	***	***	***	***
Inventories quantity	India	***	***	***	***	***
Ratio to imports	India	***	***	***	***	***
Ratio to U.S. shipments of imports	India	***	***	***	***	***
Ratio to total shipments of imports	India	***	***	***	***	***
Inventories quantity	Indonesia, subject	***	***	***	***	***
Ratio to imports	Indonesia, subject	***	***	***	***	***
Ratio to U.S. shipments of imports	Indonesia, subject	***	***	***	***	***
Ratio to total shipments of imports	Indonesia, subject	***	***	***	***	***
Inventories quantity	Vietnam	***	***	***	***	***
Ratio to imports	Vietnam	***	***	***	***	***
Ratio to U.S. shipments of imports	Vietnam	***	***	***	***	***
Ratio to total shipments of imports	Vietnam	***	***	***	***	***
Inventories quantity	Subject	76,280	86,391	93,838	85,848	69,316
Ratio to imports	Subject	9.3	11.4	11.4	12.0	8.7
Ratio to U.S. shipments of imports	Subject	9.5	11.6	11.6	12.1	8.0
Ratio to total shipments of imports	Subject	9.5	11.5	11.5	12.0	7.9

Table continued.

Table VII-17 Continued

Frozen warmwater shrimp: U.S. importers' inventories and their ratio to select items, by source and period

Quantity in 1,000 pounds; ratio in percent

Measure	Source	2021	2022	2023	Jan-Mar 2023	Jan-Mar 2024
Inventories quantity	Indonesia, nonsubject	***	***	***	***	***
Ratio to imports	Indonesia, nonsubject	***	***	***	***	***
Ratio to U.S. shipments of imports	Indonesia, nonsubject	***	***	***	***	***
Ratio to total shipments of imports	Indonesia, nonsubject	***	***	***	***	***
Inventories quantity	All other	***	***	***	***	***
Ratio to imports	All other	***	***	***	***	***
Ratio to U.S. shipments of imports	All other	***	***	***	***	***
Ratio to total shipments of imports	All other	***	***	***	***	***
Inventories quantity	Nonsubject	30,332	29,746	26,725	26,082	23,094
Ratio to imports	Nonsubject	35.8	36.9	41.6	42.2	52.4
Ratio to U.S. shipments of imports	Nonsubject	34.4	36.6	39.8	37.7	39.3
Ratio to total shipments of imports	Nonsubject	34.4	36.6	39.8	37.7	39.3
Inventories quantity	All	106,612	116,137	120,563	111,930	92,410
Ratio to imports	All	11.8	13.8	13.6	14.4	11.0
Ratio to U.S. shipments of imports	All	12.0	14.1	13.8	14.4	9.9
Ratio to total shipments of imports	All	11.9	14.0	13.7	14.3	9.9

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. importers' outstanding orders

The Commission requested importers to indicate whether they imported or arranged for the importation of frozen warmwater shrimp after March 31, 2024. Their reported data is presented in table VII-18. Forty-seven of the 67 importers responding to the Commission's questionnaire reported that they had imported or arranged such imports, 42 of which reported arranged imports from subject sources. Subject sources accounted for the vast majority of U.S. importers' arranged imports of frozen warmwater shrimp, with India being the largest individual source.

Table VII-18
Frozen warmwater shrimp: U.S. importers' arranged imports, by source and period

Quantity in 1,000 pounds

Source	Apr-Jun 2024	Jul-Sep 2024	Oct-Dec 2024	Jan-Mar 2025	Total
Ecuador	***	***	***	***	***
India	***	***	***	***	***
Indonesia, subject	***	***	***	***	***
Vietnam	***	***	***	***	***
Subject sources	***	***	***	***	415,268
Indonesia, nonsubject	***	***	***	***	***
All other sources	***	***	***	***	***
Nonsubject sources	***	***	***	***	5,757
All import sources	***	***	***	***	421,025

Source: Compiled from data submitted in response to Commission questionnaires.

Third-country trade actions

Based on available information, warmwater shrimp from the subject countries has not been subject to other antidumping or countervailing duty investigations outside the United States.

Information on nonsubject countries

The largest non-subject exporters of frozen warmwater shrimp in 2023 were Argentina and Thailand. At the beginning of the POI, China was the second largest non-subject exporter, but its exports decreased during 2022 and only recovered slightly in 2023. This was likely a continuation of a trend toward lower Chinese shrimp exports due to increased domestic demand, tighter environmental regulations, and heightened competition from other producers.⁷ Unlike most other global shrimp producers, Argentina's shrimp industry relies primarily on wild capture rather than aquaculture production. As a result of this reliance on wild capture, which is subject to natural variation, Argentina's shrimp exports fluctuate somewhat from year to year.⁸ Table VII-19 presents global exports of frozen shrimps and prawns, other than cold water, which include frozen warmwater shrimp.

⁷ Frozen Warmwater Shrimp from China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1064 and 1066-1068 (Third Review), USITC Publication 5432, June 2023, p. IV-23.

⁸ CeDePesca, "Argentine Red Shrimp Off-Shore," accessed November 22, 2023.

Table VII-19**Frozen shrimps and prawns, other than coldwater: Global exports, by reporting country and period**

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

Exporting country	Measure	2021	2022	2023
United States	Quantity	7,828	9,481	9,958
Ecuador	Quantity	1,783,467	2,279,990	2,637,088
India	Quantity	1,488,493	1,394,008	1,434,309
Indonesia	Quantity	368,445	354,240	308,565
Vietnam	Quantity	438,978	485,043	353,891
Subject exporters	Quantity	4,079,383	4,513,282	4,733,854
Argentina	Quantity	341,593	282,431	286,328
Thailand	Quantity	131,764	139,666	129,163
Spain	Quantity	93,762	86,984	96,384
Belgium	Quantity	61,084	78,270	93,250
China	Quantity	133,205	86,891	90,256
Peru	Quantity	76,661	83,547	88,605
All other exporters	Quantity	865,627	556,819	458,628
All reporting exporters	Quantity	5,790,907	5,837,371	5,986,425
United States	Value	38,288	44,014	45,624
Ecuador	Value	5,090,381	7,076,781	7,092,584
India	Value	5,141,756	4,790,263	4,320,534
Indonesia	Value	1,530,310	1,451,665	1,110,904
Vietnam	Value	2,029,078	2,236,612	1,583,405
Subject exporters	Value	13,791,525	15,555,321	14,107,426
Argentina	Value	1,118,041	890,246	836,772
Thailand	Value	617,193	653,702	588,233
Spain	Value	428,994	379,285	396,281
Belgium	Value	261,975	333,676	316,791
China	Value	441,758	342,666	358,751
Peru	Value	249,880	270,515	260,305
All other exporters	Value	2,766,090	2,201,885	1,710,935
All reporting exporters	Value	19,713,744	20,671,311	18,621,119

Table continued.

