



REPUBLIC OF LEBANON
MINISTRY OF ECONOMY & TRADE

General Directorate of Economy & Trade

Trade Remedies Unit

Complaint n°: 11

Date:

**Questionnaire for the exporters of cornflakes, rice chips and wheat
crackles of French, British, German, Turkish, Polish, Lithuanian or EU
origin**

Name of the Company (concerned party) :

**Name of the party authorized to fill the
questionnaire & the authorized
signatory :**

Name of the product under investigation : CORNFLAKES, RICE CHIPS and Wheat
Crackles

H.S Code : 1904.10- 1905.90.90 -1905.32

Deadline for the submission of data : 25/2/2018

Address

Ministry of Economy & Trade

General Directorate of Economy & Trade

Trade Remedies Unit

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General Information about the questionnaire

1- The questionnaire comprises of an introduction and four parts : A, B, C & D

Part A: General Information

Part B: Lebanon export sales of the product subject to the investigation

Part C: Local sales

Part D: Production Costs

2- Do not leave the question blank, choose any of the followings answers: **(no)**, **(not applicable)** or **(unavailable)**

3- Related information regarding costs and prices to be submitted should date in relevance to the investigation period from 1/1/2014 till 30/6/2017.

In case the company's financial year is different than the investigation term, you are requested to submit a detailed description concerning the conformity of information with the period of the investigation.

4- Answer the questions in the questionnaire directly or attach your answer in a separate paper while precisising the question number and the confidentiality level.

5- Specify the method used to determine the cost and revenues of different kinds of product, under investigation.

6- kindly provide a soft copy on a CD while clearly identifying the names of the files and programs used.

7- Values, costs and expenses should be calculated in the original currency.

8- You are requested to submit four confidential copies (one original and 3 copies) and four non- confidential ones (one original and 3 copies).

9- For more information, contact the Trade Remedies Unit on the following address:

Ministry of Economy & Trade
General Directorate of Economy & Trade
Trade Remedies Unit
E-mail : trade.remедies@economy.gov.lb

10- In case the company delegates a lawyer to follow the complaint process, kindly attach a certified copy of the power of attorney.

11- Make sure your answers are dated and signed while mentioning the full name and title of the authorized signatory.

Introduction

The Trade Remedies Unit at the Ministry of Economy & Trade is entitled to manage the implementation of the Lebanese Law on Protection of National Production.

To this end, the Minister of Economy and Trade issued the decision to investigate the case of dumping imported products of French, British, German, Turkish, Polish, Lithuanian or EU origin, based on the request submitted by Daher International Food Company S.A.L to the Trade Remedies Unit.

Therefore, your company is requested to answer the questionnaire hereinafter. Should your company not submit the requested data, the Investigating authority in Lebanon shall take its decision based on the best available information.

Definition of Dumping

Dumping is exporting a product to Lebanon at a price less than its normal value. (Article 29 of the decree n° 1204 issued on March 18th, 2008 “Regulatory decree of the law on protection of national production”).

The **margin of dumping** is the difference between the export price and the normal value of the product under investigation.

The normal value is the value of the like product when destined for consumption in the exporting country or in the country of origin or the cost of production in the country of origin plus a reasonable amount of administrative, selling and general costs and reasonable profits.

Whereas the export price is the price paid by the Lebanese importer for the imported products.

A particular product is dumped when the “exportation price” is less than the “normal value”, taking into consideration that the price comparison is equitable.

Dumping is not considered as an illegal practice; however, it constitutes a common international commercial practice of which both importing and exporting countries can benefit. However, when the dumping causes or threatens to cause physical harm to any domestic industry, an anti-dumping fee shall be charged but shall not exceed the margin of dumping.

The investigation sets the value of the anti-dumping fees after assessing the extent of dumping, the damage caused and the cause-effect relationship between the two.

Product under investigation

The product under investigation is the cornflakes, rice chips or wheat crackles exported to Lebanon of the following HS Codes: 1904.10- 1905.90.90 -1905.32.

Remark

Kindly answer the questions, appearing on the electronic version, directly after each question and send the answers electronically via the e-mail and via correspondence (hard copy), in addition to evidence-based documents (where available). Answers and supporting documents are to be submitted in three forms: by e-mail, as hard copies and on a compact disc (CD).

The investigation period

The scope of investigation in the anti-dumping case extends from 1/1/2014 till 30/6/2017.

