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January 11, 2013

USITC Inv. Nos. 701-TA-491-497 (Inv.)
(Preliminary)
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PUBLIC DOCUMENT

VIA ELECTRONIC FILING

The Honorable Lisa R. Barton
Acting Secretary
U.S. International Trade Commission
500 E Street, S.W.
Washington, D.C. 20436

**Re: Frozen Warmwater Shrimp from China, Ecuador, India, Indonesia,
Malaysia, Thailand, and Vietnam: Entry of Appearance and APO
Applications**

Dear Secretary Barton:

On behalf of the Ad Hoc Shrimp Industry Committee, we hereby submit an entry of appearance in the above-captioned proceedings. This entry of appearance is timely filed, consistent with 19 C.F.R. § 201.11(b)(2) (2012), within seven (7) days after publication of the International Trade Commission's (the "Commission") Notice of Investigation.¹

This entry of appearance is filed on behalf of the Ad Hoc Shrimp Industry Committee ("Domestic Producers"), an association, a majority of whose members is composed of interested

¹ U.S. International Trade Commission, Frozen Warmwater Shrimp from China, Ecuador, India, Indonesia, Malaysia, Thailand, and Vietnam: Institution of Countervailing Duty Investigations and Scheduling of Preliminary Phase Investigations, 78 Fed. Reg. 764 (Jan. 4, 2013)

parties described in 19 U.S.C. § 1677(9)(C), (D), or (E) with respect to the domestic like product, and, as such, is a domestic interested party pursuant to 19 U.S.C. § 1677(9)(F). Moreover, Domestic Producers are a coalition representative of processors and producers and, as such, a domestic interested party pursuant to 19 U.S.C. § 1677(9)(G).

Domestic Producers intend to file briefs and other written comments, as appropriate, with the Commission in the above-captioned proceedings.

Please serve copies of all documents on Nathaniel Maandig Rickard, who has been designated as lead counsel for Domestic Producers in this proceeding, as follows:

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The name, address, and phone number of Domestic Producers is as follows:

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In the antidumping investigation of certain frozen warmwater shrimp from Brazil, China, Ecuador, India, Thailand, and Vietnam – petitions that involved the same scope as the petitions filed in the above-referenced proceedings – the Commission defined the domestic like product to include “fresh warmwater shrimp.”² Accordingly, the Commission found “{b}ecause we have defined this domestic like product to include fresh warmwater shrimp, fishermen that harvest warmwater shrimp produce the domestic like product and consequently are part of the domestic

² Certain Frozen or Canned Warmwater Shrimp and Prawns from Brazil, China, Ecuador, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063-1068 (Final), USITC Pub. 3748 at 6 (Jan. 2005).

industry.”³ The Commission maintained this definition of both the domestic like product and the domestic industry (inclusive of shrimp fishermen) in the first sunset review of the remaining antidumping duty orders.⁴ Domestic Producers recognize that the Petitioner has not requested that the domestic like product be defined to include “fresh warmwater shrimp.”⁵ Nevertheless, the petitions do not provide argumentation or any other basis upon which to reverse the Commission’s prior findings.

A majority of the individual members of the Ad Hoc Shrimp Industry Committee are producers or wholesalers in the United States of the domestic like product and, accordingly, are domestic interested parties pursuant to 19 U.S.C. § 1677(9)(C). Specifically, shrimp processors are identified with the designation (SP) in the list below. Processors comprise 29 of the 180 members of the Ad Hoc Shrimp Industry Committee. Wholesalers of the domestic like product are identified with the designation (SW) in the list below. These wholesalers comprise 12 of the 180 members of the Ad Hoc Shrimp Industry Committee. Domestic shrimp fishermen (harvesters) are identified with the designation (SF) in the list below. These shrimp fishermen comprise 137 of the 180 members of the Ad Hoc Shrimp Industry Committee.

