



## **INSTRUCTION BOOKLET**

### **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS FOR COMMISSION QUESTIONNAIRES**

### **TOW-BEHIND LAWN GROOMERS FROM CHINA INV. NOS. 701-TA-457 AND 731-TA-1153 (PRELIMINARY)**

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

*Russell Duncan, Investigator (202-708-4727; E-mail [russell.duncan@usitc.gov](mailto:russell.duncan@usitc.gov))  
regarding general questions and trade and related information.*

*Mary Klir, Auditor (202-205-3247; E-mail [mary.klir@usitc.gov](mailto:mary.klir@usitc.gov))  
regarding financial information*

*Nancy Bryan, Economist (202-205-2088; E-mail [nancy.bryan@usitc.gov](mailto:nancy.bryan@usitc.gov))  
regarding pricing, market, and related information*

## **GENERAL INFORMATION**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

**Background.**--These investigations were instituted in response to a petition filed on June 24, 2008 by Agri-Fab, Inc., Sullivan, IL, 61951. Countervailing and/or antidumping duties may be assessed on imports of tow-behind lawn groomers (“TBLG”) from China as a result of these investigations if the U.S. International Trade Commission (“Commission”) makes an affirmative determination of injury, threat, or material retardation, and if the U.S. Department of Commerce (“Commerce”) makes an affirmative determination of subsidization and/or dumping.

Questionnaires and other information pertinent to these investigations are available at on the Commission’s website ([www.usitc.gov](http://www.usitc.gov)), under the “antidumping and countervailing duty investigations” (left-hand side of home page) and then “active investigations” (right-hand side of second page). Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding these investigations 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:

**JULY 8, 2008**

Please make sure the completed questionnaire(s) is sent to the attention of Russell Duncan. 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 other 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.

**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

## **GENERAL INFORMATION--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

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. In addition, if your firm is a U.S. producer, the information you provide on your production and imports of TBLGs and your responses to the questions in Part I of the producer questionnaire will be provided to the U.S. Department of Commerce, upon its request, for use in connection with (and only in connection with) its requirement pursuant to section 702(c)(4)/732(c)(4) of the Act (19 U.S.C. § 1671a(c)(4)/1673a(c)(4)) to make a determination concerning the extent of industry support for the petition requesting these investigations. Any information provided to Commerce will be transmitted under the confidentiality and release guidelines set forth above. Your response to these questions constitutes your consent that such information be provided to Commerce under the conditions described above.

## **INSTRUCTIONS**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

**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--and indicate in the footnotes of the table(s) in which line items estimates were used.** 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).

**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 report.

**Electronic completion.**--Your firm is encouraged to complete the questionnaire electronically in MS Word format, although hand-written responses will be accepted. The MS Word version of the questionnaire(s) is available online at the ITC web page for these investigations or directly from the Commission's Investigator, Russell Duncan (202-708-4727, [russell.duncan@usitc.gov](mailto:russell.duncan@usitc.gov)). Please note that you have several options for submitting the questionnaire(s), once completed, as detailed under "submission instructions" below.

**Submission instructions.**--Questionnaires may be submitted to the Commission in either paper or electronic form as indicated on the following page.

## **INSTRUCTIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

### **OPTIONS FOR PAPER FORM SUBMISSIONS**

- 1) **Overnight mail service**--Mail to the following address:

United States International Trade Commission  
Attn: Russell Duncan  
Office of Investigations, Room 615-U  
500 E Street SW  
Washington, DC 20024

- 2) **Fax**--Fax to 202.205.3205. (This option is not recommended, as faxed submissions are at times difficult to decipher).
- 3) **U.S. mail**--Mail to the address above, but using zip code 20436. (This option is not recommended as U.S. mail sent to government offices undergoes additional processing to screen for hazardous materials; this additional processing results in substantial delays in delivery).

