

U.S. PROCESSORS' QUESTIONNAIRE

LEMON JUICE FROM ARGENTINA AND MEXICO

Return completed questionnaire (hard copy or CD (with hard copy of this page signed)) to:

UNITED STATES INTERNATIONAL TRADE COMMISSION

Office of Investigations, Room 615
500 E Street, SW, Washington, DC 20436

So as to be received by the Commission by no later than JULY 26, 2007

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its antidumping investigations concerning lemon juice from Argentina and Mexico (Inv. Nos. 731-TA-1105-1106 (Final)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII. This report is mandatory and failure to reply as directed can result in a subpoena or other order to compel the submission of records or information in your possession (19 U.S.C. § 1333(a)).

Name of firm _____

Address _____

City _____ **State** _____ **Zip Code** _____

World Wide Web address _____

Has your firm produced lemon juice (as defined in the instruction booklet) at any time since **January 1, 2004**?

☐ **NO** (Sign the certification below and promptly return only this page of the questionnaire to the Commission)

☐ **YES** (Read the instruction booklet carefully, complete all parts of the questionnaire, and return the entire questionnaire to the Commission so as to be received by the date indicated above)

CERTIFICATION

I certify that the information herein supplied in response to this questionnaire is complete and correct to the best of my knowledge and belief and understand that the information submitted is subject to audit and verification by the Commission.

By submitting this certification I also grant consent for the Commission, and its employees and contract personnel, to use the information provided in this questionnaire and throughout these investigations in any other import-injury investigations conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout these investigations may be used by the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of these investigations or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3. I understand that all contract personnel will sign non-disclosure agreements.

Name of Authorized Official

Title of Authorized Official

Date

Signature

Phone: ()

Fax ()

E-mail address

PART I.—GENERAL INFORMATION

The questions in this questionnaire have been reviewed with market participants to ensure that issues of concern are adequately addressed and that data requests are sufficient, meaningful, and as limited as possible. Public reporting burden for this questionnaire is estimated to average 40 hours per response, including the time for reviewing instructions, searching existing data sources, gathering the data needed, and completing and reviewing the questionnaire. Send comments regarding the accuracy of this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, to the Office of Investigations, U.S. International Trade Commission, 500 E Street, SW, Washington, DC 20436.

- I-1a. Please report below the actual number of hours required and the cost to your firm of preparing the reply to this questionnaire and completing the form.

_____hours _____dollars

- b. We are interested in any comments you may have for improving this questionnaire in general or the clarity of specific questions. Please attach such comments to your response or send them to the above address.

- I-2. Provide the name and address of establishment(s) covered by this questionnaire (see pages 3-4 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

- I-3. Do you support or oppose the petition?

☐ Support ☐ Oppose ☐ Take no position

As indicated at the top of the page, your response to this question will be treated as business proprietary. However, if the Commission's final determinations in the investigations is affirmative and antidumping duty orders are issued, the Commission, pursuant to section 754 of the Tariff Act of 1930 (the Continued Dumping and Subsidy Offset Act of 2000, or "Byrd Amendment"), will provide a list of firms supporting the petition to U.S. Customs and Border Protection for possible distribution of any antidumping duties that may be collected. If you wish to waive business proprietary treatment of your response to this question in order to make your position with respect to the petition public and allow inclusion of your firm on that list, indicate "yes" below.

☐ Yes ☐ No--I do not wish my position on the petition to be made public. I acknowledge that a "No" answer may affect my ability to receive a distribution under this Act.

PART I.--GENERAL INFORMATION--Continued

I-4. Is your firm owned, in whole or in part, by any other firm?

☐ No ☐ Yes--List the following information

<u>Firm name</u>	<u>Address</u>	<u>Extent of ownership</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____

I-5. Does your firm have any related firms, either domestic or foreign, which are engaged in importing lemon juice from Argentina and Mexico into the United States or which are engaged in exporting lemon juice from Argentina and Mexico to the United States?

☐ No ☐ Yes--List the following information

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

I-6. Does your firm have any related firms, either domestic or foreign, which are engaged in the production of lemon juice?

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

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **Jim McClure (202-205-3191, james.mcclure@usitc.gov)**. **Supply all data requested on a calendar-year basis.**

II-1. Who should be contacted regarding the requested trade and related information?

Company contact:

Name and title

() _____

Phone number

E-mail address

II-2. Has your firm experienced any plant openings, relocations, expansions, acquisitions, consolidations, closures, or prolonged shutdowns because of strikes or equipment failure; curtailment of production because of shortages of materials; or any other change in the character of your operations or organization relating to the production of lemon juice since January 1, 2004?

☐ No

☐ Yes--Supply details as to the time, nature, and significance of such changes.

II-3. Does your firm produce other products on the same equipment and machinery used in the production of lemon juice?

☐ No

☐ Yes--List the following information.

Basis for allocation of capacity data (*e.g.*, sales): _____

Products produced on same equipment and share of total production in 2006:

<u>Product</u>	<u>Percent</u>
<u>Lemon juice:</u>	
<u>Nonorganic</u>	
<u>Organic</u>	
<u>Lemon oil</u>	
<u>Lemon peel</u>	
<u>Orange juice</u>	
<u>Other</u>	

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

- II-4. Please describe the constraint(s) that set the limit(s) on your production capacity and your ability to shift production capacity between products.

