



**GENERAL INFORMATION, INSTRUCTIONS, AND  
DEFINITIONS FOR COMMISSION FOREIGN  
PRODUCER/EXPORTER QUESTIONNAIRES**

**Petroleum Wax Candles from China  
Investigation No. 731-TA-282 (Second Review)**

***Further information.--If you have any questions concerning the enclosed questionnaire(s) or other matters related to this review, you may contact the following member of the Commission's staff (Fax 202-205-3205):***

***Vincent Honnold, investigator (202-205-3314; E-mail [Vincent.Honnold@USITC.GOV](mailto:Vincent.Honnold@USITC.GOV))***

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS

### GENERAL INFORMATION

***Background.***--On August 28, 1986, the Department of Commerce issued an antidumping duty order on imports of petroleum wax candles from China (51 F.R. 30686). On September 8, 1999, the Commission determined that revocation of the antidumping duty order would be likely to lead to continuation or recurrence of material injury to an industry in the United States (64 F.R. 48851), and the order was continued (64 F.R. 51514, September 23, 1999). On August 2, 2004, the Commission instituted a review pursuant to section 751(c) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)) (the Act) to determine whether revocation of the order would be likely to lead to continuation or recurrence of material injury to the domestic industry within a reasonably foreseeable time (69 F.R. 46182). If the Commission makes an affirmative determination, the order will remain in place. If the Commission makes a negative determination, the Department of Commerce will revoke the order.

Additional questionnaires will be supplied promptly upon request, or photocopies of the enclosed questionnaire(s) may be used. Address all correspondence to the United States International Trade Commission, Washington, DC 20436. Hearing-impaired individuals can obtain information regarding this review via the Commission's TDD terminal (202-205-1810).

***Due date of questionnaire(s).***--Return the completed questionnaire(s) to the United States International Trade Commission by no later than **March 31, 2005**. Although the enclosed postpaid envelope may be used to return the completed questionnaire, use of an overnight mail service may be necessary to ensure that your response actually reaches the Commission by **March 31, 2005**. If you do not use the enclosed envelope, please make sure the completed questionnaire is sent to the attention of **Vincent Honnold**. **Return only one copy of the completed questionnaire(s), but please keep a copy for your records so that you can refer to it if the Commission staff contacts you with any questions during the course of the review.**

***Service of questionnaire response(s).***--In the event that your firm is a party to this review, you are required to serve a copy of the questionnaire(s), once completed, on parties to the proceeding that are subject to administrative protective order (see 19 CFR § 207.7). A list of such parties is maintained by the Commission's Secretary and may be obtained by calling 202-205-1803. A certificate of service must accompany the copy of the completed questionnaire(s) you submit (see 19 CFR § 207.7).

## GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued

### GENERAL INFORMATION--Continued

***Confidentiality.***--The commercial and financial data furnished in response to the enclosed questionnaire(s) that reveal the individual operations of your firm will be treated as confidential by the Commission to the extent that such data are not otherwise available to the public and will not be disclosed except as may be required by law (see 19 U.S.C. § 1677f). Such confidential information will not be published in a manner that will reveal the individual operations of your firm; however, nonnumerical characterizations of numerical business proprietary information (such as discussion of trends) will be treated as confidential business information only at the request of the submitter for good cause shown.

***Verification.***--**The information submitted in the enclosed questionnaire(s) is subject to audit and verification by the Commission. To facilitate possible verification of data, please keep all your workpapers and supporting documents used in the preparation of the questionnaire response(s).**

***Release of information.***--The information provided by your firm in response to the questionnaire(s), as well as any other business proprietary information submitted by your firm to the Commission in connection with the review, may become subject to, and released under, the administrative protective order provisions of the Tariff Act of 1930 (19 U.S.C. § 1677f) and section 207.7 of the Commission's Rules of Practice and Procedure (19 CFR § 207.7). This means that certain lawyers and other authorized individuals may temporarily be given access to the information for use in connection with this review or other import-injury investigations or reviews conducted by the Commission on the same or similar merchandise; those individuals would be subject to severe penalties if the information were divulged to unauthorized individuals.

