

MESSAGE NO: 8035202 MESSAGE DATE: 02/04/2008
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: 02/19/1986 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

RE: LIQUIDATION INST. FOR THE SCOPE RULING ON PETROLEUM WAX CANDLES FROM CHINA, LAMPLIGHT'S TIKI MOSQUITO CANDLE IS NOT WITHIN THE SCOPE (A-570-504)

MESSAGE NO: 8035202 DATE: 02 04 2008

CATEGORY: ADA TYPE: LIQ

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

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PERIOD COVERED: 02 19 1986 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS

PORT DIRECTORS

FROM: DIRECTOR, SPECIAL ENFORCEMENT

RE: LIQUIDATION INST. FOR THE SCOPE RULING ON PETROLEUM WAX CANDLES FROM CHINA, LAMPLIGHT'S TIKI MOSQUITO CANDLE IS NOT WITHIN THE SCOPE (A-570-504)

1. THE DEPARTMENT OF COMMERCE (THE "DEPARTMENT") RECEIVED A SCOPE RULING REQUEST FROM LAMPLIGHT FARMS, INC. ("LAMPLIGHT"). THE DEPARTMENT ISSUED A FINAL SCOPE RULING ON 12/13/07, THAT LAMPLIGHT'S TIKI MOSQUITO CANDLE WITH THE POWER OF BLACK FLAG ("TIKI CANDLE") IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC

OF CHINA ("PRC")(A-570-504).

2. THE DEPARTMENT DETERMINED THAT LAMPLIGHT'S TIKI CANDLE IS AN INSECT REPELLANT CANDLE FOR OUTDOOR USE ONLY. THEREFORE, LAMPLIGHT'S TIKI CANDLE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PRC.

3. EFFECTIVE 12/13/07, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 2/19/86 OF LAMPLIGHT'S TIKI CANDLE, LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO LAMPLIGHT'S TIKI CANDLE, LISTED ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF LAMPLIGHT'S TIKI CANDLE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 2/19/86.

6. 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.

7. CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES OF PETROLEUM WAX CANDLES SUBJECT TO THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM

WAX CANDLES FROM THE PRC.

8. 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 OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O9: JB).

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

DAVID M. GENOVESE

Company Details

*Party Indicator Value:

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