Table VII-19 Continued**Frozen shrimps and prawns, other than coldwater: Global exports, by reporting country and period**

Unit value in dollars per pound; share in percent

Exporting country	Measure	2021	2022	2023
United States	Unit value	4.89	4.64	4.58
Ecuador	Unit value	2.85	3.10	2.69
India	Unit value	3.45	3.44	3.01
Indonesia	Unit value	4.15	4.10	3.60
Vietnam	Unit value	4.62	4.61	4.47
Subject exporters	Unit value	3.38	3.45	2.98
Argentina	Unit value	3.27	3.15	2.92
Thailand	Unit value	4.68	4.68	4.55
Spain	Unit value	4.58	4.36	4.11
Belgium	Unit value	4.29	4.26	3.40
China	Unit value	3.32	3.94	3.97
Peru	Unit value	3.26	3.24	2.94
All other exporters	Unit value	3.20	3.95	3.73
All reporting exporters	Unit value	3.40	3.54	3.11
United States	Share of quantity	0.1	0.2	0.2
Ecuador	Share of quantity	30.8	39.1	44.1
India	Share of quantity	25.7	23.9	24.0
Indonesia	Share of quantity	6.4	6.1	5.2
Vietnam	Share of quantity	7.6	8.3	5.9
Subject exporters	Share of quantity	70.4	77.3	79.1
Argentina	Share of quantity	5.9	4.8	4.8
Thailand	Share of quantity	2.3	2.4	2.2
Spain	Share of quantity	1.6	1.5	1.6
Belgium	Share of quantity	1.1	1.3	1.6
China	Share of quantity	2.3	1.5	1.5
Peru	Share of quantity	1.3	1.4	1.5
All other exporters	Share of quantity	14.9	9.5	7.7
All reporting exporters	Share of quantity	100.0	100.0	100.0

Source: Official exports statistics and official global imports statistics from Vietnam (constructed exports) under HS subheading 0306.17 as reported by various national statistical authorities in the Global Trade Atlas Suite database, accessed August 22, 2024.

Note: United States is shown at the top followed by the countries under investigation, all remaining top exporting countries in descending order of 2023 data. Data from GTA does not differentiate between subject and nonsubject sources in Indonesia.

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
88 FR 74511, October 31, 2023	<i>Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and Vietnam; Institution of Antidumping and Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2023-10-31/pdf/2023-23947.pdf
88 FR 81043, November 21, 2023	<i>Frozen Warmwater Shrimp From Ecuador and Indonesia: Initiation of Less-Than-Fair-Value Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2023-11-21/pdf/2023-25736.pdf
88 FR 81053, November 21, 2023	<i>Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and the Socialist Republic of Vietnam: Initiation of Countervailing Duty Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2023-11-21/pdf/2023-25735.pdf
88 FR 86677, December 14, 2023	<i>Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and Vietnam</i>	https://www.govinfo.gov/content/pkg/FR-2023-12-14/pdf/2023-27480.pdf
89 FR 22379, April 1, 2024	<i>Frozen Warmwater Shrimp From Ecuador: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With the Final Antidumping Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-04-01/pdf/2024-06845.pdf

Citation	Title	Link
89 FR 22386, April 1, 2024	<i>Frozen Warmwater Shrimp From India: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-04-01/pdf/2024-06843.pdf
89 FR 22383, April 1, 2024	<i>Frozen Warmwater Shrimp From Indonesia: Preliminary Negative Countervailing Duty Determination, and Alignment of Final Determination With the Final Antidumping Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-04-01/pdf/2024-06844.pdf
89 FR 22374, April 1, 2024	<i>Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Preliminary Affirmative Countervailing Duty Determination, and Alignment of Final Determination With Final Antidumping Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-04-01/pdf/2024-06846.pdf
89 FR 31722, April 25, 2024	<i>Frozen Warmwater Shrimp From Ecuador: Amended Preliminary Determination of Countervailing Duty Investigation</i>	https://www.govinfo.gov/content/pkg/FR-2024-04-25/pdf/2024-08817.pdf
89 FR 46857, May 30, 2024	<i>Frozen Warmwater Shrimp From Ecuador: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures</i>	https://www.govinfo.gov/content/pkg/FR-2024-05-30/pdf/2024-11898.pdf

Citation	Title	Link
89 FR 46861, May 30, 2024	<i>Frozen Warmwater Shrimp From Indonesia: Preliminary Affirmative Determination of Sales at Less Than Fair Value, Postponement of Final Determination, and Extension of Provisional Measures</i>	https://www.govinfo.gov/content/pkg/FR-2024-05-30/pdf/2024-11899.pdf
89 FR 53444, June 26, 2024	<i>Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and Vietnam; Scheduling of the Final Phase of Countervailing Duty and Antidumping Duty Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2024-06-26/pdf/2024-13967.pdf
89 FR 66138, August 14, 2024	<i>Frozen Warmwater Shrimp From Ecuador, India, Indonesia, and Vietnam; Revised Schedule for the Subject Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2024-08-14/pdf/2024-18086.pdf
89 FR 85506, October 28, 2024	<i>Frozen Warmwater Shrimp From Ecuador: Final Affirmative Countervailing Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24957.pdf
89 FR 85502, October 28, 2024	<i>Frozen Warmwater Shrimp From India: Final Affirmative Countervailing Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24952.pdf
89 FR 85512, October 28, 2024	<i>Frozen Warmwater Shrimp From Indonesia: Final Negative Countervailing Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24954.pdf
89 FR 85500, October 28, 2024	<i>Frozen Warmwater Shrimp From the Socialist Republic of Vietnam: Final Affirmative Countervailing Duty Determination</i>	https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24955.pdf

Citation	Title	Link
89 FR 85508, October 28, 2024	<i>Frozen Warmwater Shrimp From Ecuador: Final Negative Determination of Sales at Less Than Fair Value</i>	https://www.govinfo.gov/content/pkg/FR-2024-10-28/pdf/2024-24958.pdf .
89 FR 85498, October 28, 2024	<i>Frozen Warmwater Shrimp From Indonesia: Final Affirmative Determination of Sales at Less-Than-Fair Value</i>	https://www.govinfo.gov/content/pkg/FR-2024-05-30/pdf/2024-11899.pdf
89 FR 88061, November 6, 2024	<i>Frozen Warmwater Shrimp From Indonesia and Ecuador; Termination of Investigations</i>	https://www.govinfo.gov/content/pkg/FR-2024-11-06/pdf/2024-25739.pdf

APPENDIX B

LIST OF HEARING WITNESSES

CALENDAR OF PUBLIC HEARING

Those listed below appeared as witnesses in the United States International Trade Commission's hearing:

Subject: Frozen Warmwater Shrimp from Ecuador, India, Indonesia, and Vietnam

Inv. Nos.: 701-TA-699-702 and 731 TA 1659-1660 (Final)

Date and Time: October 22, 2024 - 9:30 a.m.

Sessions were held in connection with these investigations in the Main Hearing Room (Room 101), 500 E Street, SW., Washington, DC.

FOREIGN GOVERNMENT APPEARANCE:

**Embassy of Indonesia
Washington DC**

Ranitya Kusumadewi, Indonesian Trade Attaché

OPENING REMARKS:

In Support of Imposition (**Elizabeth J. Drake**, Schagrin Associates)

In Opposition to Imposition (**Henry Almond**, Arnold & Porter Kaye Scholer LLP)

**In Support of the Imposition of the
Antidumping and Countervailing Duty Orders:**

Schagrin Associates
Washington, DC

Leake & Andersson, LLP
New Orleans, LA
on behalf of

American Shrimp Processors Association

Reese Antley, Vice President Operations, Woods Fisheries Inc.

Anthony Garcia, President, Garcia Trawlers

Alan Gibson, President, Tidelands Seafood Co., Inc.

Armond Gollott III, President, C.F. Gollott & Son Seafood, Inc.

**In Support of the Imposition of the
Antidumping and Countervailing Duty Orders (continued):**

Trey Pearson, President, JBS Packing Company Inc.

Tony Tran, Owner/Captain, Francis Vu

Elizabeth J. Drake)
Nicholas C. Phillips) – OF COUNSEL
Edward T. Hayes)

The Bristol Group PLLC
Washington, DC
on behalf of

U.S. Shrimpers Coalition

Chris Londrie, President, Texas Shrimp Association and Director,
United States Shrimpers Coalition

Acy Cooper, President, Louisiana Shrimp Association and Director,
United States Shrimpers Coalition

Bryan Jones, Vice President, South Carolina Shrimpers Association and Director,
United States Shrimpers Coalition

Jennifer M. Smith-Veluz) – OF COUNSEL

**In Opposition to the Imposition of the
Antidumping and Countervailing Duty Orders:**

Arnold & Porter Kaye Scholer LLP
Washington, DC
on behalf of

Seafood Exporters Association of India (“SEAI”)

Sreeram Atluri, Director, Devi Seafoods Inc.