- II-5. Does your firm produce other products using the same production and related workers employed to produce lemon juice?

☐ No ☐ Yes--List the following information.

Basis for allocation of capacity data (e.g., sales): _____

Products produced using the same workers and share of total production in 2006 (in percent):

<u>Product</u>	<u>Percent</u>
<u>Lemon juice:</u>	
<u>Nonorganic</u>	_____
<u>Organic</u>	_____
<u>Lemon oil</u>	_____
<u>Lemon peel</u>	_____
<u>Orange juice</u>	_____
<u>Other</u>	_____

- II-6. Since January 1, 2004, has your firm been involved in a toll agreement (see definition in the instruction booklet) regarding the production of lemon juice

☐ No ☐ Yes--Name firm(s): _____.

- II-7. Does your firm produce lemon juice in a foreign trade zone (FTZ)?

☐ No ☐ Yes--Identify FTZ(s): _____.

- II-8. Since January 1, 2004, has your firm imported lemon juice?

☐ No ☐ Yes--**COMPLETE AND RETURN A U.S. IMPORTERS'**
QUESTIONNAIRE

PART II--TRADE AND RELATED INFORMATION--Continued

- II-9. Please describe any contracts or other legal relationships (e.g., cooperatives and participation plans) your firm may have with lemon growers, including names, dates, and terms.

- II-10. Please comment on any trends in vertical integration in the lemon industry (e.g., fruit juice, oil, peel, etc.) since January 1, 2004.

- II-11. a) Does your firm purchase lemons for the production of concentrated lemon juice and NFCLJ from the same growers?

☐ No ☐ Yes -- Name firms: _____

- b) Do you buy the same type of lemons for concentrated lemon juice and NFCLJ?

☐ No ☐ Yes

- c) Does your firm purchase nonorganic and organic lemons for the production of concentrated lemon juice or NFCLJ from the same growers?

☐ No ☐ Yes -- Name firms: _____

- II-12. Does your firm blend imports or domestic purchases of lemon juice with juice extracted in your U.S. establishment?

☐ No ☐ Yes--Please describe the reasons for blending, the types of lemons used, the blending process, and the reason for blending imports, if applicable.

PART II--TRADE AND RELATED INFORMATION--Continued

II-13. Report your firm's production capacity, lemon juice, shipments, inventories, and employment related to the production of **LEMON JUICE** in your U.S. establishment(s) during the specified periods. (See definitions in the instruction booklet.) **Conversion factors (if needed) are:**

1,000 gallons @ 400 GPL = 4.735 mts @ 400 GPL; 1 mt = 211.2 gallons @ 400 GPL.

Quantity (in 1,000 GALLONS @ 400 GPL) and value (in \$1,000)					
Item	Calendar years			January-June	
	2004	2005	2006	2006	2007
Average production capacity ¹ (quantity)					
Beginning-of-period inventories (quantity)					
Production (quantity)					
U.S. shipments:					
Commercial shipments:					
Quantity of commercial shipments					
Value of commercial shipments					
Internal consumption:					
Quantity of internal consumption					
Value ² of internal consumption					
Transfers to related firms:					
Quantity of transfers					
Value ² of transfers					
Export shipments:³					
Quantity of exports					
Value of exports					
Duty drawback received on export shipments (value)					
End-of-period inventories ⁴ (quantity)					
Employment data:					
Average number of PRWs (number)					
Hours worked by PRWs (1,000 hours)					
Wages paid to PRWs (value)					
¹ The production capacity (see definitions in instruction booklet) reported is based on operating _____ hours per week, _____ weeks per year. Please describe the methodology used to calculate production capacity, and explain any changes in reported capacity (use additional pages as necessary). _____					
² Internal consumption and transfers to related firms must be valued at fair market value. In the event that you use a different basis for valuing these transactions, please specify that basis (e.g., cost, cost plus, <i>et cetera</i>) and provide value data using that basis for 2004-06 below: _____					
³ Identify your principal export markets: _____					
⁴ Reconciliation of data.--Please note that the quantities reported above should reconcile as follows: beginning-of-period inventories, plus production, less total shipments, equals end-of-period inventories. Do the data reported reconcile? <input type="checkbox"/> Yes <input type="checkbox"/> No--Please explain: _____					

PART II--TRADE AND RELATED INFORMATION--Continued

- II-14. If you reported transfers to related firms in question II-13, please indicate the nature of the relationship between your firm and the related firms (*e.g.*, joint venture, wholly owned subsidiary), whether the transfers were priced at market value or by a non-market formula, whether your firm retained marketing rights to all transfers, and whether the related firms also processed inputs from sources other than your firm.