The investigation visit

Investigators from the Investigating Authority may visit your company to verify the accuracy of the information submitted. This visit is usually conducted after receiving and analyzing the answers to the questionnaire. To this end, the Authority contacts your company in case a it was concluded that a visit is necessary.

The submitted documents

Answers to the questions shall be evidence-based to support the claim.

You may be required to present sufficient and additional documents during the investigation; provided that the original source of the information related to all the submitted documents, including the original copies, shall be made available during any visit.

Date of sale

The export date for your products to Lebanon or any other countries is of great importance regarding the analysis undertaken by the Investigating Authority; where it will determine the sale factors in parts B & C of this questionnaire. Noting that the methodology used to determine the sales date may differ from the one used throughout the investigation. The glossary of terms included in the Annex 12 encompasses a description of the standards used by the Investigating Authority. Kindly comply with these standards when answering this questionnaire.

Confidential Information

The Investigating Authority makes sure that all the concerned parties can access the non-confidential information related to the case at hand.

Pursuant to article 19 of decree n° 1204 dated on March 18th, 2008 “Regulatory decree of the law on protection of national production”,

The Investigating Authority shall treat any information of confidential nature as confidential.

The concerned parties are to clearly state and differentiate between confidential and non-confidential information through the following:

- a) Provide a detailed justification for confidentiality,
- b) Submit a non-confidential summary of the answers and documents provided .

In case no sufficient justification of confidentiality was provided and the party that presented this information did not approve to publish it, the Investigating Authority may omit the data or information at hand.

Statutory timelines

By virtue of article 18 of decree n° 1204 dated on March 18th, 2008 “Regulatory decree of the law on protection of national production”, foreign producers shall provide a sufficient reply attached with all the supporting documents within 30 days as from the receipt date of this questionnaire regarding the dumping claim. It may be possible to extend this period to a maximum of 45 days upon a justified request submitted to the Investigating Authority which is entitled to take the decision of refusing or accepting the demand of extension.

Part (A)- General Information

General Information

The purpose of this section is to provide an overview of your company and products.

A-1 Provide the full name of your company, its postal address, telephone and fax numbers as well as the full name and e-mail of the employees that will be contacted.

A-2 Describe the nature of your company’s business and indicate whether you work as producer, trading / sale corporation or distributor.... etc.

A-3 Provide the company’s historical background including the establishment date, the organizational structure in addition to the products manufactured or date of sale for the first time.

A-4 In case of the company is a subsidiary company, kindly precise the parent company and the ownership interest.

A-5 Send a list of the companies related to your company and indicate the nature of the relation between them as well as the ownership percentage.

A-6 Indicate the subsidiaries companies that produce, export, import raw material or sell specific products whether in Lebanon, the local market or in any other country. Moreover, identify the activities, responsibilities and duties entrusted to each of the subsidiaries in terms of the concerned products.

A-7 Provide details concerning any change in the ownership or any other changes that may affect any practices in terms of costs, sales, purchases and distribution processes during the investigation period.

A-8 Provide a list of all your company's production lines whether related to the product concerned or any other irrelevant products.

A-9 Provide the latest brochures, leaflets or any other publications related to the company or its subsidiaries and the products that were sold or produced within the local market or in the exporting market.

A-10 Send copies of the companies' financial statements concerning the costs or sales of the local market and sale market specific to the concerned product during the last three years (cost of production, income statements, profit and loss statements, balance sheet statements.. etc.) as well as the companies' accounting reports in addition to indicating the financial year of the company.

A-11 Indicate whether your company was subject to investigation in terms of dumping, subsidies or safeguards from any countries other than Lebanon; and whether any country had ever imposed any restrictions or quotas on importing specific products that your company exported or produced during the last five years. Please provide details of these restrictions and quotas and precise whether anti-dumping, subsidies or safeguards measures were taken; provided that the following information is provided for each case: (1) the country that took the measures; (2) the kind of measures taken (anti-dumping, subsidy or safeguard duty); (3) anti-dumping, subsidy or safeguard duty rate; (4) the time range of the measures imposed; (5) the volume of exports of the concerned product that were exported to the concerned country during the twelve months preceding the measures

taken and (6) the volume of exports of the concerned product exported to the concerned country within the latest 12 months.

A-12 Provide relevant information of your company's production capacity of the specific product as well as the company's actual production; the energy exploitation, imports, exports and inventory rates for the period ranging from 1/1/2014 till 30/6/2017.

A-13 Indicate if the machineries and equipment used for the production of the product concerned are also used for the production of other products.