### INSTRUCTIONS

***Answer all questions.***--Do not leave any question or section blank unless a questionnaire expressly directs you to skip over certain questions or sections. If the answer to any question is "none," write "none." **If information is not readily available from your records in exactly the form requested, furnish carefully prepared estimates--designated as such by the letter "E"--and explain the basis of your estimates.** Answers to questions and any necessary comments or explanations should be supplied in the space provided or on separate sheets attached to the appropriate page of the questionnaire(s). If your firm is completing more than one questionnaire in connection with this review (i.e., a producer, importer, purchaser, and/or foreign producer questionnaire), you need not respond to duplicated questions in the questionnaires.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **INSTRUCTIONS--Continued**

**Consolidate all establishments in China.**--Report the requested data for your establishment(s) located in **China**. **Firms operating more than one establishment should combine the data for all establishments into a single report.**

### **DEFINITIONS**

**Petroleum wax candles.**--Certain scented or unscented wax candles made from petroleum wax and having fiber or paper-cored wicks. They are sold in the following shapes: tapers, spirals and straight-sided dinner candles; rounds, columns, pillars, votives; and various wax-filled containers. The products were originally classifiable under former Tariff Schedules of the United States item 755.25, covering candles and tapers. The subject products are currently classifiable in Harmonized Tariff Schedule subheading 3406.00.00.

Over the course of the antidumping duty order on petroleum wax candles from China, the Department of Commerce ("Commerce") determined that a number of products were excluded from the scope of the order. Attached to this instruction booklet is a complete list of Commerce's scope rulings, including the types of candles that have been excluded from the duty order and those that are still within the scope of the order. Most excluded goods are of a type classifiable in HTS subheading 9505.10. The written description of the subject imported product remains dispositive.

**Firm.**--An individual proprietorship, partnership, joint venture, association, corporation (including any subsidiary corporation), business trust, cooperative, trustee in bankruptcy, or receiver under decree of any court.

**Related firm.**--A firm that your firm solely or jointly owned, managed, or otherwise controlled; a firm that solely or jointly owned, managed, or otherwise controlled your firm; and/or a firm that was solely or jointly owned, managed, or otherwise controlled by a firm that also solely or jointly owned, managed, or otherwise controlled your firm.

**Establishment.**--Each facility of a firm in China involved in the production of petroleum wax candles (as defined above), including auxiliary facilities operated in conjunction with (whether or not physically separate from) such facilities.

**United States.**--For purposes of this review, the 50 States, Puerto Rico, the U.S. Virgin Islands, and the District of Columbia.

## **GENERAL INFORMATION, INSTRUCTIONS, AND DEFINITIONS--Continued**

### **DEFINITIONS--Continued**

**Importer.**--Any person or firm engaged, either directly or through a parent company or subsidiary, in importing petroleum wax candles (as defined above) into the United States from a foreign manufacturer or through its selling agent.

**Average production capacity.**--The level of production that your establishment(s) could reasonably have expected to attain during the specified periods. Assume normal operating conditions (i.e., using equipment and machinery in place and ready to operate; normal operating levels (hours per week/weeks per year) and time for downtime, maintenance, repair, and cleanup; and a typical or representative product mix).

**Production.**--All production in your establishment(s) in China, including production consumed internally within your firm.

**Shipments.**--Shipments of products produced in your establishment(s) in China.

**Shipment quantities.**--Quantities reported should be net of returns.

**Shipment values.**--Values reported should be net values (i.e., gross sales values less all discounts, allowances, rebates, prepaid freight, and the value of returned goods) in U.S. dollars, f.o.b. your point of shipment in China.

**Home market commercial shipments.**--Shipments, other than internal consumption and transfers to related firms, within China.

**Home market internal consumption/transfers to related firms.**--Shipments made to related firms in China, including product consumed internally by your firm.