- II-15. **Channels of Distribution**--Report your firm's U.S. shipments (commercial shipments, internal consumption, and transfers to related parties) of **LEMON JUICE** produced in your U.S. establishment(s) during the specified periods.¹ (See definitions in the instruction booklet.) *Conversion factors (if needed) are: 1,000 gallons @ 400 GPL = 4.735 mts @ 400 GPL; 1 mt = 211.2 gallons @ 400 GPL.*

Quantity (in 1,000 gallons @400 GPL)					
Item	Calendar year			January-June	
	2004	2005	2006	2006	2007
U.S. shipments of lemon juice to:					
Distributors					
Remanufacturers and packagers					
Food processors (including nonjuice drink and fruit drink producers)					
Other end users ¹					
Total lemon juice²					
¹ Please describe: _____					
² Totals should equal data reported for U.S. shipment quantities in sections II-13.					

PART II--TRADE AND RELATED INFORMATION--Continued

II-16. Other than direct imports, has your firm otherwise purchased **LEMON JUICE** since January 1, 2004? (See definitions in the instruction booklet.) **Conversion factors (if needed) are:**
1,000 gallons @ 400 GPL = 4.735 mts @ 400 GPL; 1 mt = 211.2 gallons @ 400 GPL.

☐ No

☐ Yes--Report such purchases below for the specified periods.¹

Quantity (in 1,000 gallons @ 400 GPL), value (in \$1,000)					
Item	Calendar years			January-June	
	2004	2005	2006	2006	2007
PURCHASES FROM U.S. IMPORTERS^{1 2}					
OF LEMON JUICE FROM--					
Argentina:					
Quantity					
Value					
Mexico:					
Quantity					
Value					
All other countries:					
Quantity					
Value					
PURCHASES FROM DOMESTIC PRODUCERS:^{1 2}					
Quantity					
Value					
PURCHASES FROM OTHER SOURCES:^{1 2}					
Quantity					
Value					
¹ Please indicate your reasons for purchasing this product. If your reasons differ by source, please elaborate. If the percentage of Argentine and/or Mexican juice purchased by your firm changed significantly from period to period, please indicate the reasons for the change.					
² Please list the name of the firm(s) from which you purchased this product. If your suppliers differ by source, please identify the source for each listed supplier.					

PART III.--FINANCIAL INFORMATION

Address questions on this part of the questionnaire to **Charles Yost (202-205-3432, e-mail: charles.yost@usitc.gov)**.

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

Company contact:

Name and title

() _____

Phone number

E-mail address

III-2. Briefly describe your financial accounting system.

A. When does your fiscal year end (month and day)? _____
If your fiscal year changed during the period examined, explain below:

B.1. Describe the lowest level of operations (e.g., plant, division, company-wide) for which financial statements are prepared that include subject merchandise:

2. Does your firm prepare profit/loss statements for the subject merchandise:
☐ Yes ☐ No

3. How often did your firm (or parent company) prepare financial statements (including annual reports, 10Ks)? Please check relevant items below.
☐ Audited, ☐ unaudited, ☐ annual reports, ☐ 10Ks, ☐ 10 Qs,
☐ Monthly, ☐ quarterly, ☐ semi-annually, ☐ annually

4. Accounting basis: ☐ GAAP, ☐ cash, ☐ tax, or ☐ other comprehensive (specify) _____

Note: Please provide copies of your firm's financial statements, including internal profit-and-loss statements for the division or product group that includes Lemon Juice, such as lemon oil and other lemon juice coproducts and byproducts, as well as those statements and worksheets used to compile data for your firm's questionnaire response.

III-3 a) Briefly describe your cost accounting system (e.g., standard cost, job order cost, etc.).

b) Briefly describe your method of accounting for unprocessed products delivered by patrons to your facility for processing; the methods of allocation of gains or losses to various pools; and the timing and amounts of advances against estimated pool proceeds.

PART III.--FINANCIAL INFORMATION--Continued

- III-4. Briefly describe your allocation basis, if any, for COGS, SG&A, and interest expense and other income and expenses between lemon juice and other lemon products (*e.g.*, lemon oil and lemon peel).

- III-5. Other products.--Please list any other products you produced in the facilities in which you produced lemon juice, and provide the share of net sales accounted for by these other products in your most recent fiscal year:

<u>Products</u>	<u>Share of sales</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

- III-6. Does your company receive inputs (raw materials, labor, energy, or any other services) used in the production of lemon juice from any related company?

☐ Yes -- Continue to question III-7 below. ☐ No -- Continue to question III-10 below.

- III-7. In the space provided below, identify the inputs related to the production of lemon juice that your firm receives from related parties whose financial statements are consolidated with the financial statements of your firm.

<u>Input</u>	<u>Related party</u>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

PART III.--FINANCIAL INFORMATION--Continued

- III-8. With respect to the related companies identified in response to question III-7 above, are their financial statements consolidated with your firm's financial statements? (In other words, are profits or losses arising from intercompany transactions eliminated?)

☐ Yes

☐ No – Continue to question III-10 below.

- III-9. All intercompany profit on inputs purchased from related parties that is eliminated pursuant to formal financial statement consolidation should also be eliminated from the costs reported to the Commission in question III-11 (Operations on lemon juice); i.e., costs reported in question III-11, to the extent that they reflect inputs purchased from related parties, should only reflect the related party's cost and not include an associated profit component. Reasonable methods for determining and eliminating the associated profit on inputs purchased from related parties are acceptable.

