

**THE SUNSET REVIEW CONCERNING THE ANTIDUMPING DUTY  
ORDER ON PORTLAND CEMENT AND CLINKER FROM SOUTH  
KOREA AND THE PHILIPPINES**

**INJURY INVESTIGATION QUESTIONNAIRE  
(FOREIGN PRODUCERS/EXPORTERS)**

INVESTIGATION NO.: 19-90-01 (96S1)

NAME OF COMPANY:

INTERNATIONAL TRADE COMMISSION, MINISTRY OF ECONOMIC AFFAIRS,  
TAIWAN, REPUBLIC OF CHINA

# **GENERAL INFORMATION FOR FOREIGN PRODUCERS'/EXPORTERS' QUESTIONNAIRE**

## **BACKGROUND**

On July 19, 2002, the Ministry of Finance (MOF) issued an antidumping duty order on imports of Portland Cement and Clinker from South Korea and the Philippines. On May 2, 2007, the MOF, pursuant to the Regulations Governing the Implementation of the Imposition of Countervailing and Antidumping Duties (hereinafter referred to the Regulations) and a request by Asia Cement Corp., Taiwan Cement Corp., Lucky Cement Corp. and Hsing Ta Cement Co. Ltd., initiated a sunset review concerning the antidumping duty order on the aforementioned case.

Following the decision by the MOF, the ITC is conducting an investigation to determine whether the expiry of the antidumping duty order would be likely to lead to continuation or recurrence of material injury. In accordance with Article 44 of the Regulations, the procedure of investigating an antidumping case shall be applied *mutatis mutandis* to a review case, except for Article 12 and Article 14 of the Regulations. According to Article 19 and Article 44 of the Regulation, in order to proceed with the injury investigation, the ITC requests the known interested parties (including domestic producers, importers, purchasers and foreign producers/exporters) to respond to the questionnaires.

## **PRODUCT DESCRIPTION**

The imported products subject to this investigation are Type I and Type II of Portland Cement and of its Clinker (Portland Cement and Clinker). Portland Cement Type I, also known as ordinary cement, is intended for structural projects generally not exposed to sulfate-containing soil or underground water. Most cement in use on the market falls in this category. Portland Cement Type II has a low alkalis content and is moderately resistant to sulfates. It is suitable for the large-size structural constructions, like underground foundation projects, bridges, dams, harbors, etc. The imported products subject to this investigation were classified under subheading 2523.29.90 and 2523.10.90 of the Customs Import Tariff and Import and Export Commodity Classification of the Republic of China.

## **LIKE PRODUCT**

Type I and Type II of Portland Cement and of its Clinker

## **PERIOD OF INVESTIGATION**

January 1, 2002 to June 30, 2007

## **DUE DATE OF QUESTIONNAIRE**

Return the completed questionnaire to the ITC by registered mail by [September 17, 2007](#) (as evidenced by the date of receipt by the ITC). You are encouraged to e-mail or fax the completed questionnaire to the ITC in advance.

Return only one copy of the completed questionnaire, but please keep a copy for your records so that you can refer to it if the ITC staff contacts you with any questions during the course of the review.

## **CONFIDENTIALITY**

- 1.If the response, such as the commercial and financial data, to this questionnaire reveal the individual operations of your firm and would be not otherwise available to the public, you may mark "Confidential" on the cover page as well as the upper part of each page of the response. However, reasons to request confidential treatment should also be stated in the response. Your company should provide a non-confidential version of the response to this questionnaire for the reference of interested parties. The format of the non-confidential version should be the same as that of the confidential version. Besides, the confidential data or information should also be summarized for the reference of interested parties.
- 2.Where the request for confidentiality is not warranted, or where the non-confidential summary is not provided, the ITC should disregard such information and will be free to make determination on the basis of the facts available.
- 3.The ITC may provide the public version of your response for the interested parties to access.
- 4.If your company's request for confidentiality is warranted, the ITC shall not disclose the confidential version to the public without the consent of your company.

## **COMPLETE AND ACCURATE ANSWERS**

- 1.Please answer all questions in the questionnaire completely and accurately. Answers to questions and any necessary comments or explanations may be supplied in the space provided or on separate sheet attached to the appropriate page of the questionnaire.
- 2.Report the requested data for your establishment(s) located in your country. Firms operating more than one establishment should combine the data for all establishments into a single report.
- 3.All answers should be clear and the source of the information or evidence should be explained. If information is not readily available from your records in exactly the form

requested, furnish carefully prepared estimates—designated as such by the letter “ESTIMATES”—and explain the basis of your estimates.

