

AUGUST 2003

# INTERNATIONAL TRADE ADMINISTRATION COMMISSION

QUESTIONNAIRE IN RESPECT OF AN INVESTIGATION INTO THE ALLEGED

DUMPING OF GLASS FIBRE CHOPPED STRAND MATS AND ROVINGS ORIGINATING IN OR  
EXPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA AND CHINESE TAIPEI

NOMINATED SURROGATE COUNTRY: CHINESE TAIPEI

*NOTE: PLEASE REPEAT ALL THE QUESTIONS WITH THE ANSWERS AND ALSO PLEASE PROVIDE ENGLISH  
TRANSLATIONS TO ANY TEXT IF STATED IN LANGUAGES OTHER THAN ENGLISH*

*PLEASE NOTE THAT THIS QUESTIONNAIRE HAS TO BE COMPLETED TWICE, ONCE AS THE CONFIDENTIAL VERSION  
AND ONCE AS THE NON-CONFIDENTIAL VERSION.*

## INTRODUCTION

1. The purpose of this questionnaire is to assist the exporter to compile the information needed by International Trade Administration Commission (the Commission).
2. Section 16(1)(a) of International Trade Administration Commission Act, 2002 (the ITA Act), authorises the Commission to investigate dumping and subsidised export in or to the common area of the Southern African Customs Union (SACU), which consists of South Africa, Botswana, Lesotho, Namibia and Swaziland.
3. The provisions of the WTO regarding dumping are contained in the Agreement on Implementation of Article VI of the General Agreement on Tariffs and Trade 1994 (the Anti-Dumping Agreement). South Africa is bound by this agreement and the Commission is committed to acting in accordance with this Agreement within the framework of South African law.
4. The Directorate: Trade Remedies II provides a public liaison service and if any party requires more information or clarification, the staff of the Directorate are ready to discuss these issues and provide assistance.
5. Parties should provide full and accurate information and provide supporting documentary evidence from commercial or governmental sources, e.g. commercial invoices, official trade and production statistics. Failure to do so could detrimentally affect your case. The Commission will not consider unsubstantiated information.
6. If the application is based in part on confidential material **the application must contain a non-confidential version of the confidential material together with an explanation of why it is confidential.** Section 33 of the ITA Act provides as follows:
  - “(1) A person may, when submitting information to the Commission, identify information that the person claims to be information that –
    - (a) is confidential by its nature; or
    - (b) the person otherwise wishes to be recognised as confidential.
  - (2) A person making a claim in terms of subsection (1) must support that claim with -
    - (a) a written statement in the prescribed form-
      - (i) explaining, in the case of information that is confidential by its nature, how the information satisfies the requirements set out in the definition of “information that is by nature confidential” in section 1(2); or

- (ii) motivating, in the case of other information, why that information should be recognised as confidential; and
- (b) either –
  - (i) a written abstract of the information in a non-confidential form; or
  - (ii) a sworn affidavit setting out the reasons why it is impossible to comply with subparagraph (i).”

These summaries should be in sufficient detail to permit a reasonable understanding of the substance of the information submitted in confidence. Therefore where confidential and non-confidential versions are supplied, parties must:

- (1) Indicate where information has been omitted in each case;
- (2) Provide reasons for confidentiality in each instance;
- (3) Provide a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information in each instance; and
- (4) Where information is not susceptible to a non-confidential summary, indicate this in each instance and provide a sworn affidavit setting out the reasons why the information is not susceptible to summarisation.

The Commission will not formally accept an application until a proper non-confidential version has been submitted in accordance with the above guidelines. If, in terms of section 34 of the ITA Act, the Commission finds that a request for confidentiality is not warranted and if the applicant is either unwilling to make the information public or to authorise its disclosure in summarised format, the Commission will not consider such information in determining the merits of the application and that it will return your submission.