James P. Dougan, Partner, ION Economics

Henry Almond)
Gina Colarusso) – OF COUNSEL
Archana Rao P. Vasa)

**In Opposition to the Imposition of the
Antidumping and Countervailing Duty Orders (continued):**

Akin Gump Strauss Hauer & Feld LLP
Washington, DC
on behalf of

Shrimp Committee of the Vietnam Association
of Seafood Exporters and Producers
("VASEP Shrimp Committee")

Matthew R. Nicely)
) – OF COUNSEL
Paul S. Bettencourt)

Mayer Brown LLP
Washington, DC
on behalf of

Portal 3 LLC ("dba Farmers & Fisherman Purveyors")
Fortune International LLC

Kirk Halpern, Founder and Chief Executive Officer,
Farmers & Fishermen Purveyors

Mark Palicki, Chief Operating Officer, Fortune International LLC

Matthew McConkey)
) – OF COUNSEL
Valerie Denaburg)

Trade Pacific PLLC
Washington, DC
on behalf of

Industrial Pesquera Santa Priscila S.A.
Sociedad Nacional de Galapagos C.A.

Warren E. Connelly) – OF COUNSEL

**In Opposition to the Imposition of the
Antidumping and Countervailing Duty Orders (continued):**

Fox Rothschild LLP
Washington, DC
on behalf of

Indonesian Fishery Producers Processing and Marketing Association (“AP5I”)

Aris Utama (remote), Chairman of the Special Task Force for Antidumping, AP5I

Marc Statfield (remote), Assistant General Merchandise Manager, Costco
Wholesale

Lizbeth R. Levinson)
Brittney R. Powell) – OF COUNSEL
Alexander D. Keyser)

REBUTTAL/CLOSING REMARKS:

In Support of Imposition (**Elizabeth J. Drake**, Schagrin Associates)

In Opposition to Imposition (**Gina Colarusso**, Arnold & Porter Kaye Scholer LLP)

-END-

APPENDIX C
SUMMARY DATA

Table C-1

Fresh and frozen warmwater shrimp: Summary data concerning the U.S. market, by item and period

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

Item	Reported data					Period changes			
	Calendar year			Jan-Mar		Comparison years			Jan-Mar
	2021	2022	2023	2023	2024	2021-23	2021-22	2022-23	2023-24
U.S. consumption quantity:									
Amount.....	1,966,479	1,788,672	1,699,137	382,523	395,437	▼(13.6)	▼(9.0)	▼(5.0)	▲3.4
Producers' share (fn1):									
Frozen: U.S. shipments.....	6.8	5.5	5.8	5.0	6.5	▼(1.0)	▼(1.2)	▲0.3	▲1.5
Fresh: U.S. shipments.....	0.8	0.9	1.0	0.4	0.2	▲0.2	▲0.1	▲0.1	▼(0.2)
Fresh and frozen: U.S. shipments.....	7.6	6.4	6.8	5.4	6.7	▼(0.8)	▼(1.2)	▲0.4	▲1.3
Importers' share (fn1):									
Frozen: Ecuador.....	19.9	23.6	25.9	28.8	30.5	▲6.0	▲3.7	▲2.4	▲1.7
Frozen: India.....	38.0	37.2	38.2	36.0	37.0	▲0.2	▼(0.9)	▲1.0	▲1.0
Frozen: Indonesia, subject.....	***	***	***	***	***	▲***	▲***	▲***	▼***
Frozen: Vietnam.....	8.2	6.3	6.1	3.2	4.3	▼(2.1)	▼(1.9)	▼(0.2)	▲1.1
Frozen: Subject sources.....	***	***	***	***	***	▲***	▲***	▲***	▲***
Frozen: Indonesia, nonsubject.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Frozen: All other sources.....	9.3	9.2	7.2	8.2	7.3	▼(2.1)	▼(0.1)	▼(2.0)	▼(0.9)
Frozen: Nonsubject sources.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Frozen: All import sources.....	92.3	93.4	93.2	94.6	93.2	▲0.9	▲1.1	▼(0.3)	▼(1.3)
Fresh: All import sources.....	0.1	0.1	0.0	0.0	0.1	▼(0.1)	▲0.0	▼(0.1)	▲0.0
Fresh and frozen: All import sources.....	92.4	93.6	93.2	94.6	93.3	▲0.8	▲1.2	▼(0.4)	▼(1.3)
U.S. consumption value:									
Amount.....	8,519,192	8,164,164	6,489,427	1,514,633	1,412,232	▼(23.8)	▼(4.2)	▼(20.5)	▼(6.8)
Producers' share (fn1):									
Frozen: U.S. shipments.....	7.6	6.0	6.0	6.0	6.2	▼(1.6)	▼(1.6)	▲0.0	▲0.2
Fresh: U.S. shipments.....	0.6	0.5	0.5	0.2	0.1	▼(0.1)	▼(0.1)	▼(0.0)	▼(0.1)
Fresh and frozen: U.S. shipments.....	8.2	6.5	6.5	6.2	6.3	▼(1.7)	▼(1.7)	▼(0.0)	▲0.1
Importers' share (fn1):									
Frozen: Ecuador.....	16.0	18.4	21.5	22.9	26.8	▲5.6	▲2.4	▲3.2	▲3.9
Frozen: India.....	36.7	36.2	36.8	35.3	35.6	▲0.1	▼(0.4)	▲0.6	▲0.3
Frozen: Indonesia, subject.....	***	***	***	***	***	▲***	▲***	▲***	▼***
Frozen: Vietnam.....	10.5	8.4	8.3	4.6	6.0	▼(2.2)	▼(2.1)	▼(0.1)	▲1.4
Frozen: Subject sources.....	***	***	***	***	***	▲***	▲***	▲***	▲***
Frozen: Indonesia, nonsubject.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Frozen: All other sources.....	11.2	11.8	10.6	12.3	11.0	▼(0.6)	▲0.5	▼(1.1)	▼(1.3)
Frozen: Nonsubject sources.....	***	***	***	***	***	▼***	▲***	▼***	▼***
Frozen: All import sources.....	91.7	93.3	93.4	93.7	93.6	▲1.7	▲1.6	▲0.1	▼(0.1)
Fresh: All import sources.....	0.1	0.1	0.1	0.1	0.1	▼(0.0)	▲0.1	▼(0.1)	▼(0.0)
Fresh and frozen: All import sources.....	91.8	93.5	93.5	93.8	93.7	▲1.7	▲1.7	▲0.0	▼(0.1)
U.S. imports from:									
Frozen warmwater shrimp:									
Ecuador:									
Quantity.....	391,524	421,824	440,905	110,100	120,644	▲12.6	▲7.7	▲4.5	▲9.6
Value.....	1,361,585	1,499,696	1,397,744	346,801	378,484	▲2.7	▲10.1	▼(6.8)	▲9.1
Unit value.....	\$3.48	\$3.56	\$3.17	\$3.15	\$3.14	▼(8.8)	▲2.2	▼(10.8)	▼(0.4)
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▲***	▼***
India:									
Quantity.....	747,915	665,058	648,808	137,755	146,472	▼(13.3)	▼(11.1)	▼(2.4)	▲6.3
Value.....	3,124,218	2,958,128	2,389,151	534,658	502,315	▼(23.5)	▼(5.3)	▼(19.2)	▼(6.0)
Unit value.....	\$4.18	\$4.45	\$3.68	\$3.88	\$3.43	▼(11.8)	▲6.5	▼(17.2)	▼(11.6)
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▲***	▲***
Indonesia, subject:									
Quantity.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Value.....	***	***	***	***	***	▼***	▲***	▼***	▼***
Unit value.....	***	***	***	***	***	▼***	▲***	▼***	▼***
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▼***	▼***
Vietnam:									
Quantity.....	161,721	112,822	103,970	12,334	17,075	▼(35.7)	▼(30.2)	▼(7.8)	▲38.4
Value.....	894,877	686,700	537,318	68,944	84,333	▼(40.0)	▼(23.3)	▼(21.8)	▲22.3
Unit value.....	\$5.53	\$6.09	\$5.17	\$5.59	\$4.94	▼(6.6)	▲10.0	▼(15.1)	▼(11.6)
Ending inventory quantity.....	***	***	***	***	***	▼***	▼***	▲***	▲***
Subject sources:									
Quantity.....	***	***	***	***	***	▼***	▼***	▼***	▲***
Value.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Unit value.....	***	***	***	***	***	▼***	▲***	▼***	▼***
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▲***	▼***

Table continued.

