

U.S. PURCHASERS' QUESTIONNAIRE
CERTAIN FROZEN FISH FILLETS FROM VIETNAM

This questionnaire must be received by the Commission by no later than March 10, 2009

See page 4 of the Instruction Booklet for filing instructions.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its review of the antidumping duty order concerning certain frozen fish fillets from Vietnam (inv. No. 731-TA-1012 (Review)). 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)). Further information on this questionnaire can be obtained from Gerry Benedick (phone: 202 205-3244; fax: 202 205-2340; e-mail: gerald.benedick@usitc.gov).

Name of firm _____	
Address _____	
City _____	State _____ Zip Code _____
World Wide Web address _____	
Has your firm purchased certain frozen fish fillets (as defined in the instruction booklet) <u>from any source</u> (domestic or foreign) at any time since January 1, 2003?	
☐ 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 means of 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 this review in any other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise.

I acknowledge that information submitted in this questionnaire response and throughout this review 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 review 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: ()	E-mail address
	Fax ()	

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. **OMB statistics.**--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

I-1b. **OMB feedback.**--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. **Establishments covered.**--Provide the name and address of establishment(s) covered by this questionnaire (see page 3 of the instruction booklet for reporting guidelines). If your firm is publicly traded, please specify the stock exchange and trading symbol.

I-3. **Ownership.**--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-4. **Related "subject" importers/exporters.**--Does your firm have any related firms, either domestic or foreign, which are engaged in importing certain frozen fish fillets from Vietnam into the United States or which are engaged in exporting certain frozen fish fillets from Vietnam to the United States?

☐ No ☐ Yes--List the following information.

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

PART I.--GENERAL INFORMATION--Continued

- I-5. **Related “nonsubject” importers/exporters.**--Does your firm have any related firms, either domestic or foreign, which are engaged in importing certain frozen fish fillets from countries other than Vietnam into the United States or which are engaged in exporting certain frozen fish fillets from countries other than Vietnam to the United States?

☐ No ☐ Yes--List the following information.

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

- I-6. **Related producers.**--Does your firm have any related firms, either domestic or foreign, which are engaged in the production of certain frozen fish fillets?

☐ No ☐ Yes--List the following information.

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

- I-7. **Business plan.**--In Part III of this questionnaire we request a copy of your company's business plan. Does your company or any related firm have a business plan or any internal documents that describe, discuss, or analyze expected future market conditions for certain frozen fish fillets?

☐ No ☐ Yes--Please provide the requested documents. If you are not providing the requested documents, please explain why not.

Supply all data requested on a calendar-year basis.

II-1. **Contact information (Purchases).**--Who should be contacted regarding the requested trade and related information?

Company contact:

Name and title

()

Phone number

E-mail address

II-2. **Purchases.**--Report, as indicated below, your firm's purchases (either directly or through a sales agent or broker) of certain frozen fish fillets. Report based on delivery date, not order date.

Quantity (1,000 pounds) and value (in \$1,000)						
Item	2003	2004	2005	2006	2007	2008
Purchases of certain frozen fish fillets produced in-- The United States: <i>Quantity</i>						
<i>Value</i>						
Vietnam: <i>Quantity</i>						
<i>Value</i>						
All other countries: ¹ <i>Quantity</i>						
<i>Value</i>						
¹ Please identify these countries: _____						

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

II-3. Purchases before and after order.--

- (a) Did your firm purchase certain frozen fish fillets from Vietnam before August 2003?
- ☐ No--skip to (c) ☐ Yes
- (b) If yes, has your pattern of purchasing certain frozen fish fillets from Vietnam changed since August 2003?
- ☐ No, our pattern of purchasing is essentially unchanged.
- ☐ Yes, we discontinued purchases from Vietnam because of the order.
- ☐ Yes, we reduced purchases from Vietnam because of the order.
- ☐ Yes, but we changed the pattern of purchases from Vietnam for reasons other than the order (please explain below).
- (c) Has your pattern of purchasing certain frozen fish fillets from nonsubject foreign sources (i.e., countries other than Vietnam) changed since August 2003 (please check all that apply).
- ☐ We did not purchase from nonsubject foreign sources before or after the order.
- ☐ No, our pattern of purchasing is essentially unchanged.
- ☐ Yes, we increased purchases from nonsubject countries because of the order.
- ☐ Yes, but we changed our pattern of purchases from nonsubject countries for reasons other than the order (please explain below).