A-14 Provide detailed information on whether your company opened new plants/sites or made some asset adjustments regarding the production of the product, under investigation within the last five years; as well as indicate the impact (in terms of percentage) on the production capacity, specifically with regards to the product of concern.

A-15 Indicate significant adjustments made by your company regarding the production of the product under investigation within the last three years. Describe these modifications while indicating the reasons behind them.

A-16 In case the company is planning to make adjustments to the production capacity of the industry regarding the product concerned, kindly indicate these changes, the expected date, their location, the reasons for these adjustments and their expected effects on the production capacity of the product concerned (in terms of percentage).

A-17 (1) Indicate the total projected seasonal inventory of the product under investigation that is export- ready within the last twelve (12) months.

(2) Indicate the percentage of the inventory from the total annual export sales for the most recent years.

(3) Specify any known factors that cause the accumulation of stock of your company or any other producers.

(4) Did the company keep any stock of the product concerned in Lebanon during the investigation period? If yes, please specify the quantity (in tons) of each kind.

A-18 Did the manufacturing of the product under investigation take place at the plant site? If yes, indicate the names of the plants where the product concerned is manufactured.

A-19 Specify the method used to manufacture the product concerned; provided that this description includes a chart that explains the production process.

A-20 Complete Annex 1.

A-21 Provide any other relevant information or documents in this regard.

Part (B) - Export sales

B-1 Provide a complete description of the concerned products exported to Lebanon within the investigation period as well as clarify any differences between these products and those manufactured and sold within the Lebanese local market (in case you have any information regarding any of these differentiations). The differences to provided may be in terms of the product characteristics, the manufacturing method, the function, the usage, the price structures, the marketing and distribution channels and the raw material used.

B-2 In case your company was not the manufacturer, provide a list of the names and addresses of the importers of the product concerned exported to Lebanon within the investigation period.

B-3 Provide a list of the names and addresses of the Lebanese importers of the product concerned during the investigation period; whether your company exported or directly delivered the product to Lebanon or through any other source.

B-4 If your company pays any brokerage fees or commissions for services provided to export the concerned product to Lebanon, kindly indicate the rate or quantity (Value Free On Board (FOB); Cost, Insurance, Freight (CIF) or Cost and Freight (C&F)....etc.) as well as provide a copy of the contract concluded with the broker or the commission contract.

B-5 Provide a list of different kinds of the product concerned that your company produced and/ or exported to Lebanon during the investigation period in addition to the sales rate of each kind.

B-6 Specify the distribution channels that your company used to distribute the product to the Lebanese dealers, including:

(1) The relation between you and the Lebanese dealers.

(2) The details related to any agent or company in Lebanon with multiple subsidiaries or shareholders of your company (name, address and type of relation of the government entity) – (kindly refer to the definition of “the affiliate” mentioned in Annex 12).

B-7 Provide a detailed description of the sales conditions set by your company and specify the sales arrangements, including:

- The sale order and invoicing
- Conditions of contracts or agreements
- Rebates and discounts
- Terms of delivery
- Terms of payment
- Indicate the credit fees for each transaction and describe the methodology used when calculating these expenses
- Mention any direct or indirect expenses for each transaction such as sale guarantees, advertisements, technical services and the adjustment of the after- sale price
- Provide details about any creditor and debtor statement

B-8 Are the prices of the concerned product exported to Lebanon

- 1) subject to any direct or indirect recovery policy paid by the dealers for any part of the price (for example, enhance the sale, advertisement and insurance, etc.)? Or are they
- 2) being affected by any relationship or trade agreement, including the subsidiaries or shareholders? Or are they
- 3) subject to any other considerations, other than the price? (Refer to the definition of the “unrelated parties transactions” in Annex 12)

B-9 Indicate the basis upon which the invoice date (the purchase order, shipping or invoice date) was applied as a selling date of the products among the concerned product to Lebanon during the investigation period. In addition, explain the reason for which this date complies with the sale date standards fixed by the Investigating Authority. In case different methods are implemented to fix the sale date related to various transactions, kindly specify the relevant reasons.

B-10 Provide a list of shipments of the product under investigation exported to Lebanon during the investigation period; provided that this list includes any shipments exported before 30/6/2017; however did not enter Lebanon till this date or any later date. These information shall be presented as mentioned in Annex 2, in addition to attaching a copy of the export invoices and the shipping documents of each specific shipment exported to Lebanon within the investigation period.

B-11 Provide details about the selling export prices of the concerned product to Lebanon during the investigation period, which takes into consideration all costs after calculating the ex-factory price according to the tables indicated in **Annex 3**.