4. Please number the attachments necessary for the data and evidence, and attach them at the end of the response.

#### **ON-THE-SPOT VERIFICATION**

The ITC may conduct on-the-spot verification of the response and relevant information and request supplemental information or descriptions, if necessary. The information submitted in the enclosed questionnaire is subject to audit and verification by the ITC. To facilitate possible verification of data, please keep all your workpaper and supporting documents used in the preparation of the questionnaire response.

#### **CONSEQUENCE OF NON-COOPERATION**

The ITC will be free to make determination on the basis of the facts available, if your company fails to submit the necessary information within the due date or otherwise impede the investigation.

#### **CONTACT INFORMATION**

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Mr. Wei-Duen Ho

**Address: 8F, No. 317, Songjiang Rd., Jhongshan District, Taipei City 10483, Taiwan,  
R.O.C.**

**Tel: 886-2-2506-6670 ext. 521 or 560**

**Fax: 886-2-2502-9557**

Email: [itc@mail.moeaitc.gov.tw](mailto:itc@mail.moeaitc.gov.tw)

**INJURY INVESTIGATION QUESTIONNAIRE**  
**(FOREIGN PRODUCERS / EXPORTERS)**

INVESTIGATION NO.: 19-90-01 ( 96S1 )

Company name:	
Authorized official:	
Correspondent(s):	
Address:	
Telephone number:	E-mail:
Fax number:	World Wide Web address (if any):
Read the instructions carefully, complete all parts of the questionnaire, sign the certification, and return the entire questionnaire to the ITC	

**CERTIFICATION**

*The undersigned certifies that the information herein supplied in response to this questionnaire is complete and correct to the best of his/her knowledge and belief and understands that the information submitted is subject to audit and verification by the International Trade Commission of the MOEA. The International Trade Commission of the MOEA may disclose the public version of this response for public access. It is understood that failing to provide sufficient information or causing any impediment to the investigation may cause the ITC to make a determination based on the facts available.*

*Respectfully submitted to the International Trade Commission, MOEA*

<i>Name and Title of Authorized Official</i>	<i>Date</i>
<i>Signature of Authorized Official</i>	<i>( ) Phone</i>
	<i>( ) Fax</i>
E-mail address _____	

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## Part I General Questions

101. Please provide brief introductory materials and annual reports of your company in English, which include information concerning the company's organization, product types, manufacturing process and marketing plan of the year 2006 for the Portland Cement and Clinker.

102. Please provide the names and addresses of the FIVE largest Taiwan importers of your firm's Portland Cement and Clinker in 2006.

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103. Does your firm or any related firm produce, have the capability to produce, or have any plans to produce Portland Cement and Clinker in Taiwan or other countries?

No                       Yes--Please name the firm(s) and country(ies) below.

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104. Does your firm or any related firm in Taiwan import or have any plans to import Portland Cement and Clinker into Taiwan?

No                       Yes--Please name the firm(s) below.

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## Part II Operation, Trade and Related Information

201. Has your firm experienced any plant openings, relocations, expansions, acquisitions, consolidations, closures, or prolonged shutdowns because of strikes or equipment failure; curtailment of production because of shortages of materials; or any other change in the character of your operations or organization relating to the production of Portland Cement and Clinker since July 19, 2002 (the date the antidumping duty order under review became effective) ?

No                      Yes--Supply details as to the time, nature, and significance of such changes.

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202. Does your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of Portland Cement and Clinker in the future?

No                      Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with supporting documentation that address this issue. Include in your response a specific projection of your firm's capacity to produce Portland Cement and Clinker (in 1,000 tons) for the 3<sup>rd</sup> and 4<sup>th</sup> quarters of 2007.

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203. Would your firm anticipate any changes in the character of your operations or organization (as noted above) relating to the production of Portland Cement and Clinker in the future if the antidumping duty order on Portland Cement and Clinker from South Korea and the Philippines were to be revoked?

No                      Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with supporting documentation that address this issue.

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204. Does your firm have any plans to add, expand, curtail, or shut down production capacity and/or production of Portland Cement and Clinker in the future?

- No                       Yes--Please describe those plans, including planned dates and capacity/production quantities involved, and the reason(s) for such change(s). If the plans are to add or expand capacity or production, list (in descending order of importance) the markets (countries) to which such additional capacity or production would be directed. Provide supporting documentation that addresses this issue.

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205. Describe the production technology used in the production of Portland Cement and Clinker and identify major production inputs. Also discuss any significant changes in production technology since July 19, 2002 (the date the antidumping duty order under review became effective) .

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206. Has your firm produced since July 19, 2002 (the date the antidumping duty order under review became effective) , or does your firm anticipate producing in the future, other products on the same equipment and machinery used in the production of Portland Cement and Clinker?

- No                       Yes--List the following information and report your firm's combined production capacity and production of these products and Portland Cement and Clinker in the periods indicated..