**Export shipments.**--Shipments to destinations outside China, including shipments to related firms.

**Inventories.**--Finished goods inventory, not raw materials or work-in-progress.

**Petroleum Wax Candles from China  
Inv. No. 731-TA-282 (2<sup>nd</sup> Review)**

**COMMERCE'S SCOPE RULINGS (October 1986-December 2004)**

<b>Date</b>	<b>Interested party</b>	<b>Description of product</b>
<b>Exclusions</b>		
12/17/04	Direct Scent, Inc.	Two "Christmas candles"
12/17/04	Pacific Enterprise, LLC	Three "Chubby Palm candles"
11/24/04	Globalshop, Inc.	"Snowman" candles
11/22/04	Paperproducts Design, Inc.	"Wine Cork" and "Champagne Cork" candle types
05/20/04	Spectrum Brands	"Cutter Citronella" candle; "Cutter Holiday Bucket" candle; "Cutter Triple Wick Citronella" candle; "Cutter Outdoorsman Citronella" candle; "Cutter Weather-Proof Citronella" candle
12/22/03	Meijer Distribution, Inc.	"Halloween" floating candle
11/17/03	Avon Products, Inc.	"Jeweled Fruit Pillar" candle; "Sweet Country Harvest" candle; "Halloween Pumpkin" candle; "Halloween Ghost" candle; "Jeweled Home Fragrance Poured" candle
11/17/03	Avon Products, Inc.	"Resin Topper Jar" candle
05/14/03	Fleming International Ltd.	Three models of candles comprised of vegetable wax
12/12/02	Leader Light Ltd.	Various palm oil/petroleum wax pillar candles; "Merry Christmas" musical candles
02/19/02	Atico International, Inc.	"NOEL" embossed candle; "angel" candle; "angel bear" candles
01/29/02	Jo-Ann Stores, Inc.	"Floating flower" candle; "heart floater" candle; "champagne glass flower" candle
11/09/01	JCPenney Purchasing Corporation	Rose blossom" candles; "autumn leaf" candle
07/11/01	Avon Products, Inc.	"Easter garden candles"; "pine cone candle"
05/21/01	JCPenney Purchasing Corp.	Dark green holly pillar candle; dark green "cracked" holly pillar candle; dark red Santa Claus pillar candle; red oval holly pillar candle; red house candle; chocolate house candle; church candle; red square candle with holly; brown "JOY," "PEACE," and "NOEL" pillar candle; cream colored holly pillar candle; hollow candle; pinecone tea-light candle; Christmas ornament candle; pinecone candle; apple candle; pumpkin candle; gourd candle; ghost face and web pillar candle; Jack-O'-Lantern, web and bat pillar candle; set of six Jack-O'-Lantern tea-light candles; set of four ghost tea-light candles; pillar candle with Christmas trees and stars and rose petal top; "build your own candle" set; 58 percent palm oil/42 percent petroleum wax square candle with Santa figures
05/08/01	Avon Products, Inc.	Holly berry pillar candle; holly berry pillar candle (holly berries painted red)
05/04/01	Avon Products, Inc.	Puzzle heart candle
02/12/01	San Francisco Candle Company Inc.	Carved Christmas tree with star pillar candle

