

FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE

MELAMINE FROM GERMANY, INDIA, JAPAN, NETHERLANDS, QATAR, AND TRINIDAD AND TOBAGO

This questionnaire must be received by the Commission by **October 28, 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 and antidumping duty investigations concerning melamine from Germany, India, Japan, Netherlands, Qatar, and Trinidad and Tobago (Inv. Nos. 701-TA-706-709 and 731-TA-1667-1672 (Final)). The information requested in the questionnaire is requested under the authority of the Tariff Act of 1930, title VII.

Name of firm _____

Address _____

Website _____

Has your firm produced or exported melamine (as defined on 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)

Data reported in this questionnaire relate to (Check one):

☐ **GERMANY**

☐ **INDIA**

☐ **JAPAN**

☐ **NETHERLANDS**

☐ **QATAR**

☐ **TRINIDAD AND TOBAGO**

Return questionnaire via the Commission *Drop Box* by clicking on the following link:
<https://usitc.gov/qportal>. (PIN: **MEL6**). 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 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 February 14, 2024, by Cornerstone Chemical Company, Waggaman, Louisiana. 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.

Pertinent information to this proceeding is available at:

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

Other case information: <https://ids.usitc.gov/case/8176/investigation/8560>

Melamine covered by this proceeding is melamine (Chemical Abstracts Service (CAS) registry number 108–78–01, molecular formula $C_3H_6N_6$). Melamine is also known as 2,4,6-triamino-s-triazine; 1,3,5-Triazine-2,4,6-triamine; Cyanurotriamide; Cyanurotriamine; Cyanuramide; and by various brand names. Melamine is a crystalline powder or granule. All melamine is covered by the scope of these investigations irrespective of purity, particle size, or physical form. Melamine that has been blended with other products is included within this scope when such blends include constituent parts that have been intermingled, but that have not been chemically reacted with each other to produce a different product. For such blends, only the melamine component of the mixture is covered by the scope of these investigations. Melamine that is otherwise subject to these investigations is not excluded when commingled with melamine from sources not subject to these investigations. Only the subject component of such commingled products is covered by the scope of these investigations.

Melamine is currently imported under statistical reporting number 2933.61.0000 of the Harmonized Tariff Schedule of the United States (HTSUS). The HTSUS provisions and CAS registry number 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. If your firm is completing more than one questionnaire (i.e., a producer, importer, purchaser and/or foreign producer 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.

Valid number error messages.--If you are completing this form in a country that uses periods (".") to delineate multiples of 1000 (e.g., one million would appear as \$1.000.000 rather than \$1,000,000), you may be unable to enter in numbers greater than 999 in numeric form fields. The solution to this data entry issue is to temporarily change your operating system's number formatting to be consistent with the U.S. number formatting system while you complete this form. Detailed instructions on how to resolve this issue is provided at the end of this questionnaire and is available upon request from Keysha Martinez (202-205-2136, keysha.martinez@usitc.gov).

- 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 30 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-2. **Establishments covered.**--Provide the name and address of establishment(s) covered by this questionnaire.

"Establishment"--Each facility of a firm in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago involved in the production or export of melamine, including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities. Firms operating more than one establishment in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago should combine the data for all establishments into a single report.

--

“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-3. **Related producers.**--Does your firm or any related firm produce, have the capability to produce, or have any plans to produce melamine in the United States or other countries?

No	Yes	If yes, please name the firm(s) and country(ies) below and, if U.S. producer(s), ensure that they complete the Commission’s producer questionnaire.
☐	☐	

- I-4. **Related U.S. importers.**--Does your firm or any related firm import or have any plans to import melamine into the United States?

No	Yes	If yes, please name the firm(s) below and ensure that they complete the Commission’s importer questionnaire.
☐	☐	

- I-5. **Stock symbol information.**-- If your firm or any of the entities reported in questions I-2 through I-4 are publicly traded in the United States, please specify the stock exchange and trading symbol (including American Depositary Receipts, if applicable): _____.

- I-6. **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-7. **U.S. importers.**--Please provide the names, contacts, telephone numbers, and e-mail addresses of the **TEN** largest U.S. importers of your firm's melamine since January 1, 2021.

