

U.S. FARMERS'/FISHERMEN'S QUESTIONNAIRE

FROZEN WARMWATER SHRIMP FROM ECUADOR, INDIA, INDONESIA, AND VIETNAM

This questionnaire must be received by the Commission by **July 26, 2024**.

See last page for instructions regarding how to file this questionnaire.

The information called for in this questionnaire is for use by the United States International Trade Commission in connection with its countervailing duty and antidumping investigations concerning frozen warmwater shrimp from Ecuador, India, Indonesia, and Vietnam (Inv. Nos. 701-TA-699-702 and 731-TA-1659-1660 (Final)). 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 firm's possession (19 U.S.C. § 1333(a)).

Name of firm _____

Address _____

City _____ State _____ Zip Code _____

Website _____

Has your firm produced (i.e., fished or caught) fresh warmwater shrimp (as defined on the next page) at any time since January 1, 2021?

☐ **NO** (Sign the certification below and promptly return only this page of the questionnaire to the Commission)

☐ **YES** (Complete all parts of the questionnaire, and return the entire questionnaire 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: **FWWS**, Phase: **Final**). See last page for detailed instructions.

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 proceeding in any other import-injury proceedings or reviews 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 proceeding or other proceedings 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

PART I.—GENERAL INFORMATION

Background.--This proceeding was instituted in response to petitions filed on October 25, 2023 by the American Shrimp Processors Association, Port Arthur, Texas. Countervailing and/or 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 subsidization and/or dumping.

Questionnaires and other information pertinent to this proceeding are available in the following links:

- Questionnaires: https://usitc.gov/reports/active_import_injury_questionnaires.
- Other information: <https://ids.usitc.gov/case/8152/investigation/8505>.

Frozen warmwater shrimp covered by this proceeding includes certain frozen warmwater shrimp and prawns whether wild-caught (ocean harvested) or farm-raised (produced by aquaculture), head-on or head-off, shell-on or peeled, tail-on or tail-off, deveined or not deveined, cooked or raw, or otherwise processed in frozen form. “Tails” in this context means the tail fan, which includes the telson and the uropods.

The frozen warmwater shrimp and prawn products included in the scope, regardless of definitions in the Harmonized Tariff Schedule of the United States (HTSUS), are products which are processed from warmwater shrimp and prawns through freezing and which are sold in any count size.

The products described above may be processed from any species of warmwater shrimp and prawns. Warmwater shrimp and prawns are generally classified in, but are not limited to, the Penaeidae family. Some examples of the farmed and wild-caught warmwater species include, but are not limited to, whiteleg shrimp (*Penaeus vannamei*), banana prawn (*Penaeus merguensis*), fleshy prawn (*Penaeus chinensis*), giant river prawn (*Macrobrachium rosenbergii*), giant tiger prawn (*Penaeus monodon*), redspotted shrimp (*Penaeus brasiliensis*), southern brown shrimp (*Penaeus subtilis*), southern pink shrimp (*Penaeus notialis*), southern rough shrimp (*Trachypenaeus curvirostris*), southern white shrimp (*Penaeus schmitti*), blue shrimp (*Penaeus stylirostris*), western white shrimp (*Penaeus occidentalis*), and Indian white prawn (*Penaeus indicus*).

Frozen shrimp and prawns that are packed with marinade, spices or sauce are included in the scope. In addition, food preparations, which are not “prepared meals,” that contain more than 20 percent by weight of shrimp or prawn are also included in the scope.

Excluded from the scope are: (1) breaded shrimp and prawns (HTSUS subheading 1605.21.1020); (2) shrimp and prawns generally classified in the Pandalidae family and commonly referred to as coldwater shrimp, in any state of processing; (3) fresh shrimp and prawns whether shell-on or peeled (HTSUS subheadings 0306.36.0020 and 0306.36.0040); (4) shrimp and prawns in prepared meals (HTSUS subheadings 1605.21.0500 and 1605.29.0500); (5) dried shrimp and prawns; (6) canned warmwater shrimp and prawns (HTSUS subheading 1605.29.1040); and (7) certain battered shrimp. Battered shrimp is a shrimp-based product: (1) that is produced from fresh (or thawed-from-frozen) and peeled shrimp; (2) to which a “dusting” layer of rice or wheat flour of at least 95 percent purity has been applied; (3) with the entire surface of the shrimp flesh thoroughly and evenly coated with the flour; (4) with the non-shrimp content of the end product constituting between four and ten percent of the product's total weight after being dusted, but prior to being frozen; and (5) that is subjected to individually quick frozen (IQF) freezing immediately after application of the dusting layer. When dusted in accordance with the definition of dusting above, the battered shrimp product is also coated with a wet viscous layer containing egg and/or milk, and par-fried.