Please take note that the rules relating to confidential information and the submission of non-confidential versions of submissions applies to **ALL correspondence, which unless clearly indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties**. If a document is indicated to be confidential but a proper non-confidential document complying with the above-mentioned rules, is not filed, then the document will not be taken into consideration by the Commission. The public file is available for inspection at the Commission’s offices by all interested parties, by appointment.

- 7. In the interest of fairness all interested parties will be furnished with a non-confidential version

of the application once an investigation has been initiated, while copies of all other non-confidential correspondence will be placed in a public file and will be made available upon request.

8. If this response is in respect of more than one product, any reference to "product", should be considered to be a reference to "products", and you should respond to the relevant question(s) in respect of all products.

9. Information should be submitted in hard copies as well as on 1,44 mb stiffer discs or on compact disks. All submissions should be made in English. The Commission's computer system is IBM compatible and utilises DBase V or Visual DBase, Quattro Pro Versions 4.0 , 5.0 and 6.0 (which are compatible with Lotus 1-2-3 and Excel) and Word Perfect Vers. 5.1, 6.0 and 6.1 software.

Discs must be labelled clearly indicating:

1. Party's name;
2. Product(s) concerned;
3. Type of information on the disc; and
4. Software used
5. Whether it is to be regarded as confidential.

The discs must be write protected.

10. The submission and further correspondence must be addressed to

The Director: Trade Remedies	Fax: ++27 12 428 7736
International Trade Administration Commission	Tel: ++27 12 428 7811
Private Bag X 753	4th floor
PRETORIA	SABS Building
0001	1 Dr Lategan Road
	Groenkloof

12. **Should it be found that you have submitted false or misleading evidence the Commission may reject *all* information submitted by you.**

13. Should any question provide insufficient space for your answer, please attach your answer as

an annexure with a number corresponding to the question number.

## SECTION A EXPORTER/FOREIGN MANUFACTURER

### GENERAL INFORMATION

This information is required to familiarise the Commission with your corporate structure, international relationships and your distribution system. Any changes in the information given during the period of investigation must be reported to the Commission immediately.

#### **A1. The exporter**

A1.1 Supply the following information as regards the contact details of your company:

Name: \_\_\_\_\_

Physical address: \_\_\_\_\_  
\_\_\_\_\_

Postal address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_

Fax: (\_\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_

Persons to be contacted by the investigating officers: \_\_\_\_\_

Positions held in company: \_\_\_\_\_

**Note:** The contact person should be able to converse in English.

A1.2 State the nature of your business, e.g. manufacturer, trading house, etc.

A1.3 Give details of your company's corporate structure and affiliations and provide a flow chart (attach as Annexure A1.3) in this regard.

A1.4 Provide the names and addresses of all of your factories that manufacture the products involved in this investigation.

Name: Address:  Country:	Name: Address:  Country:
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A1.5 Provide the names and addresses of all of your subsidiaries who trade in or manufacture the products involved in this investigation.

Name: Address:  Country:	Name: Address:  Country:
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A1.6 If you are yourself a subsidiary or joint venture, give the names and addresses of your holding company and/or joint venture partners.

Name: Address:  Country:	Name: Address:  Country:
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A1.7 Provide the names and addresses of all of your suppliers of the products you export to the Southern African Customs Union.

Name: Address:  Country:	Name: Address:  Country:
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A1.8 To which South African importers/agents do you export?

Name: Address:  Telephone: Contact person:	Name: Address:  Telephone: Contact person:
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Name: Address:  Telephone: Contact person:	Name: Address:  Telephone: Contact person:
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Name: Address:	Name: Address:
Telephone: Contact person:	Telephone: Contact person:

A1.9 To which other countries do you export the products under investigation?

A1.10 Enumerate any changes over the past three years concerning any and all of the replies given to the above question.

**A2 PRODUCTION CAPACITY AND UTILISATION**

A2.1 Submit the following detail of your normal production capacity and the utilisation thereof by volume (indicate the unit of measurement):

Description	2001	2002	2003
<b>YOUR PRODUCTION VOLUME</b>			
Capacity			
Actual production			
Utilisation (%)			

A2.2 Indicate any increase in your capacity over the last three years and the reasons for the increase.