<u>Product</u>	<u>Period</u>	<u>Basis for allocation of capacity data (in %)</u>
_____	_____	_____
_____	_____	_____

Quantity in 1,000 Metric Ton

Item	2002	2003	2004	2005	2006	2007 (estimated)
Average Production Capacity						
Production						

207. Has your firm produced since July 19, 2002 ( the date the antidumping duty order under review became effective ) , or does your firm anticipate producing in the future, other products using the same production and related workers employed to produce Portland Cement and Clinker?

No                      Yes--List the following information.

Product

period

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

208. Please describe the constraint(s) that set the limit(s) on your production capacity.

\_\_\_\_\_

\_\_\_\_\_

209. What percentage of your firm's total sales in its most recent fiscal year was represented by sales of Portland Cement and Clinker?

\_\_\_\_\_Percent

210. Is your firm able to switch production between Portland Cement and Clinker and other products in response to a relative price change in the price of Portland Cement and Clinker vis-à-vis the price of other products, using the same equipment and labor?

No                      Yes--Please identify below the other products, the approximate time and cost involved in switching, and the minimum relative price change required for your firm to switch production to or from Portland Cement and Clinker.

\_\_\_\_\_

\_\_\_\_\_

211. Has your firm maintained any inventories of Portland Cement and Clinker in Taiwan (not including inventories held by firms identified in questions 103, 104) since 2002?

No                      Yes--Report the quantity(in tons)of such end-of-period inventories below.

Item	2002	2003	2004	2005	2006	2007 ( estimated )
Inventories of Portland Cement and Clinker in Taiwan						

212. (a) Are your firm's exports of Portland Cement and Clinker subject to tariff or non-tariff barriers to trade (for example, antidumping or countervailing duty findings or remedies, tariffs, quotas, or regulatory barriers) in any countries other than Taiwan?

No                       Yes--List the products(s), country(ies), the year each such barrier was imposed, and the type of barrier.

Product	Country	Year imposed	Barrier(if tariff, give rate)
_____	_____	_____	_____
_____	_____	_____	_____

(b) Are your firm's exports of Portland Cement and Clinker subject to current investigations in any countries other than Taiwan that might result in tariff or non-tariff barriers to trade?

No                       Yes--List the products(s), country(ies), and type of investigation.

Product	Country	Type of investigation
_____	_____	_____
_____	_____	_____

213. Identify export markets (other than Taiwan) that you have developed or where you have increased your sales of Portland Cement and Clinker as a result of the antidumping duty order on Portland Cement and Clinker from South Korea and the Philippines. Please identify and discuss below.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

214. Describe the significance of the existing antidumping duty order covering imports Portland Cement and Clinker from South Korea and the Philippines in terms of its effect on your firm's production capacity, production, home market shipments, exports to Taiwan and other markets, and inventories. You may wish to compare your firm's operations before and after the imposition of the order.

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215. Would your firm anticipate any changes in its production capacity, production, home market shipments, exports to Taiwan and other markets, or inventories relating to the production of Portland Cement and Clinker in the future if the antidumping duty order on Portland Cement and Clinker from South Korea and the Philippines were to be revoked?

No

Yes--Supply details as to the time, nature, and significance of such changes and provide underlying assumptions, along with other supporting documentation, for any trends or projections you may provide.

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216. Please report production capacity, production, shipments, and inventories of Portland Cement and Clinker produced by your firm in your country in 2002-2007. If the Portland Cement and Clinker has different specifications or quality and the data on these can be separated, please provide a full accounting for each specification or quality. Please fill in sheet 216 (please see the attached electronic file name: worksheet (foreign producers)). In addition, please estimate the percentage of total production of Portland Cement and Clinker in your country accounted for by your firm's production in 2006 and 2007. Also, please estimate the percentage of total exports to Taiwan of Portland Cement and Clinker from South Korea and the Philippines accounted for by your firm's exports in 2006 and 2007.

### Part III Market Factors

301. To what extent have changes in the prices of raw materials affected your firm's selling prices for Portland Cement and Clinker during 2002-June 2007? Also discuss any anticipated changes in your raw material costs in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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302. Approximately what percentage of your firm's sales of Portland Cement and Clinker to Taiwan customers are on a contract (\_\_\_ percent) vs. spot sales (\_\_\_ percent) basis? If you sell on a contract base, please answer the following questions with respect to provisions of a typical contract.

(a) What is the average duration of a contract? \_\_\_\_\_

(b) How frequently are contracts renegotiated? \_\_\_\_\_

(c) Does the contract fix quantity, price, or both? \_\_\_\_\_

(d) Does the contract have a meet or release provision? \_\_\_\_\_

(e) What are the standard quantity requirements, if any? \_\_\_\_\_

(f) What is the price premium for sub-minimum shipments? \_\_\_\_\_ percent

303. What is the average lead time between a Taiwan customer's order and the date of delivery for your firm's sales of Portland Cement and Clinker?

