



A-201-820
2019 Suspension Agreement
Public Document
ITA/E&C/P&N/OP/BAU: Team

TO ALL INTERESTED PARTIES

December 10, 2019

Re: Interim Box Weight Charts for the 2019 Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico (2019 Agreement)

On October 2, 2019, the Department of Commerce (Commerce) released interim box weight charts for comment.¹ Specifically, Commerce requested information regarding “common pack types that are not reflected in the {draft interim box weight} charts.” The Florida Tomato Exchange and the Confederación de Asociaciones Agrícolas del Estado de Sinaloa, A.C., *et al.* (CAADES, *et al.*) provided timely comments on October 23, 2019.² The Florida Tomato Exchange also submitted rebuttal comments on October 30, 2019.³

Commerce has considered the above-referenced interested party comments in developing the interim box weigh charts, contained in the attached document, that will remain in effect until Commerce conducts a box-weighing exercise within a year of the signing of the 2019 Agreement.⁴ Commerce incorporated the suggested common pack types contained in CAADES, *et al.*'s submission. Commerce relied upon the average kilogram weights listed in CAADES, *et al.*'s submission, converted those weights into pounds,⁵ then calculated the appropriate reference prices. All results were rounded to the nearest hundredth.

Commerce notes that no other party provided common pack types to be reflected in the interim box weight charts. For pack types not reflected in the interim box weight charts, Commerce encourages parties to follow the procedures of Appendix C of the 2019 Agreement if “a Signatory intends to export subject merchandise to the United States in a box for which there is no average weight on the chart.”

Commerce emphasizes that it has not made a determination at this time regarding which pack types will be included in the box-weighing exercise. Additionally, comments concerning

¹ See Memorandum to all Interested Parties, “Request for Comment on the Interim Box Weight Charts for the 2019 Agreement Suspending the Antidumping Duty Investigation on Fresh Tomatoes from Mexico” (October 2, 2019).

² See Letter to Wilbur Ross, Secretary of Commerce, from the Florida Tomato Exchange, “Fresh Tomatoes from Mexico: Comments on Interim Box Weights” (October 23, 2019) (FTE Comments); Letter to Wilbur Ross, Secretary of Commerce, from the Confederación de Asociaciones Agrícolas del Estado de Sinaloa, A.C., *et al.*, “Suspension Agreement on Fresh Tomatoes from Mexico – Response to FTE” (October 23, 2019).

³ See Letter to Wilbur Ross, Secretary of Commerce, from the Florida Tomato Exchange, “Fresh Tomatoes from Mexico: Rebuttal Comments on Interim Box Weights” (October 30, 2019).

⁴ See *Fresh Tomatoes From Mexico: Suspension of Antidumping Duty Investigation*, 84 FR 49987 (September 24, 2019) at Appendix C.

⁵ For the calculation, Commerce used the following conversion: 1 kilogram = 2.20462 pounds.

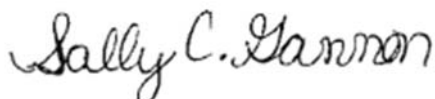


procedures related to the box weighing exercise are a separate issue that Commerce will address at the appropriate time. In the event that a Signatory intends to export subject merchandise to the United States in a box for which there is no average weight on the chart, the Signatory shall notify Commerce in writing no later than five business days prior to the date of the first exportation of such boxes to the United States and will be subject to a seven-day comment period by interested parties.⁶

Regardless of the box weight charts, Commerce emphasizes that the Signatories are responsible for ensuring that they are selling subject merchandise at the appropriate per-pound prices and that overpacking boxes may lead to sales below the applicable reference price.

If you have any questions regarding this matter, please contact me at (202) 482-0162 or David Cordell at (202) 482-0408.

Sincerely,



Sally C. Gannon
Director for Bilateral Agreements
Office of Policy
Enforcement and Compliance

