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September 20, 2010

The Honorable Gary Locke
Secretary of Commerce
Attn: Mr. Alex Villanueva
Mr. Tim Lord
Import Administration
APO/Dockets Unit, Room 1870
U.S. Department of Commerce
14th Street and Constitution Ave., N.W.
Washington, D.C. 20230

Re: Comments on
*Preliminary Results of Request for Comments on the Scope of the Petroleum Wax
Candles From the People's Republic of China Antidumping Duty Order*
Petroleum Wax Candles from the People's Republic of China (A-570-504)

Dear Secretary Locke:

On behalf of the National Candle Association ("NCA"), we respectfully submit these comments in response to the Department of Commerce's notice, *Petroleum Wax Candles from the People's Republic of China: Preliminary Results of Request for Comments on the Scope of the Petroleum Wax Candles From the People's Republic of China Antidumping Duty Order*, 75 Fed. Reg. 49475 (Aug. 13, 2010) (hereinafter "*Preliminary Results*"). In this notice, the Department of Commerce ("the Department") has offered the opportunity for public comment on

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its preliminarily developed new interpretation of the scope of the Antidumping Duty Order on candles from China (“Order”).¹

I. THE SCOPE OF THE ORDER IS INCLUSIVE

There is no record evidence to support the Department’s *Preliminary Results* finding that the scope of the Order is exclusive and that candles not in the shapes described in the scope fall outside the scope of the Order. The new preliminary interpretation narrows the scope of the Order to the extent that it will stifle innovation and creativity by the domestic industry and place current and future development in the hands of Chinese producers.² The list of shapes in the Order was always intended to be illustrative and not, by any means, a limitation on the scope of the Order.

Contrary to the Department’s assertion, and as the affidavit of Mr. Robert J. Staab, former President of the NCA and Chairperson of NCA’s Trade Committee, expressly states, the NCA never advocated for an exhaustive scope where candles not specifically enumerated in the scope language were to be excluded. Mr. Staab unequivocally states that the NCA intended the language in the scope of the Order to be broad and inclusive, and that an interpretation such as

¹ See, *Antidumping Duty Order: Petroleum Wax Candles from the People’s Republic of China*, 51 Fed. Reg. 30686 (Aug. 28, 1986).

² See, Affidavit of Robert J. Staab attached hereto as Exhibit A (hereinafter the “Staab Affidavit”), ¶ 6.

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that proposed in Commerce's *Preliminary Results* is contrary to the very purpose the NCA filed an antidumping case in the first place.³

As expressed by Mr. Staab, it does not make sense that the NCA would bring an antidumping case limited to only certain shapes and essentially give over all other candle shapes to Chinese producers. The NCA knew that if the Order did not cover virtually all candle shapes, the U.S. candle industry could not compete with the Chinese producers for those shapes excluded from the Order. The shapes listed in the Order were only intended to be illustrative, and that the NCA, at the request of the Department, agreed that only utility candles, birthday candles, and figurine candles were to be excluded from the Order.⁴

Additionally, as set forth in Section III *infra*, the Department has been applying an overly broad definition of the term "figurine," which has contributed to the difficulty in administering the scope of the Order. The proper definition of a figurine is a small carved or molded figure of a human, animal or deity.⁵ If the Department used the proper definition of a figurine, it would eliminate the guess work from the Order and substantially lessen the administrative burden to both Commerce and Customs.

³ Staab Affidavit ¶¶ 3-4.

⁴ *Id.*

⁵ See, <http://www.websters-online-dictionary.org/definitions/figurine?cx=partner-pub-0939450753529744%3Av0qd01-tdlq&cof=FORID%3A9&ie=UTF-8&q=figurine&sa=Search#922>

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Based on the record, the Department's final determination should include all candles except for the three types that the NCA specifically agreed to exclude at the time of the investigation. This scope interpretation is supported by the Department's previous decisions in the *J.C. Penney* scope investigation,⁶ and the more recent *Later-Developed Merchandise* determination,⁷ as well as the International Trade Commission ("the Commission") determination in the original investigation and second sunset review.⁸

The Department initiated this inquiry because of the administrative burden it encountered when two importers, in June and July 2009, abused the scope determination process by requesting rulings on 308 candles.⁹ Instead of relying on precedent established in prior scope determinations, which are published on the Department's website, these two importers unnecessarily dumped 308 candle scope requests on the Department at almost the same time, creating a huge administrative burden that made it impossible for the Department to conduct a timely scope analysis of these requests. The Department's practice of publishing pictures and

⁶ Final Scope Ruling: *J.C. Penney Purchasing Corporation* (Nov. 9, 2001) ("*J.C. Penney*").

