

LOST SALES AND LOST REVENUE SURVEY

CERTAIN PRESERVED MUSHROOMS FROM FRANCE, NETHERLANDS, POLAND, AND SPAIN

This survey must be received by the Commission by **APRIL 14, 2022.**

See last page for filing instructions.

The information called for in this survey is for use by the United States International Trade Commission in connection with its antidumping duty investigations concerning preserved mushrooms from France, Netherlands, Poland and/or Spain (Inv. Nos. 731-TA-1587-1590 (Preliminary)). The information requested in the survey 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 survey can be obtained from Hau Nguyen (202-708-1441, hau.nguyen@usitc.gov).

Name of firm _____
Address _____
City _____ State _____ Zip Code _____
Website _____

Has your firm purchased, or imported for its own use or retail sale, preserved mushrooms (as defined on next page) at any time since January 1, 2019?

- ☐ **NO** (Sign the certification below and promptly return **only** this page of the survey to the Commission)
☐ **YES** (Complete all parts of the survey, and return the entire survey to the Commission)

Return questionnaire via the U.S. International Trade Commission **Drop Box** by clicking on the following link: <https://dropbox.usitc.gov/oinv/>. (PIN: **MUSH**)

CERTIFICATION

I certify that the information herein supplied in this survey 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 survey and throughout this proceeding in any other import-injury proceedings conducted by the Commission on the same or similar merchandise.

I, the undersigned, acknowledge that information submitted in response to this request for information and throughout this investigation or other proceeding may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. Appendix 3; or (ii) by U.S. government employees and contract personnel, solely for cybersecurity purposes. I understand that all contract personnel will sign appropriate nondisclosure agreements.

Name of Authorized Official

Title of Authorized Official

Date

Signature

Phone

Email address

GENERAL INFORMATION

Background.-- This proceeding was instituted in response to petitions filed on March 31, 2022, by Giorgio Foods, Inc., Blandon, Pennsylvania. Antidumping duties may be assessed on the subject imports as a result of these proceedings if the 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 dumping. Questionnaires and other information pertinent to this proceeding are available at

https://www.usitc.gov/investigations/701731/2022/certain_preserved_mushrooms_france_netherlands/preliminary.htm

Preserved Mushrooms: the merchandise covered by these investigations is certain preserved mushrooms, whether imported whole, sliced, diced, or as stems and pieces. The preserved mushrooms covered under this investigation are the genus *Agaricus*. "Preserved mushrooms" refer to mushrooms that have been prepared or preserved by cleaning, blanching, and sometimes slicing or cutting. These mushrooms are then packed and heat sterilized in containers each holding a net drained weight of not more than 12 ounces (340.2 grams), including but not limited to cans or glass jars, in a suitable liquid medium, including but not limited to water, brine, butter, or butter sauce. Preserved mushrooms may be imported whole, sliced, diced, or as stems and pieces.

Excluded from the scope of this petition are the following: (1) all other species of mushroom including straw mushrooms, (2) all fresh and chilled mushrooms, including "refrigerated" or "quick blanched"; (3) dried mushrooms; (4) frozen mushrooms; and (5) "marinated," "acidified" or "pickled" mushrooms, which are prepared or preserved by means of vinegar or acetic acid, but may contain oil or other additives.

The merchandise subject to these investigations is covered by statistical reporting numbers 2003.10.0127, 2003.10.0131, and 2003.10.0137 of the Harmonized Tariff Schedule of the United States ("HTSUS"). The subject merchandise may also be reported under HTSUS statistical reporting numbers 0711.51.0000, 2003.10.0143, 2003.10.0147, or 2003.10.0153. The HTSUS provisions are for convenience and customs purposes; the written description of the scope is dispositive.

Reporting of information.-- If information is not readily available from your records, provide carefully prepared estimates.

Confidentiality.--The data furnished in response to this survey 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, general 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.

Release of information.--The information provided by your firm in response to this survey, as well as any other business proprietary information submitted by your firm to the Commission in connection with this proceeding, 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 this proceeding or other import-injury proceedings 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. Please also retain a copy of the final document that you submit.

Contact information.--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in this survey. This may or may not be the person whose signature is at the bottom of page 1.

| | |
|-----------|--|
| Name | |
| Title | |
| Email | |
| Telephone | |

Firms operating more than one establishment should combine the data for all establishments into a single response.

PURCHASE INFORMATION

1. **Purchases and imports.**— Report separately your firm’s domestic purchases and imports of preserved mushrooms.

“Purchase” – Purchase from a U.S. entity such as a U.S. producer, a U.S. importer, or other U.S. firm.

“Import” – Purchase directly from a foreign supplier and your firm is the importer of record.

| Item | 2019 | 2020 | 2021 |
|---|---|------|------|
| | Quantity (in 1,000 pounds drained weight) | | |
| Purchases of preserved mushrooms produced in— United States | | | |
| France | | | |
| Netherlands | | | |
| Poland | | | |
| Spain | | | |
| All other countries ¹ | | | |
| Sources unknown ² | | | |
| Total purchases | 0 | 0 | 0 |
| Imports of preserved mushrooms from— France | | | |
| Netherlands | | | |
| Poland | | | |
| Spain | | | |
| All other countries ¹ | | | |
| Total imports ³ | 0 | 0 | 0 |
| ¹ Please identify these countries: ² Please indicate the firm(s) from which you purchased this merchandise: ³ If your firm imported preserved mushrooms at any time since January 1, 2019, please also complete and return a U.S. importers' questionnaire in this proceeding. | | | |

2. **Changes in purchasing patterns.**—Please indicate how the shares of your firm’s purchases of preserved mushrooms from different sources have changed since January 1, 2019.