- II-4. Changes in purchasing patterns.--**If the relative levels of your firm's purchases of certain frozen fish fillets from different sources (both domestic and foreign) have changed since August 2003 (the month the antidumping duty order under review became effective), please list the relative share from that country has increased or decreased, and state the reason.

Source of purchases	Trend	Explanation for trend
The United States	☐ Decreased ☐ Increased ☐ Constant ☐ Fluctuated	
Vietnam	☐ Decreased ☐ Increased ☐ Constant ☐ Fluctuated	
All other countries	☐ Decreased ☐ Increased ☐ Constant ☐ Fluctuated	

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

II-5. **Supplier identification.**--Please identify below the names and addresses of your firm's **FIVE** largest suppliers for certain frozen fish fillets since 2003. 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 certain frozen fish fillets that each of these suppliers accounted for in 2008.

No.	Supplier's name	Street address (<u>not</u> P.O. box), city, state, and zip code	Contact person	Telephone number or e-mail address	Share of 2008 purchases (%)
1					
2					
3					
4					
5					

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES

III-1. **Contact information (Market).**--Who should be contacted regarding the requested market characteristics and purchasing practices information?

Company contact: _____
Name and title
() _____
Phone number E-mail address

III-2. **Firm type.**--Which of the following best describes your firm as a purchaser of certain frozen fish fillets (check all that apply)?

Retailers	☐ Restaurant chain (including directly related distribution arms)
	☐ Grocery chain (including directly related distribution arms)
	☐ Other retailers (Describe: _____)
Distributors	☐ Food service distributor
	☐ Other reseller (Describe: _____)

III-3. **Competition of sales.**--If you are a distributor or reseller of certain frozen fish fillets, do you compete for sales to your customers with the manufacturers or importers from which you purchase certain frozen fish fillets?

☐ No ☐ Yes--Please describe

III-4. **Types of customers.**--If your firm is a distributor or reseller of certain frozen fish fillets, what are the major types of customers to which you sell certain frozen fish fillets?

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-5. **Substitutes**--Please list in order of importance any products that may be substituted for certain frozen fish fillets. For each possible substitute product, please give examples of applications and end uses for which they are substitutes and indicate whether changes in the price of the substitute affect the price for certain frozen fish fillets, and to what degree, and the length of any time lag of such an effect.

Substitute	Description	Have changes in the prices of this substitute affected the price for certain frozen fish fillets?
1.		☐ No ☐ Yes--Please explain.
2.		☐ No ☐ Yes--Please explain.
3.		☐ No ☐ Yes--Please explain.
4.		☐ No ☐ Yes--Please explain.
5.		☐ No ☐ Yes--Please explain.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-6. **Changes in substitutes.**--Have there been any changes in the number or types of products that can be substituted for certain frozen fish fillets since 2003?

☐ No ☐ Yes--Please explain.

III-7. **Anticipated changes in substitutes.**--Do you anticipate any changes in terms of the substitutability of other products for certain frozen fish fillets in the future?

☐ No ☐ Yes--Please describe and provide any underlying assumptions, along with relevant portions of business plans or other supporting documentation that address this issue.

III-8. **Prices of other types of white fish.**--When negotiating prices and volumes of certain frozen fish fillets, to what extent are (if at all) prices of other types of frozen white fish (*e.g.*, flounder, pollack, sole, tilapia, *et cetera*) relevant or used as leverage? Please identify the relevant types(s) of fillets.

III-9. **Basa and tra versus catfish.**--Are frozen fish fillets of catfish substitutable for frozen fish fillets of basa and tra? Please explain why.

☐ No ☐ Yes

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-10. **Wild caught.**--Are frozen fish fillets of harvested (wild caught) catfish substitutable for the following products? Please explain why.