A2.3 Production capacity by volume for last twelve calendar months

Capacity	MONTHS											
	#	#	#	#	#	#	#	#	#	#	#	#
Capacity												
Actual production												

# Identify the specific month, e.g. Jan, Feb, etc.

A2.4 State the normal number of shifts per week, number of hours per shift and number of labour

units involved for your company as follows.

	Products/models under investigation	Company as a whole
Shifts per week		
Hours per shift		
Direct labour units per shift		

Please attach proof as **Annexure A2.4**.

A2.5 State whether your production capacity can be increased without additional machinery, equipment and buildings indicating the method (e.g. more shifts, hours or labour units) and the extent of the possible increase in terms of production volume.

A2.6 Provide details of plans, inclusive of financing and time schedules, if any, to increase the production capacity and the actual production increase planned for your company.

### A3 INVENTORIES

A3.1 Indicate the level of your inventories for final goods, work in process and raw materials, separately, for the last two years and the most recent analysis:

	2001	2002	2003
<b>Volume</b>			
Final products			
Work in process			
Raw materials			

A3.2 Indicate the level of stockholding for final products for the most recent 12 months as follows:

Inventories	MONTHS											
	#	#	#	#	#	#	#	#	#	#	#	#
Final products												
Volume												

# Identify the specific month, e.g. Jan, Feb, etc.

**A4 FUTURE EXPORTS**

A4.1 Do you intend to significantly increase the volume of your exports to the SACU in the near future? Indicate the volumes to be exported over the twelve months following the initiation of the investigation.

A4.2 Are your intended exports to the SACU likely to be influenced by your exports to other countries? Please elaborate.

## SECTION B THE INDUSTRY

THIS INFORMATION IS REQUIRED TO FAMILIARISE THE COMMISSION WITH THE INDUSTRY IN YOUR COUNTRY CONCERNED WITH THE PRODUCT(S) BEING THE SUBJECT OF THE INVESTIGATION.

B1 Supply the following information as regards the contact details of the manufacturers' organisation in your country:

Name: \_\_\_\_\_

Physical address: \_\_\_\_\_

\_\_\_\_\_

Postal address: \_\_\_\_\_

\_\_\_\_\_

Telephone: (\_\_\_\_\_) \_\_\_\_\_

Fax: (\_\_\_\_\_) \_\_\_\_\_

E-mail: \_\_\_\_\_

Persons to be contacted by the investigating officers: \_\_\_\_\_

Positions held in organisation: \_\_\_\_\_

B2 The names and addresses of other **manufacturers** in your country of the product(s) being the subject of the investigation.

Name: Address:	Name: Address:
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Name: Address:	Name: Address:
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B3 The names and addresses of other **exporters** in your country of the product(s) being the subject of the investigation.

Name: Address:	Name: Address:
Name: Address:	Name: Address:

## SECTION C PRODUCTS

### Note: Like product

In terms of Article 2.6 of the Anti-Dumping Agreement "*the term 'like product' ('produit similaire') shall be interpreted to mean a product which is identical, i.e. alike in all respects, to the product under consideration, or in the absence of such a product, another product which, although not alike in all respects, has characteristics closely resembling those of the product under consideration.*".

This information is required to identify the products you trade in, that form part of the investigation.

### C1 Your products involved in this investigation

C1.1 Describe the product exported by you to the SACU, in the following detail:

- (a) The product concerned is \_\_\_\_\_ (scientific name), commonly identified or referred to as \_\_\_\_\_ (common name), and is sold under the trade name(s) of \_\_\_\_\_.
- (b) Main raw materials/components/inputs used.
- (c) Basic production process used.
- (d) Physical appearance.
- (e) Technical characteristics.
- (f) Application/use.
- (g) Categories of users.
- (h) Packaging.