Table C-1 Continued

Fresh and frozen warmwater shrimp: Summary data concerning the U.S. market, by item and period

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

Item	Reported data					Period changes			
	Calendar year		2023	Jan-Mar		Comparison years			Jan-Mar
	2021	2022		2023	2024	2021-23	2021-22	2022-23	2023-24
U.S. imports from:									
Frozen warmwater shrimp:--Continued									
Indonesia, nonsubject:									
Quantity.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Value.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Unit value.....	***	***	***	***	***	▼***	▲***	▼***	▼***
Ending inventory quantity.....	***	***	***	***	***	▼***	▲***	▼***	▼***
All other sources:									
Quantity.....	182,074	163,845	121,737	31,235	28,768	▼(33.1)	▼(10.0)	▼(25.7)	▼(7.9)
Value.....	955,408	959,880	691,023	186,084	155,319	▼(27.7)	▲0.5	▼(28.0)	▼(16.5)
Unit value.....	\$5.25	\$5.86	\$5.68	\$5.96	\$5.40	▲8.2	▲11.6	▼(3.1)	▼(9.4)
Ending inventory quantity.....	***	***	***	***	***	▼***	▼***	▼***	▲***
Nonsubject sources:									
Quantity.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Value.....	***	***	***	***	***	▼***	▼***	▼***	▼***
Unit value.....	***	***	***	***	***	▲***	▲***	▼***	▼***
Ending inventory quantity.....	***	***	***	***	***	▼***	▼***	▼***	▼***
All import sources:									
Quantity.....	1,815,248	1,671,190	1,583,166	361,752	368,649	▼(12.8)	▼(7.9)	▼(5.3)	▲1.9
Value.....	7,811,909	7,620,221	6,062,850	1,419,870	1,322,125	▼(22.4)	▼(2.5)	▼(20.4)	▼(6.9)
Unit value.....	\$4.30	\$4.56	\$3.83	\$3.92	\$3.59	▼(11.0)	▲6.0	▼(16.0)	▼(8.6)
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▲***	▼***
Fresh warmwater shrimp:									
All import sources:									
Quantity.....	2,085	2,663	757	132	225	▼(63.7)	▲27.7	▼(71.6)	▲70.0
Value.....	8,197	11,952	3,975	976	888	▼(51.5)	▲45.8	▼(66.7)	▼(9.0)
Unit value.....	\$3.93	\$4.49	\$5.25	\$7.38	\$3.95	▲33.6	▲14.2	▲17.0	▼(46.5)
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▼***	▼***
Fresh and frozen warmwater shrimp:									
All import sources:									
Quantity.....	1,817,333	1,673,853	1,583,923	361,884	368,874	▼(12.8)	▼(7.9)	▼(5.4)	▲1.9
Value.....	7,820,106	7,632,173	6,066,826	1,420,846	1,323,013	▼(22.4)	▼(2.4)	▼(20.5)	▼(6.9)
Unit value.....	\$4.30	\$4.56	\$3.83	\$3.93	\$3.59	▼(11.0)	▲6.0	▼(16.0)	▼(8.7)
Ending inventory quantity.....	***	***	***	***	***	▲***	▲***	▲***	▼***
U.S. producers:									
Frozen: Practical capacity quantity.....									
Quantity.....	279,263	287,533	281,988	71,855	73,025	▲1.0	▲3.0	▼(1.9)	▲1.6
Frozen: Production quantity.....									
Quantity.....	131,888	103,004	104,050	14,672	17,890	▼(21.1)	▼(21.9)	▲1.0	▲21.9
Frozen: Capacity utilization (fn1).....									
Quantity.....	47.2	35.8	36.9	20.4	24.5	▼(10.3)	▼(11.4)	▲1.1	▲4.1
Frozen: U.S. shipments:									
Quantity.....	132,815	98,565	97,948	19,129	25,646	▼(26.3)	▼(25.8)	▼(0.6)	▲34.1
Value.....	643,981	488,429	389,716	90,295	87,467	▼(39.5)	▼(24.2)	▼(20.2)	▼(3.1)
Unit value.....	\$4.85	\$4.96	\$3.98	\$4.72	\$3.41	▼(17.9)	▲2.2	▼(19.7)	▼(27.7)
Fresh: U.S. shipments: (fn2)									
Quantity.....	16,331	16,254	17,266	1,510	917	▲5.7	▼(0.5)	▲6.2	▼(39.3)
Value.....	55,105	43,562	32,885	3,492	1,753	▼(40.3)	▼(20.9)	▼(24.5)	▼(49.8)
Unit value.....	\$3.37	\$2.68	\$1.90	\$2.31	\$1.91	▼(43.6)	▼(20.6)	▼(28.9)	▼(17.4)
Fresh and frozen: U.S. shipments:									
Quantity.....	149,146	114,819	115,214	20,639	26,563	▼(22.8)	▼(23.0)	▲0.3	▲28.7
Value.....	699,086	531,991	422,601	93,787	89,220	▼(39.5)	▼(23.9)	▼(20.6)	▼(4.9)
Unit value.....	\$4.69	\$4.63	\$3.67	\$4.54	\$3.36	▼(21.7)	▼(1.2)	▼(20.8)	▼(26.1)
Frozen: Export shipments:									
Quantity.....	---	---	---	---	---	---	---	---	---
Value.....	---	---	---	---	---	---	---	---	---
Unit value.....	---	---	---	---	---	---	---	---	---
Frozen: Ending inventory quantity.....									
Quantity.....	21,564	28,471	36,603	24,195	28,891	▲69.7	▲32.0	▲28.6	▲19.4
Frozen: Inventories/total shipments (fn1).....									
Quantity.....	16.2	28.9	37.4	31.6	28.2	▲21.1	▲12.6	▲8.5	▼(3.5)
Frozen: Production workers.....									
Quantity.....	1,081	1,117	1,041	778	771	▼(3.7)	▲3.3	▼(6.8)	▼(0.9)
Frozen: Hours worked (1,000s).....									
Quantity.....	2,270	2,171	2,112	333	356	▼(7.0)	▼(4.4)	▼(2.7)	▲6.9
Frozen: Wages paid (\$1,000).....									
Quantity.....	36,159	37,526	35,526	5,783	5,611	▼(1.8)	▲3.8	▼(5.3)	▼(3.0)
Frozen: Hourly wages (dollars per hour).....									
Quantity.....	\$15.93	\$17.29	\$16.82	\$17.37	\$15.76	▲5.6	▲8.5	▼(2.7)	▼(9.2)
Frozen: Productivity (pounds per hour).....									
Quantity.....	58.1	47.4	49.3	44.1	50.3	▼(15.2)	▼(18.3)	▲3.8	▲14.1
Frozen: Unit labor costs.....									
Quantity.....	\$0.27	\$0.36	\$0.34	\$0.39	\$0.31	▲24.5	▲32.9	▼(6.3)	▼(20.4)
Fresh: Production workers.....									
Quantity.....	1,553	1,489	1,374	fn5	fn5	▼(11.5)	▼(4.1)	▼(7.7)	fn5
Fresh and frozen: Production workers.....									
Quantity.....	2,634	2,606	2,415	fn5	fn5	▼(8.3)	▼(1.1)	▼(7.3)	fn5

Table continued.