	Importer's name	Contact person	Email	Telephone	Share of your firm's 2023 U.S. exports (%)
1					
2					
3					
4					
5					
6					
7					
8					
9					
10					

PART II.--TRADE AND RELATED INFORMATION

Further information on this part of the questionnaire can be obtained from Keysha Martinez (202-205-2136, keysha.martinez@usitc.gov). **Supply all data requested on a calendar-year basis.**

- II-1. **Contact information.**--Please identify the responsible individual and the manner by which Commission staff may contact that individual regarding the confidential information submitted in part II.

Name	
Title	
Email	
Telephone	

- II-2a. **Changes in operations.**--Please indicate whether your firm has experienced any of the following changes in relation to the production of melamine since January 1, 2021.

<i>Check as many as appropriate.</i>		<i>If checked, please describe the nature, timing / duration, and impact on operations of any such reported changes as well as the business reasons for them; leave completely blank if not applicable</i>
☐	Plant openings	
☐	Plant closings	
☐	Prolonged shutdowns	
☐	Production curtailments	
☐	Relocations	
☐	Expansions	
☐	Acquisitions	
☐	Consolidations	
☐	Weather-related or force majeure events	
☐	Other (e.g., revised labor agreements, technology)	

- II-2b. **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, and shipments (including exports to the United States) relating to melamine? 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 and (b) production and shipments with respect to melamine.
☐	☐	

- II-2c. **Anticipated changes in operations.**—Does your firm anticipate any changes in the character of its operations or organization (as noted above) relating to the production of melamine in the future?

No	Yes	If yes, supply details as to the likely timing, nature, and significance of such anticipated changes and describe the underlying assumptions and business reasons for them.
☐	☐	

- II-3a. **Production using same machinery.**--Please report your firm's production of products using the same equipment, machinery, or employees as used to produce melamine, and the combined capacity (both installed and practical capacity) on this shared equipment, machinery, or employees in the periods indicated.

"Installed overall capacity" – The level of production that your establishment(s) could have attained, assuming your firm's *optimal* product mix, and based solely on *existing capital investments*, i.e., machinery and equipment that is in place and ready to operate. This capacity measure does not take into account other constraints to production such as existing workforce constraints, availability of raw materials, or downtime for maintenance, repair, and clean-up. This capacity measure is sometimes referred to as "nameplate" or "theoretical" capacity.

"Practical overall capacity" – The level of production that your establishment(s) could reasonably have expected to attain, taking into account your firm's *actual* product mix over the period. This capacity measure is based on not only existing capital investments, i.e., machinery and equipment that is in place and ready to operate; but also non-capital investment constraints, such as (1) normal operating conditions, including normal downtime for maintenance, repair, and cleanup; (2) your firm's existing in place and readily available labor force; (3) availability of material inputs; and (4) any other constraints that may have limited your firm's ability to produce the reported products. Importantly, this capacity measure is the maximum "practical" production your firm could have achieved without hiring new personnel or expanding the number of shifts operated in the period.

"Practical melamine capacity" – The level of production of melamine that your establishment(s) could reasonably have expected to attain. The same assumptions apply to this capacity measure as for practical overall capacity, but only includes the portion of practical overall capacity allocated to the production of melamine based on the actual product mix experienced over the period.

"Production" – All production in your establishment(s) in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago, including production consumed internally within your firm and production for another firm under a toll agreement.

Takes into account	Installed overall capacity	Practical overall capacity	Practical melamine capacity
Existing capital investments	Yes	Yes	Yes
Product mix	Yes	Yes	Yes
Normal downtime, maintenance, repair and clean-up	No	Yes	Yes
Existing labor force	No	Yes	Yes
Availability of material inputs	No	Yes	Yes
Actual number of shifts and hours operated	No	Yes	Yes
Limited to melamine	No	No	Yes