### **OPTIONS FOR ELECTRONIC SUBMISSIONS**

This questionnaire is available as a “fillable” form in MS Word format on the Commission’s website at:

[http://www.usitc.gov/trade\\_remedy/731\\_ad\\_701\\_cvd/investigations/2008/tblgs/prelimphase.htm](http://www.usitc.gov/trade_remedy/731_ad_701_cvd/investigations/2008/tblgs/prelimphase.htm)

Please do not attempt to modify the format or permissions of the questionnaire document. You may complete the questionnaire electronically, print it out, and submit it in paper form as described above, or you may submit it electronically through one of the following means:

- 4) **EDIS**--By means of the Commission’s Electronic Document Information System (“EDIS”). See the step-by-step instructions provided on the next page.
- 5) **E-mail**--E-mail the completed questionnaire(s) to Russell Duncan ([russell.duncan@usitc.gov](mailto:russell.duncan@usitc.gov)) in MS Word form and include a scanned PDF (or other image file) of the signed certification page(s) (page 1). In the subject line of your e-mail submission, please include: **BPI Questionnaire TBLGs, 701-457**. Please note that submitting your questionnaire by e-mail may subject your firm’s business proprietary information to transmission over an unsecure environment and to possible disclosure. If you choose this option, the Commission warns you that any risk involving possible disclosure of such information is assumed by the submitter and not by the Commission.
- 6) **Compact disc (CD)**--Copy or burn the completed questionnaire(s) in MS Word onto a CD, and include a scanned PDF (or other image file) of the signed certification page(s) (page 1), and mail to the address above. If you choose this option for submission, please use an overnight mail service as the additional processing that regular U.S. mail undergoes when sent to government offices results not only in substantial delays in delivery but also damaged (melted) CDs.

**Note to parties**--If you are a party to the investigations, and service of the questionnaire(s) is required, such service should be made in paper form pursuant to the applicable Commission rules.

## **INSTRUCTIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

### **STEP-BY-STEP INSTRUCTIONS FOR FILING VIA EDIS**

**STEP 1: REGISTER AS A NEW USER IN EDIS** (currently registered users may skip to step 2). Note that the authorized official whose name appears under the Certification at the bottom of page 1 of the questionnaire should be the person who completes the registration in EDIS.

- Go to <https://eofpub.usitc.gov/edis-efile/app>
- Click on Register
- Read and accept the Terms of Use Agreement
- Complete the EDIS Online User Registration form
- In the Firm/Organization field, select “Questionnaire Respondent”
- Click Submit Registration

**STEP 2: ELECTRONICALLY SUBMIT YOUR QUESTIONNAIRE(S) IN EDIS.** Note that if your firm is completing more than one questionnaire for these investigations, each questionnaire must be filed separately, *i.e.*, repeat this step as appropriate.

- Logged into EDIS, click on E-File Documents
- Under Submitter Information--
  - Type the name of your firm in the “Filed On Behalf Of” field
- Under Investigation Information--
  - Click on Find Investigation
  - For Investigation Phase, select “Prelim” and for Investigation Number, type “701-457”; then click on Find Investigation
  - Click in the circle to the left of the investigation number that appears, then click on Select and confirm by clicking OK.
- Under Document Filing Information--
  - For the “Document Type” field, select the appropriate questionnaire type (Foreign Producer, Importer, Purchaser, or U.S. Producer, as appropriate)
  - Leave Document Title field blank
- Under Add Document Attachments for Electronic Submission--
  - In the “Attach File” field, click on Browse, locate your completed questionnaire in MS Word format for upload.
  - The “Attachment Title” field is optional
  - Click on Attach Files (note that your file will be listed below under Attachments)
  - Repeat the upload process to attach a scanned PDF file of the signed certification page of the questionnaire (page 1). This is required.
  - If you wish to attach any other files, *i.e.*, supporting documents, you may do so at this time (unlike the questionnaire itself, these additional documents must be PDF files). Submission of additional supporting documents in PDF is optional for the electronic submission process, but may be required for the investigations.
- When you have attached all relevant files for the single questionnaire submission, click on “Submit Document w/attachments.” An EDIS Document Submission Confirmation screen will appear. Confirm the information (or revise as necessary) and click on Accept Information.
- Once you have successfully submitted the completed questionnaire, an EDIS Notice of Receipt of Electronic Documents will appear. The registered user should receive confirmation of the submission via e-mail. If you wish to electronically file another questionnaire, repeat Step 2.