Table C-1 Continued

Fresh and frozen warmwater shrimp: Summary data concerning the U.S. market, by item and period

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

Item	Reported data					Period changes			
	Calendar year			Jan-Mar		Comparison years			Jan-Mar
	2021	2022	2023	2023	2024	2021-23	2021-22	2022-23	2023-24
U.S. processors': Frozen									
Net sales:									
Quantity.....	131,623	97,832	98,231	19,129	25,673	▼(25.4)	▼(25.7)	▲0.4	▲34.2
Value.....	640,601	484,794	389,559	90,222	87,513	▼(39.2)	▼(24.3)	▼(19.6)	▼(3.0)
Unit value.....	\$4.87	\$4.96	\$3.97	\$4.72	\$3.41	▼(18.5)	▲1.8	▼(20.0)	▼(27.7)
Cost of goods sold (COGS).....	591,726	440,378	346,571	82,906	77,014	▼(41.4)	▼(25.6)	▼(21.3)	▼(7.1)
Gross profit or (loss) (fn3).....	48,875	44,416	42,988	7,316	10,499	▼(12.0)	▼(9.1)	▼(3.2)	▲43.5
SG&A expenses.....	47,840	48,576	44,146	9,915	9,953	▼(7.7)	▲1.5	▼(9.1)	▲0.4
Operating income or (loss) (fn3).....	1,035	(4,160)	(1,158)	(2,599)	546	▼---	▼---	▲---	▲---
Net income or (loss) (fn3).....	18,047	5,865	(185)	(2,806)	(675)	▼---	▼(67.5)	▼---	▲---
Unit COGS.....	\$4.50	\$4.50	\$3.53	\$4.33	\$3.00	▼(21.5)	▲0.1	▼(21.6)	▼(30.8)
Unit SG&A expenses.....	\$0.36	\$0.50	\$0.45	\$0.52	\$0.39	▲23.6	▲36.6	▼(9.5)	▼(25.2)
Unit operating income or (loss) (fn3).....	\$0.01	\$(0.04)	\$(0.01)	\$(0.14)	\$0.02	▼---	▼---	▲---	▲---
Unit net income or (loss) (fn3).....	\$0.14	\$0.06	\$(0.00)	\$(0.15)	\$(0.03)	▼---	▼(56.3)	▼---	▲---
COGS/sales (fn1).....	92.4	90.8	89.0	91.9	88.0	▼(3.4)	▼(1.5)	▼(1.9)	▼(3.9)
Operating income or (loss)/sales (fn1).....	0.2	(0.9)	(0.3)	(2.9)	0.6	▼(0.5)	▼(1.0)	▲0.6	▲3.5
Net income or (loss)/sales (fn1).....	2.8	1.2	(0.0)	(3.1)	(0.8)	▼(2.9)	▼(1.6)	▼(1.3)	▲2.3
Capital expenditures.....	8,937	6,931	11,272	2,121	2,418	▲26.1	▼(22.4)	▲62.6	▲14.0
Research and development expenses.....	***	***	***	***	***	▲***	▲***	▼***	***
Total assets.....	272,075	271,091	253,843	NA	NA	▼(6.7)	▼(0.4)	▼(6.4)	NA
U.S. farmers'/fishermen's: Fresh (fn4)									
Net sales:									
Quantity.....	36,023	33,985	35,039	fn5	fn5	▼(2.7)	▼(5.7)	▲3.1	fn5
Value.....	131,801	103,742	73,605	fn5	fn5	▼(44.2)	▼(21.3)	▼(29.1)	fn5
Unit value.....	\$3.66	\$3.05	\$2.10	fn5	fn5	▼(42.6)	▼(16.6)	▼(31.2)	fn5
Operating expenses: Fuel and oil.....	37,128	40,272	29,300	fn5	fn5	▼(21.1)	▲8.5	▼(27.2)	fn5
Operating expenses: Salaries.....	2,228	1,713	1,157	fn5	fn5	▼(48.1)	▼(23.1)	▼(32.4)	fn5
Operating expenses: All other, net.....	84,317	63,953	44,919	fn5	fn5	▼(46.7)	▼(24.2)	▼(29.8)	fn5
Operating expenses: All.....	123,673	105,937	75,376	fn5	fn5	▼(39.1)	▼(14.3)	▼(28.8)	fn5
Operating income or (loss) (fn3).....	8,128	(2,195)	(1,771)	fn5	fn5	▼---	▼---	▲---	fn5
Net income or (loss) (fn3).....	6,711	(4,320)	(2,746)	fn5	fn5	▼---	▼---	▲---	fn5
Unit operating expenses: Fuel and oil.....	\$1.03	\$1.18	\$0.84	fn5	fn5	▼(18.9)	▲15.0	▼(29.4)	fn5
Unit operating expenses: Salaries.....	\$0.06	\$0.05	\$0.03	fn5	fn5	▼(46.6)	▼(18.5)	▼(34.5)	fn5
Unit operating expenses: All other, net.....	\$2.34	\$1.88	\$1.28	fn5	fn5	▼(45.2)	▼(19.6)	▼(31.9)	fn5
Unit operating expenses: All.....	\$3.43	\$3.12	\$2.15	fn5	fn5	▼(37.3)	▼(9.2)	▼(31.0)	fn5
Unit operating income or (loss) (fn3).....	\$0.23	\$(0.06)	\$(0.05)	fn5	fn5	▼---	▼---	▲---	fn5
Unit net income or (loss) (fn3).....	\$0.19	\$(0.13)	\$(0.08)	fn5	fn5	▼---	▼---	▲---	fn5
Operating expenses/sales (fn1).....	93.8	102.1	102.4	fn5	fn5	▲8.6	▲8.3	▲0.3	fn5
Operating income or (loss)/sales (fn1).....	6.2	(2.1)	(2.4)	fn5	fn5	▼(8.6)	▼(8.3)	▼(0.3)	fn5
Net income or (loss)/sales (fn1).....	5.1	(4.2)	(3.7)	fn5	fn5	▼(8.8)	▼(9.3)	▲0.4	fn5

Source: Compiled from data submitted in response to Commission questionnaires and from official U.S. import statistics of the U.S. Department of Commerce Census Bureau of frozen warmwater shrimp using HTS statistical reporting numbers 0306.17.0003, 0306.17.0004, 0306.17.0005, 0306.17.0006, 0306.17.0007, 0306.17.0008, 0306.17.0009, 0306.17.0010, 0306.17.0011, 0306.17.0012, 0306.17.0013, 0306.17.0014, 0306.17.0015, 0306.17.0016, 0306.17.0017, 0306.17.0018, 0306.17.0019, 0306.17.0020, 0306.17.0021, 0306.17.0022, 0306.17.0023, 0306.17.0024, 0306.17.0025, 0306.17.0026, 0306.17.0027, 0306.17.0028, 0306.17.0029, 0306.17.0040, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010, accessed on July 2, 2024, and of fresh warmwater shrimp using HTS statistical reporting numbers 0306.36.0020 and 0306.36.0040, accessed August 5, 2024. Imports related to Indonesia subject (all firms except BMS) and nonsubject (BMS) were identified using proprietary, Census-edited Customs records using the statistical reporting numbers listed above, accessed July 2, 2024. Imports are based on the imports for consumption data series. Import value data reflect landed duty-paid values. 508-compliant tables for these data are contained in parts III, IV, VI, and VII and appendix F of this report.

fn1.--Reported data are in percent and period changes are in percentage points.

fn2.--U.S. shipments of fresh warmwater shrimp are based on U.S. farmers/fishermen data and exclude shipments to processors (and are ergo necessarily included in the frozen warmwater shrimp numbers reported by processors).

fn3.--Percent changes only calculated when both comparison values represent profits; The directional change in profitability provided when one or both comparison values represent a loss.

fn4.--The financial results for farmers/fishermen includes sales made to processors (ergo included as a raw material cost in processors' data) as well as sales to through other channels (dock sales).

fn5.--Interim employment related information and financial results for farmers/fishermen are not being shown due to data quality and reporting issues.

