

## LOST SALES AND LOST REVENUE SURVEY

### THERMOFORMED MOLDED FIBER PRODUCTS FROM CHINA AND VIETNAM

This survey must be received by the Commission by **October 22, 2024**

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

The information called for in this survey is for use by the United States International Trade Commission in connection with its countervailing and antidumping duty investigations concerning thermoformed molded fiber products ("TMFPs") from China and Vietnam (Inv. Nos. 701-TA-739-740 and 731-TA-1716-1717 (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 Craig Thomsen (202-205-3226, [craig.thomsen@usitc.gov](mailto:craig.thomsen@usitc.gov)).

Name of firm \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip Code \_\_\_\_\_

Website \_\_\_\_\_

Has your firm purchased TMFPs (as defined on next page) from any source (domestic or foreign), or imported TMFPs for your own retail sale or internal consumption, at any time since January 1, 2021?

☐ **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 Commission's secure portal by clicking on the following link:  
<https://usitc.gov/qportal>. (PIN: **TMFP**, PHASE: **Preliminary**). See last page for detailed instructions.

#### 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 a petition filed on October 8, 2024, by the American Molded Fiber Coalition, which is comprised of Genera, Vonore, Tennessee, Tellus Products, LLC, Belle Glade, Florida, and the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union, AFL-CIO. 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](https://usitc.gov/reports/active_import_injury_questionnaires).

Other case information: <https://ids.usitc.gov/case/8228/investigation/8641>

**TMFPs** covered by this proceeding are: The merchandise subject to these investigations consist of thermoformed molded fiber products regardless of shape, form, function, fiber source, or finish. Thermoformed molded fiber products are formed with cellulose fibers, thermoformed using one or more heated molds, and cured in the mold.

Thermoformed molded fiber products include, but are not limited to, plates, bowls, clamshells, trays, lids, food or foodservice contact packaging, and consumer or other product packaging.

Thermoformed molded fiber products may be derived from any virgin or recycled cellulose fiber source (including, but not limited to, those sourced from wood, woody crops, agricultural crops/byproducts/residue, and agricultural/industrial/other waste). They may have any weight, shape, dimensionality, design, or size, and may be bleached, unbleached, dyed, colored, or printed. They may include ingredients, additives, or chemistries to enhance functionality including, but not limited to, anti-microbial, antifungal, anti-bacterial, heat/flame resistant, hydrophobic, oleophobic, absorbent, or adsorbent. Thermoformed molded fiber products may also be subject to other processing or treatments, including, but not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dying, coloring, coating, laminating, embossing, debossing, repacking, or denesting. Thermoformed molded fiber products subject to these investigations may also have additional design features, including, but not limited to, tab closures, venting, channeling, or stiffening.

Thermoformed molded fiber products remain covered by the scope of these investigations whether the subject product is encased by nonsubject merchandise exterior packaging or whether the subject product forms the outer packaging for non-subject products. They also remain covered by the scope of these investigations whether imported alone, or in any combination of subject and non-subject merchandise (e.g., a lid or cover of any type packaged with a molded fiber bowl, addition of any items to make the thermoformed molded fiber packaging suitable for end-use such as absorbent pads). When thermoformed molded fiber products are imported in combination with nonsubject merchandise, only the thermoformed molded fiber products are subject merchandise.

Thermoformed molded fiber products include thermoformed molded fiber products matching the above description that have been finished, packaged, or otherwise processed in a third country by performing finishing, packaging, or processing that would not otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products. Examples of finishing, packaging, or other processing in a third country that would not

otherwise remove the merchandise from the scope of the investigations if performed in the country of manufacture of the thermoformed molded fiber products include, but are not limited to, hot or after pressing, die-cutting, punching, trimming, padding, perforating, printing, labeling, dying, coloring, coating, laminating, embossing, debossing, repacking, or denesting.

TMFPs are currently imported under statistical reporting numbers 4823.70.0020 and 4823.70.0040 of the Harmonized Tariff Schedule of the United States (HTSUS). They may also be imported under HTSUS statistical reporting numbers 4823.61.2000, 4823.61.4000, 4823.69.2000, 4823.69.4000. 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. 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. In addition, if your firm is a U.S. producer, the information you provide on your production and imports of TMFPs and your responses to the questions in Part I of the producer questionnaire will be provided to the U.S. Department of Commerce, upon its request, for use in connection with (and only in connection with) its requirement pursuant to section 702(c)(4)/732(c)(4) of the Act (19 U.S.C. § 1671a(c)(4)/1673a(c)(4)) to make a determination concerning the extent of industry support for the petition requesting this proceeding. Any information provided to Commerce will be transmitted under the confidentiality and release guidelines set forth above. Your response to these questions constitutes your consent that such information be provided to Commerce under the conditions described above.

