

MESSAGE NO: 3289206 MESSAGE DATE: 10/16/2003
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation 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: 08/01/2002 TO 07/31/2003

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: NON REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS-PETROLEUM WAX
CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

MESSAGE NO: 3289206 DATE: 10 16 2003

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

- - - -

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PERIOD COVERED: 08 01 2002 TO 07 31 2003

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: NON REVIEW/AUTOMATIC LIQUIDATION INSTRUCTIONS-PETROLEUM
WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA
(A-570-504)

1. THE DEPARTMENT OF COMMERCE DOES NOT AUTOMATICALLY CONDUCT ADMINISTRATIVE REVIEWS OF ANTIDUMPING FINDINGS/DUTY ORDERS. INSTEAD, REVIEWS MUST BE REQUESTED IN ACCORDANCE WITH SECTION 351.213 OF THE COMMERCE DEPARTMENT REGULATIONS.

2. THE DEPARTMENT OF COMMERCE HAS NOT RECEIVED A REQUEST FOR AN ADMINISTRATIVE REVIEW OF THE ANTIDUMPING DUTY ORDER FOR THE PERIOD AND ON THE MERCHANDISE LISTED BELOW, EXCEPT FOR THE FIRMS

NOTED. THEREFORE, IN ACCORDANCE WITH SECTION 351.212(c) OF THE COMMERCE DEPARTMENT REGULATIONS, YOU ARE TO ASSESS ANTIDUMPING DUTIES ON MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION AT THE CASH DEPOSIT OR BONDING RATE REQUIRED ON THE DATE OF ENTRY.

PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA
(A-570-504)

PERIOD: 08/01/2002 - 07/31/2003

RATE: CASH DEPOSIT REQUIRED AT THE TIME OF ENTRY.

LIQUIDATE ALL ENTRIES FOR ALL FIRMS EXCEPT:

MFR/PRODUCER
EXPORTER

AMSTAR BUSINESS CO., LTD.
ATHOME AMERICA
AVON PRODUCTS, INC.
CANDLE WORLD INDUSTRIAL CO.
DALIAN HANBO LIGHTING CO., LTD.
DONGGUAN FAY CANDLE COMPANY, LTD.
GENERALUXE FACTORY
GUANGDONG XIN HUI CITY SI QIAN ART CRAFT FACTORY
JIANGSU HOLLY CORPORATION
LI FUNG TRADING LTD.
PREMIER CANDLE CO. LTD.
QINGDAO KINGKING APPLIED CHEMISTRY CO., LTD.
SHANDONG JIAYE GEN. MERCH.
SHANGHAI CHARMING WAX CO., LTD.
SIMON INT'L LTD.
SINCERE FACTORY COMPANY
SMARTCORD INT'L CO., LTD./RICH TALENT TRADING
SUZHOU IND'L PARK NAM KWONG
TAIZHOU INT'L TRAE CORP.
TWO'S COMPANY INC.
UNIVERSAL CANDLE CO., LTD.

ZEN CONTINENTAL CO., INC.

ZHONG HANG-SCANWELL INTERNATIONAL/SCANWELL FREIGHT EXPRESS (LAX),
INC.

AND FOR THE FOLLOWING PRODUCER/EXPORTER COMBINATIONS ONLY:

(A-570-504-008)

EXPORTER: CHANGSHAN IMPORT/EXPORT CO., LTD.

PRODUCER: SHAOXING YOUCHENG ARTCRAFT KNITTING CO., LTD.

(A-570-504-009)

EXPORTER: SHANGHAI R R IMPORT/EXPORT CO., LTD.

PRODUCER: QING YUAN HUAXING ARTS AND CRAFTS CANDLE CO., LTD.

(A-570-504-010)

EXPORTER: SHANDONG HUIHE TRADE CO., LTD.

PRODUCER: SHANDONG HUIHE TRADE CO., LTD.

THIS APPLIES ONLY TO THE THREE PRODUCER/EXPORTER COMBINATIONS
IDENTIFIED ABOVE, IN THE COMBINATIONS IDENTIFIED ABOVE. FOR
SHIPMENTS OF SUBJECT MERCHANDISE FROM THE PRODUCERS AND EXPORTERS

IDENTIFIED ABOVE IN ANY OTHER COMBINATION, LIQUIDATE AT THE CASH
DEPOSIT REQUIRED AT THE TIME OF ENTRY.

3. ENTRIES OF MERCHANDISE OF EXCEPTED FIRMS SHOULD NOT BE
LIQUIDATED UNTIL YOU RECEIVE SPECIFIC INSTRUCTIONS AFTER THE
COMPLETION OF THE ANTIDUMPING REVIEW. CONTINUE TO SUSPEND
LIQUIDATION OF ALL ENTRIES OF MERCHANDISE EXPORTED OR PRODUCED BY
THE LISTED FIRMS AND ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR
CONSUMPTION DURING THIS PERIOD.

4. THESE INSTRUCTIONS CONSTITUTE THE IMMEDIATE LIFTING OF
SUSPENSION OF LIQUIDATION OF ENTRIES FOR THE MERCHANDISE AND
PERIODS LISTED ABOVE. YOU SHALL CONTINUE TO COLLECT CASH
DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR SUBSEQUENT ENTRIES
OF THE SUBJECT MERCHANDISE AT THE CURRENT RATES.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE BUREAU OF CUSTOMS AND BORDER PROTECTION (CUSTOMS) ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS PAY INTEREST ON OVERPAYMENTS OR ASSESS INTEREST ON UNDERPAYMENTS, OF

THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE OF PAYMENT OF ESTIMATED ANTIDUMPING DUTIES THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

6. UPON ASSESSMENT OF ANTIDUMPING DUTIES, CUSTOMS SHOULD REQUIRE THAT THE IMPORTER PROVIDE A REIMBURSEMENT STATEMENT AS DESCRIBED IN SECTION 351.402(f)(2) OF THE COMMERCE DEPARTMENT REGULATIONS. THE IMPORTER SHOULD PROVIDE THE REIMBURSEMENT STATEMENT PRIOR TO

LIQUIDATION OF THE ENTRY. IF THE IMPORTER HAS BEEN REIMBURSED ANTIDUMPING DUTIES, CUSTOMS SHOULD DOUBLE THE ANTIDUMPING DUTIES IN ACCORDANCE WITH THE ABOVE-REFERENCED REGULATION. ADDITIONALLY, IF THE IMPORTER FAILS TO RESPOND TO YOUR FORMAL REQUEST (VIA CF 28 OR 29) FOR THE REIMBURSEMENT STATEMENT PRIOR TO LIQUIDATION, CUSTOMS SHOULD PRESUME REIMBURSEMENT AND DOUBLE THE ANTIDUMPING DUTIES DUE.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 (GENERATED BY G307:JB).

8. 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