⁷ *Petroleum Wax Candles from the People's Republic of China: Affirmative Final Determination of Circumvention of the Antidumping Duty Order*, 71 Fed. Reg. 59,075 (Dep't. Commerce, Oct. 6, 2006), amended by Final Results Pursuant to Voluntary Remand, *Target Corp. v. United States*, Consol. Court No. 06-00383 (May 16, 2008) ("LDM Investigation").

⁸ *Petroleum Wax Candles from China*, Inv. No. 731-TA-282, USITC Pub. 3790 (July 2005) ("ITC Second Sunset Review") at 3.

⁹ See, scope requests submitted by Trade Associates Group, Ltd. (dated June 11, 2009); Sourcing International, LLC (dated June 19, 2009, July 20, 2009, and August 20, 2009); Accent Importers (dated May 5, 2010); and Candym Enterprises Ltd. (dated Nov. 5, 2009 and May 20, 2010).

prior scope determinations removed any uncertainty as to what candles fall within the scope of the Order.

Unfortunately, as set forth below, the Preliminary Results will not stop the filing of extremely large numbers of scope requests. The Department's new interpretation remains subjective in nature and will not put Customs in a better position to rule on entries of Chinese candles.

A. J.C. Penney

In *J.C. Penney*, the Department changed its practice of interpreting the Order's scope to exclude candle shapes not specifically listed in the language of the Order. The reason for the change was that such an interpretation narrows the broad inclusive first sentence of the scope without any express words of exclusivity in the scope to justify it. In *J.C. Penney*, the Department stated:

[t]he text of the first sentence of the scope covers "scented or unscented petroleum wax candles made from petroleum wax and having fiber or paper-cored wicks." The text following this broad inclusive sentence provides a list of shapes, *which list is not modified by any express words of exclusivity*. The result of our prior practice of excluding candles of a shape other than those listed was inconsistent with the fact that such candles were "scented or unscented petroleum wax candles made from petroleum wax and having fiber or paper-cored wicks." We now determine that this practice was incorrect because it had the effect of narrowing the broad coverage of the first sentence of the Order's scope. *The list of shapes in the second sentence of the Order's scope does not provide a textual basis for such a narrowing of the coverage of the first sentence of the Order's*

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scope. Accordingly, in order to give full effect to the first sentence of the inclusive language of the scope, the Department in this and future cases normally will evaluate whether candles of a shape not listed by the inclusive language of the Order's scope are scented or unscented petroleum wax candles made from petroleum wax and having a fiber or paper-cored wick.¹⁰ (Emphases added.)

This approach of evaluating such candles in light of the entire text of the scope avoids subjective interpretations of intent and speculation as to the NCA's original intent at the time of the petition as to whether a candle type was specifically excluded. Moreover, this interpretation is consistent with the intent of the NCA as expressed in the Staab Affidavit. Nothing has changed since *J.C. Penney*. The simple fact is that there is no specific, unequivocal exclusion language in the scope of the Order.

B. The Later-Developed Merchandise Anticircumvention Determination

In the LDM Investigation, the Department again determined that the scope of the Order was inclusive and not exclusive. Respondents had argued that candles made of more than 50 percent vegetable wax were outside the scope of the Order, because the description of the candles being composed of petroleum wax limited the scope of the Order to candles containing more than 50 percent petroleum wax. Respondents argued that the only accurate reading of the scope language is that petroleum wax candles, as deliberately specified by Petitioner, are covered by the Order, and made from other waxes are not covered by the Order. Respondents claimed

¹⁰ *J.C. Penney* at 4-5. NCA requests that the Department correct the language on page 49479 of the Preliminary Results in its first quote from *J.C. Penney*, where the word "arguably" was added before the word "inconsistent." This word "arguably" does not appear in the Department's *J.C. Penney* ruling.

