

MESSAGE NO: 1072206 MESSAGE DATE: 03/13/2001
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: 02/12/2001 TO

Notice of Lifting of Suspension Date:

TO: { Directors Of Field Operations, Port Directors }

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

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

MESSAGE NO: 1072206 DATE: 03 13 2001

CATEGORY: ADA TYPE: SCO

REFERENCE: REFERENCE DATE:

CASES: A - 570 - 504 - -

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PERIOD COVERED: 02 12 2001 TO

LIQ SUSPENSION DATE:

TO: DIRECTORS OF FIELD OPERATIONS
PORT DIRECTORS

FROM: DIRECTOR, TRADE ENFORCEMENT & CONTROL

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

THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION

1. ON 02/12/2001, IN RESPONSE TO A REQUEST BY SAN FRANCISCO
CANDLE COMPANY INC. (SFCC), THE DEPARTMENT OF COMMERCE ISSUED A
FINAL SCOPE RULING THAT SFCC'S CARVED CHRISTMAS TREE WITH STAR
PILLAR (ITEM NO. 64904) 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 COMMERCE DEPARTMENT DETERMINED THAT SFCC'S CARVED CHRISTMAS TREE WITH STAR PILLAR (ITEM NO. 64904) IS A HOLIDAY NOVELTY CANDLE WHICH FULFILLS THE REQUIREMENTS FOR A HOLIDAY NOVELTY EXEMPTION. THEREFORE, THIS CANDLE IS NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING PETROLEUM WAX CANDLES FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 02/12/2001, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES, REGARDLESS OF ENTRY DATE, OF SFCC'S CARVED CHRISTMAS TREE WITH STAR PILLAR (ITEM NO. 64904) LISTED ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO SFCC'S CARVED CHRISTMAS TREE WITH STAR PILLAR (ITEM NO. 64904) 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 MATTHEW RENKEY AT 202-482-2312, 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