

MESSAGE NO: 5277215 MESSAGE DATE: 10/04/2005  
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: 09/26/2005 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 PETROLEUM WAX CANDLES-CHINA (A-570-504) AVON'S  
"CHALET" & "COTTAGE" NOT WITHIN THE SCOPE. TERM- INATE SUSPENS. & LIQUIDATE.  
REFUND CASH & RELEASE BONDS

MESSAGE NO: 5277215

DATE: 10 04 2005

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 09 26 2005 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

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

AVON'S "CHALET" & "COTTAGE" NOT WITHIN THE SCOPE. TERM-

INATE SUSPENS. & LIQUIDATE. REFUND CASH & RELEASE BONDS

1. ON 09/26/2005, IN RESPONSE TO A REQUEST BY AVON PRODUCTS INC. ("AVON"), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT CANDLES IN THE SHAPE OF A CHALET OR COTTAGE ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER/FINDING COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).

2. THE COMMERCE DEPARTMENT DETERMINED THAT AVON'S CANDLES

APPEAR TO BE FORMED FROM A SINGLE MOLDING PROCESS, WITH THE INTRICATE DETAILS FORMED AS PART OF THE MOLDING PROCESS AND NOT ETCHED. THESE DETAILS INCLUDE DOORS, WINDOWS, DISTINCTIVE SLATE OR THATCHED SHAPED OVER HANGING ROOFS, AND BRICK CHIMNEYS FOR BOTH CANDLES. FOR THE "CHALET" CANDLE, THIS FURTHER INCLUDES VERANDAS AND A BRICK AND LUMBER CONSTRUCTION. FOR THE "COTTAGE" CANDLE, THIS FURTHER INCLUDES PROJECTING AWNINGS OVER THE WINDOWS AND EXPOSED BEAM EAVES AND A PANELED FRONT DOOR. THE SHAPE OF EITHER THE "CHALET" OR "COTTAGE" CANDLE IS VISIBLE FROM MULTIPLE ANGLES AND THUS WE FIND THESE CANDLES TO BE IDENTIFIABLE OBJECTS. THEREFORE, AVON'S "CHALET" AND "COTTAGE" SHAPED CANDLES ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE (09/26/2005), TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF "CHALET" AND "COTTAGE" SHAPED CANDLES LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE "CHALET" AND "COTTAGE" SHAPED 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 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 O9: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