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that Petitioner deliberately excluded candles made from wax other than petroleum wax and, therefore, purposely limited the scope of the Order.

Respondents cited the *Wheatland Tube* decision as support that the language of the Order was exclusionary.¹¹ *Wheatland Tube* involved an antidumping duty order on standard pipe, and the petitioner in that case had expressly and unambiguously excluded a slightly higher grade of pipe from the petition filed with the Department and from the ITC's injury determination.¹² The Department concluded:

The literal language of the scope of the *Order* states that: “the products covered by this Order are certain scented or unscented petroleum wax candles made from petroleum wax and having fiber or paper-cored wicks.” See Order, 51 FR at 30687. Although there is consistent reference to petroleum wax candles, there is no definition of petroleum wax. Therefore, unlike *Wheatland Tube*, where the CAFC found that the product at issue was “clearly excluded from the scope of the order,” mixed-wax candles subject to this anticircumvention inquiry are not considered in the language of the scope of the Order. See Wheatland Tube, 161 F. 3d at 1371. Accordingly, a finding that petitioners deliberately excluded candles from the specific combination of petroleum wax and other waxes subject to this inquiry are not supported by respondents' arguments and references to the literal scope of the Order....

¹¹ See, *Wheatland Tube Co. v. U.S.*, 161 F. 3d 1365 (Fed. Cir. 1998) (“*Wheatland Tube*”).

¹² *Wheatland Tube* at 1370.

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Therefore, given the above, the Department continues to find that mixed-wax candles were not “unequivocally” excluded from the scope of the Order. After reviewing the relevant case precedents, ITC determinations, and the literal scope language, and therefore, the Department’s initiation was appropriate.¹³

The Petitioner in *Wheatland Tube* was expressly asked by the Department if the scope of the Order should include dual-certified pipe. The petitioner responded to the Department, as well as to respondents, that the scope “clearly excludes dual and triple certified standard pipe.” Based on the petitioner’s specific response, the Department expressly excluded the dual pipe and triple-certified standard pipe in the final order.¹⁴ In the instant case, the petitioner never expressly excluded any candles other than utility candles, birthday candles, and figurine candles. NCA agreed to these three specific exclusions in response to questions from the Department. There is no “unequivocal” express exclusion of any other kind of candle from the Order, either in the literal language or any specific exclusion agreed to by Petitioner. This cannot be seriously disputed.

Similarly, the Department determined in its LDM Preliminary Determination that “as neither the original petition nor the *ITC Final Report* unequivocally excluded these products ...

¹³ See, Memorandum to David M. Spooner, Assistant Secretary for Import Administration from Stephen J. Claes, Deputy Assistant Secretary for Import Administration: Issues and Decision Memorandum for the Later-Developed Merchandise Anticircumvention Inquiry of the Antidumping Duty Order on Petroleum Wax Candles from the People’s Republic of China (Sept. 29, 2006) at 8-9.

¹⁴ *Wheatland Tube* at 1368-1369.

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the Department concluded it was appropriate to initiate this inquiry as *Wheatland Tube* does not apply in this instance.”¹⁵

Ultimately, the Department determined that candles made with any amount of petroleum wax fall within the scope of the Order.¹⁶ This determination by the Department was affirmed by the CIT and the Court of Appeals for the Federal Circuit (“CAFC”). The Commission in the ITC Second Sunset Review also considered the scope of the Order and determined that “candles containing any amount of petroleum wax were like product. The only candles that the Commission specifically excluded were beeswax candles. In fact, the Commission refused to confirm that it excluded any other specific candles.

C. U.S. International Trade Commission

In the Original Determination, the Commission described the scope as inclusive:

¹⁵ *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 Fed. Reg. 32033, 32037 (June 2, 2006).

¹⁶ *See, supra*, note 3.