Attach catalogues/brochures/samples covering these products as **Annexure C1.1**.

- C1.2 Explain in detail any differences between your product exported to the SACU and
- (a) the product sold by the SACU manufacturer that you may be aware of; and
  - (b) the product in the surrogate country used to determine the normal value.

**C2 Customs classification under which you export**

Supply the following information:

Tariff subheading	Description	Unit of measurement	Rate of customs duty

## SECTION D SURROGATE COUNTRY

South Africa currently uses the "surrogate country" methodology for economies in transition in anti-dumping investigations. Your country is regarded as a country with an economy in transition for these purposes. This methodology allows for the export price from your country to be compared with the normal value established in the surrogate country. In this regard section 32(2) of the International Trade Administration Commission Act, 107 of 1986, determines that, if

"the Commission is of the opinion that the normal value of the goods concerned is, as a result of government intervention in the exporting country or country of origin, not determined according to free market principles, the Commission may apply to those goods a normal value of the goods, established in respect of a third or surrogate country."

The applicant usually proposes a surrogate country with an industry of comparable development to that of the NME country. If there are other market economy countries involved in the investigation, one of those countries would normally be selected, for reasons relating to availability of information and containment of costs. If the surrogate country selection is challenged, reasons should be provided and a more appropriate surrogate country suggested, where there is a industry at a similar level of development and where normal value information could be verified. Full motivation should be provided for the Commission's consideration.

**The nominated surrogate country in this investigation is \_\_\_\_\_**

- D1 If you do not agree with the choice of the surrogate country –
- (a) state your reasons;
  - (b) indicate which country would be a suitable surrogate, and supply your reasons for nominating that country; and
  - (c) indicate a company in the country that you have nominated that would be willing to cooperate as surrogate company in the Commission's investigation.

Company:	
Physical address:	
Postal address:	



Contact person:	
Position in company:	
Telephone:	
Fax:	
Email address:	

## SECTION E      DUMPING

### E1      **Normal value**

The normal value is the value determined in the surrogate country. Should you challenge the surrogate country, furnish the price charged on the domestic market of the surrogate country nominated by you. Ideally this should be the net ex-factory selling price exclusive of all internal taxes. Submit supporting documentation of this price, e.g. sales invoices or price lists. (This information may be submitted direct to the Commission by the nominated country in your surrogate country.)

### E2      **Adjustments**

Indicate any differences between the products exported by you to the SACU and the product manufactured by the surrogate, including differences in physical characteristics, terms and level of trade and taxation.

### E3      **Export price**

List your exports to the SACU of the products, being the subject of this investigation, for the twelve months preceding the investigation period on a transaction-by-transaction basis, indicating the following information in the following format (attach as **Annexure E3**). This information **must** also be provided in electronic format in Excel.

Column A: Date of order

Column B: Shipment date

Column C: Invoice number

Column D: Customer name or code

Column E: Product code

Column F: Payment terms

Column G: Actual Payment date

Column H: Number of units sold

Column I: Price per unit

Column J: Total Value

## **SECTION F      GENERAL**

Submit any other information which in your opinion is deemed necessary to enable the Commission to reach a fair conclusion, including comments on the applicant's submission.

## **SECTION G      CERTIFICATION**

The information submitted must be accompanied by the following certificate :

"I, the undersigned, certify that the information given above is complete and correct to the best of my knowledge and belief and that I have been authorised to represent \_\_\_\_\_."  
(Company name)

\_\_\_\_\_

Date

Signature of authorised person

\_\_\_\_\_  
Name and title of authorised person (in print)

**NB: HAVE YOU COMPLETED YOUR NON-CONFIDENTIAL SUBMISSION? IN THE ABSENCE OF A PROPER NON-CONFIDENTIAL VERSION THE COMMISSION WILL NOT BE IN A POSITION TO REGARD YOUR PRESENTATION AS PROPERLY SUBMITTED AND COULD DISREGARD THE INFORMATION SUBMITTED.**