



**GENERAL INFORMATION, INSTRUCTIONS, AND
DEFINITIONS FOR COMMISSION PRODUCER,
IMPORTER, AND PURCHASER QUESTIONNAIRES**

**Canned Pineapple Fruit from Thailand
Investigation No. 731-TA-706 (Second Review)**

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

Dana Lofgren, investigator (202-205-3185; E-mail dana.lofgren@usitc.gov) regarding general questions and trade and related information;

David Boyland, auditor (202-708-4725; E-mail david.boyland@usitc.gov) regarding financial information; and

Craig Thomsen, economist (202-205-3226; E-mail craig.thomsen@usitc.gov) regarding pricing, market, and related information.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

GENERAL INFORMATION

Background.--On July 18, 1995, the Department of Commerce issued an antidumping duty order on imports of canned pineapple fruit from Thailand (60 F.R. 36775). On May 17, 2001, the Commission determined that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of material injury to an industry in the United States (66 F.R. 27534), and the order was continued (66 F.R. 29285, May 30, 2001). On April 3, 2006, the Commission instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (71 F.R. 16585). If the Commission makes an affirmative determination, the order will remain in place. If the Commission makes a negative determination, the Department of Commerce will revoke the order.

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, 500 E Street SW, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this review 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 October 30, 2006. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by October 30, 2006. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of Dana Lofgren, Room 615-D. **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 review.**

Service of questionnaire response(s).--In the event that your firm is a party to this review, 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).

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

GENERAL INFORMATION--Continued

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.

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 review, 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 solely in connection with this review; 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 this review (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

INSTRUCTIONS--Continued

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

DEFINITIONS

Canned Pineapple Fruit.--Pineapple processed and/or prepared into various product forms, including rings, pieces, chunks, tidbits and crushed pineapple, that is packed and cooked in metal cans with either pineapple juice or sugar syrup added, as covered by statistical reporting numbers 2008.20.0010 and 2008.20.0090 of the Harmonized Tariff Schedule of the United States (HTS).

Subject Canned Pineapple Fruit.--“Subject canned pineapple fruit” is canned pineapple fruit (as defined above) produced and exported by Thai producers subject to the antidumping duty order.

Nonsubject Canned Pineapple Fruit.--“Nonsubject canned pineapple fruit” can be either 1) canned pineapple fruit from nonsubject Thai producers or 2) canned pineapple fruit from all other sources. Nonsubject Thai producers are those Thai producers that are not subject to the antidumping duty order and include Siam Food Products Public Co. Ltd. (SFP) (from December 13, 2002 forward), Dole, Kuiburi Fruit Canning Co., Ltd. (KFC), and The Thai Pineapple Public Co., Ltd. (TIPCO or, as it is currently known, The Tipco Foods (Thailand) PCL) (from August 13, 2004 forward).

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 the United States involved in the production, importation, and/or purchase of canned pineapple fruit (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

United States.--For purposes of this review, 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 canned pineapple fruit (as defined above) into the United States from a foreign manufacturer or through its selling agent.

Imports.--Those products identified for Customs purposes as imports for consumption for which your firm was the importer of record (i.e., was responsible for paying any import duty) or consignee (i.e., to which the merchandise was first delivered). If your firm was the importer of record, but not the consignee OR was the consignee, but not the importer of record, please contact Dana Lofgren (202-205-3185 or dana.lofgren@usitc.gov) immediately for further instructions.

Import quantities.--Quantities reported should be net of returns.

Import values.--Values reported should be landed, duty-paid but not including antidumping and/or countervailing duties, at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and normal import duties (i.e., including all charges except inland freight in the United States and antidumping and/or countervailing duties). Brokerage charges are intended to reflect customs brokerage charges rather than any downstream brokerage charges that may be incurred.

Purchaser.--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing canned pineapple fruit (as defined above) from another firm that produces, imports, or otherwise distributes canned pineapple fruit.