Has your firm complied with the Commission's instructions regarding costs associated with inputs purchased from related parties?

☐ Yes

No – please contact Charles Yost at 202-205-3432.

- III-10. For each annual and interim period for which financial results are reported in question III-11, please attach a separate schedule that identifies the period-specific amount of non-recurring charges, the expense/cost line items where the associated charges are included, and a brief description of the charge(s). Non-recurring charges would include, but are not limited to, items such as asset write-offs and accelerated depreciation due to restructuring of the company's lemon juice operations.

Period	Item	Amount	Description
FY 2004	_____	_____	_____
FY 2005	_____	_____	_____
FY 2006	_____	_____	_____
I-2006	_____	_____	_____
I-2007	_____	_____	_____

PART III.--FINANCIAL INFORMATION--Continued

- III-11 a) **Operations on lemon juice by agricultural cooperatives.**--Report the revenue and related cost information requested below on the lemon juice operations of your U.S. establishment(s).¹ Data should include juice produced from patrons' lemons in your facilities and marketed by your firm; juice produced from patrons' lemons in other firms' facilities and marketed by your firm (report production costs under "tolling costs of outside processing"); and juice produced from other firms' lemons (i.e., purchased lemons) in your facilities and marketed by your firm. Do not report resale of purchased subject product. Note that internal consumption and transfers to related firms must be valued at fair market value and purchases from related firms must be at cost. Provide data for your three most recently completed fiscal years in chronological order from left to right and for the specified interim periods. Report tolling operations (juice produced from non-patrons' lemons in your facilities that is not marketed by your firm) in schedule III-13.

Quantity (in 1,000 gallons @ 400 GPL) and value (in \$1,000)					
Item	Fiscal years ended--			January-June	
	2004	2005	2006	2006	2007
Net sales quantities: ²					
Commercial sales					
Internal consumption/Transfers					
Total net sales quantities					
Net sales values: ²					
Commercial sales					
Internal consumption/Transfers					
Total net sales values					
Cost of goods sold (COGS): ³					
Raw materials ⁴					
Direct labor					
Other factory costs ⁵					
Tolling costs of outside processing					
Total COGS					
Gross profit or (loss)					
Selling, general, and administrative (SG&A) expenses:					
Selling expenses					
General and administrative expenses					
Total SG&A expenses					
Operating income (loss)					
Other income and expenses:					
Interest expense					
All other expense items					
All other income items					
All other income or expenses, net					
Net income or (loss) available for distribution to patrons					
Distribution to patrons					
¹ Include only sales (whether domestic or export) and costs related to your U.S. manufacturing operations. ² Less discounts, returns, allowances, and prepaid freight. The quantities and values should approximate the corresponding shipment quantities and values reported in Part II of this questionnaire. ³ COGS should include costs associated with internal consumption and transfers to related firms. ⁴ Raw materials should only correspond to purchased lemons and not lemons transferred in by member patrons. ⁵ Please provide the depreciation charges allocated to lemon juice for each year provided above: FY2004 _____; FY2005 _____; FY2006 _____; January-June 2006 _____; January-June 2007 _____.					

PART III.--FINANCIAL INFORMATION--Continued

III-11 -- Continued

b) For agricultural cooperatives. -- Please describe the contractual relationship between your grower-members and the cooperative structure of your operations, and provide representative copies of contracts your firm has with lemon growers, including grower/shareholder agreements in cooperative arrangements.

c) For agricultural cooperatives. -- Please describe the terms for obtaining lemons and for remittances to grower-members.

d) For agricultural cooperatives. -- If the amount of a distribution to your patrons exceeded the net amount available for distribution to patrons in any period in schedule III-11a, please explain why such an event would occur; what happens as a result of a distribution exceeding the amount available for distribution in any specific period; and provide relevant documentation behind the decision (e.g., board resolution).

PART III.--FINANCIAL INFORMATION--Continued

- III-12. **Operations on lemon juice by corporations.**--Report the revenue and related cost information requested below on the lemon juice operations of your U.S. establishment(s).¹ Data should include juice produced from your firm's lemons (purchased or not) in your facilities and marketed by your firm; and juice produced from your firm's lemons in other firms' facilities and marketed by your firm (report production costs under "tolling costs of outside processing"). Do not report resale of purchased product. Note that internal consumption and transfers to related firms must be valued at fair market value and purchases from related firms must be at cost. Provide data for your three most recently completed fiscal years in chronological order from left to right, and for the specified interim periods. If your firm was involved in tolling operations as the toller (processing lemons on behalf of an independent party with no sales revenue), please complete schedule III-13.

