

July 17, 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 May 23, 2006, the Department of Commerce ("the Department") issued its preliminary determination of circumvention of the antidumping duty order on petroleum wax candles from the PRC in which, the Department preliminarily found that certain mixed wax candles² are later-developed products of petroleum wax candles, within the meaning of section 781(d) of the Act. See Later-Developed Merchandise Anticircumvention Inquiry of the Antidumping Duty Order on Petroleum Wax Candles from the People's Republic of China: Affirmative Preliminary Determination of Circumvention of the Antidumping Duty Order, 71 FR 32033 (June 2, 2006) ("Preliminary Determination").

On June 2, 2006, the Department issued a letter to interested parties requesting comments and supporting evidence for consideration in making the Department's final determination. The deadline for submitting new factual information was June 23, 2006. Additionally, in the letter the Department stated that parties may also submit case briefs on July 7, 2006.

On June 23, 2006, the Department received factual information comments and evidence from the following eight parties: (1) the National Candle Association ("Petitioners"); (2) Bed, Bath & Beyond, Inc. ("Bed, Bath & Beyond"); (3) Target Corporation ("Target"); (4) Amscan, Inc. ("Amscan"); (5) Candle Corporation of America ("CCA"); (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"); (7) Shonfeld USA, Inc. ("Shonfeld"); and (8) CVS Stores ("CVS"). Also, on July 7, 2006, the Department received case briefs from the following parties: (1) Amscan; (2) CVS; (3) Shonfeld; (4) Target;

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.

² Mixed wax candles are candles composed of petroleum wax and over fifty percent or more palm and/or vegetable oil-based waxes.

(5) Petitioners; (6) CCA; (7) CCCFNA; and (8) Smart Marketing, Kate Aspen, and Wisconsin Cheeseman.

On July 13, 2006, Petitioners submitted a letter stating that Target's case brief contained significant portions of non-publicly available information. In their letter, Petitioners' note that the Department stipulated in its June 2, 2006, letter that: "{n}ew information submitted with your case {briefs}... that was not previously on the record may be rejected." Accordingly, Petitioners request that the Department reject Target's case brief as new information and request that Target resubmit their case brief without this new information.

However, after reviewing Target's case brief, the Department has determined to keep the entirety of Target's case brief on the record of this proceeding. The Department is granting all interested parties the opportunity to submit comments addressing the new information contained within Target's case brief in their rebuttal briefs, which are currently due on July 19, 2006.

Because the Department is keeping Target's new information on the record, the Department is extending the deadline for submitting rebuttal briefs by five days. Rebuttal briefs, limited to issues raised in the case briefs and Target's new information, are now due COB, **Monday, July 24, 2006**. New information submitted with rebuttal briefs that was not previously on the record will be rejected.

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

Sincerely,

James C. Doyle
Office Director, Office 9
Import Administration