Purchases.--Purchases from all sources, including (unless otherwise indicated) direct imports from foreign producers.

Purchase quantities.--Quantities reported should be net of returns.

Purchase values.--Values reported should be net values (i.e., gross purchase values less all discounts, allowances, rebates, and the value of returned goods), delivered to your U.S. receiving point.

Shipments.--Shipments of products produced in or imported by your U.S. establishment(s). 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.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Shipment values.--Values reported 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 U.S. producing establishment(s) (for PRODUCER QUESTIONNAIRES) or U.S. point of shipment (for IMPORTER QUESTIONNAIRES). The value of domestic shipments to the contracting firm under a toll agreement is the conversion fee (including profit).

Types of shipments:

U.S. shipments.--Commercial shipments, internal consumption, and transfers to related firms within the United States.

Commercial shipments.--Shipments, other than internal consumption and transfers to related firms, within the United States.

Internal consumption.--Product consumed internally by your firm.

Transfers to related firms.--Shipments made to related domestic firms.

Export shipments.--Shipments to destinations outside the United States, including shipments to related firms.

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

Case equivalent.--1 case equivalent equals 30 pounds of fruit net weight, exclusive of packaging.

Retail.--Composed of grocery distribution outlets, e.g., food store chains, independent grocers and wholesale distributors serving the grocery industry.

Food service.--Composed of large institutional users such as hospitals, schools, restaurants, chains, and government purchasers.

Industrial.--Composed of processors that combine canned pineapple fruit with other food products (i.e., fruit cocktail) to add further value before sale.

National brands.--Brands created by manufacturers, such as Dole and Del Monte.

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

Private labels.--Brands associated with the grocery retailers, such as Safeway, Giant, and America's Choice.

First private labels.--Private labels that are value alternatives to national brands and have quality that is equal to or comparable to national brands.

Second private labels.--Private labels that are lower in quality and exist as lower price alternatives to first private labels.

Regional labels.--Non-national brands associated with independent firms that are responsible for their own promotion and product positioning, such as Geisha, Libby, Three Diamond, Empress, and Nature's Farm.

Fancy grade.--Equivalent to U.S. Grade A, which stipulates that the fruit is of good color, is practically uniform in size and shape, and is practically free from defects.

Choice grade.--Equivalent to U.S. Grade B, which stipulates that the fruit is of reasonably good color, is reasonably uniform in size and shape, and is reasonably free from defects.

Standard grade.--Equivalent to U.S. Grade C, which stipulates that the fruit is of fairly good color and is fairly free of defects.

The following definitions apply only to the PRODUCER QUESTIONNAIRE.

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).

Toll agreement.--Agreement between two firms whereby the first firm furnishes the raw materials and the second firm uses the raw materials to produce a product that it then returns to the first firm with a charge for processing costs, overhead, etc.

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

PRWs.--Production and related workers, including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling,

GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

DEFINITIONS--Continued

inspecting, receiving, storage, handling, packing, warehousing, shipping, trucking, hauling, maintenance, repair, janitorial and guard services, product development, auxiliary production for plant's own use (e.g., power plant), recordkeeping, and other services closely associated with the above production operations.

Average number employed.--Add the number of employees, both full-time and part-time, for the 12 pay periods ending closest to the 15th of the month and divide that total by 12. For the January-September periods, calculate similarly and divide by 9.

Hours worked.--Include time paid for sick leave, holidays, and vacation time. Include overtime hours actually worked; do not convert overtime pay to its equivalent in straight-time hours.

Wages paid.--Total wages paid before deductions of any kind (e.g., withholding taxes, old-age and unemployment insurance, group insurance, union dues, bonds, etc.). Include wages paid directly by your firm for overtime, holidays, vacations, and sick leave.

Fiscal year.--The 12-month period between settlement of your firm's financial accounts.

Purchases other than direct imports.--Purchases from U.S. producers, U.S. importers, and other U.S. sources.