The products covered by the scope are currently classified under the following HTSUS subheadings: 0306.17.0004, 0306.17.0005, 0306.17.0007, 0306.17.0008, 0306.17.0010, 0306.17.0011, 0306.17.0013, 0306.17.0014, 0306.17.0016, 0306.17.0017, 0306.17.0019, 0306.17.0020, 0306.17.0022, 0306.17.0023, 0306.17.0025, 0306.17.0026, 0306.17.0028, 0306.17.0029, 0306.17.0041, 0306.17.0042, 1605.21.1030, and 1605.29.1010. These HTSUS subheadings are provided for convenience and for customs purposes only and are not dispositive, but rather the written description of the scope is dispositive.

Fresh warmwater shrimp.--A warmwater shrimp or prawn that matches the definition of frozen warmwater shrimp, but which has not been processed into its final frozen (i.e., block or IQF) state for sale into the market. This product category can include warmwater shrimp that has been brine chilled or frozen for transportation to a processing facility.

Reporting of information.--If information is not readily available from your records, provide carefully prepared estimates. If your firm is completing more than one questionnaire (i.e., a producer, importer, and/or purchaser questionnaire), you need not respond to duplicated questions.

Confidentiality.--The commercial and financial data furnished in response to this questionnaire 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.

Verification.--The information submitted in this questionnaire is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all files, worksheets, and supporting documents used in the preparation of the questionnaire response. Please also retain a copy of the final document that you submit.

Release of information.--The information provided by your firm in response to this questionnaire, 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.

D-GRIDS tool.--The Commission has a tool that firms can use to move data from their own MS Excel compilation files into self-contained data tables within this MS Word questionnaire, thereby reducing the amount of cell-by-cell data entry that would be required to complete this form. This tool is a macro-enabled MS Excel file available for download from the Commission's generic questionnaires webpage (https://www.usitc.gov/trade_remedy/question.htm) called the "D-GRIDs tool." Use of this tool to help your firm complete this questionnaire is optional. Firms opting to use the D-GRIDs tool to populate their data into this questionnaire will need the D-GRIDs specification sheet PDF file specific to this proceeding (available on the case page which is linked under the "Background" above) which includes the necessary references relating to this questionnaire, as well as the macro-enable MS Excel D-GRIDs tool itself from the generic questionnaires page. More detailed instructions on how to use the D-GRIDs tool are available within the D-GRIDs tool itself.

- I-1. **Reporting requirements.**--Please report below the actual number of hours required and the cost to your firm of completing this questionnaire for use by the Office of Management and Budget.

Hours	Dollars

Public reporting burden for this questionnaire is estimated to average 25 hours per response, including the time for reviewing instructions, gathering data, and completing and reviewing the questionnaire.

We welcome comments regarding the accuracy of this burden estimate, suggestions for reducing the burden, and any suggestions for improving this questionnaire. Please provide such comments to the Office of Investigations, import_injury@usitc.gov.

- I-2a. **Establishments/Boats covered.**--Provide the city, state, zip code, and brief description of each establishment/boat covered by this questionnaire. **Firms operating more than one establishment/boat should combine the data for all establishments/boats into a single report.**

“Establishment”--Each facility/boat of a firm involved in the harvesting of fresh warmwater shrimp, including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

Establishments Covered ¹	City, State	Zip (5 digit)	Description
1			
2			
3			
4			
5			
6			
¹ Additional discussion on establishments consolidated in this questionnaire: _____			

- I-2b. **Stock symbol information.**-- If your firm or parent firm is publicly traded, please specify the stock exchange and trading symbol: _____.

- I-2c. **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):	

I-3. **Petition support.**--Does your firm support or oppose the petition?

Country	Investigation type	Support	Oppose	Take no position
Ecuador	Antidumping duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Ecuador	Countervailing duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
India	Countervailing duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indonesia	Antidumping duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Indonesia	Countervailing duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vietnam	Countervailing duty	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

I-4. **Ownership.**--Is your firm owned, in whole or in part, by any other firm?

☐ No ☐ Yes--List the following information, relating to the ultimate parent/owner.

Firm name	Country	Extent of ownership (percent)

“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.

- I-5. **Related importers/exporters.**--Does your firm have any related firms, either domestic or foreign, that are engaged in importing frozen warmwater shrimp into the United States or that are engaged in exporting frozen warmwater shrimp to the United States?

☐ No ☐ Yes--List the following information.

Firm name	Country	Affiliation

- I-6a. **Related producers: United States.**—Is your firm related to any processors that are engaged in the production of frozen warmwater shrimp in the United States?

☐ No ☐ Yes--List the following information.

[illegible]

I-6b. **Related producers: foreign country.**—Is your firm related to any processors that are engaged in the production of frozen warmwater shrimp in a foreign country?