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The imports from China in this investigation are scented and unscented petroleum wax candles having fiber or paper-cored wicks. They are made in *various shapes and sizes, including* tapers, spirals, straight-sided dinner candles, rounds, columns, pillars, votives, and various wax-filled containers a provided for in the Tariff Schedules of the United States (TSUSA) Item No. 755.25, “Candles, tapers.”¹⁷ (*Emphasis added.*)

The Commission’s investigation treated the list of shapes as being “included” in the like products. The only exclusion that the Commission identified was a communication from the Department stating:

Not included in the description are birthday, birthday numeral and figurine type candles that are outside the scope of the investigation.¹⁸

The only candle that the Commission excluded were beeswax candles that are composed of more than 50 percent beeswax because of the different characteristics and uses from petroleum wax candles. Beeswax candles do not compete with petroleum wax candles. They are manufactured principally for religious and specialty markets, and are priced considerably higher than petroleum wax candles.¹⁹

In November 2004, the Commission decided to conduct a full sunset review:

¹⁷ *Petroleum Wax Candles from China*, Inv. No. 731-TA-282 (Final), USITC Pub. 1888 (Aug. 1986) (“Original Determination”) at 4.

¹⁸ *Id.* at 4, note 5.

¹⁹ *Id.* at 5-6.

The Commission explained that a full review is warranted in light of numerous scope rulings made by Commerce since the issuance of the Order in 1986. Conducting a full review will allow the Commission to seek information concerning the effect of the scope rulings, make an accurate assessment of the likely effects of revocation of the Order, and provide an opportunity for the Commission to closely examine any like product issues raised by the scope rulings.²⁰

The Commission concluded that mixed-wax candles were not specifically excluded from the like product in the original investigation.²¹ The Commission confirmed that its like product definition was quite broad and included any candles containing any amount of petroleum wax. The Commission, in effect, rejected the Department's prior narrow scope interpretation based on a subjective interpretation of the petition's like product definition.

The Commission, in the original determination and as confirmed in the ITC Second Sunset Review, clearly determined that the list of shapes was not an exhaustive, exclusionary list, but merely shapes that are among the "various shapes and sizes" included within the list. The Department cannot now narrow the scope of the Order to exclude various other shapes.

D. The Department's Allegations

The Department focuses on the words "candles that are sold in the following shapes,"²² which is language of inclusion, not exclusion. If all shapes were to be excluded other than those

²⁰ *Petroleum Wax Candles from China*, Inv. No. 731-TA-282, USITC Pub. 3790 (July 2005) ("ITC Second Sunset Review") at 3.

²¹ *Id.* at 7-8.

²² *Preliminary Results* at 49479.

listed, then the language would say “are *only* sold in the following shapes.” As the Department determined in *J.C. Penney*:

The list of shapes in the second sentence of the Order’s scope does not provide a textual basis for such a narrowing of the coverage of the first sentence.²³

Contrary to the wisdom of the *J.C. Penney* and *Later-Developed Merchandise* decisions, the Department attempts to glean intent by the NCA to exclude candle shapes other than those on the list. There is no evidence of such intent.²⁴ The NCA agreed to exclude utility, birthday, and figurine candles. The Department is wrongfully extrapolating from this intent, an additional intent to exclude other candles. The exclusion agreed to by the NCA was specifically limited to the three candles specifically identified (i.e., utility, birthday, and figurine candles).

The Department is reading into the language of the scope exclusion language when none exists. As discussed above, the Court of Appeals for the Federal Circuit in *Wheatland Tube* found that an exclusion of a product must be expressly and unambiguously set forth in the scope language of the order.²⁵ Consistent with *Wheatland Tube*, the Department concluded in the LDM Investigation that the language of exclusion must be “unequivocal.”²⁶

²³ See, *supra*, note 8.

²⁴ See, Exhibit A. The Staab Affidavit is direct evidence that the NCA intended the language of the scope to be inclusive.

²⁵ See, *supra*, note 10.

²⁶ See, *supra*, note 11.