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304. Have individual Taiwan producers, importers, purchasers, or foreign producers/exporters of Portland Cement and Clinker influenced Taiwan wholesale market price of Portland Cement and Clinker since July 19, 2002 (the date the antidumping duty order under review became effective) ?

No

Yes--Please identify any such firm(s) and note the time period when the firm(s) influenced price, whether the effect was to increase or decrease the price, and why your firm believes that the actions of the firm(s) were responsible for the price change.

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305. Please identify any supply factor(s) ( e.g., changes in availability or prices of raw materials, energy, or labor; transportation conditions; production capacity and/or methods of production; technology; export markets; or alternative production opportunities ) that affected the availability of your country-produced produced Portland Cement and Clinker in Taiwan market since July 19, 2002 ( the date the antidumping duty order under review became effective ) . Please note the time period(s) of any such changes, the factor(s) involved, and the impact such changes had on your shipment volumes and prices.

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306. Please discuss any anticipated changes in the supply factors noted above that may affect the availability of your country-produced Portland Cement and Clinker in Taiwan market in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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307. Describe how easily your firm can shift its sales of Portland Cement and Clinker between Taiwan market and alternative country markets. In your discussion, please describe any contracts, other sales arrangements, or other constraints ( including any third-country trade barriers such as tariffs, quotas, or other non-tariff barriers ) that would prevent or retard your firm from shifting Portland Cement and Clinker between Taiwan and alternative country markets within a 12-month period. Provide any underlying assumptions, along with supporting documentation that address this issue.

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308. Is the product range, product mix, or marketing of Portland Cement and Clinker in your home market significantly different from the product range, product mix, or marketing of Portland Cement and Clinker for export to Taiwan or to third-country markets? Have there been any significant changes in the product range, product mix, or marketing of Portland Cement and Clinker in your home market, for export to Taiwan, or for export to third-country markets since July 19, 2002 ( the date the antidumping duty order under review became effective ) ?

No

Yes--Please describe and quantify if possible.

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309. Please discuss any anticipated changes in terms of the product range, product mix, or marketing of Portland Cement and Clinker in your home market, for export to Taiwan or for export to third-country markets in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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310. What other products may be substitutes for Portland Cement and Clinker?

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311. Have there been any changes in the number or types of products that can be substituted for Portland Cement and Clinker since July 19, 2002 ( the date the antidumping duty order under review became effective ) ?

No

Yes--Please explain.

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312. Please discuss any anticipated changes in terms of the substitutability of other products for Portland Cement and Clinker in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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313. Is the Portland Cement and Clinker produced by your firm and sold in its home market interchangeable ( e.g., can be used in the same applications ) with your firm's Portland Cement and Clinker sold to Taiwan and/or to the third-country markets?

Yes

No--Identify the market(s) and any differences in the products.

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314. Describe the end uses of the Portland Cement and Clinker that you manufacture and sell to your home market. If these end uses differ from those of the Portland Cement and Clinker you sell to Taiwan market or to third-country markets, explain.

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315. Discuss any changes in the end uses of Portland Cement and Clinker since July 19, 2002 ( the date the antidumping duty order under review became effective ) by market and time period.

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316. Please discuss any anticipated changes in terms of the end uses of Portland Cement and Clinker in the future, identifying the time period(s) involved, the market(s), and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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317. How has the demand within your home market and Taiwan( and worldwide, if known )for Portland Cement and Clinker changed since July 19, 2002 ( the date the antidumping duty order under review became effective ) ? What were the principal factors affecting changes in demand?

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318. Please discuss any anticipated changes in Portland Cement and Clinker demand in your home market and Taiwan (and worldwide, if known) in the future, identifying the time period(s) involved and the factor(s) that you believe would be responsible for such changes. Provide any underlying assumptions, along with supporting documentation that address this issue.

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319. Please compare market prices of Portland Cement and Clinker in your home market, Taiwan, and third-country markets, if known.

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320. Describe briefly your home market for Portland Cement and Clinker, including the number of, and competition between producers.

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321. Do you face competition from imports of Portland Cement and Clinker in your home market?

No                       Yes--Please identify the country sources of any imports of Portland Cement and Clinker into your home market.

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322. Please provide as a separate attachment to this request any studies, surveys, etc. that you are aware of that quantify and/or otherwise discuss Portland Cement and Clinker supply (including production capacity and capacity utilization) and demand in (1) Taiwan, (2) each of the other major producing/consuming countries, including South Korea and the Philippines and (3) the world as a whole. Of particular interest is such data from July 19, 2002 (the date the antidumping duty order under review became effective) to the present and forecasts for the future.

**Part IV Others**

410. Please provide additional information or description concerning this review.