

***UNITED STATES – MEASURES RELATING TO SHRIMP FROM THAILAND***

**(WT/DS343)**

**ANSWERS OF THE UNITED STATES TO THAILAND'S QUESTIONS  
TO THE UNITED STATES IN CONNECTION WITH  
THE FIRST SUBSTANTIVE MEETING**

**June 22, 2007**

**Q1. Please provide the following details about the application of the Enhanced Bond Requirement to importers of subject shrimp from Brazil, China, Ecuador, India, Thailand and Vietnam.**

- (a) The total number of importers of subject shrimp that have been required to provide increased bonds under the Enhanced Bond Requirement.**
- (b) The total number of those importers that have made requests under paragraph 2 of the 20 October 2006 Notice for reduced bond amounts.**
- (c) For each such request for reduced bond amounts, please provide details of (i) the amount of reduction requested, (ii) the outcome of the request (including details of the percentage of reduction granted), (iii) the reasons or a summary of the reasons provided by the CBP for granting, partially granting, or refusing to grant the requested reduction.**
- (d) Thailand notes that during the First Substantive Meeting, the United States explained that for 22 requests for reduced bond amounts, 21 importers received reductions, of which 7 importers had Thai addresses (6 reduced by 25% and 1 reduced by 45%). Please provide further details of the manner in which the CBP treated these requests for reduction by importers of subject shrimp from Thailand.**

1. See Response to Panel Question 28. As explained in the October 2006 Notice, the individualized bond determinations were based on information provided by the importer regarding its ability to pay, as well as on its history of compliance with U.S. customs laws and regulations. Where the information submitted indicated that the importer was significantly undercapitalized such that it would not be able to pay unsecured liability, it received a higher individual bond amount than an importer that provided information indicating that it would be able to pay. All importers that had a history of compliance with U.S. customs laws and regulations received a bond amount lower than that provided by the formula.

**Q2. Please provide the following clarifications about Exhibit US-7.**

- (a) Are the figures for "Unpaid AD bills" in this chart derived from the figures for "Uncollected Duties" set out in the CBP's annual reports issued under the CDSOA Act? If not, please explain the sources used.**
- (b) Please explain to what the term "Total AD Bills Issued" refers. Does it refer to the total amount of supplemental antidumping duties (i.e., only antidumping duties arising from increases in the assessment rate over the cash deposit rate) assessed during the calendar year or the total antidumping duties assessed during the calendar year (i.e., cash deposit amounts and supplemental bills)? Are these figures also sourced from the CDSOA annual report? If not, please explain the sources used.**
- (c) Precisely to what does the term "Unpaid AD bills" refer? How does this term differ from the terms "uncollected antidumping duties" and "defaults on antidumping duties" (see US First Submission, para. 12 and footnote 11). What is meant by the terms "uncollected" and "defaults"?**

2. (a) The figures for “Unpaid AD bills” in the chart are derived from internal CBP data. That data is also used to prepare CBP’s annual reports under CDSOA.
  
3. (b) The term “total AD bills issued” refers to the total amount of supplemental duty bills issued as a result of increases in antidumping duty rates at final assessment. The figures are derived from internal CBP data.
  
4. (c) “Unpaid” bills, “uncollected” bills, and bills subject to “default” refer to supplemental duty bills that have been issued and have not been paid within 90 days of bill issuance. The data in Exhibit US-7 reflect the most recent status of bills outstanding (*e.g.*, the bills reported as outstanding for 2002 are those that remain outstanding as of 2007).