

MESSAGE NO: 0221203 MESSAGE DATE: 08/08/2000
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: 07/07/2000 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 FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-504)

MESSAGE NO: 0221203 DATE: 08 08 2000

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

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PERIOD COVERED: 07 07 2000 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

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

1. ON 07/07/2000, IN RESPONSE TO A REQUEST BY ENDAR CORPORATION (ENDAR), THE DEPARTMENT OF COMMERCE ISSUED A FINAL SCOPE RULING THAT ENDAR'S "BOND CAKE" CANDLE 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. THE DEPARTMENT DETERMINED THAT ENDAR'S "BOND CAKE" CANDLE IS NOT IN ONE OF THE SHAPES DELINEATED IN THE SCOPE OF THE ORDER.

THIS CANDLE IS "SHAPED IN THE FORM OF AN IDENTIFIABLE OBJECT," A CATEGORY OF MERCHANDISE PREVIOUSLY DETERMINED NOT TO BE WITHIN THE SCOPE OF THE ORDER. THUS, ENDAR'S "BOND CAKE" CANDLE IS NOT WITHIN THE SCOPE OF THE ORDER COVERING PETROLEUM WAX CANDLES FROM THE PRC (A-570-504).

3. EFFECTIVE 07/07/2000, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF ENDAR'S "BOND CAKE" CANDLE LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE "BOND CAKE" CANDLE LISTED ABOVE.

5. THE ASSESSMENT OF ANTIDUMPING DUTIES BY THE CUSTOMS SERVICE ON ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CUSTOMS 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 CUSTOMS OFFICERS, PLEASE CONTACT VIA E-MAIL, THROUGH THE APPROPRIATE SUPERVISORY CHANNELS, OTHER GOVERNMENT AGENCY LIAISON, USING THE ATTRIBUTE "HQ OAB." IMPORTING PUBLIC AND INTERESTED PARTIES SHOULD CONTACT SEAN CAREY AT 202-482-3964, AD/CVD ENFORCEMENT,

IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION,
DEPARTMENT OF COMMERCE.

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

PAUL SCHWARTZ

Company Details

*Party Indicator Value:

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