**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 TMFPs.

***"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.

	2021	2022	2023	January— June 2024
Item	Quantity (in 1,000 pounds)			
<b>Purchases of TMFPs produced in—</b>				
United States				
China				
Vietnam				
All other countries <sup>1</sup>				
Sources unknown <sup>2</sup>				
Total purchases	0	0	0	0
<b>Imports of TMFPs from—</b>				
China				
Vietnam				
All other countries <sup>1</sup>				
Total imports <sup>3</sup>	0	0	0	0
<sup>1</sup> Please identify these countries: <sup>2</sup> Please indicate the firm(s) from which you purchased this merchandise: <sup>3</sup> If your firm imported TMFPs at any time since January 1, 2021, please also complete and return a U.S. importers' questionnaire in this proceeding.				

2. **Changes in purchasing patterns.**— Please indicate whether the shares of your firm’s purchases of TMFPs steadily increased, fluctuated but ended higher, were constant, fluctuated but ended lower, or steadily decreased since January 1, 2021 from the listed sources.

Select one box per row.

Source of purchases	Did not purchase	Steadily increased	Fluctuated upward	No change	Fluctuated downward	Steadily decreased	Explanation for trend
United States	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
China	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Vietnam	<input type="checkbox"/>	<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"/>	<input type="checkbox"/>	
Sources unknown	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

3. **Product types.**--Please list, the top types/styles of TMFPs your firm purchases or imports (e.g, bowls, plates, trays, packaging products).

	Type of TMFP	Estimated percentage of 2023 purchases (percent)
1.		%
2.		%
3.		%
4.		%
5.		%

**4. Purchasing subject imports rather than domestic products.—**

- (a) Since January 1, 2021, did your firm import and/or purchase imports of TMFPs from China and/or Vietnam instead of purchasing U.S.-produced TMFPs? Respond for each subject country.

<b>Source</b>	<b>Yes (also respond to parts (b) and (c))</b>	<b>No (If “No” for all countries, skip to next question)</b>
China	<input type="checkbox"/>	<input type="checkbox"/>
Vietnam	<input type="checkbox"/>	<input type="checkbox"/>

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

<b>Source</b>	<b>Yes</b>	<b>No</b>
China	<input type="checkbox"/>	<input type="checkbox"/>
Vietnam	<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?

<b>Source</b>	<b>Yes</b>	<b>If Yes, estimate the quantity of imports purchased and/or imported instead of domestic product since January 1, 2021 (in 1,000 pounds)</b>	<b>No</b>	<b>If No, please indicate the reason your firm imported and/or purchased imports instead of domestic product</b>
China	<input type="checkbox"/>		<input type="checkbox"/>	
Vietnam	<input type="checkbox"/>		<input type="checkbox"/>	
If the quantity reported above exceeds the total quantity reported in Question 1, please explain.				

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

- (a) Since January 1, 2021, in connection with a sale or offer to sell TMFPs to your firm, did U.S. producers reduce their prices of domestically produced TMFPs in order to compete with lower-priced imports of TMFPs 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
China	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Vietnam	<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
China	%	
Vietnam	%	

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

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



7. **Minimum order size.**--Do suppliers of TMFPs typically have minimum order sizes for the product(s) that your firm purchases? If yes, how has this affected your purchases of TMFPs?

Source	No	Yes	If yes, please list all known suppliers with minimum order sizes and those order size minimums, along with how it has affected your purchases of TMFPs.
Domestic product	<input type="checkbox"/>	<input type="checkbox"/>	
Imported product	<input type="checkbox"/>	<input type="checkbox"/>	

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

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

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

Law firm:	
Lead attorney(s):	

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

Hours	Dollars

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 questionnaire. Please provide such comments to the Office of Investigations, [import\\_injury@usitc.gov](mailto:import_injury@usitc.gov).

## 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.**— 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:** TMFP      **Phase:** Preliminary

- **E-mail.**— E-mail the MS Word questionnaire to [craig.thomsen@usitc.gov](mailto:craig.thomsen@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 purchase this product,** please fill out page 1, print, sign, and submit a scanned PDF copy via the Commission's secure submission portal or email.