Note.--Shares and ratios shown as "0.0" percent represent non-zero values less than "0.05" percent (if positive) and greater than "0.05" percent (if negative). Zeroes, null values, and undefined calculations are suppressed and shown as "----". Period changes preceded by a "▲" represent an increase, while period changes preceded by a "▼" represent a decrease.

APPENDIX D
SEMIFINISHED PRODUCT ANALYSIS

Table D-1
Fresh and frozen warmwater shrimp: U.S. processors' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***

Table continued.

Table D-1

Fresh and frozen warmwater shrimp: U.S. processors' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***

Table continued.

Table D-1 Continued

Fresh and frozen warmwater shrimp: U.S. processors' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***

Source: Compiled from data in response to Commission questionnaires.

Table D-2
Fresh and frozen warmwater shrimp: U.S. importers' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Other uses	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***

Table continued.

Table D-2 Continued

Fresh and frozen warmwater shrimp: U.S. importers' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Separate market	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***

Table continued.

Table D-2 Continued
Fresh and frozen warmwater shrimp: U.S. importers' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in characteristics	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***

Table continued.

Table D-2 Continued

Fresh and frozen warmwater shrimp: U.S. importers' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Differences in cost	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***

Table continued.

Table D-2 Continued
Fresh and frozen warmwater shrimp: U.S. importers' reported differences and similarities in unfinished products and finished products

Item	Firm name and narrative response
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***
Transformation intensive	***

Source: Compiled from data in response to Commission questionnaires.

APPENDIX E
INDONESIA NONSUBJECT PRICE DATA

Seven importers reported price data for nonsubject imports from Indonesia¹ for pricing products 1, 3, 4, and 5; no data were reported for product 2. Price data reported by these firms accounted for 3.8 percent of U.S. shipments from the nonsubject source in Indonesia. These price items and accompanying data are comparable to those presented in tables V-4 to V-9. Price and quantity data for nonsubject Indonesia are shown in tables E-1 to E-4.

In comparing nonsubject Indonesia pricing data with U.S. producer pricing data, prices for product imported from nonsubject Indonesia were lower than prices for U.S.-produced product in 21 instances and higher in 13 instances. In comparing nonsubject Indonesia pricing data with subject import pricing data, prices for product imported from nonsubject Indonesia were higher than prices for product imported from Ecuador, India, and Vietnam in a majority of instances but lower than prices for product imported from subject sources in Indonesia in a majority of instances (table E-5).

¹ Importers were instructed to provide price data separately for imports from PT Bahari Makmur Sejati and from all other sources in Indonesia.

Table E-1
Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 1, by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound

Period	U.S. price	U.S. quantity	Indonesia, nonsubject price	Indonesia, nonsubject quantity
2021 Q1	***	***	***	***
2021 Q2	***	***	***	***
2021 Q3	***	***	***	***
2021 Q4	***	***	***	***
2022 Q1	***	***	***	***
2022 Q2	***	***	***	***
2022 Q3	***	***	***	***
2022 Q4	***	***	***	***
2023 Q1	***	***	***	***
2023 Q2	***	***	***	***
2023 Q3	***	***	***	***
2023 Q4	***	***	***	***
2024 Q1	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 1: Frozen, raw warmwater shrimp or prawns, all species, 71 to 90 count, headless, P&D (peeled and deveined), tail-off, block frozen (cut or not cut).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table E-2
Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 3, by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound

Period	U.S. price	U.S. quantity	Indonesia, nonsubject price	Indonesia, nonsubject quantity
2021 Q1	***	***	***	***
2021 Q2	***	***	***	***
2021 Q3	***	***	***	***
2021 Q4	***	***	***	***
2022 Q1	***	***	***	***
2022 Q2	***	***	***	***
2022 Q3	***	***	***	***
2022 Q4	***	***	***	***
2023 Q1	***	***	***	***
2023 Q2	***	***	***	***
2023 Q3	***	***	***	***
2023 Q4	***	***	***	***
2024 Q1	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 3: Frozen, cooked warmwater shrimp or prawns, all species, 26 to 30 count, P&D (peeled and deveined), headless, tail-on or-tail off, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table E-3
Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 4, by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound

Period	U.S. price	U.S. quantity	Indonesia, nonsubject price	Indonesia, nonsubject quantity
2021 Q1	***	***	***	***
2021 Q2	***	***	***	***
2021 Q3	***	***	***	***
2021 Q4	***	***	***	***
2022 Q1	***	***	***	***
2022 Q2	***	***	***	***
2022 Q3	***	***	***	***
2022 Q4	***	***	***	***
2023 Q1	***	***	***	***
2023 Q2	***	***	***	***
2023 Q3	***	***	***	***
2023 Q4	***	***	***	***
2024 Q1	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 4: Frozen, raw warmwater shrimp or prawns, all species, 31 to 40 count, headless, P&D (peeled and deveined), tail-off, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table E-4
Frozen warmwater shrimp: Weighted-average f.o.b. prices and quantities of domestic and imported product 5, by source and quarter

Quantity in 1,000 pounds; Prices in dollars per pound

Period	U.S. price	U.S. quantity	Indonesia, nonsubject price	Indonesia, nonsubject quantity
2021 Q1	***	***	***	***
2021 Q2	***	***	***	***
2021 Q3	***	***	***	***
2021 Q4	***	***	***	***
2022 Q1	***	***	***	***
2022 Q2	***	***	***	***
2022 Q3	***	***	***	***
2022 Q4	***	***	***	***
2023 Q1	***	***	***	***
2023 Q2	***	***	***	***
2023 Q3	***	***	***	***
2023 Q4	***	***	***	***
2024 Q1	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Product 5: Frozen, raw warmwater shrimp or prawns, all species, 21 to 25 count, headless, P&D (peeled and deveined), tail-on, individually quick frozen (IQF).

Note: Quantities shown as "0" represent values greater than zero, but less than "500" pounds. Zeroes, null values, and undefined calculations are suppressed and shown as "---".

Table E-5
Frozen warmwater shrimp: Summary of higher/(lower) unit values, by source

Comparison source	Benchmark source	Number of quarters lower	Quantity lower	Number of quarters higher	Quantity higher
Indonesia, nonsubject	United States	***	***	***	***
Indonesia, nonsubject	Ecuador	***	***	***	***
Indonesia, nonsubject	India	***	***	***	***
Indonesia, nonsubject	Indonesia, subject	***	***	***	***
Indonesia, nonsubject	Vietnam	***	***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

APPENDIX F

DATA FOR U.S. FARMERS/FISHERMEN

The Commission also issued questionnaires to over 700 farmers/fishermen and received usable responses from 388 firms. Table F-1 lists the ten largest responding U.S. farmers/fishermen of fresh warmwater shrimp, based on share of net sales, their production locations, and positions on the petitions and table F-2 presents the positions on the petitions of all other responding U.S. farmers/fishermen.

