UNITED STATES INTERNATIONAL TRADE COMMISSION

Investigation No. 731-TA-282 (Second Review)

PETROLEUM WAX CANDLES FROM CHINA


ACTION: Scheduling of a full five-year review concerning the antidumping duty order on petroleum wax candles from China.

SUMMARY: The Commission hereby gives notice of the scheduling of a full review pursuant to section 751(c)(5) of the Tariff Act of 1930 (19 U.S.C. § 1675(c)(5)) (the Act) to determine whether revocation of the antidumping duty order on petroleum wax candles from China would be likely to lead to continuation or recurrence of material injury within a reasonably foreseeable time. For further information concerning the conduct of this review and rules of general application, consult the Commission’s Rules of Practice and Procedure, part 201, subparts A through E (19 CFR part 201), and part 207, subparts A, D, E, and F (19 CFR part 207).

EFFECTIVE DATE: January 13, 2005.

FOR FURTHER INFORMATION CONTACT: Vincent Honnold (202-205-3314), Office of Investigations, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission’s TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server (http://www.usitc.gov). The public record for this review may be viewed on the Commission’s electronic docket (EDIS) at http://edis.usitc.gov.

SUPPLEMENTARY INFORMATION:

Background.--On November 5, 2004, the Commission determined that responses to its notice of institution of the subject five-year review were such that a full review pursuant to section 751(c)(5) of the Act should proceed (69 F.R. 68175, November 23, 2004). A record of the Commissioners’ votes, the Commission’s statement on adequacy, and any individual Commissioner’s statements are available from the Office of the Secretary and at the Commission’s web site.

Participation in the review and public service list.--Persons, including industrial users of the subject merchandise and, if the merchandise is sold at the retail level, representative consumer organizations, wishing to participate in this review as parties must file an entry of appearance with the Secretary to the Commission, as provided in section 201.11 of the Commission’s rules, by 45 days after publication of this notice. A party that filed a notice of appearance following publication of the Commission’s notice of institution of the review need not file an additional notice of appearance. The Secretary will maintain a public service list containing the names and addresses of all persons, or their representatives, who are parties to the review.

Limited disclosure of business proprietary information (BPI) under an administrative protective order (APO) and BPI service list.--Pursuant to section 207.7(a) of the Commission’s rules, the Secretary will make BPI gathered in this review available to authorized applicants under the APO issued in the review, provided that the application is made by 45 days after publication of this notice. Authorized
applicants must represent interested parties, as defined by 19 U.S.C. § 1677(9), who are parties to the
review. A party granted access to BPI following publication of the Commission’s notice of institution of
the review need not reapply for such access. A separate service list will be maintained by the Secretary
for those parties authorized to receive BPI under the APO.

Staff report.--The prehearing staff report in the review will be placed in the nonpublic record on
May 4, 2005, and a public version will be issued thereafter, pursuant to section 207.64 of the
Commission’s rules.

Hearing.--The Commission will hold a hearing in connection with the review beginning at 9:30
a.m. on May 24, 2005, at the U.S. International Trade Commission Building. Requests to appear at the
hearing should be filed in writing with the Secretary to the Commission on or before May 16, 2005. A
nonparty who has testimony that may aid the Commission’s deliberations may request permission to
present a short statement at the hearing. All parties and nonparties desiring to appear at the hearing and
make oral presentations should attend a prehearing conference to be held at 9:30 a.m. on May 18, 2005, at
the U.S. International Trade Commission Building. Oral testimony and written materials to be submitted
at the public hearing are governed by sections 201.6(b)(2), 201.13(f), 207.24, and 207.66 of the
Commission’s rules. Parties must submit any request to present a portion of their hearing testimony in
camera no later than 7 days prior to the date of the hearing.

Written submissions.--Each party to the review may submit a prehearing brief to the Commission.
Prehearing briefs must conform with the provisions of section 207.65 of the Commission’s rules; the
deadline for filing is May 13, 2005. Parties may also file written testimony in connection with their
presentation at the hearing, as provided in section 207.24 of the Commission’s rules, and posthearing
briefs, which must conform with the provisions of section 207.67 of the Commission’s rules. The
deadline for filing posthearing briefs is June 2, 2005; witness testimony must be filed no later than three
days before the hearing. In addition, any person who has not entered an appearance as a party to the
review may submit a written statement of information pertinent to the subject of the review on or before
June 2, 2005. On June 24, 2005, the Commission will make available to parties all information on which
they have not had an opportunity to comment. Parties may submit final comments on this information on
or before June 28, 2005, but such final comments must not contain new factual information and must
otherwise comply with section 207.68 of the Commission’s rules. All written submissions must conform
with the provisions of section 201.8 of the Commission’s rules; any submissions that contain BPI must
also conform with the requirements of sections 201.6, 207.3, and 207.7 of the Commission’s rules. The
Commission’s rules do not authorize filing of submissions with the Secretary by facsimile or electronic
means, except to the extent permitted by section 201.8 of the Commission’s rules, as amended, 67 Fed.
Reg. 68036 (November 8, 2002).

Additional written submissions to the Commission, including requests pursuant to section 201.12
of the Commission’s rules, shall not be accepted unless good cause is shown for accepting such
submissions, or unless the submission is pursuant to a specific request by a Commissioner or Commission
staff.

In accordance with sections 201.16(c) and 207.3 of the Commission’s rules, each document filed
by a party to the review must be served on all other parties to the review (as identified by either the public
or BPI service list), and a certificate of service must be timely filed. The Secretary will not accept a
document for filing without a certificate of service.

AUTHORITY: This review is being conducted under authority of title VII of the Tariff Act of 1930; this
notice is published pursuant to section 207.62 of the Commission’s rules.
By order of the Commission.

Marilyn R. Abbott
Secretary to the Commission

Issued: January 14, 2005