

EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY

in

Crawfish Tail Meat from China
Inv. No. 731-TA-752 (Review)

On November 4, 2002, the Commission determined that it should proceed to a full review in the subject five-year review pursuant to section 751(c)(5) of the Tariff Act of 1930, as amended (19 U.S.C. § 1675(c)(5)).

The Commission determined that both the domestic and respondent interested party group responses to the notice of institution were adequate and voted to conduct a full review. Regarding domestic interested parties, the Commission received a joint response from the Crawfish Processors Alliance (CPA) and its individual members, who are domestic producers. The response contained company-specific information.¹ The record indicates that these producers accounted for the majority of domestic production of crawfish tail meat in 2001. With respect to respondent interested parties, the Commission received a joint response on behalf of sixteen producers in China accounting for the majority of total exports to the United States from China in 2001.^{2 3}

A record of the Commissioners' votes is available from the Office of the Secretary and at the Commission's website (<http://www.usitc.gov>).

¹ The response to the notice of institution was filed on behalf of the CPA, its members, and an ad hoc coalition of the CPA, its members, the Louisiana Department of Agriculture and Forestry (LDAF), and Bob Odom, Commissioner of the LDAF. Neither the LDAF nor its Commissioner is an interested party pursuant to 19 U.S.C. § 1677 (9)(A). However, the CPA and its members are interested parties pursuant to 19 U.S.C. § 1677(9)(A).

² The response to the notice of institution was filed on behalf of the China Chamber of Commerce for Import & Export of Foodstuffs (CCCNFA) and 16 Chinese producers and/or exporters of crawfish tail meat. The CCCNFA is not an interested party pursuant to 19 U.S.C. § 1677(9)(A). However, the 16 producers and/or exporters of crawfish tail meat are interested parties pursuant to 19 U.S.C. § 1677(9)(A).

³ Commissioner Bragg found the respondent group response to be adequate notwithstanding the failure of respondent parties to provide certain company-specific production and export data requested by the Commission in its notice of institution, based upon the inference that at least some of the 16 responding Chinese “producers and/or exporters” are in fact “producers” of subject merchandise, and that therefore the Commission will be provided responsive company-specific foreign producer data in a full review investigation.