As stated in the Staab Affidavit, Mr. Staab, who actively participated in the original investigation on behalf of the NCA, confirms that the only exclusion agreed to by the NCA was limited to utility, birthday, and figurine candles.²⁷ At no time did the NCA intend to exclude from the Order all other shapes not specifically listed in language of the scope. The Staab Affidavit makes clear the NCA's original intent regarding the inclusive language of the scope of the Order and obviates the need for the Department to attempt to glean the NCA's intent from ambiguous and disparate documents.

In an attempt to support its preliminary interpretation, the Department mistakenly relies on the memorandum to Bill Matthews from Elena Gonzales,²⁸ but fails to acknowledge Ms. Gonzales' conclusion that:

The wording on the scope of products is not very specific and the TSUSA item under which the products fall is a basket category which includes many different types of candles and tapers. This could give rise to some debate about inclusion if the argument centers around a very specific-type product within a certain classification.²⁹

This same memo also quotes language from the ITC's October 1985 preliminary determination, that states: "in which the imports under investigation were described as 'petroleum wax *candles in various shapes and sizes, including* tapers, columns, spirals, straight-sided dinner candles

²⁷ *Id.*

²⁸ *Preliminary Results* at 49477.

²⁹ See Memorandum from Elena Gonzalez to Bill Matthews and Bob Merenick (Oct. 2, 1986).

[sic] votives and petroleum wax-filled containers.”³⁰ (Emphasis added.) The language of the scope was not specific because it was meant to be inclusive, not exclusive. There is no evidence in this memo of unequivocal exclusion language in the scope of the Order.

Additionally, the Department’s reliance on a telex communication from an economic consulting firm conducting market research on producers’ prices for candles, is equally misplaced.³¹ This communication has nothing to do with the scope of the Order. The only way to get any pricing data was to look for pricing on candles of specific sizes and specifications.³² Such efforts to acquire specific pricing data for comparison purposes are entirely irrelevant with respect to intent to have the scope limited to specific shapes. The Department’s reliance on this communication is misplaced.

The Department also cites to its notice to the U.S. Customs Service with respect to the scope of products subject to the original investigation on March 20, 1986.³³ In the paragraph following the quote of the instructions to Customs, the Department says that the memorandum dated April 1986 “indicates that the NCA endorsed these exclusions.”³⁴ The NCA did not endorse the exclusions in that notice, which is confirmed by the Staab Affidavit. To the

³⁰ *Id.* at 2.

³¹ *Id.* at 49477.

³² Specific sizes and candle types are necessary to compare prices to ensure an “apples-to-apples” comparison.

³³ *Preliminary Results* at 49477-78.

³⁴ *Id.* at 49478.

contrary, the record is clear that the NCA agreed only to exclusion of utility candles, birthday candles, and figurine candles. Nowhere did the NCA agree that candles not described in the list of shapes are all outside of the scope.

The Department cites comments filed by the NCA with respect to specific scope requests:

NCA's apparent concurrence with the scope clarifications issued to Customs further indicate that the scope was originally intended to include only those candle shapes described in the scope and to exclude birthday and utility candles.³⁵

The NCA's comments were based upon the scope criteria established by the Department at that time. The analysis provided in NCA's comments on scope requests had to apply the Department's current scope interpretation at that time for exclusions, whether we agreed that they were appropriate or not. The NCA did not concur with the Department's interpretation of exclusivity.

While the NCA was required to apply the exclusions determined by the Department at the time, we agree with the Department's conclusion in the *Preliminary Results* that there "is no evidence on record from the investigation to indicate that any religious, holiday, or special occasion-themed candles, otherwise within the shapes outlined in the scope, were considered outside the scope of the investigation prior to the issuance of the Order."³⁶ The Department

³⁵ *Id.* at 497479.

³⁶ *Id.*

properly determined that there was no basis for excluding candles based upon holiday characteristics,³⁷ and, thus, the NCA urges the Department to continue this interpretation in its Final Determination.

II. CANDLE STANDARDS OF THE AMERICAN SOCIETY OF TESTING MATERIALS

NCA urges the Department to adopt the candle definitions and standards developed by the American Society of Testing Materials International (“ASTM”). ASTM is one of the largest voluntary standards developing organizations in the world. It is a not-for-profit organization that provides a forum for the development and publication of voluntary consensus standards for materials, products, systems and services. ASTM’s members represent producers, users, consumers, government and academia from over 100 countries.³⁸

The members of ASTM write standards through their service on one or more of ASTM’s 130-plus technical committees. It is these members who determine which standards development activities to pursue. Anyone who has an interest in a field covered by a committee scope is eligible to become a committee member.

