

MESSAGE NO: 7040202 MESSAGE DATE: 02/09/2007
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: 02/02/2007 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: SCOPE RULING FOR ANTIDUMPING DUTY ORDER ON PETROLEUM WAX
CANDLES FROM CHINA (A-570-504);LIQUIDATE "WEDDING CAKE" CANDLE PRODUCT ID
BI-6606

MESSAGE NO: 7040202

DATE: 02 09 2007

CATEGORY: ADA

TYPE: LIQ

REFERENCE:

REFERENCE DATE:

CASES: A - 570 - 504

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PERIOD COVERED: 02 02 2007 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: SCOPE RULING FOR ANTIDUMPING DUTY ORDER ON PETROLEUM
WAX CANDLES FROM CHINA (A-570-504);LIQUIDATE "WEDDING
CAKE" CANDLE PRODUCT ID BI-6606

1. ON 02/02/2007, IN RESPONSE TO A REQUEST BY LAMRITE
WEST INC. DBA DARICE INC. ("DARICE"), THE DEPARTMENT OF
COMMERCE ISSUED A FINAL SCOPE RULING THAT DARICE'S
"WEDDING CAKE" CANDLE, PRODUCT ID BI-6606, IN THE SHAPE
OF A WEDDING CAKE, IS 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 THE CORE OF THE PRODUCT CONSISTS OF THREE DIFFERENT SIZED ROUNDS STACKED ONTO EACH OTHER IN CONCENTRIC TIERS IN A MANNER RESEMBLING A TRADITIONAL THREE-TIERED CAKE. IN ADDITION, THIS CANDLE IS COLORED COMPLETELY WHITE, IS DECORATED WITH MANY ELABORATE FRILLS BOTH ON THE SIDES AND THE BASE OF EACH OF THE CONCENTRIC, THREE-TIERED ROUNDS. COMBINING THE DESIGN OF THE SHAPE OF THE FINISHED CANDLE (I.E., THREE CONCENTRIC TIERED ROUNDS), THE ELABORATE DESIGNS AND DECORATIONS ON THE SIDES AND BASE OF THE ROUNDS, AND ITS WHITE COLORING, THIS CANDLE IS EASILY RECOGNIZABLE NOT ONLY AS A CAKE FROM MULTIPLE ANGLES, BUT ALSO SPECIFICALLY AS A WEDDING CAKE. THEREFORE, DARICE'S "WEDDING CAKE" CANDLE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE (02/02/2007), TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF THE "WEDDING CAKE" SHAPED CANDLE LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE "WEDDING CAKE" SHAPED CANDLE 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 TRENTAM
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:CR).

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