

MESSAGE NO: 1234310 MESSAGE DATE: 08/22/2011
MESSAGE STATUS: Active CATEGORY: Antidumping
TYPE: LIQ-Liquidation PUBLIC NON-PUBLIC
SUB-TYPE: OUTSCO-Out of Scope

FR CITE: FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-504

EFFECTIVE DATE: 02/19/1986 COURT CASE #:

PERIOD OF REVIEW: TO

PERIOD COVERED: TO

Notice of Lifting of Suspension Date: 08/22/2011

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE RULING ON ANTIDUMPING DUTY ORDER ON PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

NOTE: NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM CANDYM ENTERPRISES, LTD. COMMERCE ISSUED A FINAL SCOPE RULING ON 08/05/2011, THAT CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).
2. COMMERCE DETERMINED THAT CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) IS A FIGURINE BECAUSE IT IS IN THE SHAPE OF AN ANIMAL. THEREFORE, CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504).
3. EFFECTIVE 02/19/1986, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) LISTED ABOVE.
4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) LISTED ABOVE.
5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF CANDYM ENTERPRISES, LTD.'S BUCK HEAD SHAPED CANDLE (PRODUCT NO. RT3132) ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 02/19/1986.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP 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 CBP 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 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.

7. FOR ALL OTHER SHIPMENTS OF PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH #2 ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. 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 THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9:TL).

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

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

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