Attachment

⁶ *Id.*

ATTACHMENT

Interim Box Weight Chart: Round and Roma Tomatoes

					Round & Roma Reference Price	Organic Reference Price
					\$0.31/lb.	\$0.434/lb.
Type	Layers	Size	Avg. Kg. Weight	Avg. Lb. Weight	Reference Price Per Box	Organic Reference Price Per Box
Round & Roma	2L	3x4	10.47	23.08	\$7.15	\$10.02
Round & Roma	2L	4x4	10.78	23.77	\$7.37	\$10.32
Round & Roma	2L	4x5	10.81	23.83	\$7.39	\$10.34
Round & Roma	2L	5x5	10.43	22.99	\$7.13	\$9.98
Round & Roma	2L	5x6	9.71	21.41	\$6.64	\$9.29
Round & Roma	3L	6x6	13.33	29.39	\$9.11	\$12.76
Round & Roma	3L	6x7	12.92	28.48	\$8.83	\$12.36
Round & Roma	Bulk	25 lbs.	12.15	26.79	\$8.30	\$11.63
Round & Roma	1L	Long Box	7.41	16.34	\$5.07	\$7.09
Round & Roma	Bulk	Small 20 lbs.	8.16	17.99	\$5.58	\$7.81
Round	1L	10 lbs.	5.12	11.29	\$3.50	\$4.90
Round	Bags	8 x 24 oz. - 12 lbs.	5.63	12.41	\$3.85	\$5.39
Round	Bags	13 lbs. (9 bags)	6.16	13.58	\$4.21	\$5.89
Round	Bags	10 x 20 oz.	6.02	13.27	\$4.11	\$5.76
Round	Clamshell	RPC - 12 x 20 oz.	7.31	16.12	\$5.00	\$7.00
Round	Clamshell	RPC - 36 x 3 Pack	14.51	31.99	\$9.92	\$13.88
Round	Clamshell	12 x 16 oz.	6.29	13.87	\$4.30	\$6.02
Round	Clamshell	12 x 20 oz.	7.17	15.81	\$4.90	\$6.86
Round	Clamshell	16 x 1 lb.	9.18	20.24	\$6.27	\$8.78
Round	Clamshell	4 x 2.25 lbs. (6 pack)	5.00	11.02	\$3.42	\$4.78
Round	Clamshell	8 x 2 lbs.	7.74	17.06	\$5.29	\$7.40
Round	Clamshell	8 x 2.25 lbs. (6 pack)	10.01	22.07	\$6.84	\$9.58
Round		5 lbs.	2.42	5.34	\$1.66	\$2.32
Round		RPC – 15 lbs.	6.94	15.3	\$4.74	\$6.64
Round		RPC – 18 lbs.	8.76	19.31	\$5.99	\$8.38
Roma	Clamshell	12 x 12 oz.	4.98	10.98	\$3.40	\$4.77
Roma		RPC – 25 lbs.	12.43	27.40	\$8.49	\$11.89
Roma		RPC – 32 lbs.	14.74	32.5	\$10.08	\$14.11
Roma		RPC – 35 lbs.	16.13	35.56	\$11.02	\$15.43
Roma		10 lbs.	4.82	10.63	\$3.30	\$4.61
Roma		5 lbs.	2.81	6.19	\$1.92	\$2.69

Roma	Bags	4 x 3 lbs.	5.61	12.37	\$3.83	\$5.37
Roma	Bags	6 x 3 lbs.	9.07	20.00	\$6.20	\$8.68
Roma	Bags	8 x 2 lbs.	8.70	19.18	\$5.95	\$8.32
Roma	Bags	10 x 22oz.	7.08	15.61	\$4.84	\$6.77
Roma	Baskets	16 x 1 lb.	10.01	22.07	\$6.84	\$9.58
Roma	Tray	12 x 6 Pack	6.43	14.18	\$4.40	\$6.15
Roma	Clamshell	4 x 3 lbs.	6.06	13.36	\$4.14	\$5.80
Roma	Clamshell	6 x 2 lbs.	5.91	13.03	\$4.04	\$5.66
Roma	Clamshell	8 x 1 lb.	4.93	10.87	\$3.37	\$4.72
Roma	Clamshell	8 x 3 lbs.	11.55	25.46	\$7.89	\$11.05
Roma	Clamshell	12 x 4 oz.	5.59	12.32	\$3.82	\$5.35
Roma	Clamshell	12 x 12 oz.	6.12	13.49	\$4.18	\$5.85
Roma	Clamshell	12 x 16 oz.	6.30	13.89	\$4.31	\$6.03
Roma	Clamshell	12 x 1 lb.	5.90	13.01	\$4.03	\$5.65
Roma	Clamshell	24 x 1 lb.	14.39	31.72	\$9.83	\$13.77