II-3a. **Production using same machinery.**—*Continued*

Quantity (in 1,000 pounds)					
Item	Calendar year			January-June	
	2021	2022	2023	2023	2024
Capacity measures:					
Installed overall capacity ¹					
Practical overall capacity ^{1,2}					
Practical <i>melamine</i> capacity ³	0	0	0	0	0
Production of:					
Melamine ³	0	0	0	0	0
Other products ⁴					
Total production using same machinery or workers	0	0	0	0	0
¹ Data reported for both "installed overall" and "practical overall" capacity should each individually be greater than data reported for total production (last line). Additionally, data reported for "installed overall" capacity should be greater than "practical overall" capacity in every period. ² Please provide details in your response to the question on capacity constraints in question II-3d below that explain the differences reported between "installed" and "practical" overall production capacities. ³ Data entered in question II-9 for this indicator will populate here. ⁴ Data reported for practical melamine capacity should be greater than the data reported for production of melamine in each period, if not revise prior to submission to the Commission. Additionally, if your firm reports the production of no other products on the same machinery and using the same workers as melamine then "practical overall" and "practical melamine" capacity measures should be equal to each other. ⁵ Please identify these products: _____.					

II-3b. **Operating parameters.**—The *practical* overall capacity reported in II-3a is based on the following operating parameters:

Hours per week	Weeks per year

- II-3c. **Capacity calculations.**--Please describe the methodology used to calculate *installed* and *practical* overall capacities reported in II-3a, and explain any changes in reported capacities.

--

- II-3d. **Practical overall capacity constraints.**--Please describe the constraint(s) that set the limit(s) on your firm's practical overall capacity over the period reported in question II-3a. If different constraints were binding over different periods reported, please specify when each constraint was limiting your reported practical overall capacity. If a constraint was not actually binding over the period reported, but was still a constraint to achieving the installed capacity level, indicate at what level it would have been binding.

Constraint (check as many as appropriate)		Description (If checked, please describe the details, timing, and duration of the constraint; leave completely blank if not applicable)
☐	Production bottlenecks	
☐	Existing labor force	
☐	Supply of material inputs	
☐	Fuel or energy	
☐	Storage capacity	
☐	Logistics/transportation	
☐	Other constraints (list the specific constraints in the description field)	

- II-3e. **Reaching installed overall capacity.**--Please describe and quantify the amount of time it would take and the additional actions that would be needed (e.g., hiring new workers, expanding shifts, procuring larger sources of raw material supply, etc.) for your firm to be able to fully utilize the reported installed overall capacity reported in II-3a.

--

- II-3f. **Excess installed overall capacity:** To the extent that your company is reporting excess installed overall capacity, please report, with specificity: (1) which machines or equipment (or other elements of production) would need to be brought back into production for your plant to operate at full capacity, and (2) the specific dates on which such machines or equipment were last used by your plant to produce melamine.

--

- II-4. **Product shifting.**—

- (a) Is your firm able to switch production (capacity) between melamine and other products using the same equipment and/or labor?

No	Yes	If yes—(i.e., have produced other products or are able to produce other products) Please identify other actual or potential products.
☐	☐	

- (b) Please describe the factors that affect your firm's ability to shift capacity between products (e.g., time, cost, relative price change, etc.), and the degree to which these factors enhance or constrain such shifts.

--

- II-5. **Capacity checklist.**--Please check that the capacity numbers reported in question II-3a follow the Commission's relevant definitions for capacity.

Item	✓ if Yes
Are all three capacity measures reported based on <u>currently installed machinery and equipment</u> (i.e., the reported capacity level would not require additional capital investments in order to achieve)?	☐
Are practical overall capacity and practical melamine capacity measures reported based on <u>existing labor force</u> (i.e., the reported capacity level would not require hiring additional production related workers or adding shifts)?	☐
Are practical overall capacity and practical melamine capacity measures based on <u>the actual availability of material inputs</u> ?	☐
Do both practical overall capacity and practical melamine capacity measures account for <u>normal downtime, maintenance, repair and clean-up</u> activities?	☐
Does the difference between practical overall capacity and practical melamine capacity equal the portion of practical overall capacity that is dedicated to the production of out-of-scope products?	☐

Note: If your firm is not able to answer "yes" to any of the above criteria as it relates to your firm's reported capacity levels, please revise your capacity numbers to be in conformance with the appropriate definition prior to submission to the Commission.