| Source of purchases | Did not purchase | Decreased | Increased | Constant | Fluctuated | Explanation for trend |
|---------------------|--------------------------|--------------------------|--------------------------|--------------------------|--------------------------|-----------------------|
| United States | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| France | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Netherlands | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Poland | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Spain | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| All other countries | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |
| Sources unknown | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | |

3. Purchasing subject imports rather than domestic products.—

- (a) Since January 2019, did your firm import and/or purchase imports of preserved mushrooms from France, Netherlands, Poland, and/or Spain instead of purchasing U.S.-produced preserved mushrooms? Respond for each subject country.

| Source | Yes (also respond to parts (b) and (c)) | No (If “No” for all countries, skip to next question) |
|---------------|--|--|
| France | <input type="checkbox"/> | <input type="checkbox"/> |
| Netherlands | <input type="checkbox"/> | <input type="checkbox"/> |
| Poland | <input type="checkbox"/> | <input type="checkbox"/> |
| Spain | <input type="checkbox"/> | <input type="checkbox"/> |

- (b) If you responded “Yes” to part (a), was the imported product priced lower than the domestic product?

| Source | Yes | No |
|---------------|--------------------------|--------------------------|
| France | <input type="checkbox"/> | <input type="checkbox"/> |
| Netherlands | <input type="checkbox"/> | <input type="checkbox"/> |
| Poland | <input type="checkbox"/> | <input type="checkbox"/> |
| Spain | <input type="checkbox"/> | <input type="checkbox"/> |

- (c) If you responded “Yes” to part (a), was price a primary reason for importing and/or purchasing subject imports rather than domestic product?

| Source | Yes | If Yes, estimate the quantity of imports purchased and/or imported instead of domestic product since January 2019 (in 1,000 pounds, drained weight) | No | If No, please indicate the reason your firm imported and/or purchased imports instead of domestic product |
|---|--------------------------|--|--------------------------|--|
| France | <input type="checkbox"/> | | <input type="checkbox"/> | |
| Netherlands | <input type="checkbox"/> | | <input type="checkbox"/> | |
| Poland | <input type="checkbox"/> | | <input type="checkbox"/> | |
| Spain | <input type="checkbox"/> | | <input type="checkbox"/> | |
| If the quantity reported above exceeds the total quantity reported in II-1, please explain. | | | | |

4. **U.S. producers and import competition.**—

- (a) Since January 1, 2019, in connection with a sale or offer to sell preserved mushrooms to your firm, did U.S. producers reduce their prices of domestically produced preserved mushrooms in order to compete with lower-priced imports of preserved mushrooms from the subject countries? Respond for each subject country.

| Source | Yes (also respond to question part (b)) | No (If “No” for all countries, skip to next question) | Don’t know |
|-------------|---|---|--------------------------|
| France | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Netherlands | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Poland | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |
| Spain | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

- (b) If your firm responded “yes” to any of the above countries, please provide an estimate of the reduction in U.S. producers’ prices and any additional explanations.

| Source | Estimated reduction in U.S. prices (percent) | Additional explanation, including such information as timing (e.g., months/years), frequency of price reductions, or other market/competitive factors |
|-------------|--|---|
| France | % | |
| Netherlands | % | |
| Poland | % | |
| Spain | % | |

5. **Major purchasing factors.**—Please list, in order of their importance, the main factors your firm considers in deciding from whom to purchase preserved mushrooms.

| | |
|---|--|
| 1. | |
| 2. | |
| 3. | |
| Please list any other factors that are very important in your purchase decisions: | |

6. **Other explanations**--Please provide any additional comments in this box.

| |
|--|
| |
|--|

7. **Stock symbol information**-- If your firm or parent firm is publicly traded, please specify the stock exchange and trading symbol: _____.

8. **External counsel**-- If your firm or parent firm is represented by external counsel in relation to this proceeding, please specify the name of the law firm and the lead attorney(s).

| | |
|-------------------|--|
| Law firm: | |
| Lead attorney(s): | |

OMB INFORMATION

9. **OMB statistics.**--Please report the actual number of hours required and the cost to your firm of completing this survey.

| Hours | Dollars |
|-------|---------|
| | |

The questions in this survey 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 survey is estimated to average 4 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the survey.

We welcome comments regarding the accuracy of this burden estimate, suggestions for reducing the burden, and any suggestions for improving this survey. Please attach such comments to your response or send to the Office of Investigations, USITC, 500 E St. SW, Washington, DC 20436.

HOW TO FILE YOUR SURVEY RESPONSE

Please do not attempt to modify the format or permissions of the survey document.

Please submit the completed survey using one of the methods noted below. If your firm is unable to complete the MS Word survey or cannot use one of the electronic methods of submission, please contact the Commission for further instructions.

- **Upload via Secure Drop Box.**—Upload the MS Word survey along with a scanned copy of the signed certification page (page 1) through the Commission’s secure upload facility:

Web address: <https://dropbox.usitc.gov/oinv/>

Pin: MUSH

- **E-mail.**—E-mail the MS Word survey to Hau.nguyen@usitc.gov; include a scanned copy of the signed certification page (page 1). *Submitters are strongly encouraged to encrypt nonpublic documents that are electronically transmitted to the Commission to protect your sensitive information from unauthorized disclosure. The USITC secure drop-box system and the Electronic Document Information System (EDIS) use Federal Information Processing Standards (FIPS) 140-2 cryptographic algorithms to encrypt data in transit. Submitting your nonpublic documents by a means that does not use these encryption algorithms (such as by email) may subject your firm’s nonpublic information to unauthorized disclosure during transmission. If you choose a non-encrypted method of electronic transmission, the Commission warns you that the risk of such possible unauthorized disclosure is assumed by you and not by the Commission.*

If your firm did not purchase this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.