Significantly, ASTM meets all of the basic criteria for an international standards developing organization as outlined in Annex 4 of the Triennial Review of the World Trade Organization’s Technical Barriers of Trade Agreement. ASTM’s standards are voluntary in the

³⁷ *Id.*

³⁸ *See, www.astm.org.*

sense that the use is not mandated by ASTM. However, government regulators often give voluntary standards the force of law by citing them in laws, regulations, and codes.

In the United States, the relationship between private sector standards developers and the public sector has been strengthened by the 1995 passage of the National Technology and Transfer and Advancement Act (Pub. Law 104-113). The Law requires government agencies to use privately developed standards whenever it is at all possible, saving taxpayers millions of dollars in formerly duplicative standards development efforts.

The ASTM Standards Committee on Candles has developed the following definitions:

3.1.4.8 taper candle, n — a slender candle produced to be used with a candle accessory for support.

3.1.11 gel type candle, n — a candle where the primary fuel is a liquid, such as mineral oil, terpene type chemicals, or modified hydrocarbons that are not mineral oil based, which may or may not contain organic functional groups; it also contains a chemical agent to increase the viscosity (thicken) to a point where the candle has a quasi-rigid property.

3.1.4.7 freestanding candle, n — a rigid candle (for example, pillar-shaped, column-shaped, or figurine) that is intended to be burned only on a heat-resistant, noncombustible surface or on a heat-resistant, noncombustible candle accessory.

3.1.4.6 filled candle, n — a candle produced and used within the same vessel.

3.1.4.10 votive candle, n — a candle produced for use fully within a candle accessory, specifically, a votive holder.

3.1.4.9 tealight candle, n — a cylindrical filled candle produced with a diameter and height of approximately 1.5 in. (38 mm) and 0.75 in. (19 mm) respectively.

3.1.4.3 birthday candle, n — candle whose sole purpose is to be used on a birthday cake.

NCA requests that the Department adopt the ASTM definitions, industry recognized, for purposes of its scope determinations, with the exception of utility candles, birthday candles, and figurines.³⁹ The ASTM standards give objectivity to the scope determination process and will reduce the number of scope requests as well as make it easier for Customs examiners to apply.

III. THE DEPARTMENT'S DEFINITIONS AS REVISED

The definitions proposed by the Department are neither recognized nor accepted in the industry. In fact, they were only constructed for purposes of narrowing the interpretation of the scope of the Order, and as such are arbitrary at best. Thus, the Department's proposed definitions do not reflect the realities of the marketplace.

That the definitions proposed by the Department are too narrow is demonstrated by the fact that of the 269 candles reviewed by the Department, only 19 were preliminarily determined to be within the scope of the Order. The 250 candles found to be outside the scope of the Order include many shapes, and candles that have previously been found by the Department to be

³⁹ The NCA requests that the Department use the proper definition of a figurine as set forth in Section III, *infra*.

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within the scope of the Order.⁴⁰ The preliminary definitions as proposed and applied by the Department would effectively eviscerate the intended remedial effect of the Order.

The definitions, moreover, should not contain any size limitations because it would only encourage Chinese candle producers to make the same candles, but slightly larger or smaller than the definition proposed by the Department. By creating such narrow definitions, the NCA is concerned that anything that is close to, but not exactly within the definition will be considered outside the scope of the Order. Including a size limitation in the definitions create a bright line