## **DEFINITIONS**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

**Tow-Behind Lawn Goomers (“TBLGs”)**--TBLGs are defined as lawn sweepers, aerators, dethatchers and spreaders and certain parts thereof. All TBLGs are designed to be used in the care and maintenance of lawn and turf. TBLGs incorporate a hitch, of any design, which allows the TBLG to be towed behind a garden tractor, all terrain vehicles (“ATVs”), utility type vehicles (“UTVs”), riding lawn mower, or similar vehicle. The merchandise subject to investigations includes “convertible” groomers, which incorporate both a hitch and a push handle, of any type. The hitch and the handle may be permanently attached or removable, and they may be attached on opposite sides or on the same side. TBLGs are usually composed primarily of steel, but TBLGs of any material are included within the scope of these investigations.

**Tow-Behind Lawn Aerators (“Aerators”)**-- Aerators consist of an “aerating” component, which is made up of either a set of knives fixed to a plate (known as a “plug aerator”) or a series of discs with protruding spikes (known as a “spike aerator”). The aerating component is attached to an axle or shaft. For a plug aerator, the knives are designed to remove plugs of soil from the ground to allow aeration. For a spike aerator, the spikes penetrate the soil and create holes in the ground to allow aeration. Aerators also have a “weight tray” above the aerating component. The weight tray consists of a flat piece of sheet metal or other material, with raised sides. The weight tray is designed to hold optional weights in place in order to manipulate the depth of aeration. The tray also acts as a frame for the aerator and is attached to the hitch. The merchandise subject to these investigations includes both spike and plug aerators, with or without wheels, with a net assembled weight of 150 pounds or less. In addition, the merchandise subject to these investigations includes aerators imported in unassembled “kit” form. A lawn aerator “kit” is defined as a complete unassembled lawn aerator, or any combination of lawn aerator parts that includes a weight tray. The merchandise subject to these investigations also covers weight trays designed to be attached to lawn aerators.

**Tow-Behind Lawn Dethatchers (“Dethatchers”)**--Dethatchers consist of a series of tines, called “tine assemblies,” composed of spring steel, that are designed to remove dead grass (known as “thatch”) on lawns or turfs. The line assembly is attached to and suspended from a “weight tray” which, in turn, is attached to a hitch. The weight tray is a flat piece of sheet metal or other material, with raised sides designed to hold optional weights in place in order to vary the depth of dethatching. The merchandise subject to these investigations includes all lawn dethatchers, with or without wheels, with a net assembled weight of 75 pounds or less. It also covers dethatchers imported in unassembled or “kit” form. A lawn dethatcher “kit” is defined as a complete unassembled lawn dethatcher, or any combination of lawn dethatcher parts that includes a weight tray. The merchandise subject to these investigations includes weight trays designed to be attached to lawn dethatchers which are imported separately.

**Tow-Behind Lawn Spreaders (“Spreaders”)**--Spreaders consist of a hopper—a funnel shaped part of steel, plastic, or other material—which holds media, such as grass seed, fertilizer or herbicide, to be spread. The media are distributed by means of either: 1) a rotating spreader plate to broadcast the media (“broadcast spreader”) or 2) a rotating agitator which allows the media to be released at a consistent rate (“drop spreader”). The hopper assembly is mounted on a frame of metal tubing, or other material, and attached to a hitch. Spreaders are normally described by hopper capacity, measured either by volume or by weight (e.g., 14 gallon dry, or 125 pound). The merchandise subject to these investigations includes all lawn spreaders, including both broadcast and drop spreaders, with a net assembly of 150 pounds or less. Drop spreaders which incorporate an aerator are also included within the scope of these investigations. The merchandise subject to these investigations includes spreaders imported in unassembled or “kit” form. A lawn spreader “kit” is defined as a complete unassembled lawn spreader, or any combination of lawn spreader parts which includes a hopper.