Interim Box Weight Chart: Stem On Tomatoes

					Stem On Reference Price	Organic Reference Price
					\$0.46/lb.	\$0.644/lb.
Type	Layers	Size	Avg. Kg. Weight	Avg. Lb. Weight	Reference Price Per Box	Organic Reference Price Per Box
Stem On	2L	3x4	10.47	23.08	\$10.62	\$14.86
Stem On	2L	4x4	10.78	23.77	\$10.93	\$15.31
Stem On	2L	4x5	10.81	23.83	\$10.96	\$15.35
Stem On	2L	5x5	10.43	22.99	\$10.58	\$14.81
Stem On	2L	5x6	9.71	21.41	\$9.85	\$13.79
Stem On	3L	6x6	13.33	29.39	\$13.52	\$18.93
Stem On	3L	6x7	12.92	28.48	\$13.10	\$18.34
Stem On	Bulk	25 lbs.	12.15	26.79	\$12.32	\$17.25
Stem On	1L	Long Box	7.41	16.34	\$7.52	\$10.52
Stem On		RPC - 15 lbs.	6.94	15.30	\$7.04	\$9.85
Stem On	Bags	8x24 oz. - 12 lbs.	5.63	12.41	\$5.71	\$7.99
Stem On	Bags	13 lbs. (9 bags)	6.16	13.58	\$6.25	\$8.75
Stem On	Bags	10 x 20 oz.	6.02	13.27	\$6.10	\$8.55
Stem On	Clamshell	RPC - 12 x 20 oz.	7.31	16.12	\$7.42	\$10.38
Stem On	Clamshell	RPC - 36 x 3 Pack	14.51	31.99	\$14.72	\$20.60
Stem On	Clamshell	12 x 12 oz.	4.98	10.98	\$5.05	\$7.07
Stem On	Clamshell	12 x 16 oz.	6.29	13.87	\$6.38	\$8.93
Stem On	Clamshell	12 x 20 oz.	7.17	15.81	\$7.27	\$10.18
Stem On	Clamshell	16 x 1 lb.	9.18	20.24	\$9.31	\$13.03
Stem On	Clamshell	4 x 2.25 lbs. (6 pack)	5.00	11.02	\$5.07	\$7.10
Stem On	Clamshell	8 x 2 lbs.	7.74	17.06	\$7.85	\$10.99
Stem On	Clamshell	8 x 2.25 lbs. (6 pack)	10.01	22.07	\$10.15	\$14.21

Interim Box Weight Chart: Tomatoes on the Vine (TOV)

Type	Layers	Size	Avg. Kg. Weight	Avg. Lb. Weight	TOV Reference Price	Organic Reference Price
					\$0.50/lb.	\$0.70/lb.
					Reference Price Per Box	Organic Reference Price Per Box
TOV	1L	11 lbs. flat	5.58	12.30	\$6.15	\$8.61
TOV	2L	3x4	10.47	23.08	\$11.54	\$16.16
TOV	2L	4x4	10.78	23.77	\$11.89	\$16.64
TOV	2L	4x5	10.81	23.83	\$11.92	\$16.68
TOV	2L	5x5	10.43	22.99	\$11.50	\$16.09
TOV	2L	5x6	9.71	21.41	\$10.71	\$14.99
TOV	3L	6x6	13.33	29.39	\$14.70	\$20.57
TOV	3L	6x7	12.92	28.48	\$14.24	\$19.94
TOV	Bulk	25 lbs.	12.15	26.79	\$13.40	\$18.75
TOV	1L	Long Box	7.41	16.34	\$8.17	\$11.44
TOV	1L	RPC – 11 lbs.	5.43	11.97	\$5.99	\$8.38
TOV	1L	RPC – 13 lbs.	6.21	13.69	\$6.85	\$9.58
TOV	1L	13 lbs.	6.11	13.47	\$6.74	\$9.43
TOV	Clamshell	10 x 1 lb.	4.75	10.47	\$5.24	\$7.33
TOV	Clamshell	8 x 14 oz.	3.33	7.34	\$3.67	\$5.14
TOV	Bags	12 x 3 pack (300gr)	5.12	11.29	\$5.65	\$7.90
TOV	Bags	8 x 24oz.	5.51	12.15	\$6.08	\$8.51
TOV	Bags	9 x 1.1 lbs. (500gr)	4.96	\$10.93	\$5.47	\$7.65