Part (C) - Local sales

C-1 Provide relevant information on total local sales of your company as indicated in **Annex 4**.

C-2 Elaborate tables of individual transactions regarding the local sales for the period from ranging from 1/1/2014 till 30/6/2017, and indicate the transactions that could have been conducted; provided that these information shall be presented as indicated in **Annex 5**.

C-3 Provide information on your company's total cost of sales of the product concerned during the investigation period and specify the factors that affected these costs (for example, the movement of the rates of interest or inflation).

C-4 Provide an approximate ration of your company's share in the local market sales of the product concerned within the last five years.

C-5 Indicate the distribution channels of your company's local sales of the product concerned and clarify whether these channels have changed during the investigation period. Kindly state these changes clearly and indicate the reasons behind them.

C-6 Indicate the internal trends and the market perspective regarding the product concerned in your country, within the investigation period, in terms of the market volume, the prices, the demand, the used capacity and the profits.

C-7 Provide details on unit price drop regarding the local sales as indicated in **Annex 6**.

C-8 Provide copies of any invoices, price lists and tables, price statements and rebates sheets etc. related to your company's sales of the product concerned in the local market within the investigation period. In case your company does not use the price lists, kindly indicate how prices are set.

Part D- Production Costs

D-1 General Information

This part is used to specify the production cost of the product under investigation in terms of export and local markets on quarterly basis, from 1/1/2014 to 30/6/2017. Noting that both, the local factory and profit prices, are to be indicated for the same types of product

as those exported to Lebanon. Moreover, this part provides details on the quantity and type of material used, in addition to the direct labor cost and the methodology used to calculate the indirect industrial costs for each type of the product under investigation. These information shall be submitted according to the forms indicated in Annex 8 (a), (b) and (c) in addition to attaching the documents that support the factors of production as well as the action plans that clarify the distribution of costs and expenses.

- Provide details on the production cost of each type of product in terms of the exports sold to countries other than Lebanon.

Annex 8 (c) indicates the countries that are similar to Lebanon in terms of export volume and trade level with respect to the type of products that are similar or that resemble those exported to Lebanon.

- In case the products sold or manufactured for local or export markets, other than Lebanon, vary from those products exported to Lebanon, kindly provide details and evidence regarding the cost differences and their impact on the production costs as indicated in Annex 9.

(D1-4) Does your company receive any direct or indirect financial assistance from any central or regional government or any other organization (for example, export subsidies) for the products that you manufacture or sell? If yes, kindly indicate the nature of that programme and provide details on any annual or unit aids.

(D1-5) Does your company purchase any raw material or energy resources and/ or other manufacturing – related services from companies having subsidiaries and/ or public shareholding companies? If yes, provide a list of these companies and specify the type of relationship between your company and the concerned companies as well as the product and the purchased service. Moreover, provide details on how the sale prices of raw material purchased from the concerned companies are set.

➤ **The inventory**

- Prepare a list of the annual and monthly inventory volume and quantity for all products manufactured by your company from 1/1/2014 till 30/6/2017.
- Indicate the quantity and value of the inventory for both the final and incomplete product as well as the raw material of the product under investigation.
- Indicate the method used to evaluate the first-in, first-out (FIFO) or last in, first out (LIFO) inventory.
- Indicate the basis used for the inventory disposal.
- Indicate the basis used to assess the inventory of the final product under investigation as well as the non-final product.

- Indicate the inventory cost and the cost rate of the product under investigation to the total inventory cost.
- Indicate the storage losses rate in addition to the authorized rate of the product under investigation.
- Indicate the inventory rate of return on the production.

➤ **The production**

- Indicate all the products manufactured by your company.
- Specify details of the percentage of both the local and imported raw material used in the product under investigation.
- Enumerate the different stages of production; the technology used in the manufacturing of the product under investigation and the time period required for the production.
- Indicate the quantities and main components and of the raw material; the labor cost (see Annex 8 (a), (b) and (c)) and the distribution basis of the costs on the product concerned within the investigation period.
- Indicate the indirect production costs (see Annex 8 (a) and (b)) and their distribution basis incurred to the product concerned during the investigation period.
- Indicate the selling, general and administrative costs (see Annex 8 (a), (b) and (c)) and the methods that your company uses to distribute these costs incurred to the product concerned within the investigation period.