⁴⁰ See, for example, Final Scope Rulings: *Atico International* (Dec. 16, 2004) (candy corn is a conical shaped candle, a geometric shape which is included within the scope of the Order); *Target Corporation* (April 1, 2005) (snowball candle is a round within the scope); *J.C. Penney* (May 21, 2001) (oval shaped pillar, square candle, olive shaped, round candle with curvy lines, and red oval pinecone is pillar and all are in scope); *Hallmark* (May 19, 2004) (dome shape is in scope); *Garden Ridge* (Feb. 2, 2005) (ten flower floaters within scope); *Target* (March 9, 2005) (cranberry is red round, oval stone candles are in scope); *Enesco, Midwest, and Mervins* (Dec. 9, 1996) (cube or square are straight sided pillars); *Hallmark and IFS* (April 9, 1997) (peppermint candy is a round and in scope); *Access Business* (May 4, 2005) (rectangular and spherical are pillars and rounds within scope); *Abrim Enterprises* (Jan. 19, 2005) (Easter egg and garlic are rounds that gradually taper to point on top, Christmas tree is cone shape, Easter Egg/Flower Basket, Square-M Angel, Strobile-M, Halloween Skull-A, Tulip Bud-L, Birthday Cake-S, Censer, and are all within scope); *New Spectrum* (May 10, 2005) (out of 100 candles, 70 are in scope, includes tea lights with molded snowman and Santa Claus figures rising above the metal tea light containers are wax-filled containers; molded decorations applied to the surface of in-scope candles do not transform the candle into an identifiable object; white chicks with egg holders are wax-filled containers and in scope); cube, star, and circular pieces are pillars and rounds; green apples are spherical candles; white Christmas tree is a candle with a wide circular base and narrows at the top and is in shape of a taper); *Hobby Lobby* (Jan. 14, 2005) (pumpkin candle is a round with vertical grooves not in scope); *Dollar Tree Stores* (Jan. 26, 2005) (Flower Bud, Butterfly, Autumn Leaves Floater, Christmas Floater with Snowman Head, Christmas Floater with Red Poinsettia, Christmas Floater with White Snowflake, Christmas Floater Candle with Holly Leaf with Red Berries, Flower Bud, Butterfly Floater, all within the scope); *Interpro International* (Sept. 26, 2002) (metallic green and gold-swirled round, metallic gold round, green, red, and white striped oval disc candle, blue floating disc, red and white striped floating, and vanilla scented textured round are all within the scope); *Kohl's Dept. Stores* (Aug. 24, 1998) (star shaped, tree shaped, and snowflake shaped candles; gold candles with rope designs; ivory candle with gold flower and vine designs; and ivory candle with gold cherubs and rope designs are all within the scope); *San Francisco Candle Company Inc.* (Feb. 12, 2001) (Christmas holly leaf with berries, candy cane pillar, red/white diagonal stripes, Santa Claus motif, candy cane pillar, Christmas tree w star, candy cane pillar, Christmas holly leaf pillar with berries, Christmas sock/stocking pillar minimal design, and Santa Claus pillar with minimal design are all within the scope).

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that is easily circumvented by unscrupulous foreign producers and U.S importers. Massive circumvention schemes have plagued this Order through its 24-year history.

The narrow definitions proposed by the Department will stifle creativity and innovation within the U.S. candle industry. Creativity and innovation are vital to the current position and future of the U.S. industry. The many candles that will be outside the scope would be a gift to Chinese producers, giving them the only opportunity to produce many candles that are currently held to be within the scope of the Order. It will give the Chinese producers the opportunity to create new, innovative shapes and designs that would enter the U.S. market at dumped prices against which U.S. producers cannot compete. These definitions will may possible reduce the number of scope requests and lighten the burden on the Department, but only at the expense of the U.S. industry. That only 19 of 269 pending candles were found to be within the scope of the Order provides a devastating prediction of what lies ahead for U.S. candle producers and their workers. The U.S. industry depends on the Department to stop unfairly traded candles from China, a mission that the Department, in the past, has performed well.

Alternatively, the following are NCA's suggested revisions to the definitions provided in the *Preliminary Results*. The following are the modified definitions recommended by the NCA:

Taper -- a taper is a candle that gradually decreases in width from the base to the top. The decrease in width may be continuously straight, slightly convex, or a free-form. The base of the candle is typically larger in thickness, diameter or width than the top of the candle and may include a self-fitting base to be used with a candle accessory for support.

Spiral – a spiral candle is a candle that has helical indentations along its length.