- II-6. **Share of sales.**--What percentage of your firm's total sales in its most recent fiscal year was represented by sales of melamine? ____ percent.
- II-7a. **Firm's estimated share of production in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago.**--Please estimate the percentage of total production of melamine in the country specified on the certification page accounted for by your firm's production in 2023. ____ percent.
- II-7b. **Firm's estimated share of exports from Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago.**--Please estimate the percentage of total exports to the United States of melamine from the country specified on the certification page accounted for by your firm's exports in 2023. ____ percent.
- II-8. **Third country trade actions.**--Is the melamine exported by your firm subject to antidumping/countervailing duty/safeguard findings, remedies, or proceedings?

No	Yes	If yes--List the products(s), countries affected, and the date of such findings/remedies/proceedings.
☐	☐	

- II-9. **Trade data.**--Report your firm's capacity, production, shipments, and inventories related to the production of melamine in your establishment(s) in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago during the specified periods. Do not include resales of melamine that your firm did not produce in this question; those data to the degree they are exported to the United States should only be reported in question II-10.

Do not submit data by manufacturing facility if they are in the same country. If your firm has multiple manufacturing establishments within one country, you are required to combine data for those establishments within one foreign producer questionnaire response.

Do not submit data on multiple countries combined. The establishments reported here should all be located in the country of the firm's address reported on the certification page. Multinational companies with production in multiple subject countries should submit separate foreign producer questionnaire responses for each subject country.

"Shipments"--Shipments of products produced in your establishment(s) in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago. Quantities reported should be net of returns.

"Home market commercial shipments"--Shipments, other than internal consumption and transfers to related firms, within Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago.

"Home market internal consumption/transfers to related firms"--Shipments made to related firms in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago, including product consumed internally by your firm.

"Export shipments"--Shipments to destinations outside of the country indicated on page 1 (Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago), including shipments to related firms.

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

Note: As requested in Part I of this questionnaire, please keep all supporting documents/records used in the preparation of the trade data, as Commission staff may contact your firm regarding questions on the trade data. The Commission may also request that your company submit copies of the supporting documents/records (such as production and sales schedules, inventory records, etc.) used to compile these data.

Item	Actual experience					Projections	
	Calendar year			January-June		Calendar year	
	2021	2022	2023	2023	2024	2024	2025
B + C – D – E – F – G – J = should equal zero ("0") or provide an explanation. ¹	0	0	0	0	0	0	0
¹ Explanation if the calculated fields above are returning values other than zero (i.e., "0") but are nonetheless accurate: _____.							

- II-10. **Exports to the United States not produced by your firm.**--Report your firm's exports to the United States of melamine that was produced in Germany, India, Japan, Netherlands, Qatar, or Trinidad and Tobago but not by your firm during the specified periods. Note these data should **not** be included in question II-9.

Quantity (in 1,000 pounds)							
Item	Actual experience					Projections	
	Calendar year			January-June		Calendar year	
	2021	2022	2023	2023	2024	2024	2025
Exports of melamine to the United States not produced by your firm ¹							
¹ List the producer(s). _____.							

- II-11. **Other explanations.**--If your firm would like to further explain a response to a question in Part II for which a narrative box was not provided, please note the question number and the explanation in the space provided below. Please also use this space to highlight any issues your firm had in providing the data in this section, including but not limited to technical issues with the MS Word questionnaire.