Date	Interested party	Description of product
<b>Exclusions–Continued</b>		
07/07/00	Endar Corp.	Bond cake" candle
01/11/00	Endar Corp.	Dragonfly" candle
10/14/99	Meijer, Inc.	Halloween figurine shape taper S/2 candle
09/30/99	Meijer, Inc.	"Feather candle"; "flag torches" candle; "garden torches" candle; "10 inch yard torches" candle; "flag tapers" candles; "30 inch yard torches" candles
07/01/99	DJP Design, Inc.	Gold metal canister with accompanying candles
04/07/99	Endar Corp.	Red holiday floating candle; purple eight points floating puck candle; white frosty snow ball candle; gold 3" pine cone candle; white Christmas star candle; green Christmas tree ball ornament candle
12/18/98	Ocean State Jobbers'	80% beeswax, 20% petroleum wax
12/18/98	Boston Warehouse	Citronella outdoor candle
12/15/98	Target Stores	Citronella outdoor candles
12/11/98	Et Al. Imports	80% beeswax, 20% petroleum wax
12/10/98	Costco Wholesale	81% beeswax, 19% petroleum wax
08/24/98	Kohl's	Wax-filled container with Xmas scene
07/02/98	Et Al. Imports	Bamboo-shaped candle
06/11/98	Meijer, Inc.	Wax-filled porcelain bunny and Easter taper with a chick attached, an Easter bunny head tealight, a Valentine heart tealight, a heart-shaped candle on a heart base, a "candy kiss" candle, and a "bunny long ears" flame
03/16/98	American Drug Stores	Spherical ``wax veneer candle
12/15/97	Meijer, Inc.	Gold/green rectangle "Noel" candle and wax-filled Valentines candle mug
09/08/97	Meijer, Inc.	Jack-o'-lantern
04/09/97	Dollar Tree Stores	Holly taper
10/30/96	Midwest of Cannon Falls	Asparagus stalk
10/30/96	Enesco Corp	Holiday candles, disc-shaped candle
09/25/96	Springwater Confection vs. the United States	Holly feather candle (Slip Op. 96-160 CIT; remand of 14 Feb 95)
09/28/95	Concept Marketing	``Safe-2-Lite" candle (utility candle)
05/16/95	Sun It Corporation.	``Flag Lites", "Porch torch", "Gigantic Fruit", pumpkin candles
02/14/95	Watkins Incorporated	Holiday pillar candle
01/13/95	Two's Company.	Taper with holiday figurine
07/27/94	West Coast Liquidators	Tapers with holiday figurines and candles molded as identifiable objects
07/27/94	Success Sales Co	Holiday pillar candles

<b>Date</b>	<b>Interested party</b>	<b>Description of product</b>
07/27/94	Star Merchandise Co.	Certain citronella candles and candles in holiday tins
<b>Exclusions–Continued</b>		
06/06/94	Kole Imports	Tapers with holiday figurines
06/06/94	A J Cohen Co.	Tapers with holiday figurines
09/30/93	Hallmark Cards	Certain wedding candles
09/30/93	Cherrydale Farms	Currier & Ives holiday tins
06/10/93	San Francisco Candle	Certain mushroom oval/egg and spherical candles
06/07/93	Primark	Certain wax-filled tins with Santa Clause designs
02/12/93	Simcha Candle Co.	``Household" candles
12/11/91	W.M. Stone & Co.	Easter holiday tapers (USCS ruling)
09/03/91	Fabri-Centers Inc.	Certain citronella candles
07/02/90	Rite Aid Corp.	Certain holiday tapers (USCS ruling)
03/20/89	U.S. Customs Service	``Party" candles CIE-N-212/85; Supp. (6\5/8\by\1/8\8) Ruling issued directly to USCS
09/21/87	U.S. Customs Service	Certain novelty candles w/scenes or symbols, and "identifiable object" candles CIE-N-212/85; Supp. 6
09/09/87	West Coast Liquidators	Certain holiday pillars and tapers (USCS ruling)
08/23/87	Carmichael International	Certain novelty candles
07/13/87	Giftco Inc.	Candles w/raised holiday motifs (see CIE-N-212/85; Supp. 6)
10/30/86	Global Marketing Services	Certain tapers with permanently attached figurines

Table continued on next page.