Farm-raised basa and tra:	☐ No	☐ Yes
Farm-raised catfish:	☐ No	☐ Yes

III-11. **Demand trends.**--

(a) How has the demand within the United States for certain frozen fish fillets changed since 2003? What principal factors affect changes in demand?

☐ Increased ☐ Decreased ☐ Fluctuated ☐ No change

(b) How has the demand outside the United States (if known) for certain frozen fish fillets changed since 2003? What principal factors affect changes in demand?

☐ Increased ☐ Decreased ☐ Fluctuated ☐ No change

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-12. Anticipated demand trends--

- (a) How do you anticipate demand will change within the United States for certain frozen fish fillets in the future? What principal factors that will affect these changes in demand?

☐ Increase ☐ Decrease ☐ Fluctuate ☐ No change

- (b) How do you anticipate demand will change outside the United States for certain frozen fish fillets to in the future? What principal factors that will affect these changes in demand?

☐ Increase ☐ Decrease ☐ Fluctuate ☐ No change

- III-13. **Market studies**--Please provide as a separate attachment to this request any studies, surveys, etc. that you are aware of that quantify and/or otherwise discuss certain frozen fish fillets supply (including production capacity and capacity utilization) and demand in (1) the United States, (2) each of the other major producing/consuming countries, including Vietnam, and (3) the world as a whole. Of particular interest is such data from 2003 to the present and forecasts for the future.

- III-14. **Changes in factors affecting supply**--Have any changes occurred in any factors affecting supply (e.g., changes in availability or prices of raw materials, energy, or labor; transportation conditions; production capacity and/or methods of production; technology; export markets; or alternative production opportunities) that affected the availability of U.S.-produced certain frozen fish fillets in the U.S. market since 2003?

☐ No ☐ Yes--Please note the time period(s) of any such changes, the factors(s) involved, and the impact such changes had on your shipment volumes and prices.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-15. **Domestic purchases.**--Is buying a product that is produced in the United States an important factor in your firm's purchases of certain frozen fish fillets (please check ALL that apply)?

- ☐ No
- ☐ Yes--Purchases of domestic product are required by law or regulation (for example, government purchases under "Buy American" provisions). This involves ____ percent of all purchases of certain frozen fish fillets.
- ☐ Yes--Purchases of domestic product are not required by law or regulation, but are by your customers. This involves ____ percent of all purchases of certain frozen fish fillets.
- ☐ Yes--Purchases of domestic product are required for other reasons (please specify these reasons below). This involves ____ percent of all purchases of certain frozen fish fillets.

III-16. **Conditions of competition.**--

(a) Is the market for certain frozen fish fillets subject to business cycles or conditions of competition distinctive to certain frozen fish fillets?

- ☐ No ☐ Yes--Please explain and provide estimates of the duration of any such cycle.

(b) Has the emergence of new markets for certain frozen fish fillets since 2003 affected the business cycles or conditions of competition distinctive to certain frozen fish fillets?

- ☐ No ☐ Yes--Please explain any such changes.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-17. **Major competitors.**--Who are your major competitors?

III-18. **Decisions based on producer.**--Does your firm, and to the extent that you know, do your customers make purchasing decisions involving certain frozen fish fillets based on the producer of the certain frozen fish fillets you purchase?

Your firm: ☐ Always ☐ Usually ☐ Sometimes ☐ Never

Your customers: ☐ Always ☐ Usually ☐ Sometimes ☐ Never

If at least sometimes, please discuss how your firm or your customers determine the producer and why this information is important.

Your firm: _____

Your customers: _____

III-19. **Decisions based on country-of-origin.**--Does your firm, and to the extent that you know, do your customers make purchasing decisions involving certain frozen fish fillets based on the country of origin of the certain frozen fish fillets you purchase?

Your firm: ☐ Always ☐ Usually ☐ Sometimes ☐ Never

Your customers: ☐ Always ☐ Usually ☐ Sometimes ☐ Never

If at least sometimes, please discuss how your firm or your customers determine the source and why this information is important.

Your firm: _____

Your customers: _____

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-20. Purchasing frequency.--

(a) How frequently do you make purchases?