Quantity (in 1,000 gallons @ 400 GPL) and value (in \$1,000)					
Item	Fiscal years ended--			January-June	
	2004	2005	2006	2006	2007
Net sales quantities: ²					
Commercial sales					
Internal consumption/Transfers					
Total net sales quantities					
Net sales values: ²					
Commercial sales					
Internal consumption/Transfers					
Total net sales values					
Cost of goods sold (COGS): ³					
Raw materials					
Direct labor					
Other factory costs					
Tolling costs of outside processing					
Total COGS					
Gross profit or (loss)					
Selling, general, and administrative (SG&A) expenses:					
Selling expenses					
General and administrative expenses					
Total SG&A expenses					
Operating income (loss)					
Other income and expenses:					
Interest expense					
All other expense items					
All other income items					
All other income or expenses, net					
Net income or (loss) before income taxes					
Depreciation/amortization included above					
¹ Include only sales (whether domestic or export) and costs related to your U.S. manufacturing operations. ² Less discounts, returns, allowances, and prepaid freight. The quantities and values should approximate the corresponding shipment quantities and values reported in Part II of this questionnaire. ³ COGS should include costs associated with internal consumption and transfers to related firms					

PART III.--FINANCIAL INFORMATION--Continued

- III-13. **Toller (see definition in instruction booklet) of lemon juice by either agricultural cooperative or corporation.**--Report the revenue and related cost information requested below on the tolling of lemon juice operations of your U.S. establishment(s).¹ Provide data for your three most recently completed fiscal years in chronological order from left to right, and for the specified interim periods. Report for all tollees together, identifying the firms below.

Quantity (in 1,000 gallons @ 400 GPL) and value (in \$1,000)					
Item	Fiscal years ended--			January-June	
	<u>2004</u>	<u>2005</u>	<u>2006</u>	<u>2006</u>	<u>2007</u>
Tolling operations:					
Net quantity tolled					
Net tolling revenue					
Net packaging revenue					
Cost of tolling services:					
Raw materials not supplied by tollee					
Direct labor					
Other factory costs					
Total cost of tolling services					
Gross profit or (loss)					
Selling, general, and administrative (SG&A) expenses:					
Selling expenses					
General and administrative expenses					
Total SG&A expenses					
Operating income (loss)					
¹ Include only tolling revenue (whether domestic or export) and costs related to your U.S. manufacturing operations. Tolling operations were conducted for (specify name of tollee and period(s)): _____					

PART III.--FINANCIAL INFORMATION--Continued

III-14. **Asset values of either agricultural cooperatives or corporation.**--Report the total assets associated with the production, warehousing, and sale of lemon juice. If your firm does not maintain some or all of the specific asset data in the normal course of business, please estimate it based upon some rational method (such as production, sales, or costs) that is consistent with your cost allocations in the previous questions. Your finished goods inventory value should reconcile with the inventory quantity data reported in Part II. Provide data as of the end of your three most recently completed fiscal years in chronological order from left to right.

Item	Fiscal years ended --		
	2004	2005	2006
Assets associated with the production, warehousing, and sale of product:			
1. Current assets:			
A. Cash and equivalents			
B. Accounts receivable, net			
C. Inventories (finished goods)			
D. Inventories (raw materials and work in process)			
E. Other (describe: _____)			
F. Total current assets (lines 1.A. through 1.E.)			
2. Property, plant, and equipment			
A. Original cost of property, plant, and equipment			
B. Less: Accumulated depreciation			
C. Equals: Book value of property, plant, and equipment			
3. Other (describe: _____)			
4. Other (describe: _____)			
5. Total assets (lines 1.F., 2.C., 3 and 4)			

PART III.--FINANCIAL INFORMATION--Continued

- III-15. a) **Capital expenditures and research and development expenditures of either agricultural cooperative or corporation.**--Report your firm's capital expenditures and research and development expenditures on lemon juice. Provide data for your three most recently completed fiscal years in chronological order from left to right, and for the specified interim periods.

Value (in \$1,000)					
Item	Fiscal years ended--			January-June	
	<u>2004</u>	<u> </u>	<u>2006</u>	<u>2006</u>	<u>2007</u>
Capital expenditures					
Research and development expenditures					

- b). **Capital expenditures of either agricultural cooperative or corporation.**—If your firm has invested in new or additional equipment to process lemons into lemon juice, lemon oil, or other lemon by-products or co-products in 2004, 2005, 2006, or 2007, please provide the analysis behind your decision to make such an investment and provide copies of any marketing or business projections, studies, or similar information.

PART III.--FINANCIAL INFORMATION--Continued

III-16. Since **January 1, 2004**, has your firm experienced any actual negative effects on its return on investment or its growth, investment, ability to raise capital, existing development and production efforts (including efforts to develop a derivative or more advanced version of the product), or the scale of capital investments as a result of imports of lemon juice from Argentina and/or Mexico?

☐ No

☐ Yes--My firm has experienced actual negative effects as follows:

☐ Cancellation, postponement, or rejection of expansion projects

☐ Denial or rejection of investment proposal

☐ Reduction in the size of capital investments

☐ Rejection of bank loans

☐ Lowering of credit rating

☐ Problem related to the issue of stocks or bonds

☐ Other (specify) _____

III-17. Does your firm anticipate any negative impact of imports of lemon juice from Argentina and/or Mexico?

PART IV.--PRICING AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from **Cindy Cohen (202-205-3230, cindy.cohen@usitc.gov) or (after July 20, 2007)) Amelia Preece (202-205-3250 amelia.preece@usitc.gov).**

IV-1. Who should be contacted regarding the requested pricing and related information?