➤ **Financial details**

- Please submit the following:
 - ❖ Copies of your company's financial statements: income statements, balance sheet statements, cash flow statements, explanatory summaries and the auditor's report.
 - ❖ Board of Directors' report concerning the last three financial years specifying the raw material, labor, energy, expenses, general and administrative costs in addition to any other costs and net profits (or losses).
- Specify the accounting methods used to in the financial statements, including:
 - ❖ The inventory valuation
 - ❖ The consumption methods
 - ❖ If any actual or standard costs methods where used
 - ❖ If any current or historical costs where used

- Prepare an income statement as mentioned in **Annex 10** regarding the local and imported sales. Answers should be explained separately for all operations as well as for each of the products sold locally or exported. In addition, provide details on the distribution methods used.
- Provide costs statements of your company for the financial years from 1/1/2014 till 30/6/2017 supported by the appropriated documents.
- Indicate the inflation effect on the production costs of your company through the following:

Send a copy of the general accepted accounting principles of your company in terms of the implications resulting from the inflation.

Specify the name, address and contacts of the public and vocational institutions authorized to issue financial accounting information in your country.

Indicate all the inflation- related accounting principles having a significant influence on the product's current costs. In case the accounting principles that your company uses are different than those generally accepted (previously mentioned in paragraph 9-5-1), highlight the nature of this difference and the reasons behind using a different accounting system.

Specify the methods used by your company to process fixed assets and relevant consumption expenses. Indicate whether these assets are re-evaluated periodically. If your company evaluates the assets, kindly provide a comprehensive description of the evaluation process including the accounting constraints and the adjusting rates while explaining the indicators used in the adjustments assessment process and provide tables that explain the indicators during the investigation period and the previous year.

Indicate the estimated average and the shelf life for each type of production equipment and consumption methods in addition to any method that may increase the consumption rate.

➤ **Miscellaneous**

(D5-1) Provide a list of the currencies exchange rate against the US dollar in addition to a list of inflation rates on monthly and annual basis for the entire last year and the available months of the current year, while specifying the sources of these information.

➤ **Exports sales to Lebanon other than Lebanon**

Indicate your distribution channels for the export sales of the product concerned and specify whether there is a difference among these channels during the investigation period. In case there are any changes, specify them and indicate the reasons behind them.

Specify the total quantities and volumes of your company's sales to the exporting markets for the product concerned during the last five years.

Indicate the percentage of your company's holding of your country's export sales of the product concerned during the last five years.

Indicate your exports markets of the product concerned and explain each market's trends and situation separately during the investigation period in terms of gross market sales volume, demand, prices and profits.

* What are the expected trends for your company's exports of the product concerned to other countries (except for Lebanon) within the current year in addition to the two coming years ?

* * What are the other available markets, other than Lebanon, to absorb any significant increase in the exports volume of the product concerned as a result of using additional available capacity or any new capacity that will be available during the next twelve months.

Provide a copy of your company's current action plans or expectations in term of exports to other countries, other than Lebanon, for the current year as well as the next two years regarding the product concerned.

Provide copies of any price lists and tables, price statements and rebates sheets, etc. related to the sales of the product concerned by your company in its export markets, other than Lebanon during the investigation period. In case your company does not use the price lists, kindly indicate how prices are set.

Furthermore, provide information about the unit prices drop in terms of the product concerned exported to other countries, other than Lebanon, as indicated in **Annex 7**. It is to mention that these information shall only be related to products similar (or analogous) to those already exported to Lebanon by your company during the investigation period.

In case you were aware that the products you exported to a third country had been entirely shipped to Lebanon, please contact the employee in charge within two weeks from the date of receiving the questionnaire.

Annex 1

Part A

Total sales of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017

Type of Product/ size ¹

The relevant period	First quarter		Second quarter		Third quarter		Forth quarter	
	Quantity (/tons)	Net sales revenues ²	Quantity (/tons)	Net sales revenues	Quantity (/tons)	Net sales revenues	Quantity (/tons)	Net sales revenues
Sales on domestic market								
Export sales to Lebanon								
Export sales to other countries								

¹ A table shall be separately elaborated for each type of product, if possible.

² Specify the currency used.

Annex 2

Part B

Exports of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017

Export Date	Invoice Number	Name of the Importer	Type // n° 1	Payment terms (number of days)	Exported quantity (per tons)	Price paid by the importer² (US dollar)	Unit price (US dollar/ tons)

¹ A separate row shall be filled for each type of product.

