



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

**CERTAIN DUCTILE IRON WATERWORKS FITTINGS  
FROM CHINA**

**Investigation No. TA-421-4**

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

***Fred Ruggles, investigator (202-205-3187; E-mail fruggles@USITC.GOV).***

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS**

### **GENERAL INFORMATION**

***Background.***--This investigation was instituted in response to a petition properly filed on September 5, 2003, on behalf of McWane Inc., Birmingham, AL, on behalf of its three subsidiaries Clow Water Systems Co., Coshocton, OH; Tyler Pipe Co., Tyler, TX; and Union Foundry Co., Anniston, AL. Import relief may be imposed by the President on the subject imports as a result of this investigation if the Commission determines that imports of the subject ductile iron waterworks fittings from China are being imported in such increased quantities or under such conditions as to cause or threaten to cause market disruption to the domestic producers of the like or directly competitive products. The President may impose relief in the form of increased duties and/or other restrictions on imports of certain ductile iron waterworks fittings from China that are the subject of an affirmative determination.

In addition, the petition alleges that critical circumstances exist, and requests that the President impose relief on a provisional basis pending completion of a full Commission investigation and Presidential consideration.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. 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 **September 19, 2003**. 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 investigation.

***Service of questionnaire response(s).***--In the event that your firm is a party to this investigation, 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 §§ 206.47 and 206.17). 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 §§ 206.47 and 206.17).

***Confidentiality and disclosure under APO.***--Except as provided below, 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. Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical confidential business 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**

### **GENERAL INFORMATION--Continued**

#### **Confidentiality and disclosure under APO.--Continued**

The information provided by your firm in response to the questionnaire(s), as well as any other confidential business information submitted by your firm to the Commission in connection with the investigation, may become subject to, and released under, the administrative protective order provisions of sections 206.47 and 206.17 of the Commission's Rules of Practice and Procedure (19 CFR §§ 206.47 and 206.17). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use solely in connection with this investigation; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals. In addition, the confidential business information that you submit may be provided to the President and U.S. Trade Representative in a confidential version of the report that the Commission transmits to the President and the U.S. Trade Representative, should the Commission transmit a confidential version. Confidential business information that you submit may also be used in any other import injury investigations conducted by the Commission on the same or similar merchandise. Any such confidential business information will be deleted from the version of the report that the Commission releases to the public.

Information submitted in this questionnaire response and throughout this investigation 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 this investigation 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.

**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 confidential business information submitted by your firm to the Commission in connection with the investigation, may become subject to, and released under, the administrative protective order provisions of sections 206.47 and 206.17 of the Commission's Rules of Practice and Procedure (19 CFR §§ 206.47 and 206.17). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use solely in connection with this investigation; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals. In addition, the confidential business information that you submit may be provided to the President and U.S. Trade Representative, including in a confidential version of the report that the Commission transmits to the President, should the Commission transmit a confidential version. Any such confidential business information will be deleted from the version of the report that the Commission releases to the public.

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

### 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 this investigation (i.e., a producer, importer, and/or purchaser questionnaire), you need not respond to duplicated questions in the questionnaires.

***Consolidate all establishments in China.***--Report the requested data for your establishment(s) located in China. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

### DEFINITIONS

***Certain ductile iron waterworks fittings (DIWF), or subject products.***--Cast pipe or tube fittings of ductile iron (containing 2.5 percent carbon and over 0.02 percent magnesium or magnesium and cerium, by weight) with mechanical, push-on (rubber compression) or flanged joints attached. Ductile iron waterworks fittings are used to join pipes, valves, and hydrants in straight lines or to change, divert, divide, or direct the flow of water or sewage in municipal utility and industrial piping systems. Included within this definition are fittings of all nominal diameters and of both full-bodied and compact designs.

The imported products are described in statistical reporting number 7307.19.3070 of the Harmonized Tariff Schedule of the United States (HTS). Although the HTS category is provided for convenience and Customs purposes, the written description of the merchandise under investigation is dispositive.

Excluded from the scope of the petition are (1) gray iron fittings; (2) grooved-end fittings or grooved couplings (HTS number 7307.19.3040); (3) threaded ductile iron fittings (HTS number 7307.19.3060); (4) “other” ductile iron fittings (HTS number 7307.19.3085); (5) iron glands; and (6) accessory packs for DIWF.

***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.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**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 involved in the production and/or exportation of certain ductile iron waterworks fittings (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States.**--For purposes of this investigation, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

**Importer.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing certain ductile iron waterworks fittings (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).

**Production.**--All production in your establishment(s) in China, including production consumed internally within your firm and production for another firm under a toll agreement.

**Shipments.**--Shipments of products produced in your establishment(s) in China. Include shipments to the contracting firm of product produced by your firm under a toll agreement.

**Shipment quantities.**--Quantities reported should be net of returns.

**Shipment values.**--Values reported (in U.S. dollars) should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods), f.o.b. your producing establishment(s) in China.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

#### **Types of shipments:**

**Home market sales.**--Shipments, other than internal consumption and transfers to related firms, within China.

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

**Export shipments.**--Shipments to destinations outside China, including shipments to related firms.

**Inventories.**--Finished goods inventory, not raw materials or work-in-progress.

**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).