

MESSAGE NO: 6167217 MESSAGE DATE: 06/16/2006
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: 02/25/2005 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: PRELIM. DETERMINATION OF CIRCUMVENTION OF THE AD ORDER ON
PETROLEUM WAX CANDLES FROM CHINA (A-570-504) EFF 2/25/05 SUSPEND
LIQUIDATION; REQUIRE CASH DEPOSIT

MESSAGE NO: 6167217

DATE: 06 16 2006

CATEGORY: ADA

TYPE: SCO

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 02 25 2005 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: PRELIM. DETERMINATION OF CIRCUMVENTION OF THE AD ORDER
ON PETROLEUM WAX CANDLES FROM CHINA (A-570-504) EFF
2/25/05 SUSPEND LIQUIDATION; REQUIRE CASH DEPOSIT

1. ON 06/02/2006, THE DEPARTMENT OF COMMERCE PUBLISHED IN THE
FEDERAL REGISTER ITS NOTICE OF AN AFFIRMATIVE PRELIMINARY
DETERMINATION OF LATER-DEVELOPED MERCHANDISE CIRCUMVENTION OF
THE PETROLEUM WAX CANDLES ANTIDUMPING DUTY ORDER (71 FR 32033).

2. SCOPE OF THE ANTIDUMPING DUTY ORDER

THE SCOPE OF THIS ORDER INCLUDES CERTAIN SCENTED OR UNSCENTED

PETROLEUM WAX CANDLES MADE FROM PETROLEUM WAX AND HAVING FIBER OR PAPER-CORED WICKS. THEY ARE SOLD IN THE FOLLOWING SHAPES: TAPERS, SPIRALS, AND STRAIGHT-SIDED DINNER CANDLES; ROUNDS, COLUMNS, PILLARS, VOTIVES; AND VARIOUS WAX-FILLED CONTAINERS.

THE PRODUCTS COVERED BY THE ORDER ARE CURRENTLY CLASSIFIABLE UNDER THE HARMONIZED TARIFF SCHEDULE OF THE UNITED STATES ("HTSUS") ITEM 3406.00.00. THE HTSUS SUBHEADING IS PROVIDED FOR CONVENIENCE AND FOR CBP PURPOSES ONLY AND IS NOT DISPOSITIVE. BUT RATHER THE WRITTEN DESCRIPTION OF THE SCOPE OF THE ORDER IS DISPOSITIVE.

3. SCOPE OF THE ANTICIRCUMVENTION INQUIRY

THE PRODUCT SUBJECT TO THIS ANTICIRCUMVENTION INQUIRY ARE MIXED WAX CANDLES CONTAINING PETROLEUM WAX AND OVER FIFTY PERCENT PALM AND/OR OTHER VEGETABLE-OIL BASED WAXES ("MIXED WAX CANDLES") FROM THE PEOPLE'S REPUBLIC OF CHINA.

EXCLUDED FROM THE SCOPE OF THE ANTICIRCUMVENTION INQUIRY ARE CANDLES CONTAINING EITHER ONE HUNDRED PERCENT PALM AND/OR VEGETABLE OIL-BASED WAX OR MORE THAN FIFTY PERCENT BEESWAX.

4. THE DEPARTMENT HAS PRELIMINARILY DETERMINED THAT ALL ENTRIES FROM ALL COMPANIES OF MIXED WAX CANDLES CONTAINING NO MORE THAN 87.80 PERCENT PALM AND/OR OTHER VEGETABLE OIL-BASED WAXES MIXED WITH PETROLEUM WAX PRODUCED ARE SUBJECT TO THE ANTIDUMPING DUTY ORDER ON PETROLEUM WAX CANDLES FROM THE PRC.

5. THEREFORE, FOR ALL ENTRIES FROM ALL COMPANIES OF MIXED WAX CANDLES THAT ARE NO MORE THAN 87.80 PERCENT PALM AND/OR OTHER VEGETABLE OIL-BASED WAXES MIXED WITH PETROLEUM WAX AND MEET ALL THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY ORDER, U.S. CUSTOMS AND BORDER PROTECTION (CBP) SHALL SUSPEND LIQUIDATION OF SUCH SHIPMENTS ENTERED, OR WITHDRAWN FROM

WAREHOUSE, FOR CONSUMPTION ON OR AFTER 02/25/2005, WHICH IS THE DATE OF INITIATION FOR THIS ANTICIRCUMVENTION INQUIRY.

EFFECTIVE 02/25/2005, CBP SHALL REQUIRE, FOR ALL SUCH ENTRIES FROM ALL COMPANIES, A CASH DEPOSIT EQUAL TO 108.30 PERCENT.

6. FOR ALL ENTRIES FROM ALL COMPANIES OF MIXED WAX CANDLES THAT ARE NO MORE THAN 87.80 PERCENT PALM AND/OR OTHER VEGETABLE OIL-BASED WAXES MIXED WITH PETROLEUM WAX AND MEET ALL THE REQUIREMENTS FOR THE MERCHANDISE SUBJECT TO THE ANTIDUMPING DUTY

ORDER, AS DESCRIBED ABOVE, ENTERED, OR WITHDRAWN FROM WAREHOUSE,

FOR CONSUMPTION ON OR AFTER 02/25/2005, AND ARE SET FOR LIQUIDATION NEED TO BE UNSET IMMEDIATELY.

7. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT OFFICE OF AD/CVD ENFORCEMENT, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-3577 (GENERATED BY O9:JEH).

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