☐ No ☐ Yes--List the following information.

[illegible]

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from Calvin Chang (202-205-3062, calvin.chang@usitc.gov). **Supply all data requested on a calendar-year basis.**

- II-1. **Limitations.**--Please describe any state and federal limitations on shrimp fishing or farming activities, e.g., limitations on areas where it is permissible to fish, limitations on length of season, use of specified gear (TED's and by-catch reduction devices, etc.). Describe expected enforcement time of such limitations.

- II-2. **Relationships.**--Please describe any contracts or other legal relationships your firm has with processors of frozen warmwater shrimp.

- II-3. **Transfers to related firms.**—Do you have any related firms that you transfer shipments to?

- ☐ No ☐ Yes-- Please indicate the nature of the relationship between your firm and the related firms (*e.g.*, joint venture, wholly owned subsidiary), whether the transfers were priced at market value or by a non-market formula, whether your firm retained marketing rights to all transfers, and whether the related firms also processed inputs from sources other than your firm.

- II-4. **Natural disasters and/or diseases (supply).**—Since January 1, 2021, have any natural disasters or diseases affected the supply of fresh warmwater shrimp?

- ☐ No ☐ Yes—Please describe.

- II-5. **Natural disasters and/or diseases (demand).**—Since January 1, 2021, have any natural disasters or diseases affected demand for fresh warmwater shrimp?

- ☐ No ☐ Yes—Please describe.

- II-6. **Availability of live warmwater shrimp (supply).**—Since January 1, 2021, have the availability of live warmwater shrimp in the U.S. Gulf or Atlantic territorial waters affected supply of fresh warmwater shrimp?

☐ No ☐ Yes—Please describe.

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- II-7. **Other factors (demand).**—Since January 1, 2021, have any other factors affected demand for fresh warmwater shrimp?

☐ No ☐ Yes—Please describe.

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- II-8. **COVID-19 pandemic.**— Has the COVID-19 pandemic or have any government actions taken to contain the spread of the COVID-19 virus resulted in changes in your firm's supply chain arrangements, production, shipments, and employment relating to fresh warmwater shrimp? In your response, please discuss the duration and timing of any such changes as they relate to your firm's operations.

No	Yes	If yes, describe these changes including the impact over time on the (a) supply chain, (b) production and shipments, and (c) employment with respect to fresh warmwater shrimp.
<input type="checkbox"/>	<input type="checkbox"/>	

- II-9. **Nature of operations.**—Please indicate whether your firm is a farmer or a fisherman of fresh warmwater shrimp. Check all that apply.

Farmer	Fisherman
<input type="checkbox"/>	<input type="checkbox"/>

- II-10. **Employment data.**--Report your firm's employment-related data related to the harvesting of fresh warmwater shrimp and provide an explanation for any trends in these data.

"Production and Related Workers" (PRWs) includes working supervisors and all nonsupervisory workers (including group leaders and trainees, crew members that are self-employed contractors) 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 may be computed by adding the number of crew members (including crewmembers that are self-employed contractors and those that are directly employed by the business), 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 to March periods, calculate similarly and divide by 3.

If your firm had the same number of PRWs in all calendar year and had not experienced any changes in PRWs in the most recent interim period (January-March 2024), you would have the same number of PRWs for both interim periods.

Item	Calendar year			January-March	
	2021	2022	2023	2023	2024
Average number of PRWs – directly employed (<i>number</i>)					
Average number of PRWs – contractors or indirectly employed crew members (<i>number</i>)					
Average number of PRWs – direct and indirect (<i>number</i>)	0	0	0	0	0

Explanation of trends:

PART III.--FINANCIAL INFORMATION

Address questions on this part of the questionnaire to Zahra Bekkal (202-205-2684, zahra.bekkal@usitc.gov).

- III-1. **By-catch revenue.**—Does your firm sell any other types of seafood that is not shrimp but was caught while fishing for shrimp as part of your shrimp fishing operations.

No	Yes	If yes—Please describe the by-catch sold.
<input type="checkbox"/>	<input type="checkbox"/>	

If your answer is “no” please proceed to question III-2.

If your answer is “yes” but those revenues and costs are kept fully separated from those of shrimp, please proceed to question III-2.

If your answer is “yes” and revenues and costs of by-catch are not separated from those of shrimp. Please report the revenues associated with the sale or transfer of the by-catch for your firm’s three specified full years, and for the specified interim periods.

Note: the data provided below will appear in question III-2 as a reduction to total operating expenses.