² Set the price paid (in US dollar) and indicate the delivery terms (for example, Free On Board (FOB), Cost, Insurance and Freight (CIF) & Cost and Freight (C&F))

Annex 3

Part B

The sale pricing structure of the export sales of cornflakes, rice chips or wheat crackles

Particulars of obligatory prices and expenses from 1/1/2014 till 30/6/2017

Type ¹	Original	Change ²
Sale Price (/ per tons) ³		
<u>Discounts:</u>		
- cash / commercial		
- others (please indicate)	
<u>Reductions</u>	
List price ex works	
<u>Costs after ex- factory price but before FOB</u>		
- Export packaging		
- Insurance		
- Inventory		
- handling		
- Taxes		
- Pre-sale storage		
- Others (indicate if possible)		
<u>Overheads after calculating the ex-factory and FOB price</u>		
(If known by your company)		
- Sea freight charges		

¹ A separate table shall be elaborated for each type of product

² In case of any change in the prices / expenses during the investigation, indicate the original prices/ expenses within the column entitled "original" and the modified prices/ expenses within the column "change". It is to mention that the information included in the column "original" should have been complied with in *** while taking into consideration the effective date of change.

³ Specify the price paid in (US dollar) and indicate the delivery terms (for example, Free On Board (FOB), Cost, Insurance and Freight (CIF) & Cost and Freight (C&F))
Kindly provide the schedules and documents used in the allocation of costs.

- Marine Insurance
- Tariff
- Sales tax
- Customs clearance and handling services
- After – sales storage
- Transfer in warehouses
- Commissions
- Advertisement
- Technical services
- Guarantees
- Fees payable for a franchise/ ownership / copyright
- Credit
- Finance
- Land transport in Lebanon
- Repacking products in Lebanon
- Others (specify if possible)
- Total costs of products at the client warehouses
 (/ per tons) ?

Annex 4

Part C

Local sales of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017

Type of Product/ size ¹

The relevant period	First quarter		Second quarter		Third quarter		Forth quarter	
	Quantity (/tons)	Net sales revenues²	Quantity (/tons)	Net sales revenues	Quantity (/tons)	Net sales revenues	Quantity (/tons)	Net sales revenues
Retail sales								
Wholesale sale								
Other local sales (specify)								

¹ A table shall be separately elaborated for each type of product, if possible.

² Specify the currency used.

Annex 5

Part C

Home market sales of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017

Type of the product¹ :

Sale Date	Invoice Number	Commercial Level ²	Client Name	Payment Terms	Quantity included on the invoice (per tons)	Total Invoice amount (delivered)	Total invoice amount (Ex-factory)	Discounts & Reductions	Unit Price ³ *

¹ A table shall be separately elaborated for each type of product

² Specify the commercial level (i.e., retail or wholesale tradersetc.)

³ Specify the currency used

N.B : Kindly provide the relevant information electronically (refer to part 8 of this questionnaire)

Annex 6

Part C

The local sales pricing structure of cornflakes, rice chips or wheat crackles

Particulars of obligatory / valid prices and expenses

from 1/1/2014 till 30/6/2017

Type¹ :

Country of Export :

Sale Price (/ per tons)

Original

Change²

Discounts:

- cash / commercial
- others (please indicate)

Reductions

List price ex works

Costs after ex- factory price but before FOB

- Land freight services
- Insurance
- Inventory
- handling
- Pre-sale storage
- Taxes
- Other expenses (Specify)
- Sale tax
- After sale storage
- Transfer in warehouses
- Commissions
- Advertisement
- Technical services
- Guarantees
- Warranties
- Fees payable for a franchise/ ownership / copyright

¹ A separate table shall be elaborated for each type of product

² In case of any change in the prices / expenses during the investigation, indicate the original prices/ expenses within the column entitled "original" and the modified prices/ expenses within the column "change". It is to mention that the information included in the column "original" should have been complied with in *** while taking into consideration the effective date of change.

- Credit
- Finance
- Repacking services
- Others (specify)
- **Total costs of products at the client warehouses**
- **(/ per tons)**

Please provide tables of the methods used to charge and allocate the above-mentioned costs.

Annex 7

Part D

The export sales pricing structure of cornflakes, rice chips or wheat crackles to other countries other than Lebanon

Particulars of valid prices and expenses from 1/1/2014 till 30/6/2017

Country of Export : ¹

Type²

Original

Change

Sale Price³ (/ per tons)

Discounts:

- cash / commercial
- others (specify)

Reductions

.....

List price ex works

.....