- ☐ Daily
☐ Weekly
☐ Monthly
☐ Quarterly
☐ Annually
☐ Other (specify) _____

(b) Do you expect this purchasing pattern to change in the next two years?

- ☐ No ☐ Yes-- How and why do you expect these changes to occur?

III-21. Number of suppliers contacted.--How many suppliers do you generally contact before making a purchase?

III-22. Supplier negotiations.--

(a) Do purchases of certain frozen fish fillets usually involve negotiations between supplier and purchaser?

- ☐ No ☐ Yes--Please describe these negotiations. In your response, please comment on whether purchasers generally quote competing prices as part of the negotiation process.

(b) Does your firm tend to vary its purchases from a given supplier within a specified time period based on the price offered for that period?

- ☐ No ☐ Yes--Specify the time period.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-23. **Change in suppliers.**--Have you changed suppliers since 2003?

- ☐ No ☐ Yes--Please list the supplier or suppliers and indicate whether the firm was added or dropped as a supplier. Also give the reasons for the change and how frequently you change suppliers.

III-24. **New suppliers.**--

(a) Are you aware of any new suppliers, either foreign or domestic, that have entered the market since 2003?

- ☐ No ☐ Yes--Please identify the firms and indicate how you became aware of them.

(b) Do you expect new certain frozen fish fillets suppliers to enter the market in the future?

- ☐ No ☐ Yes--Please provide details, noting the specific future time period in your response.

III-25. **Supplier qualification.**--Do you require your suppliers to become certified or prequalified with respect to the quality, freshness, or other characteristic of the certain frozen fish fillets they sell to your firm?

- ☐ No ☐ Yes-- ____ percent of purchases in 2008 ☐ Yes--all purchases

Please provide a general description of the certification or qualification process and the time required.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-26. **Factors considered vis-à-vis suppliers.**--Briefly describe the factors that you consider when qualifying a new supplier (*e.g.*, quality of product, reliability of supplier, etc.) and estimate the time it takes to certify or qualify a new supplier.

III-27. **Failure to certify.**--Since 2003, have any domestic or foreign producers failed in their attempts to certify or qualify their certain frozen fish fillets with your firm or have any producers lost their approved status?

☐ No ☐ Yes--Please identify these firms, the countries where they are located, and the reasons why they failed the certification/qualification.

III-28. **Purchasing factors.**--For the factors listed below, please rate each in terms of its importance in your purchase decision for certain frozen fish fillets.

	Very important	Somewhat important	Not important
Availability	☐	☐	☐
Delivery terms	☐	☐	☐
Delivery time	☐	☐	☐
Discounts offered	☐	☐	☐
Extension of credit.....	☐	☐	☐
Price	☐	☐	☐
Minimum qty requirements.....	☐	☐	☐
Packaging	☐	☐	☐
Product consistency	☐	☐	☐
Quality meets industry standards....	☐	☐	☐
Quality exceeds industry standards	☐	☐	☐
Product range.....	☐	☐	☐
Reliability of supply	☐	☐	☐
Technical support/service	☐	☐	☐
U.S. transportation costs.....	☐	☐	☐
Other (specify):			
_____	☐	☐	☐
_____	☐	☐	☐
_____	☐	☐	☐

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-29. **Major purchasing factors.**--Please list, in order of their importance, the three major factors generally considered by your firm in deciding from whom to purchase certain frozen fish fillets for any one order (examples include current availability, extension of credit, prearranged contracts, price, quality exceeding specifications or industry standards, range of supplier's product line, traditional supplier, etc.).

1. _____

2. _____

3. _____

Other factors or comments: _____

III-30. **Quality characteristics.**--What characteristics does your firm consider when determining the quality of certain frozen fish fillets?

III-31. **Frequency of decisions based on price.**--How often does your firm purchase the certain frozen fish fillets that is offered at the lowest price?