Value (in dollars)					
Item	Years			January-March	
	2021	2022	2023	2023	2024
By-catch sales revenue ¹					
¹ Please describe how your firm classifies these by-catch revenues in the normal course of business (e.g., included in net sales values, as a reduction to total operating costs, included in “all other income”). <hr/>					

III-2. **Operations on warmwater shrimp (fresh or brine frozen).**--Report the revenue and related cost information requested below on the warmwater shrimp and prawn operations of your U.S. establishment(s).¹ Provide data for the identified calendar-year periods. **Quantities reported should be headless, shell on, by multiplying the live weight quantities by 0.629 as shown in the National Marine Fisheries Service's annual Fisheries of the United States report.**

Quantity (in pounds) and value (in dollars)					
Item	Calendar year			January-March	
	2021	2022	2023	2023	2024
Net sales quantities¹ (A)					
Net sales values¹ (B)					
Operating expenses:					
Fuel and oil (C)					
All other operating expenses ² (D)					
Less: by-catch revenue	0	0	0	0	0
Total operating expenses (E)	0	0	0	0	0
Corporation officers' and partners' salaries/bonuses (F)					
Operating income or (loss) (G)	0	0	0	0	0
All other income ³ (H)					
All other expenses ⁴ (I)					
Net income or (loss) before income taxes (J)	0	0	0	0	0

¹ Include sales related to fresh warmwater shrimp and prawn operations only.

² Report all other operating expenses related to warmwater shrimp and prawn operations only: labor (i.e., crew share), groceries and ice, fishing gear, taxes and licenses (other than federal and state income taxes), insurance, vessel repairs and maintenance (include labor costs incurred specifically for maintenance and repairs), interest, depreciation, and all other expenses. Please list in order of importance the largest costs included in this list:

³ Report all other income as positive numbers and list material (significant) income items included in all other income:

⁴ Report all other expenses as positive numbers and list material (significant) expense items included in all other expense:

- III-3. **Channels of distribution.**-- Report your firm's net sales by channel of distribution during the specified periods.

Item	Calendar year			January-March	
	2021	2022	2023	2023	2024
	Quantity (in pounds)				
Net sales to:					
Processors (K)					
All others (L) ¹					
¹ Please identify "all others": _____.					

RECONCILIATION OF CHANNELS.--Please ensure that the quantities reported for channels of distribution (i.e., lines K and L) in each time period equal the quantity reported for net sales (i.e., line A) in each time period. If the calculated fields below return values other than zero (i.e., "0"), the data reported must be revised prior to submission to the Commission.

Reconciliation item	Calendar year			January-March	
	2021	2022	2023	2023	2024
K + L – A = zero ("0"), if not revise.	0	0	0	0	0

- III-4. **Fishing days and number of boats.**—For fishing operations, provide the number of days fished for each year. If you are operating more than one boat you should combine the data for all boats into a single report.

Item	Calendar year		
	2021	2022	2023
Fishing days, total across all boats operated ¹			
Number of boats operated			
¹ For example if you had ten boats and each boat was in the water for 150 days, you should report 1500 fishing days.			

If your responses to any of the items in questions III-5, III-6 and III-7 differ by country, please describe these differences and, as applicable, indicate which country or countries your response refers to in the relevant form fields.

- III-5. **Effects of imports on investment.**—Since January 1, 2021, has your firm experienced any actual negative effects on its return on investment or the scale of capital investments as a result of imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and/or Vietnam?

No	Yes	If yes, my firm has experienced actual negative effects as follows.
<input type="checkbox"/>	<input type="checkbox"/>	

- III-6. **Effects of imports on growth and development.**—Since January 1, 2021, has your firm experienced any actual negative effects on its growth, ability to raise capital, or existing development and production efforts as a result of imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and/or Vietnam?

No	Yes	If yes, my firm has experienced actual negative effects as follows.
<input type="checkbox"/>	<input type="checkbox"/>	

- III-7. **Anticipated effects of imports.**—Does your firm anticipate any negative effects due to imports of frozen warmwater shrimp from Ecuador, India, Indonesia, and/or Vietnam?

No	Yes	If yes, my firm anticipates negative effects as follows.
<input type="checkbox"/>	<input type="checkbox"/>	

HOW TO FILE YOUR QUESTIONNAIRE RESPONSE

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

https://usitc.gov/reports/active_import_injury_questionnaires.

Please do not attempt to modify the format or permissions of the questionnaire document. Please submit the completed questionnaire using one of the methods noted below. If your firm is unable to complete the MS Word questionnaire 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 questionnaire 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: FWWS

Phase: Final

- **E-mail.**—E-mail the MS Word questionnaire to calvin.chang@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 does not produce this product, please fill out page 1, print, sign, and submit a scanned copy to the Commission.

Parties to this proceeding.—If your firm is a party to this proceeding, it is required to serve a copy of the completed questionnaire on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties may be obtained from the Commission’s Secretary (202-205-1802). A certificate of service must accompany the completed questionnaire you submit (see 19 CFR § 207.7).