The remaining members of the Ad Hoc Shrimp Industry Committee are neither producers nor wholesalers of the domestic like product. 2 of the 180 members of the Ad Hoc Shrimp Industry Committee are unloading docks identified with the designation (SD) in the list below. 9

³ Id. at 11.

⁴ Certain Frozen Warmwater Shrimp from Brazil, China, India, Thailand, and Vietnam, Inv. Nos. 731-TA-1063, 1064, 1066-1068 (Review), USITC Pub. 4221 at 6, 10 (March 2011).

⁵ Letter from the Law Offices of Stewart and Stewart to the U.S. Department of Commerce and the U.S. International Trade Commission, Inv. Nos. 701-TA-491-497 (Dec. 28, 2012) at I-5, I-34, and I-46.

of the 180 members of the Ad Hoc Shrimp Industry Committee are associations comprised, at least in part, of producers and wholesalers of the domestic like product and are identified with the designation (SA) in the list below.

The name, address, and phone numbers of each of the individual members of the Ad Hoc Shrimp Industry Committee are as follows:

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Tai The Nguyen
26506 Dubuisson Church Rd.
Pass Christian, MS 39571
(337) 303-0100

M/V Miss Kim Anh (SF)

Ba Van Ta
913 Sydney St.
New Iberia, LA 70560-6225
(337) 367-5521

Brett Anthony Inc. (SF)

M/V Brett Anthony
Mark Van Vo
1128 N. Shireview Cir.
Abbeville, LA 70510
(337) 201-1388

Toan Inc. (SF)

Joshua Dinh
2710 W. Willow St.
Scott, LA 70583
(337) 315-8568

Master N T Inc. (SF)

M/V Master NT
Thanh P. Nguyen
104 Lockport Circle
Lafayette, LA 70508
(337) 981-8281

Francis Brothers Inc. (SF)

M/V Francis Brother
Binh Cong Nguyen
3125 Broadview Dr.
Erath, LA 70533
(337) 316-2637

M/V Elizabeth T (SF)

Tam Van Nguyen
1029 N. Shireview
Abbeville, LA 70510
(337) 316-2788

Dinh Tra LLC (SF)

M/V Elijah
Joshua Dinh
507 Debonnaire Road
P.O. Box 1384
Scott, LA 70583
(337) 315-8568

K & T Marine LLC (SF)

Thanh N Truong
12567 Robbie Avenue
Baton Rouge, LA 70815
(225) 650-6217

M/V Capt. James (SF)

Cao Christopher
900 Thomas Street
Abbeville, LA 70510
(337) 303-3047

M/V Andy (SF)

Dan Nguyen
c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

M/V Andy Boy (SF)

Toan Nguyen
c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

M/V Anthony Boy (SF)

Mai Tai
c/o Vermilion Gulf Seafood Inc.
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Abbeville, LA 70510
(337) 893-4168

M/V Columbus I (SF)

Hoa Ngo
c/o Vermilion Gulf Seafood Inc.
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Abbeville, LA 70510
(337) 893-4168

M/V Capt. Kenny (SF)

Han Nguyen
c/o Vermilion Gulf Seafood Inc.
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Abbeville, LA 70510
(337) 893-4168

M/V Capt. Cody (SF)

Hung Nguyen
c/o Vermilion Gulf Seafood Inc.
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Abbeville, LA 70510
(337) 893-4168

M/V Danny Boy II (SF)

Lan Mai
c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

M/V Diamond Head (SF)

Hai Nguyen
c/o Vermilion Gulf Seafood Inc.
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(337) 893-4168

M/V Guiding Light (SF)

An Nguyen
c/o Vermilion Gulf Seafood Inc.
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(337) 893-4168

M/V Heaven Sent (SF)

Trang Le

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
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(337) 893-4168

M/V Johnny Canh (SF)

Ha Vo

c/o Vermilion Gulf Seafood Inc.
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(337) 893-4168

M/V Master Ray II (SF)

Tinh Lam

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
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(337) 893-4168

M/V My Grand Kids (SF)

Khiem Nguyen

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

M/V Stanley Boy (SF)

