

MESSAGE NO: 2206208 MESSAGE DATE: 07/25/2002
MESSAGE STATUS: Active CATEGORY: Antidumping
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SUB-TYPE:

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REFERENCE
MESSAGE #
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CASE #(s): A-570-504

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 07/19/2002 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: SCOPE RULINGS ON CANDLES FROM CHINA (A-570-504)

MESSAGE NO: 2206208

DATE: 07 25 2002

CATEGORY: ADA

TYPE: SCO

REFERENCE:

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CASES: A - 570 - 504

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PERIOD COVERED: 07 19 2002 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULINGS ON CANDLES FROM CHINA (A-570-504)

1. ON APRIL 30, 2001, IN RESPONSE TO A REQUEST BY BARTHCO TRADE CONSULTANTS (BARTHCO), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT BARTHCO'S FLOATING FLOWER CANDLES, FLOATING STAR CANDLES, AND MINI LOAF CANDLES ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. BECAUSE THE IMPORTED PRODUCTS INCLUDE SHAPES SPECIFICALLY INCLUDED IN THE SCOPE OF THE ORDER, AND DO NOT FULFILL THE

REQUIREMENTS FOR THE DEPARTMENT'S JULY 1987 NOVELTY CANDLE EXCEPTION, THE COMMERCE DEPARTMENT FOUND THESE PRODUCTS TO BE WITHIN THE SCOPE OF THE ORDER.

3. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING BARTHCO'S FLOATING FLOWER CANDLES, FLOATING STAR CANDLES, AND MINI LOAF CANDLES LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

4. ON MAY 21, 2001, IN RESPONSE TO A REQUEST BY JCPENNEY PURCHASING CORPORATION (JCPPC), THE DEPARTMENT OF COMMERCE ISSUED

A FINAL SCOPE RULING THAT 21 OF JCPPC'S CANDLES ARE WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504). THE 21 CANDLES ARE AS FOLLOWS: 1) DARK GREEN HOLLY PILLAR (STYLE #X0103(P2)), 2) IVORY PILLAR WITH BELLS (STYLE #X0103(P4)), 3) DARK GREEN OVAL ANGEL PILLAR (STYLE #X0103(P1)), 4) GREEN SQUARE CANDLE WITH ANGELS (STYLE #X0103(P1)S), 5) CREAM COLORED SQUARE CANDLE WITH PINECONES AND LEAVES (STYLE #X0103(P5)S), 6) WHITE SQUARE CANDLE WITH POINSETTIAS (STYLE #152133B), 7) RED WHITE AND BLUE STACKED STAR CANDLES (LOT 1432), 8) RED, WHITE AND BLUE STACKED STAR CANDLES (LOT 1431), 9) TEA-LIGHT CANDLES (INCLUDED WITH "HOLLOW CANDLE") (STYLE #X0109(R)) (NOTE: SEE CONCURRENT INSTRUCTIONS WHEREIN WE NOTIFY CUSTOMS THAT THE ACCOMPANYING HOLLOW WAX CANDLE HOLDER IS NOT CONSIDERED TO BE A PETROLEUM WAX

CANDLE SUBJECT TO THIS ORDER), 10) GLASS BOWL WITH THREE FLOATING SNOWFLAKE CANDLES (STYLE #X0119), 11) OLIVE-SHAPED CANDLE WITH SNAKE SKIN PATTERN (STYLE #D4401/2), 12) BLOCK-SHAPED CANDLE WITH SNAKE SKIN PATTERN (STYLE #D4427), 13) ROUND-SHAPED CANDLE WITH CURVY LINES (STYLE #D7109/1), 14) OVAL-SHAPED CANDLE WITH CURVY LINES (STYLE #D5224), 15) OCEAN BLUE PILLAR CANDLE (STYLE #SC01(46)), 16) CREAM COLORED CUBE CANDLE WITH SEASHELLS (STYLE #NG565), 17) ROUND CANDLE WITH STAR CUTOUT (LOT 1414), 18) RED OVAL PINECONES AND LEAVES PILLAR (STYLE #X0103(P5)O), 19) CREAM

COLORED SQUARE CANDLE WITH EMBEDDED GOLD FOIL (STYLE #C-901-2G), 20) COLUMN WITH SNAKE SKIN PATTERN (STYLE #D6259), AND 21) COLUMN WITH CURVY LINES (STYLE #D7109/2).

5. BECAUSE THE IMPORTED PRODUCTS INCLUDE SHAPES SPECIFICALLY INCLUDED IN THE SCOPE OF THE ORDER, AND DO NOT FULFILL THE REQUIREMENTS FOR THE DEPARTMENT'S JULY 1987 NOVELTY CANDLE EXCEPTION, THE COMMERCE DEPARTMENT FOUND THESE PRODUCTS TO BE WITHIN THE SCOPE OF THE ORDER.

6. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING THE 21 CANDLES LISTED ABOVE IN PARAGRAPH 4, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. ON JUNE 11, 2001, IN RESPONSE TO A REQUEST BY AVON PRODUCTS (AVON), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT AVON'S "TEAR SHAPED CANDLE" (PRODUCT PROFILE NO. 202246) IS WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

8. BECAUSE THE IMPORTED PRODUCT IS OF A SHAPE SPECIFICALLY INCLUDED IN THE SCOPE OF THE ORDER, AND DOES NOT FULFILL THE REQUIREMENTS FOR THE DEPARTMENT'S JULY 1987 NOVELTY CANDLE EXCEPTION, THE COMMERCE DEPARTMENT FOUND THIS PRODUCT TO BE WITHIN THE SCOPE OF THE ORDER.

9. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING AVON'S "TEAR SHAPED CANDLE" (PRODUCT PROFILE NO. 202246) LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

10. ON JULY 11, 2001, IN RESPONSE TO A REQUEST BY AVON, THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT AVON'S "FLOATING DISC SHAPED CANDLE" IS WITHIN THE SCOPE OF THE

ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

11. BECAUSE THE IMPORTED PRODUCT IS OF A SHAPE SPECIFICALLY INCLUDED IN THE SCOPE OF THE ORDER, AND DOES NOT FULFILL THE REQUIREMENTS FOR THE DEPARTMENT'S JULY 1987 NOVELTY CANDLE EXCEPTION, THE COMMERCE DEPARTMENT FOUND THIS PRODUCT TO BE WITHIN THE SCOPE OF THE ORDER.

12. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING AVON'S " FLOATING DISC SHAPED CANDLE" LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

13. ON JULY 30, 2001, IN RESPONSE TO A REQUEST BY AVON, THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT AVON'S " FLORAL LAMP CANDLE " IS WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

14. BECAUSE THE IMPORTED PRODUCT IS OF A SHAPE SPECIFICALLY INCLUDED IN THE SCOPE OF THE ORDER, AND DOES NOT FULFILL THE REQUIREMENTS FOR THE DEPARTMENT'S JULY 1987 NOVELTY CANDLE EXCEPTION, THE COMMERCE DEPARTMENT FOUND THIS PRODUCT TO BE WITHIN THE SCOPE OF THE ORDER.

15. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING AVON'S " FLORAL LAMP CANDLE" LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

16. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS

OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SALLY GANNON AT 202-482-0162, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

17. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

KATHY SAUCEDA

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party