Company contact:

Name and title

()

Phone number

E-mail address

PRICE DATA

This section requests quarterly quantity and value data on your firm's U.S. shipments of the following products during January 2004 to June 2007.

Product 1.-- Cloudy frozen concentrated lemon juice, nonorganic, for further manufacture¹

Product 2.-- Clarified frozen concentrated lemon juice, nonorganic, for further manufacture¹

Product 3.-- Cloudy NFCLJ, nonorganic, for further manufacture²

¹ For concentrated lemon juice, report data on a 400 grams per liter of anhydrous citric acid (GPL) basis.

² For not-from-concentrate lemon juice, report data on a single strength juice equivalent (SSE) basis.

Please note that total dollar values should be f.o.b., U.S. point of shipment and should not include U.S.-inland transportation costs. Total dollar values should reflect the FINAL NET amount paid to you (i.e., should be net of all deductions for discounts or rebates). See instruction booklet.

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-2a. Report the monthly price data¹ for pricing products² below.

Quantity (in GALLONS @ 400 GPL) and value (in dollars)						
Period of shipment	Product 1 (Cloudy concentrate)		Product 2 (Clear concentrate)		Product 3 (Cloudy NFCLJ)	
	Quantity (gallons)	Value (dollars)	Quantity (gallons)	Value (dollars)	Quantity (gallons)	Value (dollars)
2004:						
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						
2005:						
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						

¹ Net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment.

² Pricing product definitions are provided on the first page of Part IV.

Note.--If your product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your product at the end of the table on the following page.

Table continued.

PART IV.--PRICING AND RELATED INFORMATION--ContinuedIV-2a.-- Continued Report the monthly price data¹ for pricing products² below.

Quantity (in GALLONS @ 400 GPL) and value (in dollars)						
Period of shipment	Product 1 (Cloudy concentrate)		Product 2 (Clear concentrate)		Product 3 (Cloudy NFCLJ)	
	Quantity (gallons)	Value (dollars)	Quantity (gallons)	Value (dollars)	Quantity (gallons)	Value (dollars)
2006:						
January						
February						
March						
April						
May						
June						
July						
August						
September						
October						
November						
December						
2007:						
January						
February						
March						
April						
May						
June						

¹ Net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your U.S. point of shipment.

² Pricing product definitions are provided on the first page of Part IV.

Note.--If your product does not exactly meet the product specifications but is competitive with the specified product, provide a description of your product:

Product 1: _____

Product 2: _____

Product 3: _____

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-3. Please describe how your firm determines the prices that it charges for sales of lemon juice (transaction by transaction negotiation, contracts for multiple shipments, set price lists, etc.). If your firm issues price lists, please include a copy of a recent price list with your submission. If your price list is large, please submit sample pages.

☐ Transaction by transaction ☐ Contracts ☐ Set price lists

☐ Other--Please describe: _____

IV-4. Please describe your firm's discount policy (quantity discounts, annual total volume discounts, etc).

☐ Quantity discounts ☐ Annual total volume discounts ☐ No discounts

☐ No discount policy ☐ Other--Please describe: _____

IV-5. (a) What are your firm's typical sales terms for its U.S.-produced lemon juice (e.g., 2/10 net 30 days)? _____.

(b) On what basis are your prices of domestic lemon juice usually quoted? (check one)

☐ F.o.b.--Please specify point: _____ ☐ Delivered

IV-6. Approximately what shares of your firm's sales of its U.S.-produced lemon juice in 2006 were on a (1) long-term contract basis (multiple deliveries for more than 12 months or longer), (2) short-term contract basis (multiple deliveries up to 12 months), and (3) spot sales basis (for a single delivery)?

<u>Type of sale</u>	<u>Share of sales (percent)</u>
Long term contracts	_____
Short term contracts	_____
Spot sales	_____

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-7. If you sell on a long-term contract basis, please answer the following questions with respect to provisions of a typical long-term contract.

- (a) What is the average duration of a contract? _____
- (b) Can prices be renegotiated during the contract period? ☐ Yes ☐ No
- (c) Does the contract fix quantity, price, or both? ☐ Quantity ☐ Price ☐ Both
- (d) Does the contract have a meet or release provision? ☐ Yes ☐ No
- (e) If contracts have a meet-or-release clause, has your firm actually changed prices during the period in which the contract was in place?

☐ No ☐ Yes -- Please estimate the share of your firm's contract sales since January 1, 2004 in which a price change took place while the contract was in place.

_____ percent.

IV-8. If you sell on a short-term contract basis, please answer the following questions with respect to provisions of a typical short-term contract.

- (a) What is the average duration of a contract? _____
- (b) Can prices be renegotiated during the contract period? ☐ Yes ☐ No
- (c) Does the contract fix quantity, price, or both? ☐ Quantity ☐ Price ☐ Both
- (d) Does the contract have a meet or release provision? ☐ Yes ☐ No
- (e) If contracts have a meet-or-release clause, has your firm actually changed prices during the period in which the contract was in place?

☐ No ☐ Yes -- Please estimate the share of your firm's contract sales since January 1, 2004 in which a price change took place while the contract was in place.