Table F-1
Fresh warmwater shrimp: Top ten U.S. farmers/fishermen, their positions on the petitions, production location(s), and shares of reported production, 2023

Share in percent

Firm	Position on petitions	Production location(s)	Share of net sales quantity
Miss Ashleigh	***	Bayou La Batre, Alabama	***
Phan Nguyen Enterprise	***	Theodore, Alabama	***
Phan Global	***	Theodore, Alabama	***
Trawler Roll Tide	***	Bayou La Batre, Alabama	***
Zirlott Trawlers	***	Coden, Alabama	***
Tiffani Clarie	***	Chauvin, Louisiana	***
Kimberly Chauvin; KDC Marine, LLC; A.J. Horizon, Inc.; Capt. David Chauvin LLC	***	Dulac, Louisiana	***
Miss Behavin Seafood	***	Dulac, Louisiana	***
I.B. Double D	***	Pearland, Texas	***
Waylon Buras	***	Venice, Louisiana	***
All other fishermen/farmers	Various	Various	***
All fishermen/farmers	Various	Various	100.0

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-2
Fresh warmwater shrimp: Count of U.S. farmers'/fishermen's position on the petitions

Item	Support all	Oppose all	No position all	Mixed all	Partial response
Count of U.S. fishermen's and farmers' position	378	2	1	0	5

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-3 presents information on U.S. farmers'/fishermen's ownership, related and/or affiliated firms.

Table F-3
Fresh warmwater shrimp: U.S. farmers'/fishermen's ownership, related and/or affiliated firms

Reporting firm	Relationship type and related firm	Details of relationship
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. farmers/fishermen were asked to describe any state and federal limitations on shrimp fishing or farming activities. Table F-4 presents narrative responses from the top ten largest U.S. farmers/fishermen.

Table F-4

Fresh warmwater shrimp: Top ten U.S. farmers'/fishermen's narrative responses regarding state and/or federal limitations on fishing

Reporting firm	Limitations on fishing
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. farmers/fishermen were asked to describe the impact of any natural disasters and/or diseases on the supply and demand of fresh warmwater shrimp since January 1, 2021. Table F-5 present narrative responses from the top ten largest U.S. farmers/fishermen and table F-6 presents the number of U.S. farmers/fishermen responding yes or no in each category.

Table F-5
Fresh warmwater shrimp: Top ten U.S. farmers'/fishermen's narrative responses regarding the impact of natural disasters and/or diseases on supply and demand since January 1, 2021

Reporting firm	Narrative response regarding impact on supply	Narrative response regarding impact on demand
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***
***	***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-6

Fresh warmwater shrimp: Count of U.S. farmers'/fishermen's responses regarding the impact of natural disasters and/or diseases on supply and demand since January 1, 2021

Count in number of firms reporting

Item	No	Yes
Impact on supply	280	104
Impact on demand	297	76

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. farmers/fishermen were asked to describe the impact of availability of live warmwater shrimp on supply of fresh warmwater shrimp since January 1, 2021. Table F-7 presents the narrative responses from the top ten largest U.S. farmers/fishermen and table F-8 presents the number of U.S. farmers/fishermen responding yes or no.

Table F-7

Fresh warmwater shrimp: Top ten U.S. farmers'/fishermen's narrative responses regarding the impact of availability of live warmwater shrimp on supply since January 1, 2021

Reporting firm	Narrative responses regarding impact on supply
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-8

Fresh warmwater shrimp: Count of U.S. farmers'/fishermen's responses regarding the impact of availability of live warmwater shrimp on supply since January 1, 2021

Count in number of firms reporting

Item	No	Yes
Impact on supply	352	33

Source: Compiled from data submitted in response to Commission questionnaires.

U.S. farmers/fishermen were asked to describe the impact of other factors on the demand for fresh warmwater shrimp since January 1, 2021. Table F-9 presents the narrative responses from the top ten largest U.S. farmers/fishermen and table F-10 presents the number of U.S. farmers/fishermen responding yes or no.

Table F-9
Fresh warmwater shrimp: Top ten U.S. farmers'/fishermen's narrative responses regarding the impact of other factors on demand since January 1, 2021

Reporting firm	Narrative responses regarding impact on demand
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-10
Fresh warmwater shrimp: Count of U.S. farmers/fishermen's responses regarding the impact of other factors on demand since January 1, 2021

Count in number of firms reporting

Item	No	Yes
Impact on demand	30	354

Table F-11 presents U.S. farmers'/fishermen's employment-related data. The total number of production-related workers ("PRWs") decreased in every year between 2021 and 2023, ending 13.9 percent lower, while productivity increased by 16.1 percent.

Table F-11

Fresh warmwater shrimp: U.S. farmers'/fishermen's employment related information, by item and period

Item	2021	2022	2023
PRWs: directly employed (number)	947	884	815
PRWs: contractors or indirectly employed (number)	606	605	559
PRWs: total employed (number)	1,553	1,489	1,374
Productivity (1,000 pounds per PRW)	23.9	23.3	27.7

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Productivity was calculated using only the U.S. farmers/fishermen questionnaire responses that reported both PRWs and net sales.

Table F-12 presents aggregated employment-related data for U.S. processors and U.S. farmers/fishermen.

Table F-12

Fresh and frozen warmwater shrimp: U.S. processors' and U.S. farmers'/fishermen's aggregated employment-related information, by item and period

Item	2021	2022	2023
Production and related workers (PRWs) (number)	2,634	2,606	2,415

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-13 presents data on U.S. farmers'/fishermen's fishing operations. The total number of fishing days decreased in each year between 2021 and 2023, ending 16.6 percent lower. The number of boats operated fluctuated during the same period, ending 3.2 percent lower overall.

Table F-13

Fresh warmwater shrimp: U.S. farmers' and fishermen's number of fishing days, by period

Item	2021	2022	2023
Total fishing days (number)	57,355	51,351	47,857
Boats operated (number)	441	447	427

Source: Compiled from data submitted in response to Commission questionnaires.

FINANCIAL EXPERIENCES OF U.S. FARMERS/FISHERMAN

Three hundred and eighty-eight U.S. farmers/fishermen provided useable financial data on their warmwater shrimp operations.¹ These data were requested on a calendar-year basis. Income-and-loss data for U.S. fishermen of warmwater shrimp are presented in table F-14 while table F-15 presents the changes in percent and dollars per pound.

Sales quantity irregularly decreased by 2.7 percent from 2021 to 2023 with all the decrease occurring from 2021 to 2022. Sales value, however, decreased each year with an overall decrease of 44.2 percent from 2021 to 2023. The average unit value of sales also decreased from 2021 to 2023.

Fuel and oil expenses increased by 8.5 percent from 2021 to 2022, then decreased by 27.2 percent from 2022 to 2023, and decreased overall by 21.1 percent from 2021 to 2023.

Salaries expenses were reported by ***, and decreased overall by 48.1 percent from 2021 to 2023.

All other operating expenses decreased overall by 46.7 percent from 2021 to 2023. All other operating expenses mostly include crew wages and share, groceries, fishing gear, repairs and maintenance, insurance, depreciation, taxes, and licenses.²

Overall, total operating expenses net of by-catch revenue decreased by 39.1 percent from 2021 to 2023.³

Operating income decreased from a positive \$8.1 million in 2021 to a negative \$2.2 million in 2022 and a negative \$1.7 million in 2023.