Dung Nguyen

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
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(337) 893-4168

M/V St. Joseph (SF)

Luan Nguyen

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
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(337) 893-4168

M/V Hai Viet (SF)

Hai Pham

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
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(337) 893-4168

M/V Long Life (SF)

Anna Wong

c/o Vermilion Gulf Seafood Inc.
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(337) 893-4168

M/V Miss Christine II (SF)

Man Nguyen

c/o Vermilion Gulf Seafood Inc.
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M/V St. Peter (SF)

Thomas Nguyen

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M/V Seaworld II (SF)

Hoang Nguyen

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

M/V Seachamp (SF)

Dang Huynh

c/o Vermilion Gulf Seafood Inc.
24007 La. Highway 333
Abbeville, LA 70510
(337) 893-4168

In addition, in accordance with 19 C.F.R. § 207.7(a), we submit applications for the release of proprietary information under Administrative Protective Order (APO) for attorneys

and non-attorney consultants or experts with Picard Kentz & Rowe LLP in the above-referenced proceedings. Specifically, we submit applications for access to confidential business information for attorneys Nathaniel Maandig Rickard, Andrew W. Kentz, Jordan C. Kahn, David A. Yocis, Kevin M. O'Connor, and Nathan W. Cunningham and for non-attorney Catherine K. Sear. Please direct e-mail alerts regarding APO releases in this investigation to nrickard@pkrlp.com and jkahn@pkrlp.com.

This submission is being filed electronically in conformity with 19 C.F.R. § 201.8(f) and the Commission's Handbook on Electronic Filing Procedures. This submission has been served in accordance with the attached certificate of service.

Please contact any of the undersigned should you require clarification of any aspect of this submission.

Respectfully submitted,

/s/ Nathaniel Maandig Rickard

Nathaniel Maandig Rickard

Andrew W. Kentz

Jordan C. Kahn

David A. Yocis

Kevin M. O'Connor

PICARD KENTZ & ROWE LLP

Counsel to Ad Hoc Shrimp Industry Committee

Enclosure

PUBLIC CERTIFICATE OF SERVICE
FROZEN WARMWATER SHRIMP FROM CHINA, ECUADOR, INDIA, INDONESIA,
MALAYSIA, THAILAND, AND VIETNAM
701-TA-491-497 (PRELIMINARY)

I, Nathaniel M. Rickard, hereby certify that a copy of the foregoing submission was served on this 11th day of January 2013, by hand delivery (or first class mail where designated by an asterisk) on the following parties:

On behalf of the Coalition of Gulf Shrimp Industries (COGSI):

Elizabeth J. Drake, Lead Attorney
STEWART & STEWART
2100 M Street, N.W.
Suite 200
Washington, D.C. 20037

On behalf of Seafood Exports Association of India (SEAI) and its members:

Mark P. Lunn, Lead Attorney
ARENT FOX LLP
1717 K Street, N.W.
Washington, D.C. 20036

On behalf of Marine Gold Products Limited, Pakfood Public Co., Ltd., Thai Royal Frozen Food Co., Ltd., Thai Union Frozen Products Public Co., Ltd., Thai Union Seafood Co., Ltd., Eastern Fish Company, and Tri-Union Frozen Products, Inc.:

Robert G. Gosselink, Lead Attorney
TRADE PACIFIC PLLC
719 A Street, N.E.
Washington, D.C. 20002

On behalf of Marine Product Export Development Authority:

S. Seetharaman, Advocate*
LAKSHMI KUMARAN & SRIDHARAN
5, Jangpura Extension, Link Road
New Dehli, 110 014
INDIA

On behalf of the Government of the Republic of Indonesia:

Ms. Ernawati*
Director of Trade Defense
**MINISTRY OF TRADE OF THE
REPUBLIC OF INDONESIA**
Jl. M.I. Ridwan Rais No. 5
Jakarta, 10110
Indonesia

