

MESSAGE NO: 5151208 MESSAGE DATE: 05/31/2005  
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: 05/13/2005 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: ANTIDUMPING SCOPE RULING ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504) FOR PIER 1 IMPORTS, INC. (PIER 1)

MESSAGE NO: 5151208

DATE: 05 31 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 05 13 2005 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS  
PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: ANTIDUMPING SCOPE RULING ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504) FOR PIER 1 IMPORTS, INC. (PIER 1)

1. ON 05/13/2005, IN RESPONSE TO A REQUEST BY PIER 1 IMPORTS, INC. (PIER 1), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT TWELVE MODELS OF PIER 1'S PETROLEUM WAX CANDLES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. THE COMMERCE DEPARTMENT DETERMINED THAT THE TWELVE MODELS OF PIER 1'S PETROLEUM WAX CANDLES ARE OUTSIDE THE SCOPE OF THE

ANTIDUMPING DUTY ORDER BECAUSE THEY ARE COMPOSED OF LESS THAN FIFTY PERCENT PETROLEUM WAX AND MORE THAN FIFTY PERCENT PALM WAX. THEREFORE, PIER 1'S TWELVE MODELS OF PETROLEUM WAX CANDLES LISTED BELOW ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA:

DESCRIPTION:

SKU #:

- |   |         |
|---|---------|
| (1) 3X4 INCH "APPLE CRISP" PILLAR CANDLE                        | 2015871 |
| (2) 4X6 INCH "APPLE CRISP" PILLAR CANDLE                        | 2015884 |
| (3) 6X6 INCH "APPLE CRISP" PILLAR CANDLE                        | 2015897 |
| (4) 3X4 INCH "SPICED POMEGRANATE" PILLAR CANDLE                 | 2022700 |
| (5) 3X6 INCH "SPICED POMEGRANATE" PILLAR CANDLE                 | 2022713 |
| (6) 3X4 INCH "IVORY" JEWEL-ENCRUSTED PILLAR CANDLE              | 2013255 |
| (7) 3X6 INCH "IVORY" JEWEL-ENCRUSTED PILLAR CANDLE              | 2013268 |
| (8) 3X3 INCH "RED CANDLE GIFT SET WITH BELL"<br>PILLAR CANDLE   | 2013283 |
| (9) 3X3 INCH "GREEN CANDLE GIFT SET WITH BELL"<br>PILLAR CANDLE | 2013270 |
| (10) SET OF FOUR 1.75X2 INCH "APPLE CRISP"<br>PILLAR CANDLES    | 2016064 |
| (11) SET OF FOUR 1.75X2 INCH "PECAN PRALINE"<br>PILLAR CANDLES  | 2016049 |
| (12) SET OF THREE 3 INCH "RED/GREEN" BALL CANDLES               | 2015856 |

3. EFFECTIVE 05/13/2005, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE PETROLEUM WAX CANDLES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE PETROLEUM WAX CANDLES LISTED ABOVE.

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

INTEREST ON UNDER PAYMENTS, 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 IS REQUIRED 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. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTHAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY 09: SLF).

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