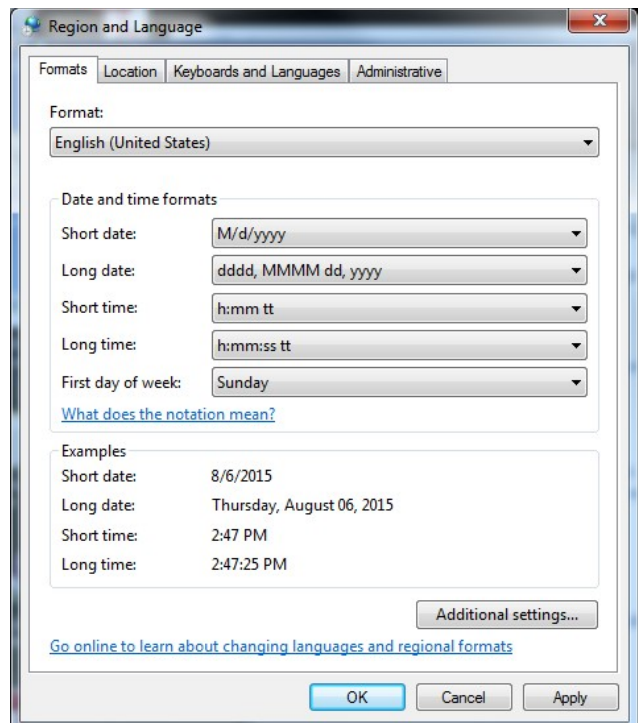
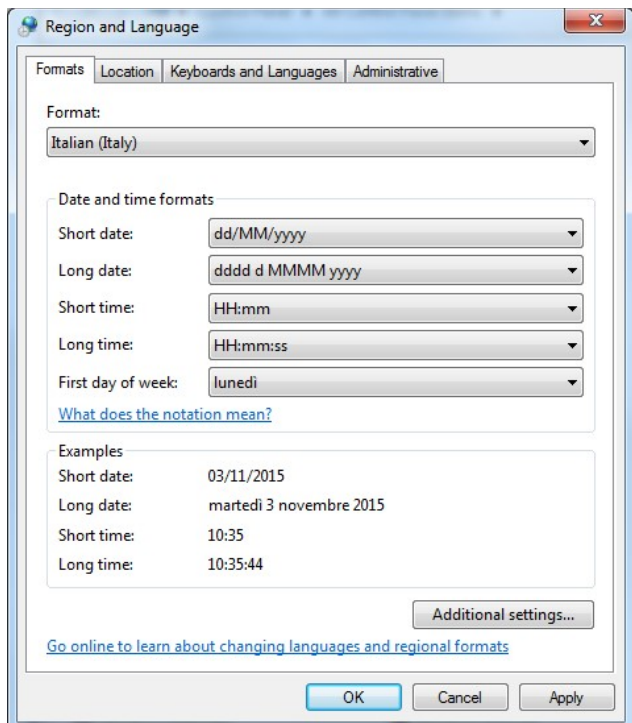
Correcting Valid number error messages.--If you are completing this questionnaire in a country that uses periods (".") to delineate multiples of 1000 (e.g., one million would appear as \$1.000.000 instead of as \$1,000,000), you may be unable to enter in numbers greater than 999 in numeric form fields. This issues stem from your computer number formatting setting (e.g., not the MS Word document itself, but the computer from which you are opening up the document). In the United States commas (,) delineate multiples of 1000 and periods (.) delineate fractions less than one. Many EU countries use the reverse where multiples of 1000 are delineated with periods (.) and fractions less than one are delineated with commas (,). This questionnaire is prepared in the United States with the U.S. number formatting. When this formatting interacts with a computer set to EU number formatting, we believe this may cause this issue.

The solution to this data entry issue is to temporarily change your operating system's number formatting to be consistent with the U.S. number formatting system while you complete the questionnaire.

To temporarily change your computer's number settings to U.S. settings, please do the following (for Microsoft Windows Operating system):

- START
- Control Panel
- Region and Language (under Clock, Language, and Region category)
- Format tab
- Change the Format from your existing one (e.g., "Italian (Italy)") to "English (United States)" (see screen shots below)

When you do this the number "twelve million dollars and thirty five cents" would change from \$12.000.000,35 (Italy format) to \$12,000,000.35 (U.S. format), and then there will be no conflict with the USITC foreign producer questionnaire form. When you finish reporting the data then you can close the questionnaire and switch back to your country settings.



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 Commission’s secure submission portal.**— The questionnaire must be uploaded in two formats: (1) a Microsoft Word 97-2003 document; and (2) a PDF copy of the complete questionnaire with a signature on the first page. Please include any attachments at the end of the PDF (e.g., APO certification, additional comments, etc.).

Web address: <https://usitc.gov/qportal> **Pin:** MEL6

• **E-mail.**— *E-mail the MS Word questionnaire to keysha.martinez@usitc.gov; include a PDF copy of the complete questionnaire with a signature on the first page. 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 submission portal 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 produce or export this product, please fill out page 1, print, sign, and submit a scanned PDF copy via the Commission’s secure submission portal or email.

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). Service of the questionnaire must be made in paper form.