Ms. Ni Made Ayu Marthini
Commercial Attaché
Office of Commercial Affairs
**EMBASSY OF THE REPUBLIC OF
INDONESIA**
2020 Massachusetts Ave., N.W.
Washington, DC 20036

/s/ Nathaniel Maandig Rickard
Nathaniel Maandig Rickard
PICARD KENTZ & ROWE LLP
Counsel to Domestic Producers



**UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436**

**APPLICATION FOR DISCLOSURE OF
BUSINESS PROPRIETARY INFORMATION
UNDER ADMINISTRATIVE PROTECTIVE ORDER**

Inv. No(s). 701-TA-491-497

I. Authorized applicant status

I, the undersigned, am an authorized applicant, as defined in section 207.7(a)(3) of the Commission's Rules of Practice and Procedure (19 C.F.R. §207.7(a)(3), as amended), for the disclosure of business proprietary information (BPI) under the administrative protective order (APO) issued in the above-captioned investigation. I represent the following interested party, as defined in 19 U.S.C. §1677(9), which is a party to the investigation:

Ad Hoc Shrimp Industry Committee (domestic producer)

(State the name of the interested party and its category, e.g., domestic producer, importer, etc.).

I am (check one):

☒ (1) An attorney, excepting in-house corporate counsel.

☐ (2) An in-house corporate attorney. I am not involved in competitive decisionmaking for the interested party I represent. I have attached a written statement describing my job functions, disclosing all financial holdings I may have in my employer or its affiliates, and indicating whether I am involved in the formulation of my employer's pricing policies.

☐ (3) A consultant or expert under the direction and control of an attorney under paragraph (1) or (2) above. That attorney has also signed this application to indicate that the attorney is held responsible for my compliance with the APO:

(Name of Attorney--Please Print)

(Signature of Attorney)

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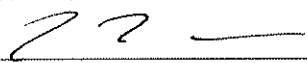
(4) Such other administrative sanctions as the Commission determines to be appropriate, including public release of or striking from the record any information or briefs submitted by, or on behalf of, me or the party I represent, denial of further access to business proprietary information in the current or any future investigations before the Commission, and issuance of a public or private letter of reprimand; and

(5) Such other actions, including but not limited to, a warning letter, as the Commission determines to be appropriate.

IV. Oath

I declare under penalty of perjury that the foregoing is true and correct. Executed on this

10th day of January, 2013, in Washington, DC.
(month) (year) (city, state)


(Signature)

Nathaniel Maandig Rickard
(Name--Please Print)

Partner
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



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(month) (year) (city, state)


(Signature)

Andrew W. Kentz
(Name--Please Print)

Partner
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



**UNITED STATES INTERNATIONAL TRADE COMMISSION
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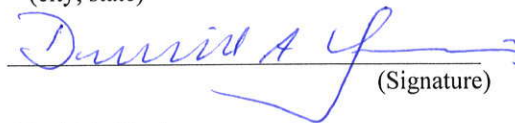
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(month) (year) (city, state)


(Signature)

David A. Yocis
(Name--Please Print)

Partner
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



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I declare under penalty of perjury that the foregoing is true and correct. Executed on this

9th day of January, 2013, in Washington, DC.
(month) (year) (city, state)


(Signature)

Kevin M. O'Connor
(Name--Please Print)

Partner
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



**UNITED STATES INTERNATIONAL TRADE COMMISSION
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10th day of January, 2013, in Washington, DC.
(month) (year) (city, state)


(Signature)

Jordan C. Kahn
(Name--Please Print)

Counsel
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



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Inv. No(s). 701-TA-491-497

I. Authorized applicant status

I, the undersigned, am an authorized applicant, as defined in section 207.7(a)(3) of the Commission's Rules of Practice and Procedure (19 C.F.R. §207.7(a)(3), as amended), for the disclosure of business proprietary information (BPI) under the administrative protective order (APO) issued in the above-captioned investigation. I represent the following interested party, as defined in 19 U.S.C. §1677(9), which is a party to the investigation:

Ad Hoc Shrimp Industry Committee (domestic producer)

(State the name of the interested party and its category, e.g., domestic producer, importer, etc.).

