



**GENERAL INFORMATION, INSTRUCTIONS, AND
DEFINITIONS FOR COMMISSION FOREIGN
PRODUCER/EXPORTER QUESTIONNAIRES**

**POLYETHYLENE RETAIL CARRIER BAGS from
CHINA, MALAYSIA, AND THAILAND
Investigations Nos. 731-TA-1043-1045 (Final)**

Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to these investigations, you may contact the following member of the Commission's staff (Fax 202-205-3205):

Olympia Hand, investigator (E-mail OHAND@USITC.GOV (Preferred); 202-205-3182)

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.--These investigations were instituted in response to a petition filed on June 20, 2003, by the Polyethylene Retail Carrier Bag Committee, an ad hoc coalition of U.S. polyethylene retail carrier bag producers. Antidumping duties may be assessed on the subject imports as a result of these investigations if the Commission makes affirmative determinations of injury, threat, or material retardation, and if the U.S. Department of Commerce makes an affirmative determinations of dumping.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this investigation via the Commission's TDD terminal (202-205-1810).

Due date of questionnaire(s).--Return the completed questionnaire(s) to the United States International Trade Commission by no later than **March 15, 2004**. You may fax your questionnaire to Olympia Hand at 202-205-3182. Use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by **March 15, 2004**. Please make sure the completed questionnaire is sent to the attention of **Olympia Hand**. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the investigations.**

Service of questionnaire response(s).--In the event that your firm is a party to these investigations, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

Confidentiality.--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

GENERAL INFORMATION--Continued

Verification.--The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).

Release of information.--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the investigations, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with these investigations or other import-injury investigations conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

INSTRUCTIONS

Answer all questions.--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with these investigations (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

Consolidate all establishments in the subject country for which you are reporting.--Report the requested data for your establishment(s) located in China, Malaysia, and Thailand separately for each country. **Firms operating more than one establishment in a subject country should combine the data for all establishments into a single report for that country.**

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS

PRCBs (which also may be referred to as t-shirt sacks, merchandise bags, grocery bags, or checkout bags, **whether high-end or other than high-end**).--Non-sealable sacks and bags with handles (including drawstrings), without zippers or integral extruded closures, with or without gussets, with or without printing, of polyethylene film having a thickness no greater than .035 inch (0.889 mm) and no less than .00035 inch (0.00889 mm), and with no length or width shorter than 6 inches (15.24 cm) or longer than 40 inches (101.6 cm) (the depth of the bag may be shorter than 6 inches but not longer than 40 inches), excluding (1) polyethylene bags that are not printed with logos or store names and are close-able with draw-cords made of polyethylene film and (2) polyethylene bags that are packed in consumer packaging with printing that refers to specific end uses other than packaging and carrying merchandise from retail establishments (such as garbage bags, lawn bags, and trash can liners). The subject products, PRCBs, are typically provided without any consumer packaging and free of charge by retail establishments to their customers, and are covered by statistical reporting number 3923.21.0090 of the Harmonized Tariff Schedule of the United States (HTS).

High-end PRCBs.--These consist of PRCBs with inserts of cardboard, rigid plastic, or other rigid flat materials at the bottom and/or top and PRCBs with separately applied handles other than drawcords or those made of polyethylene. Also included are heat-sealed square-bottomed or rectangular-bottomed PRCBs without inserts of cardboard, rigid plastic, or other rigid flat materials.

Firm.--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

Related firm.--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

Establishment.--Each facility of a firm in China, Malaysia, or Thailand involved in the production of PRCBs (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States.--For purposes of these investigations, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Importer.--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing PRCBs (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Average production capacity.--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix). **Please report in terms of both number of units (number of bags) and pounds. Pounds should be defined as “net weight shipped, exclusive of packing materials.”**

Production.--All production in your establishment(s) in China, Malaysia, or Thailand, including production consumed internally within your firm. **Please report in terms of both number of units (number of bags) and pounds. Pounds should be defined as “net weight shipped, exclusive of packing materials.”**

Shipments.--Shipments of products produced in your establishment(s) in China, Malaysia, or Thailand. Quantities reported should be net of returns. **Please report in terms of both number of units (number of bags) and pounds. Pounds should be defined as “net weight shipped, exclusive of packing materials.”**

Home market commercial shipments.--Shipments, other than internal consumption and transfers to related firms, within China, Malaysia, or Thailand.

Home market internal consumption/transfers to related firms.--Shipments made to related firms in China, Malaysia, or Thailand, including product consumed internally by your firm.

Export shipments.--Shipments to destinations outside China, Malaysia, or Thailand, including shipments to related firms.

Inventories.--Finished goods inventory, not raw materials or work-in-progress. **Please report in terms of both number of units (number of bags) and pounds. Pounds should be defined as “net weight shipped, exclusive of packing materials.”**