## **DEFINITIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

**Tow-Behind Lawn Sweepers (“Sweepers”)**--Sweepers consist of a hitch, steel tubing or framing, and a steel or plastic “brush housing.” The main components of a brush housing include a “wrapper,” which is a curved piece of metal, plastic, or other material, and two end plates—made of metal, plastic or other material—fastened to each side of the wrapper. Alternatively, the housing may also be a unitary piece, of any material, which incorporates both the wrapper and the end plates. A series of brushes are attached to a shaft, and are rotated by means of geared wheels or a drive shaft within the housing assembly. The brushes are attached to a shaft, and are rotated by means of geared wheels or a drive shaft within the housing assembly. The brushes pick up leaves, grass, clippings, and other lawn debris and deposit them in a hopper—which consists of a bag, supported by steel tubing, and typically fastened to the housing by means of a hitch—for disposal. Lawn sweepers vary in terms of the width of the housing and certain features, such as height adjustment, bag capacity, and brush speed. The subject merchandise in these investigations covers all lawn sweepers with a net assembled weight of 150 pounds or less. In addition, the petition covers lawn sweepers imported in unassembled or “kit” form. A lawn sweeper “kit” is defined as a complete unassembled lawn sweeper, or any combination of lawn sweeper parts that includes a brush housing or any of the parts of a brush housing—including the wrapper and/or end plates—designed to be attached to a lawn sweeper. The scope of the included merchandise also includes a brush housing or its components imported separately.

**Combos**--TBLGs which are designed to perform multiple lawn grooming functions simultaneously—such as aerating soil and spreading fertilizer, or removing thatch and sweeping lawn debris—are also included in the scope of these investigations. For the purposing of reporting in the Commission’s questionnaires, please report the an aerator/spreader combo as a “spreader” and a dethatcher/sweeper combo as a “sweeper.”

Note.--Also included in the scope of the merchandise subject to these investigations are any modular units, consisting of a chassis—with or without wheels—and a hitch, which allow modules that perform dethatching, aerating, sweeping, or spreading operations to be interchanged. Modular units, imported with or without lawn grooming modules, with a net chassis weight of 150 pounds or less, and lawn grooming modules imported separately are included in the scope.

**Potential HTS numbers**--The following table provides the statistical reporting numbers of the Harmonized Tariff Schedule of the United States (“HTSUS”) currently believed to include the proper classification of TBLGs. While these HTSUS provisions are given for reference and customs purposes only, the description of merchandise is dispositive for determining the scope of the product included in these investigations. If your firm is an importer of the subject merchandise as defined above and imports these products under provisions of the HTSUS other than those provided below, please indicate in your questionnaire response the applicable additional or separate statistical reporting numbers of the HTSUS.

Aerators	Detachers	Spreaders	Sweepers
8479.89.9897	8479.89.9897	8432.40.0000	8479.89.9897
8432.80.0000	8432.80.0000	8432.80.0000	8432.80.0000

**Excluded products**--TBLGs do not include: (1) agricultural implements designed to work soil such as cultivators, harrows, and plows; (2) lawn or farm carts and wagons; (3) grooming products incorporating a motor or an engine for the purpose of operating the groomer; (4) motorized grooming products which use a motor to propel the mechanism; (5) spreaders which are designed to be hand held or are designed to be attached directly to the frame of a vehicle, rather than towed; and (6) “push” grooming products, which incorporate a push handle rather than a hitch, and which are designed solely to be manually pushed or

## **DEFINITIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

“walked behind” by the operator.

**Subject merchandise.**--All TBLGs.

**Subject imports.**--Imports of TBLGs from China.

**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 TBLGs (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 TBLGs (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).

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

**Import values.**--Values reported should be landed, duty-paid values at the U.S. port of entry, including ocean freight and insurance costs, brokerage charges, and import duties (*i.e.*, all charges except inland freight in the United States).

**Purchaser.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in purchasing TBLGs (as defined above) from another firm that produces, imports, or otherwise distributes TBLGs. A retail firm that is the importer of record may be considered a purchaser.

**Purchases.**--Purchases from all sources, *not* including direct imports from foreign producers (which should be reported as imports in a U.S. importers' questionnaire).

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

**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.



## **DEFINITIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

**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. point of shipment. 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.

The following definitions apply only to the U.S. PRODUCERS' 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 ("PRWs"), including working supervisors and all nonsupervisory workers (including group leaders and trainees) engaged in fabricating, processing, assembling, 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-March periods, calculate similarly and divide by 3.

**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

## **DEFINITIONS--Continued**

(Instruction Booklet, in Inv. Nos. 701-TA-457 and 731-TA-1153, TBLGs from China (Preliminary))

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, excluding direct imports (which should be reported as imports in a U.S. importers' questionnaire).