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**Commerce Publishes Preliminary Reinterpretation of Novelty Candle Scope Exclusion For
*Petroleum Wax Candles from China***

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Today the Department of Commerce (“Commerce”) published a notice that it has preliminarily determined to reinterpret the scope exclusion for “novelty candles” in the antidumping duty order covering *Petroleum Wax Candles from China*. This preliminary determination is further to an August 21, 2009 request for comments regarding the novelty candle exclusions. Commerce’s proposed interpretation would make the following clarifications regarding the scope of the Candles AD Order:

- The scope of the order will be limited to the specifically enumerated candle shapes: tapers, spirals, straight-sided dinner candles, rounds, columns, pillars, votives, and various wax-filled containers. Candles in any other shape not specified will be outside the scope if the order.
- There will be a specific exclusion for (1) “emergency,” “household” or “utility” candles¹, (2) birthday candles² and (3) birthday numeral candles³.
- ***There will no longer be an exclusion for candles based on holiday art decorations.*** Thus, any candle in one of the enumerated shapes will be within the scope regardless of any etchings, prints or decorative enhancements, including holiday related art.

Commerce has requested comments from interested parties within 30 days. Parties will also be given ten days to file rebuttal comments. Failure to participate in Commerce’s proceeding will also prevent an interested party from challenging Commerce’s new scope methodology in court should such an action become necessary.

If you would like to participate in this proceeding or have any questions regarding this case, please contact our office.

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¹ Defined as typically white in color, 5 inches long and .75 inches in diameter and sold in packs of two or more.

² Defined as typically small, thin pillar shaped candles that are 2-3.5 inches in height and 0.18 – 0.25 inches in width and sold in packs of 10-24.

³ Defined as candles in the shapes of numbers that are typically between 2 and 4 inches in height.