Interim Box Weight Chart: Specialty Loose Tomatoes

					Specialty Loose Reference Price	Organic Reference Price
					\$0.49/lb.	\$0.686/lb.
Type	Layers	Size	Avg. Kg. Weight	Avg. Lb. Weight	Reference Price Per Box	Organic Reference Price Per Box
Specialty Loose	1L	Long Box	7.41	16.34	\$8.01	\$11.21
Cherry	Bulk	Bulk	8.13	17.92	\$8.78	\$12.29
Cherry		10 lbs.	4.82	10.63	\$5.21	\$7.29
Grape	Bulk	20 lbs.	9.42	20.77	\$10.18	\$14.25
Grape		10 lbs.	4.78	10.54	\$5.16	\$7.23
Grape		22 lbs.	10.05	22.16	\$10.86	\$15.20
Heirloom	1L	10 lbs.	5.08	11.2	\$5.49	\$7.68
Heirloom		11 lbs.	5.93	13.07	\$6.40	\$8.97
Heirloom		15 lbs.	6.87	15.15	\$7.42	\$10.39
Heirloom		17 lbs.	7.77	17.13	\$8.39	\$11.75
Cocktail		10 lbs.	4.91	10.82	\$5.30	\$7.42
Cocktail	2L	11 lbs.	5.24	11.55	\$5.66	\$7.92
Cocktail	2L	13 lbs.	6.03	13.29	\$6.51	\$9.12

Interim Box Weight Chart: Specialty Packed Tomatoes

Type	Layers	Size	Avg. Kg. Weight	Avg. Lb. Weight	Specialty Packed Reference Price	Organic Reference Price
					\$0.59/lb.	\$0.826/lb.
					Reference Price Per Box	Organic Reference Price Per Box
Grape/Cherry	Clamshell	6 x 1.5 lbs.	4.36	9.61	\$5.67	\$7.94
Grape/Cherry	Clamshell	6 x 2 lbs.	6.50	14.33	\$8.45	\$11.84
Grape/Cherry	Clamshell	10 x 12 oz.	3.61	7.96	\$4.70	\$6.57
Grape/Cherry	Clamshell	12 x 1.5 lbs.	8.79	19.38	\$11.43	\$16.01
Grape/Cherry	Topseal	12 x 2 lbs.	11.52	25.40	\$14.99	\$20.98
Cherry		12 baskets	6.32	13.93	\$8.22	\$11.51
Cherry	Clamshell	RPC - 12 - 1 Dry Pint	3.62	7.98	\$4.71	\$6.59
Cherry	Clamshell	RPC - 15 - 1 Dry Pint	4.44	9.79	\$5.78	\$8.09
Cherry	Clamshell	RPC - 12 - 10.5 oz.	3.85	8.49	\$5.01	\$7.01
Cherry	Clamshell	RPC - 16 - 10.5 oz.	4.99	11.00	\$6.49	\$9.09
Cherry	Clamshell	RPC - 16 - 12 oz.	5.82	12.83	\$7.57	\$10.60
Cherry	Clamshell	12 - 1 Dry pint	3.63	8.00	\$4.72	\$6.61
Cherry	Clamshell	12 - 1.5 lbs.	8.69	19.16	\$11.30	\$15.83
Cherry	Clamshell	12 - 10.5 oz.	3.81	8.40	\$4.96	\$6.94
Cherry	Clamshell	12 - 24 oz.	8.42	18.56	\$10.95	\$15.33
Cherry	Clamshell	12 - 280 gr.	3.66	8.07	\$4.76	\$6.67
Cherry	Clamshell	12 - 624 gr.	3.55	7.83	\$4.62	\$6.47
Cherry	Clamshell	6 - 2 lbs.	5.80	12.79	\$7.55	\$10.56
Cherry	Clamshell	6 - 680 gr.	4.45	9.81	\$5.79	\$8.10
Cherry	Clamshell	9 - 8 oz.	2.05	4.52	\$2.67	\$3.73
Cherry	Baskets	12 - 1 pint	5.94	13.10	\$7.73	\$10.82
Cherry	Net	16 - 12 oz.	5.86	12.92	\$7.62	\$10.67
Grape	Clamshell	12 Baskets 12 oz.	4.71	10.38	\$6.12	\$8.57
Grape	Clamshell	12 - 1 pt. Clam Shell	4.35	9.59	\$5.66	\$7.92
Grape	Clamshell	RPC - 10 - 340 gr.	3.59	7.91	\$4.67	\$6.53
Grape	Clamshell	RPC - 12 - 12 oz.	4.26	9.39	\$5.54	\$7.76
Grape	Clamshell	RPC - 12 - 24 oz.	8.46	18.65	\$11.00	\$15.40