Costs after ex- factory price but before FOB

- Export packaging
- land freight services
- Insurance
- Inventory
- handling
- Pre-sale storage
- Taxes
- Other expenses (specify)

Overheads after calculating the ex-factory and FOB price

(If known by your company)

- Sea freight charges
- Marine Insurance

¹ A separate table shall be elaborated for each code and country mentioned in annex 3 (a) & (b) only in terms of similar or equivalent product to the products exported to Lebanon (See annex 2).

² In case of any change in the prices / expenses during the investigation, indicate the original prices/ expenses within the column entitled "original" and the modified prices/ expenses within the column "change". It is to mention that the information included in the column "original" should have been complied with in *** while taking into consideration the effective date of change.

³ Specify the price paid in (US dollar) and indicate the delivery terms (for example, Free On Board (FOB), Cost, Insurance and Freight (CIF) & Cost and Freight (C&F))

- Freight charges
- Tariff
- Sales tax
- Customs clearance and handling services
- After – sales storage
- Transfer in warehouses
- Commissions
- Advertisement
- Technical services
- Guarantee
- Warranties
- Fees payable for a franchise/ ownership / copyright
- Credit
- Finance
- Repacking services
- Others (specify if possible)
- **Total costs of products at the client warehouses**

(per tons)

Please provide tables of the methods used to charge and allocate the above-mentioned costs.

Annex 8 (A)

The factory's costs and profits in terms of sales of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017 (/ tons)

Type: ¹

Direct raw materials²

Direct² labor³

Indirect manufacturing overheads²

- Indirect raw materials
- Indirect labor
- Capacity costs
- Consumption
- Packaging costs³
 - Raw materials
 - Labor

Total Manufacturing Overheads

Administrative and selling expenses

Financing costs

Net profit/ loss before taxing

Ex- factory sale price (/ tons)

¹ A separate table shall be elaborated for each code and country mentioned in annex 3 (a) & (b) only in terms of similar or equivalent product to the products exported to Lebanon (See annex 2).

² Specify separately all the raw materials, capacities, labor, charges, financing, administrative and sales expenses in addition to the consumption costs.

³ Indicate in detail whether the packaging process was part of the production; otherwise, it should be included within the sales expenses.

Attach a table that specifies in details the cost for each quarter from 1/1/2014 till 30/6/2017

Annex 8 (B)

The Factory's costs and profits in terms of export sales of cornflakes, rice chips or wheat crackles

from 1/1/2014 till 30/6/2017

Type: ¹

Direct raw materials²

Direct labor

Indirect manufacturing overheads

- Indirect raw materials
- Indirect labor
- Capacity costs
- Consumption
- Packaging costs³
 - o Raw materials
 - o Labor

Total Manufacturing Overheads

Administrative and selling expenses

Financing costs

Ex- factory cost

Net profit/ loss before taxing

Ex- factory sale price (/ tons)

¹ A separate table shall be elaborated for each type and size of the products.

² Specify all the raw materials, capacities, labor, charges, financing, administrative and sales expenses in addition to the consumption costs.

³ Indicate in detail whether the packaging process was part of the production; otherwise, it should be included within the sales expenses.

Remarks:

- specify the currency used
- Attach a separate table that specifies in details the cost for each quarter during the review process
- Provide tables that specify the allocation of the above - mentioned costs
- Specify separately all the raw materials, capacities, labor, charges, financing, administrative and sales expenses in addition to the consumption costs.

Annex 9

Products Differentiation from 1/1/2014 till 30/6/2017

Type of cornflakes, rice chips or wheat crackles	Direct raw materials costs		Direct labor costs		Variables & indirect manufacturing costs		
	Local market	Lebanese exports	Local market	Lebanese exports	Local market		Lebanese exports

Annex 10

Part D

Income Statement for the year ending in ****

Total sales amount		
Total sales value		
- Less :		***
Sales returns	***	
Allowances	***	
Net sales		
Less the costs of		**
Sales	**	
Beginning inventory	**	
+ Production costs incurred	***	
during the investigation		
- Ending inventory		
Costs of Products Sold	***	
+ Marketing & sales expenses		
Cost of sales	***	
Gross Profit / Loss		
Administrative & sales expenses		**
Finance charges		***
Net profit before deduction of tax		***

- This schedule is related to the product under investigation covering the period from 1/1/2014 till 30/6/2017. Kindly provide details about any of the costs allocation methods used.

Annex 12

Glossary of Terms

This glossary provides significant explanation for some of the technical terms used in the questionnaire. However, these definitions shall not be considered as rules set by law. In case of any difficulties or questions in this regard, the concerned parties can refer to the text of law on national production protection issued on 8/12/2006; decree n°1204 dated on 18/3/2008 “Regulatory decree of the law on protection of national production” and the Trade Remedies Unit for further clarification.

