

March 15, 2006

Re: Anticircumvention Inquiry on Later-Developed Merchandise: Petroleum Wax Candles from the People's Republic of China ("PRC")

To All Interested Parties:

This letter concerns the later-developed merchandise anticircumvention inquiry for the antidumping duty order on petroleum wax candles from the PRC. On February 25, 2005, the Department of Commerce ("the Department") initiated an anticircumvention inquiry to determine whether mixed wax candles composed of petroleum wax and varying amounts of either palm or vegetable-based waxes (collectively, "mixed wax candles") are later-developed merchandise within the meaning of section 781(d) of the Tariff Act of 1930, as amended ("the Act"). See Petroleum Wax Candles from the PRC: Initiation of Anticircumvention Inquiries of Antidumping Duty Order, 70 FR 10962 (March 7, 2005) ("Initiation Notice").

On January 18, 2006, the Department issued a letter to interested parties seeking further information before determining whether mixed wax candles are included in the scope of this Order. See Notice of Antidumping Duty Order: Petroleum Wax Candles from the People's Republic of China, 51 FR 30686 (August 28, 1986) ("Order"). On January 25, 2006, the Department extended the deadlines by two weeks for interested parties to submit comments to February 15, 2006, and for rebuttal comments to February 27, 2006.

Between February 13-27, 2006, the Department received comments and rebuttal comments from the following six parties: (1) the National Candle Association ("Petitioners"); (2) Lava Enterprises, Inc. ("Lava"); (3) the MVP Group; (4) Target Corporation ("Target"); (5) Candle Corporation of America ("CCA"); and (6) China Chamber of Commerce for Importers and Exporters of Foodstuffs, Native Products and Animal By-Products, the China Daily Chemical Association and their common members, (i.e., Dalian Gift Co., Ltd., Kingking A.C. Co., Ltd., Shanghai Autumn Light Enterprise Co., Ltd., Aroma Consumer Products (Hangzhou) Co., Ltd., Amstar Business Company Limited, Zhongshan Zhongnam Candle Manufacturer Co., Ltd., and Jiaxing Moonlite Candle Art Co., Ltd.) ("CCCFNA").

On March 6, 2006, CCCFNA, submitted a letter stating that Petitioners' rebuttal comments contained significant portions of non-publicly available information. In their letter, CCCFNA notes that the Department stipulated in its January 18, 2006, letter that: "information submitted

¹ The period of review ("POR") is a hypothetical period required by, and used only for, internal document tracking purposes to differentiate this anticircumvention proceeding from the minor alterations anticircumvention proceeding.

with your rebuttal comments that was not previously on the record may be rejected.” Accordingly, CCCFNA requests that the Department reject Petitioners’ rebuttal comments as new information and request that Petitioners’ resubmit their rebuttal comments without this new information.

However, after reviewing Petitioners’ rebuttal comments, the Department has determined to keep the entirety of Petitioners’ rebuttal comments on the record of this proceeding. The Department is granting all interested parties the opportunity to submit additional comments addressing the **new information contained in Petitioners’ rebuttal comments only**.

Attachment I contains a list of exhibits submitted by Petitioners which is the focus of these additional comments. These additional comments **may include information that was not previously on the record** only if they directly address Petitioners’ new information as listed in Attachment I. The deadline for these additional comments is **COB, Tuesday, March 28, 2006**.

Additionally, the Department is also granting all interested parties the opportunity to submit rebuttal comments limited to issues raised in the comments due on March 28, 2006.

Information submitted with these rebuttal comments that was not previously on the record may be rejected. The deadline for interested parties to submit these rebuttal comments is **COB, Friday, April 7, 2006**.

Finally, on December 20, 2005, the Department issued a letter stating that because completion of the final determination for this inquiry was not practicable, the Department was extending the final determination by 90 days until April 3, 2006. Due to the upcoming deadlines for comments and rebuttal comments on Petitioners’ new information, the Department will require additional time to analyze the information received in the proceeding. Therefore, at this time, the Department is extending the current deadline of the final determination for the anticircumvention inquiry by 50 days until May 23, 2006. The Department retains the discretion of further extending the deadline if completion within the extended deadline remains impracticable.

If you have any further questions or need assistance in this matter, please contact myself or Julia Hancock, respectively at (202) 482-3208 or (202) 482-1394.

Sincerely,

Alex Villanueva
Program Manager, Office 9
Import Administration

Attachment

Attachment I

From Petitioners' February 27, 2006 Rebuttal Comments:

- Exhibit 1: Letter
- Exhibit 2: Affidavit
- Exhibit 3: Excerpts from the transcript of the hearing before the International Trade Commission ("ITC").
- Exhibit 4: Petitioners' comments on the ITC's draft questionnaire.
- Exhibit 5: Petitioners' revised final comments on the ITC final staff report for the second sunset review.
- Exhibit 6: ITC's staff report of the second sunset review.
- Exhibit 8: Declaration
- Exhibit 9: Declaration
- Exhibit 11: Memorandum
- Exhibit 13: Memorandum
- Exhibit 14: Memorandum