Date	Interested party	Description of product
<b>Clarifications—Product within the scope of the order</b>		
12/22/04	Dollar Tree Stores, Inc.	Three types of gel candles in glass containers
12/21/04	Avon Products, Inc.	Rose bloom" candle with product profile number 250246
12/17/04	Wal-Mart Stores, Inc.	"Christmas tree ball ornament" candle set; "Snowball" candle set; a single "snowball" candle which "floats" in a clear goblet; a single "snowball" candle which "floats" in a red goblet
12/17/04	Direct Scent, Inc.	Christmas candle
12/16/04	Atico International USA, Inc.	"Wax Icon" candle; "Santa Ornament" candle; "Candy Corn" candle; "Christmas Pillar" candle
11/18/04	Old Hickory Candle Co.	Five types of "angel" candles
11/18/04	Neatzit Israel International, Ltd.	Box of 44 "Chanukah candles"
05/17/04	Hallmark Cards, Inc.	Four styles of floating candles intended for decorative use
12/22/03	Meijer Distribution, Inc.	Five "Halloween" candle types
06/12/03	San Francisco Candle Co.	"Concentric heart" candles; "crackle heart" candles; "moonlight candy cane" floaters
06/11/03	For Your Ease Only, Inc.	Floating gel candle; refill gel tea light candle
04/22/03	Garden Ridge	Orange "Cheetah-Print" candles; Black and White "Zebra-Print" candles
03/31/03	Atico International, Inc.	"Filled Paraffin Wax Gel" candle; "Tier Disk Heart-Shaped" candle
03/25/03	Burlington Toiletries International, Ltd.	Gel candles
12/12/02	Leader Light Ltd.	Various candles including brick candles, star candles, ceramic filled candles, "Happy Birthday" musical candles, and floating candles
09/26/02	Interpro International	Metallic green and gold-swirled round candle; metallic gold round candle; red, green, and white-striped oval disc candle; blue floating candle; red and white striped floating candle; vanilla scented textured round candle
08/29/02	Peerless Umbrella Co., Inc.	"Five-pointed" 3.50 inch high star-shaped candle
05/21/02	Endar Corp.	Red votive candle
05/21/02	T S Group, Inc.	3.5 inch white "utility" candle; 3.75 inch white "utility" candle; 5 inch white "utility" candle; 5.5 inch beige "spiraled utility" candle; 5 inch white and blue "utility" candle; 5 inch orange "utility" candle; 5 inch blue "utility" candle; 3.75 inch pink "utility" candle
04/08/02	Avon Products, Inc.	Ball-shaped candle
04/08/02	Atico International, Inc.	"Valentine Heart-Shaped" candle; "Easter Egg" candles; "Easter Floating" candles; Lantern candles; Floating "Valentine" candle
02/25/02	Premier Candle Corp.	Tulip lantern candle
02/19/02	Atico International, Inc.	"Christmas cake" candle; "glowing" candles; "JOY" and "PEACE" embossed candles; "beeswax" candles; snowball candle
02/13/02	Endar Corp.	Floating pumpkin lantern candle

Date	Interested party	Description of product
01/29/02	Jo-Ann Stores, Inc.	"Five point star" candle; "star floater" candle
<b>Clarifications–Product within the scope of the order-Continued</b>		
07/30/01	Avon Products, Inc.	Floral Lamp Candle
07/11/01	Avon Products, Inc.	Floating disc shaped candle
06/11/01	Avon Products, Inc.	Tear shaped candle
05/21/01	JCPenney Purchasing Corp.	Dark green holly pillar candle; ivory pillar with bells candle; dark green oval angel pillar candle; green square candle with angels; cream colored square candle with pinecones and leaves; white square candle with poinsettias; red, white and blue stacked star candles; tea-light candles; glass bowl with three floating snowflake candles; olive-shaped candle with snake skin pattern; block-shaped candle with snake skin pattern; round-shaped candle with curvy lines; oval-shaped candle with curvy lines; ocean blue pillar candle; cream colored cube candle with seashells; round candle with star cutout; red oval pinecones and leaves pillar candle; cream colored square candle with embedded gold foil; column candle with snake skin pattern; column candle with curvy lines
04/30/01	Barthco Trade Consultants, Inc.	Mini loaf candles; floating flower candle; floating star candle
02/12/01	San Francisco Candle Company Inc.	Christmas holly leaf with berries candy cane pillar candle; Santa Claus motif candy cane pillar candle; Christmas tree with star candy cane pillar candle; Christmas holly leaf pillar candle; Christmas sock pillar candle; Santa Claus pillar candle; Santa Claus candy cane column candle; Christmas holly leaf with berries candy cane column candle; Christmas tree with star candy cane column candle; Christmas holly leaf with berries pillar candle; Christmas patchwork pillar candle
10/06/00	Cherrydale Farms	"Fruit gel" candle; "strawberry preseves" candle
10/05/00	Cherrydale Farms	Set of four "Floating Bug" candles
07/07/00	Endar Corp.	6"x3" pillar candle; green Christmas and white Christmas taper candles
05/11/00	Endar Corp.	Round Chinese lanterns" candles; "silver studded white votive" candle; "candy cane floater" candle
05/04/00	American Greetings Corp.	Taper candle with heart decorative figurine; taper candle with "Teddy-bear" decorative figurine; taper candle with snowflakes; pillar candle with snowflakes; pillar candle with gold stars; snowman taper candle; taper candle with "Easter" flowers; taper candle with acorns and leaves decorative figurine; taper candle with "Indian corn" decorative figurine; "Indian corn" taper candle
01/11/00	Endar Corp.	"Round floating" candle; "stress relief, aromatherapy" candle; "gel" candle; "bamboo" candle
09/30/99	American Fun & Toy Creators, Inc.	Cube-shaped candle embossed with the words "YEAR 2000"
09/30/99	Meijer, Inc.	"Star candle"; "leaf candle"; green floating disk candle
04/07/99	Endar Corp.	Gold 5" high holiday candle
01/06/99	Meijer, Inc.	Wax-filled porcelain bunny
12/24/98	Endar Corp.	"Floating" candle
08/31/98	Leader Light	Parffin/palm oil in stearic acid shell wax-filled container