_____ percent.

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-9. If you sell on a contract basis, please report the bidding process for the largest potential sales you bid on since 2004, the names of firms requesting bids, how bids were received, and did the purchaser inform you of other sellers' lower bids to try to get a lower bid from you?

Names of firms requesting bids	When bidding occurred	How bids were sent (internet, telephone...)	Was your firm informed of lower bids from other sellers
			<input type="checkbox"/> Yes <input type="checkbox"/> No Details
			<input type="checkbox"/> Yes <input type="checkbox"/> No Details
			<input type="checkbox"/> Yes <input type="checkbox"/> No Details

IV-10. What is the average lead time between a customer's order and the date of delivery for your firm's sales of your U.S.-produced lemon juice?

<u>Source</u>	<u>Share of sales,</u> <u>2006</u>	<u>Lead time</u>
From inventory	_____ %	_____ days
Produced to order	_____ %	_____ days
Total	100 %	

- IV-11. (a) What is the approximate percentage of the total delivered cost of lemon juice that is accounted for by U.S. inland transportation costs? _____ percent.
- (b) Who generally arranges the transportation to your customers' locations? (check one)
☐ Your firm ☐ or purchaser
- (c) What proportion of your sales occur within 100 miles of your storage or production facility? _____ percent. Within 101 to 1,000 miles? _____ percent. Over 1,000 miles? _____ percent.

IV-12. What is the geographic market area in the United States served by your firm's lemon juice? (check all the apply)

- ☐ Northeast
 ☐ Mid-Atlantic
 ☐ Midwest
 ☐ Southeast
- ☐ Southwest
 ☐ Rocky Mountains
 ☐ West Coast
 ☐ Northwest
- ☐ National
 ☐ Other (describe: _____)

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-13. Describe the end uses of the lemon juice that you manufacture. For each major end-use product, approximately what share of the total cost of the end use is accounted for by lemon juice?

End-use product	Percent of total cost of the end-use product accounted for by lemon juice
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>
<hr/>	<hr/>

IV-14. (a) Please list in order of importance any products that may be substituted for lemon juice.

- (i)

- (ii)

- (iii)

(b) For each possible substitute product, please give examples of applications and end uses for which they are substitutes.

(c) Have changes in the prices of these products affected the price for lemon juice?

☐ No ☐ Yes

IV-15. Do you, your customers, or the final consumers perceive fresh lemons as a substitute for lemon juice?

☐ No ☐ Yes-- Please describe when this substitution may occur.

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-16. Do you or your customers perceive lemon oil as a substitute for lemon juice?

☐ No ☐ Yes-- Please describe when this substitution may occur.

IV-17. Does organic lemon juice differ from conventional lemon juice?

☐ No ☐ Yes-- Please describe how these differ (price, market, availability, etc.).

IV-18. Has the demand within the United States (and outside the United States if known) for lemon juice changed since January 1, 2004?

Within the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

Outside the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

(b) If demand for lemon juice has changed, why has it changed?

IV-19. Has demand for fresh lemons within the United States (and outside the United States if known) changed since January 1, 2004?

Within the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

Outside the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-20. a) How does demand for fresh lemons influence the supply of lemon juice?

b) Provide the shares of lemons (by weight) that were processed for each year.

	2004	2005	2006	2007
Share processed	%	%	%	%
Share to the fresh market	%	%	%	%

c) How were the shares changed due to the January 2007 freezes in Arizona and California, if at all?

IV-21. Has demand for lemon oil within the United States (and outside the United States if known) changed since January 1, 2004?

Within the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

Outside the United States

☐ Increase ☐ No Change ☐ Decrease

☐ Other (please explain) _____

IV-22. How does demand for lemon oil influence the supply of lemon juice?

IV-23. How does the cost of disposal of lemons influence the supply of lemon juice?

PART IV.--PRICING AND RELATED INFORMATION--*Continued*

IV-24. Have you changed the mix of lemon juice products that you produce since 2004?

☐ No

☐ Yes-- Please describe the changes in the product mix and why you made these changes.

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-25. a) In addition to changes in demand, what supply factors have affected apparent consumption (total U.S. market shipments from all sources) of lemon juice within the United States since January 2004 (check all that apply)?

	VERY IMPORTANT	SOMEWHAT IMPORTANT	NOT IMPORTANT
Argentine lemon crop	—	—	—
Mexican lemon crop	—	—	—
U.S. lemon crop	—	—	—
Disease	—	—	—
Nonsubject imports of lemon juice ..	—	—	—
Packaging	—	—	—
Subject imports of lemon juice	—	—	—
U.S. inventories of lemon juice	—	—	—
Weather.....	—	—	—
Loss of lemon grove acreage in Argentina.....	—	—	—
Loss of lemon grove acreage in Mexico	—	—	—
Loss of lemon grove acreage in the United States.....	—	—	—
Citrico's bankruptcy.....	—	—	—
Increased imports of lemon juice rather than fresh lemons	—	—	—
Other (specify): _____	—	—	—

b) Please discuss the degree to which demand and each of these supply factors had an effect on both apparent consumption in the U.S. market and the price and shipments of U.S.-produced lemon juice.

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-26. a) Did Citrico's bankruptcy have any effect on your firm either directly or indirectly?

