

MESSAGE NO: 3125202 MESSAGE DATE: 05/05/2003  
MESSAGE STATUS: Active CATEGORY: Antidumping  
TYPE: SCO-Scope PUBLIC  NON-PUBLIC   
SUB-TYPE:

FR CITE: FR FR CITE DATE:

REFERENCE  
MESSAGE #  
(s):

CASE #(s): A-570-504

EFFECTIVE DATE: COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: 04/22/2003 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

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

MESSAGE NO: 3125202 DATE: 05 05 2003

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

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PERIOD COVERED: 04 22 2003 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

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

1. ON APRIL 22, 2003, IN RESPONSE TO A REQUEST BY GARDEN RIDGE (GARDEN), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT GARDEN'S ORANGE "CHEETAH-PRINT" CANDLES (STYLES 194735-A, 194736-A, 194768-A, 194735-C, 194736-C, AND 194778-C) AND BLACK AND WHITE "ZEBRA-PRINT" CANDLES (STYLES 194735-D, 194736-D, AND 194768-D) 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. ADDITIONALLY, THE DEPARTMENT DID NOT FIND SUFFICIENT EVIDENCE ON THE RECORD TO ESTABLISH THAT THESE CANDLES SHOULD BE EXCLUDED BECAUSE OF THEIR ALLEGED PALM OIL CONTENT.

3. BECAUSE THE DEPARTMENT OF COMMERCE HAS FOUND THESE CANDLES TO BE WITHIN THE SCOPE OF THE ORDER, CONTINUE TO SUSPEND LIQUIDATION OF, AND COLLECT CASH DEPOSITS ON, ENTRIES OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING GARDEN'S ORANGE "CHEETAH-PRINT" CANDLES (STYLES 194735-A, 194736-A, 194768-A, 194735-C, 194736-C, AND 194778-C) AND BLACK AND WHITE "ZEBRA-PRINT" CANDLES (STYLES 194735-D, 194736-D, AND 194768-D) LISTED ABOVE, SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

4. FOR ALL SHIPMENTS OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA, INCLUDING THE ABOVE-NOTED CANDLES IMPORTED BY GARDEN, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO ASSESS ANTIDUMPING DUTIES OF THE SUBJECT MERCHANDISE AS INSTRUCTED BY THE DEPARTMENT OF COMMERCE.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY U.S. BUREAU OF CUSTOMS AND BORDER PROTECTION 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 JULIO A. FERNANDEZ AT 202-482-0961, AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, DEPARTMENT OF COMMERCE.

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

CATHY SAUCEDA

## Company Details

\*Party Indicator Value:

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