Other income overall decreased from 2021 to 2023 and included such items as marine resource payments for equipment research, Georgia disaster relief payments, COVID-19 grant payments, and loan forgiveness under the Paycheck Protection Program (“PPP”). Other expense items decreased overall from 2021 to 2023 and included professional fees, legal expenses, office supplies, vehicles expenses, and repairs and maintenance expenses.⁴

¹ Some U.S. farmers/fishermen do not operate their boats every year citing various reasons such as rising costs and seasonality so not all firms reported data in each yearly period. For example, 13 fishermen did not report data in 2021 and 2022, and 29 did not report data in 2023.

² Only a few firms responded to the question to list in order of importance their all other operating costs. This list is representative of responses given.

³ The farmers/fishermen questionnaire requested information on by-catch data which reflects revenue from other types of fish caught during the shrimping operations. Only 22 fishermen reported such data. By-catch revenue is accounted for, but immaterial to the overall reported costs and profitability of US farmers/fishermen, therefore it is not presented in tables F-14 and F-15. By-catch revenues were \$18,000, \$21,000 and \$43,000, respectively, in 2021, 2022, and 2023.

⁴ Similar to all other operating costs, only a few firms described what’s included in their reported other income and expenses. The provided details are from responses given.

Net income decreased from a positive \$6.7 million in 2021 to a negative \$4.3 million in 2022, and a negative \$2.7 million in 2023.

Table F-14
Fresh warmwater shrimp: Results of operations of U.S. farmers/fishermen, by item and period

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

Item	Measure	2021	2022	2023
Total net sales	Quantity	36,023	33,985	35,039
Total net sales	Value	131,801	103,742	73,605
Operating expenses: Fuel and oil	Value	37,128	40,272	29,300
Operating expenses: Salaries	Value	2,228	1,713	1,157
Operating expenses: All other	Value	84,335	63,975	44,961
Total operating expenses	Value	123,673	105,937	75,376
Operating income or (loss)	Value	8,128	(2,195)	(1,771)
All other income	Value	2,199	584	981
All other expenses	Value	3,616	2,708	1,956
Net income or (loss)	Value	6,711	(4,320)	(2,746)
Operating expenses: Fuel and oil	Ratio to NS	28.2	38.8	39.8
Operating expenses: Salaries	Ratio to NS	1.7	1.7	1.6
Operating expenses: All other	Ratio to NS	64.0	61.7	61.1
Total operating expenses	Ratio to NS	93.8	102.1	102.4
Operating income or (loss)	Ratio to NS	6.2	(2.1)	(2.4)
All other income	Ratio to NS	1.7	0.6	1.3
All other expenses	Ratio to NS	2.7	2.6	2.7
Net income or (loss)	Ratio to NS	5.1	(4.2)	(3.7)

Table continued.

Table F-14 Continued**Fresh warmwater shrimp: Results of operations of U.S. farmers/fishermen, by item and period**

Shares in percent; unit values in dollars per pound; count in number of firms reporting

Item	Measure	2021	2022	2023
Operating expenses: Fuel and oil	Share	30.0	38.0	38.9
Operating expenses: Salaries	Share	1.8	1.6	1.5
Operating expenses: All other	Share	68.2	60.4	59.6
Total net sales	Unit value	3.66	3.05	2.10
Operating expenses: Fuel and oil	Unit value	1.03	1.18	0.84
Operating expenses: Salaries	Unit value	0.06	0.05	0.03
Operating expenses: All other	Unit value	2.34	1.88	1.28
Total operating expenses	Unit value	3.43	3.12	2.15
Operating income or (loss)	Unit value	0.23	(0.06)	(0.05)
All other income	Unit value	0.06	0.02	0.03
All other expenses	Unit value	0.10	0.08	0.06
Net income or (loss)	Unit value	0.19	(0.13)	(0.08)
Operating losses	Count	111	147	160
Net losses	Count	111	155	175
Data	Count	373	374	358

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Shares represent the share of total operating expense.

Note: In several instances, firms reported operating expense but did not report sales or other costs or fishing days in that yearly period. Commission staff reclassified such costs, which mainly represented vessel and/or net major repair, legal expenses, and the like below operating income to all other expense.

Note: Interim period data are not show due to a large number of questionnaires with deficiencies.

Table F-15**Fresh warmwater shrimp: U.S. farmers'/fishermen's changes in average unit values between comparison periods**

Changes in percent

Item	2021-23	2021-22	2022-23
Total net sales	▼(42.6)	▼(16.6)	▼(31.2)
Operating expenses: Fuel and oil	▼(18.9)	▲15.0	▼(29.4)
Operating expenses: Salaries	▼(46.6)	▼(18.5)	▼(34.5)
Operating expenses: All other	▼(45.2)	▼(19.6)	▼(31.8)
Total operating expenses	▼(37.3)	▼(9.2)	▼(31.0)

Table continued.

Table F-15 Continued**Fresh warmwater shrimp: U.S. farmers'/fishermen's changes in average unit values between comparison periods**

Changes in dollars per pound

Item	2021-23	2021-22	2022-23
Total net sales	▼(1.56)	▼(0.61)	▼(0.95)
Operating expenses: Fuel and oil	▼(0.19)	▲0.15	▼(0.35)
Operating expenses: Salaries	▼(0.03)	▼(0.01)	▼(0.02)
Operating expenses: All other	▼(1.06)	▼(0.46)	▼(0.60)
Total operating expenses	▼(1.28)	▼(0.32)	▼(0.97)
Operating income or (loss)	▼(0.28)	▼(0.29)	▲0.01
Net income or (loss)	▼(0.26)	▼(0.31)	▲0.05

Source: Compiled from data submitted in response to Commission questionnaires.

Note: Changes shown as "0.0" or "0.00" represent values greater than zero, but less than "0.005" dollars per pound. Zeroes, null values, and undefined calculations are suppressed and shown as "---". Period changes preceded by a "▲" represent an increase, while percentage changes preceded by "▼" represent a decrease.

The Commission's questionnaire requested U.S. farmers/fishermen to describe any actual or potential negative effects of imports of frozen warmwater shrimp from Ecuador, India Indonesia, and Vietnam on their firms' growth and investment. Tables F-16, F-18 and F-20 present the number of U.S. farmers/fishermen responding yes or no in each category, and tables F-17, F-19, and F-21 provide the top ten U.S. farmers'/fishermen's narrative responses.

Table F-16**Fresh warmwater shrimp: Count of U.S. farmers'/fishermen's responses regarding the negative effects of imports on investment since January 1, 2021**

Count in number of firms reporting

Item	No	Yes
Impact on investment	7	373

Source: Compiled from data submitted in response to Commission questionnaires

Table F-17

Fresh warmwater shrimp: Top ten U.S. farmers/fishermen’s narratives regarding the negative effects of imports on investment since January 1, 2021

Reporting firm	Narratives regarding impact on investment
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-18

Fresh warmwater shrimp: Count of U.S. farmers'/fishermen’s responses regarding the negative effects of imports on growth and developments since January 1, 2021

Count in number of firms reporting

Item	No	Yes
Impact on growth and development	15	368

Source: Compiled from data submitted in response to Commission questionnaires

Table F-19

Fresh warmwater shrimp: Top ten U.S. farmers'/fishermen's narratives regarding the negative effects of imports on growth and developments since January 1, 2021

Reporting firm	Narratives regarding impact on growth and development
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-20

Fresh warmwater shrimp: Count of U.S. farmers'/fishermen's responses regarding the anticipated negative effects of imports since January 1, 2021.

Count in number of firms reporting

Item	No	Yes
Anticipated negative impact of imports	8	380

Source: Compiled from data submitted in response to Commission questionnaires.

Table F-21

Fresh warmwater shrimp: Top ten U.S. farmers/fishermen's narratives regarding the anticipated negative effects of imports since January 1, 2021.

Reporting firm	Narratives regarding anticipated impact of imports
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***
***	***

Source: Compiled from data submitted in response to Commission questionnaires.