Grape	Clamshell	RPC - 15 - 1 Dry Pint	4.51	9.94	\$5.86	\$8.21
Grape	Clamshell	RPC - 15 - 1 Pint	4.62	10.19	\$6.01	\$8.42
Grape	Clamshell	RPC - 15 - 10.5 oz.	5.02	11.07	\$6.53	\$9.14
Grape	Clamshell	RPC - 12 - 2 lbs.	11.46	25.26	\$14.90	\$20.86
Grape	Clamshell	12 - 0.624 lb.	3.65	8.05	\$4.75	\$6.65
Grape	Clamshell	12 - 1 Dry pint	3.64	8.02	\$4.73	\$6.62
Grape	Clamshell	12 - 10 oz.	3.50	7.72	\$4.55	\$6.38
Grape	Clamshell	12 - 10.5 oz.	3.84	8.47	\$5.00	\$7.00
Grape	Clamshell	12 - 280 gr.	3.85	8.49	\$5.01	\$7.01
Grape	Clamshell	12 - 2 lbs.	11.45	25.24	\$14.89	\$20.85
Grape	Clamshell	12 - 7 oz.	2.70	5.95	\$3.51	\$4.91
Grape	Clamshell	12 - 8 oz.	2.81	6.19	\$3.65	\$5.11
Grape	Clamshell	12 - 9 oz.	3.11	6.86	\$4.05	\$5.67
Grape	Clamshell	15 - 1 Dry pint	4.55	10.03	\$5.92	\$8.28
Grape	Clamshell	15 - 1 pint	4.56	10.05	\$5.93	\$8.30
Grape	Clamshell	15 - 280 gr.	4.51	9.94	\$5.86	\$8.21
Grape	Clamshell	15 - 10 oz.	4.92	10.85	\$6.40	\$8.96
Grape	Clamshell	18 - 1 lb.	8.77	19.33	\$11.40	\$15.97
Grape	Clamshell	6 - 1.5 lbs.	4.29	9.46	\$5.58	\$7.81
Grape	Clamshell	6 - 10 oz.	1.83	4.03	\$2.38	\$3.33
Grape	Clamshell	6 - 2 lbs.	5.83	12.85	\$7.58	\$10.61
Grape	Clamshell	6 - 280 grs.	4.56	10.05	\$5.93	\$8.30
Grape	Clamshell	2 x 5 lbs.	4.99	11.00	\$6.49	\$9.09
Grape	Clamshell	8 x 1 lb.	5.38	11.86	\$7.00	\$9.80
Grape	Clamshell	8 x 2 lbs.	9.44	20.81	\$12.28	\$17.19
Grape	Clamshell	Topseal 10 x 12 oz.	4.07	8.97	\$5.29	\$7.41
Grape	Clamshell	Topseal 12 x 2 lbs.	11.53	25.42	\$15.00	\$21.00
Grape	Bags	10 - 3 oz.	1.19	2.62	\$1.55	\$2.16
Grape	Bags	20 - 16 oz.	7.49	16.51	\$9.74	\$13.64
Grape	Baskets/ Clamshell	12 - 11 oz.	4.13	9.11	\$5.37	\$7.52
Grape	Baskets/ Clamshell	6 - 32 oz.	5.83	12.85	\$7.58	\$10.61
Cocktail	Clamshell	RPC - 16 - 14 oz.	6.92	15.26	\$9.00	\$12.60
Cocktail	Clamshell	RPC - 20 - 1 lb.	9.51	20.97	\$12.37	\$17.32
Cocktail	Clamshell	RPC - 8 - 1 lb.	3.89	8.58	\$5.06	\$7.09
Cocktail	Clamshell	10 - 1 lb.	4.84	10.67	\$6.30	\$8.81
Cocktail	Clamshell	10 - 12 oz.	3.60	7.94	\$4.68	\$6.56
Cocktail	Clamshell	12 - 9 oz.	3.23	7.12	\$4.20	\$5.88
Cocktail	Clamshell	16 - 1 lb.	8.06	17.77	\$10.48	\$14.68

Cocktail	Clamshell	8 - 1 lb.	4.00	8.82	\$5.20	\$7.29
Cocktail	Clamshell	8 - 1.75 lbs.	6.53	14.40	\$8.50	\$11.89
Cocktail	Clamshell	8 - 2 lbs.	7.75	17.09	\$10.08	\$14.12
Cocktail	Clamshell	10 - 1 lb.	4.89	10.78	\$6.36	\$8.90
Heirloom	Bags	16 x 10 oz.	4.62	10.19	\$6.01	\$8.42
Heirloom		11 lbs.	5.38	11.86	\$7.00	\$9.80
Kumato	Bags	10 - 1 lb.	4.85	10.69	\$6.31	\$8.83
Kumato	Bags	6 - 2 lbs.	5.77	12.72	\$7.50	\$10.51
Kumato	Clamshell	10 - 1 lb.	4.81	10.60	\$6.25	\$8.76