Date	Interested party	Description of product
<b>Clarifications-Product within the scope of the order-Continued</b>		
08/24/98	Kohl's	Various; gold rope angel and vine decorated; star and tree wax-filled containers
06/11/98	Meijer, Inc.	Sweetheart tapers and wax-filled glass containers with decorative hearts
05/06/98	Polardreams Inc.	Granular petroleum wax candle kits
12/15/97	Meijer, Inc.	Gold/green rectangle "Joy", "Peace" candles, and flame candle
09/25/97	Russ Berrie	Heart-shaped "trinket box" candle
09/25/97	M.G. Maher	Red spiral candles
09/15/97	Indio Products Inc.	Assorted columns and votives
09/08/97	Meijer, Inc.	Four terra cotta containers
09/02/97	Russ Berrie	Star-shaped "confetti" pillar
04/09/97	Inst. Financing Services	Red/white candle packaged as peppermint candy
04/09/97	Hallmark Cards	Red/white candle packaged as peppermint candy
12/09/96	Mervyn's	Cube candle with sun face
10/30/96	Midwest of Cannon Falls	Certain pillars, Easter taper, and oblong cube
10/30/96	Enesco Corp.	Cube birthday candle
10/28/96	Russ Berrie Co.	Heart-shaped, terra cotta container
09/25/96	Springwater Confection vs. the United States	Christmas feather candle (Slip Op. 96-160 CIT; remand of 14 Feb 95)
08/26/96	Delightful Dimensions	75/25 beeswax/petroleum wax tapers
06/24/96	Morris Friedman & Co.	Wax-filled bucket, wax-filled glass containers
02/14/95	Springwater Confection	"Feather" spiral candles (remanded by CIT; see 13 May 96)
01/13/95	Two's Co.	Pillar candles with decorations
12/16/94	Lew-Mark	Wax-filled "pansy" tins
07/27/94	Star Merchandise Co.	Certain wax-filled containers
09/30/93	Hallmark Cards	Party rounds
06/07/93	Primark	Other wax-filled tins
04/09/93	Trade Advisory Group	Certain terra cotta candles
04/09/93	Garrett Hewitt Int'l.	"Giorgio" candles
02/12/93	Simcha Candle Co.	Certain tealight candles
03/17/92	Wolf D. Barth Co.	Van Gogh "sculpture" and Monet spiral
11/04/91	San Francisco Candle	Moonlite and Candylite candles
07/23/87	Empire Candle Co.	Candles with metal-cored wicks

Date	Interested party	Description of product
Source: <i>Final Results of Expedited Sunset Review: Petroleum Wax Candles from the People's Republic of China</i> , 64 FR 32481, June 17, 1999; and various Commerce scope rulings retrieved from <a href="http://ia.ita.doc.gov/download/candles-prc-scope/index.html">http://ia.ita.doc.gov/download/candles-prc-scope/index.html</a> .		