I am (check one):

☒ (1) An attorney, excepting in-house corporate counsel.

☐ (2) An in-house corporate attorney. I am not involved in competitive decisionmaking for the interested party I represent. I have attached a written statement describing my job functions, disclosing all financial holdings I may have in my employer or its affiliates, and indicating whether I am involved in the formulation of my employer's pricing policies.

☐ (3) A consultant or expert under the direction and control of an attorney under paragraph (1) or (2) above. That attorney has also signed this application to indicate that the attorney is held responsible for my compliance with the APO:

(Name of Attorney--Please Print)

(Signature of Attorney)

☐ (4) A consultant or expert who appears regularly before the Commission and is not involved in competitive decisionmaking for the interested party I represent. I have attached a written statement listing my appearances before the Commission in the past three (3) years.

☐ (5) A representative of an interested party that is not represented by counsel. I am not involved in competitive decisionmaking for that interested party. I have attached a written statement describing my job functions, disclosing all financial holdings I may have in the interested party I represent or its affiliates, and indicating whether I am involved in the formulation of the interested party's pricing policies.

Competitive decisionmaking: As defined in section 207.7 of the Commission's rules, involvement in "competitive decisionmaking" includes past, present, or likely future activities, associations, and relationships with an interested party which is a party to the investigation that involve the prospective authorized applicant's advice or participation in any of such party's decisions made in light of similar or corresponding information about a competitor (pricing, product design, etc.).

II. Request for information

I hereby apply for disclosure to me, subject to the APO issued in the above-captioned investigation, all BPI properly disclosed pursuant to section 207.7 of the Commission's rules, for the purpose of representing an interested party in the investigation and filing comments on the BPI so disclosed. I agree to be bound by the provisions of the APO and section 207.7.

III. Sanctions and other actions for breach of the APO

I acknowledge that, pursuant to section 207.7(d) of the Commission's rules, breach of the APO may subject me to:

(1) Disbarment from practice in any capacity before the Commission along with my partners, associates, employer, and employees, for up to seven years following publication of a determination that the other has been breached;

(2) Referral to the United States Attorney;

(3) In the case of an attorney, accountant, or other professional, referral to the ethics panel of the appropriate professional association;

(4) Such other administrative sanctions as the Commission determines to be appropriate, including public release of or striking from the record any information or briefs submitted by, or on behalf of, me or the party I represent, denial of further access to business proprietary information in the current or any future investigations before the Commission, and issuance of a public or private letter of reprimand; and

(5) Such other actions, including but not limited to, a warning letter, as the Commission determines to be appropriate.

IV. Oath

I declare under penalty of perjury that the foregoing is true and correct. Executed on this

10 day of January, 2013, in Washington, DC.
(month) (year) (city, state)


(Signature)

Nathan W. Cunningham
(Name--Please Print)

Associate
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)



UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, DC 20436

APPLICATION FOR DISCLOSURE OF
BUSINESS PROPRIETARY INFORMATION
UNDER ADMINISTRATIVE PROTECTIVE ORDER

Inv. No(s). 701-TA-491-497

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(State the name of the interested party and its category, e.g., domestic producer, importer, etc.).

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☒ (3) A consultant or expert under the direction and control of an attorney under paragraph (1) or (2) above. That attorney has also signed this application to indicate that the attorney is held responsible for my compliance with the APO:

Nathaniel Maandig Rickard

(Name of Attorney--Please Print)

(Signature of Attorney)

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IV. Oath

I declare under penalty of perjury that the foregoing is true and correct. Executed on this

10 day of January, 2013, in Washington, DC.
(month) (year) (city, state)

Catherine K. Sear
(Signature)

Catherine K. Sear
(Name--Please Print)

International Trade Research Analyst
(Title--Please Print)

Picard Kentz & Rowe LLP
(Firm--Please Print)