☐ Always

☐ Usually

☐ Sometimes

☐ Never

III-32. **Price leaders.**--Please list the names of any firms you considered price leaders in the certain frozen fish fillets market since 2003. A price leader is defined as (1) one or more firms that initiate a price change, either upward or downward, that is followed by other firms, or (2) one or more firms that have a significant impact on prices. A price leader does not necessarily have to be the lowest priced supplier. For those firms identified as a price leader, please specify the time period in which a price change was communicated, whether the price change was upward or downward, and whether it covered a specific geographic region or a specific product type.

III-33. **Price leadership.**--Please describe how the above firm(s) exhibited price leadership.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-34. **Frequency of price changes.**--How frequently does the price of the certain frozen fish fillets you are purchasing change?

III-35. **Purchases over internet.**--Does your firm purchase certain frozen fish fillets over the internet?

☐ No ☐ Yes--Please describe, noting the estimated percentage of your firm's total purchases of certain frozen fish fillets in 2008 accounted for by internet purchases.

III-36. **Changes in U.S. industry.**--

(a) Please identify and discuss any improvements/changes in the U.S. certain frozen fish fillets industry since 2003 and explain fully, to the extent possible, the factor(s), including the order(s) under review, that was/(were) responsible for each improvement/change.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--Continued

III-36. Changes in U.S. industry.--Continued

- (b) Please also discuss fully, to the extent possible, any improvements/changes that you anticipate in the future in the U.S. certain frozen fish fillets industry. Identify the specific future time period covered in your response, and discuss the factors that you believe would be responsible for each improvement/change.

- III-37. **Catfish labeling laws.**--Please discuss the effects and effectiveness of U.S. state and federal "catfish" labeling laws enacted after 2001 in terms of supply, demand, production of certain frozen fish fillets.

PART III.-- MARKET CHARACTERISTICS AND PURCHASING PRACTICES--*Continued*

III-38. **Effect of revocation.**--What do you think will be the likely effects of any revocation of the antidumping duty order for imports of certain frozen fish fillets from Vietnam? As appropriate, please discuss any potential effects of revocation of the antidumping duty order on (a) the future activities of your firm and (a) the U.S. market as a whole. Please note the future time period to which you are referring. Attach additional pages if necessary.

(a) Activities of your firm:

(b) Entire U.S. market:

PART IV.-- PRODUCT COMPARISONS

IV-1. **Contact information (Product Comparisons).**--Who should be contacted regarding the requested production comparison information?

Company contact: _____
Name and title
() _____
Phone number E-mail address

IV-2. **Country knowledge.**--Please indicate the countries of origin for certain frozen fish fillets for which your firm has actual marketing/pricing knowledge.

- ☐ United States
- ☐ Vietnam
- ☐ Other countries (Please specify _____)

PART IV.-- PRODUCT COMPARISONS--Continued

IV-3. **Interchangeability by country-pair.**--Is certain frozen fish fillets 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	Vietnam	China	Thailand	Malaysia	Other countries
United States						
Vietnam						
China						
Thailand						
Malaysia						

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

PART IV.-- PRODUCT COMPARISONS--*Continued*

IV-4. **Country preferences.**--Do you or your customers ever specifically order certain frozen fish fillets from one country in particular over other possible sources of supply?

- ☐ No ☐ Yes--Please identify all relevant countries (including the United States and both subject and nonsubject foreign countries) from which you or your customers prefer to order, and indicate why certain frozen fish fillets from these countries is preferred over product from other countries (please note the specific product in your response).

IV-5. **Availability of merchandise.**--Are certain grades/sizes of certain frozen fish fillets available from only a single source (domestic or foreign, including both subject and nonsubject countries)?

- ☐ No ☐ Yes--Please identify the source and the grade/size.

IV-6. **Choice of product not based on price.**--If you purchased certain frozen fish fillets from one source although a comparable product was available from another source at a lower price, please explain your reasons for doing so (please specify by country, including the United States and both subject and nonsubject foreign countries). Possibilities might include transaction characteristics such as length of time to fill orders, minimum order size, reliability of supply, etc.

IV-7. **Factor country comparisons.**--For the factors listed below, please rate how certain frozen fish fillets produced in each country you identified in your response to the first question in Part IV compares with certain frozen fish fillets produced in each of the other countries you identified (including the United States and both subject and nonsubject foreign countries).

[illegible]