Dumping

Dumping is exporting a product to Lebanon at a price less than its normal value. The margin of dumping is the difference between the export price and the normal value. The weighted average dumping margin means the percentage determined by dividing the aggregate dumping margins determined for a specific exporter or producer by the aggregate export prices and estimated export prices of such exporter.

Export price and estimated export price

The export price is the price fixed for the export products or services which the exporter intends to sell in the overseas market without charging the importer any costs or fees that may exceed his capacity in case the sale is for local consumption purposes in the country of origin or exportation. As for the estimated export price, and in case of absence of any export price for the product under investigation in Lebanon or if the export price is not reliable, because of a compensatory agreement between the exporter and the importer or any third party, the export price may be calculated as the selling price of product to the first independent buyer in the local market or according to any other basis that the Investigating Authority considers it adequate.

The product concerned

The product concerned is the product under investigation whether sold within Lebanon or exported to it.

Unrelated parties transactions

Any transaction executed between unrelated parties shall be considered an optional sale between two independent parties. These kinds of transactions do not take into consideration any of the preferential rate arrangements, special services, etc. due to the relationship between the two parties.

Sales that are executed within the company or any other transaction executed between two parties related by a legal, financial or any other normal relationship shall not be considered as transactions between unrelated parties.

Confidential information

Confidential information is a commercially sensitive material which cause substantial damage if disclosed to the public. The information, falling under the public transactions, that the Unit considers confidential include: trade secrets related to the production process, the production and distribution costs in addition to the conditions of sale, individual prices and the names of clients and importers.

Confidential treatment of information

The Unit shall protect the information and undertake not to disclose any of those submitted when the party asks to treat this information as confidential and if the Investigating Authority considers the information as confidential.

Discounts

Discount is a reduction in the total price paid by the buyer when purchasing the products. Although it is not obligatory to mention the discount amount in the invoice, the buyer shall send the invoice's nominal amount minus the discounts offered by the seller, including without limiting, cash and quantity discounts.

Available facts

The Investigating Authority relies in its decisions in the anti-dumping case based on the questionnaire's answers submitted during the investigation. However, some required information needed for the decision-making might not be available or can't be used, for a number of reasons. In this case, the law stipulates that decisions issued by the Unit shall rely on "the available facts due to the absence of any other facts" (usually referred to by "available facts"). In particular, the Unit shall make use of the available facts in case the required information is not available in the records of the anti-dumping investigation. In addition, the Unit shall use the available facts in cases where the stakeholder or any other person had: (1) refrained from submitting the information requested by the Unit; (2) abstained from submitting the requested information before the fixed date or according to the determined form and model; (3) obstructed the conduct of the anti-dumping procedures or (4) provided information that cannot be verified.

Once the information considered as available facts is identified, the law authorizes the Unit to reach its conclusion accordingly. However, whenever the Unit uses secondary information that contradict with those already obtained during the anti-dumping investigation, the Unit shall verify, as much as possible, the information submitted by the independent sources.

Consequently, the Unit will take these information into consideration where: (1) the information was provided during the fixed dates; (2) it was possible to verify the information; (3) the information was complete but insufficient to take the adequate decision; (4) the concerned party proved that it did its best to meet the requirements of the Unit and (5) the Unit was able to use the information without any major obstacles and difficulties.

Finally, if the stakeholder urgently informed the Unit about the difficulties faced to answer all the required information, then the Unit will consider the issue of modifying the required information while confining to the essential information needed, avoiding by that the imposing of any unreasonable burden on the concerned party.

Reductions

Similar to the discounts, reductions are drops in the overall price that the buyer pays to get the products. Unlike discounts, reductions do not occur as a result of any reduction on the cash transfers executed by the buyer to the seller for specific products subject to reductions. However, reductions are considered as refunds of the amounts paid in cash or in credit for outstanding payables for future purchases or in order to transfer some other value items by the seller to the buyer. When the seller sets the terms and conditions according to which the reduction was granted at the time of the sale or before it, the Unit shall then reduce the overall sale price through the discounted amount.

On-site inspection visit

In order to determine the sufficiency and accuracy of the information provided in the questionnaire as well as all the required information, the Unit will make on-site inspection visits inside the company to check and verify the information provided through records belonging to the party that have submitted the information; organize interviews with the employees who answered the questions or any required information and whom are aware of the sources of the answers-related information and data. This procedure is known as the verification process.