☐ No ☐ Yes-- Please describe the impact.

b) Did Citrico's bankruptcy have any effect on the market for lemon juice (including the effects of the liquidation of Citrico's inventories, and other assets)?

☐ No ☐ Yes-- Please describe the impact.

IV-27. Have there been any significant changes in the product range or marketing of lemon juice since January 1, 2004?

☐ No ☐ Yes-- Please describe.

IV-28. Has your firm refused to sell or been unable to sell lemon juice to any customer since January 1, 2004?

☐ No ☐ Yes--Please list the purchaser(s) refused, when this occurred, and give the reasons for the refusal or inability to sell.

Purchaser refused	When did this occur	Reason unable or unwilling to sell

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-29. a) What was the impact of the January 2007 freezes in California on the lemon juice market?

Did it cause price to increase	Did it cause quantity available to decline?	Other changes caused by freeze
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

b) What was the impact of the January 2007 freezes in Arizona on the lemon juice market?

Did it cause price to increase	Did it cause quantity available to decline?	Other changes caused by freeze
<input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/> Yes <input type="checkbox"/> No	

IV-30. Is lemon juice produced in the United States and in other countries interchangeable (*i.e.*, can they physically be used in the same applications)? Please indicate below, using “A” to indicate that the products from a specified country-pair are always interchangeable, “F” to indicate that the products are frequently interchangeable, “S” to indicate that the products are sometimes interchangeable, “N” to indicate that the products are never interchangeable, and “0” to indicate no familiarity with products from a specified country-pair.¹

Country-pair	United States	Argentina	Mexico	Other countries
United States				
Argentina				
Mexico				

¹ For any country-pair producing lemon juice which is *sometimes* or *never* interchangeable, please explain the factors that limit or preclude interchangeable use:

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-31. Are differences other than price (*i.e.*, quality, availability, transportation network, product range, technical support, *etc.*) between lemon juice produced in the United States and in other countries a significant factor in your firm's sales of the products? Please indicate below, using "A" to indicate that such differences are always significant, "F" to indicate that such differences are frequently significant, "S" to indicate that such differences are sometimes significant, "N" to indicate that such differences are never significant, and "0" to indicate no familiarity with products from a specified country-pair.¹

Country-pair	United States	Argentina	Mexico	Other countries
United States				
Argentina				
Mexico				

¹ For any country-pair for which factors other than price always or frequently are a significant factor in your firm's sales of lemon juice, identify the country-pair and report the advantages or disadvantages imparted by such factors:

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-32. Please identify below the names and addresses of your firm's 10 largest customers for lemon juice during 2004-06. Please also provide the name and telephone number of a contact person and the share of the quantity of your firm's total shipments of lemon juice that each of these customers accounted for in 2006.

No.	Customer's Name	Street address (not P.O. box), city, state, and zip code	Contact Person (e-mail address)	Area code and telephone number	Share of 2006 sales(%)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-33 COMPETITION FROM IMPORTS--LOST REVENUES.-- **PLEASE DO NOT RE-SUBMIT ALLEGATIONS PROVIDED IN THE PRELIMINARY PHASE OF THESE INVESTIGATIONS.** Since **January 1, 2004**: To avoid losing sales to competitors selling lemon juice from Argentina or Mexico, did your firm:

a) Reduce prices ☐ No ☐ Yes

b) Roll back announced price increases ☐ No ☐ Yes

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost revenues whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). Please note that the Commission may contact the firms named to verify the allegations reported.

Customer name, contact person, phone and fax numbers

Specific product(s) involved

Date of your initial price quotation

Quantity involved

Your initial ***rejected*** price quotation (total delivered value)

Your ***accepted*** price quotation (total delivered value)

The country of origin of the competing imported product

The competing price quotation of the imported product (total delivered value)

Customer name, contact person, phone, fax numbers, and e-mail addresses	Product	Date of quote	Quantity (gallons)	Initial rejected U.S. price (total value--dollars)	Accepted U.S. price (total value--dollars)	Country of origin	Competing import price (total value—dollars)

PART IV.--PRICING AND RELATED INFORMATION--Continued

IV-34 **COMPETITION FROM IMPORTS--LOST SALES.-- PLEASE DO NOT RE-SUBMIT ALLEGATIONS PROVIDED IN THE PRELIMINARY PHASE OF THESE INVESTIGATIONS.** Since **January 1, 2004**: Did your firm lose sales of lemon juice to imports of these products from Argentina or Mexico ?

☐ No

☐ Yes

If yes, please furnish as much of the following information as possible for each affected transaction. Document such allegations of lost sales whenever possible (documentation could include copies of invoices, sales reports, or letters from customers). Please note that the Commission may contact the firms named to verify the allegations reported.

Customer name, contact person, phone and fax numbers

Specific product(s) involved

Date of your price quotation

Quantity involved

Your rejected price quotation (total delivered value)

The country of origin of the competing imported product

The accepted price quotation of the imported product (total delivered value)

Customer name, contact person, phone and fax numbers	Product	Date of quote	Quantity (gallons)	Rejected U.S. price (total value-- dollars)	Country of origin	Competing import price (total value— dollars)