Straight-sided – a straight-sided dinner candle is similar to a taper, although its width is constant through the length of the candle and may include a self-fitting base to be used with a candle accessory for support.

Round – a round candle may come in a variety of shapes such as: 1) a “spherical round” is one in which all points on the candle’s surface (except for those on the base and top) are approximately equidistant from the candle’s center. A spherical round does not contain multiple surface angles (or embellishments so prominent that it could not be considered approximately spherical); 2) a “flattened round,” is typically disc-shaped and has at its widest point an approximately circular circumference which is greater than at its height. All horizontal radii of this circumference are approximately equidistant from the circumference’s center. Thus, a flattened round does not contain multiple surface angles (or embellishments so prominent that it does not exhibit an approximately circular circumference). The top, bottom, and side of a flattened round may be slightly convex or non-convex; 3) “geometric shaped round” such as oval, cone or circular (except the base and top may be flat); 4) “free-form round” such as pear, organic, tear-drop, egg-shape, heart, or bell-top (except the base and top may be flat).

Column – a column candle is free-standing. It typically maintains a constant circumference through its length, but may be a free-form, polygon, square, oval, spiral, or geometric shape.

Pillar – a pillar candle is free-standing, and includes a candle that is cylindrical, polygon, obelisk, square, pyramid, cone, free-form, organic, geometric shape or combination of geometric shapes.

Votive -- a votive candle is typically designed to be placed in a container or water.

Wax-filled Container – a wax-filled container may be in any shape and made of any material. Its top may or may not be flat. The top of the container may be made with a protruding geometric shape or other form, including a figurine.

Attached hereto, as Exhibit B, is a spreadsheet with the list of 269 candles upon which preliminary scope determinations have been made by the Department, as well as NCA's proposed scope determinations based on 1) the ASTM definitions, and 2) NCA's revisions to the definitions proposed by the Department. While these definitions are clearly more relevant than those suggested by the Department, the NCA urges the Department to abandon solely relying on shapes as a basis for determining the scope of the Order. The NCA recommends that the Department allow exclusions for only utility candles, birthday candles, and figurine candles.

Additionally, the NCA recommends that the Department apply the proper definition of a "figurine", which is defined as "1. [a] small carved or molded figure. ... 2. A very small figure, whether human or of an animal; especially, one in terra cotta or the like; -- distinguished from statuette, which is applied to small figures in bronze, marble, etc."⁴¹ A figurine is a small figure of a human, animal or deity, and does not include representations solely of inanimate objects, such as flipflops, watering cans, or flowers.⁴²

⁴¹ See, <http://www.websters-online-dictionary.org/definitions/figurine?cx=partner-pub-0939450753529744%3Av0qd01-tdlq&cof=FORID%3A9&ie=UTF-8&q=figurine&sa=Search#922>

⁴² Common examples of figurines are those manufactured by Hummel® or Demdaco®. See, <http://hummelfigurines.org/category/hummel-figurines/> and <http://www.demdaco.com/SearchResult.aspx?CategoryID=2&Manufacturer=58&Vendor=176&ViewAll=True>

If the Department properly defined a figurine as a small carved or molded figure of a human or animal, it would eliminate the guess work from the Order and substantially lessen the administrative burden to both Commerce and at the Customs' port. For example, under the proper definition of a figurine, an import analyst does not have to ask if something is in the shape of a pillar or column that is merely decorated to resemble a tree or lighthouse, or is it an actual carving of a tree or a lighthouse. Applying the proper definition of a figurine, the import analyst simply asks the objective question: is it a molded or carved human or animal? If it is a human or animal, then it is outside the scope of the Order. Conversely, if it is a representation of something other than a human or animal, it is within the scope as the proper interpretation of the scope language is inclusive not exclusive.

These revised definitions would reduce the number of scope requests received by the Department and would be the easiest for Customs to apply in determining whether a candle is within the scope of the Order. This interpretation of the scope will encourage creativity and innovations from the U.S. candle producers and be true to the intended scope of the Order.

IV. PENDING SCOPE REQUESTS NOT INCLUDED IN THE DEPARTMENT'S PRELIMINARY SCOPE DETERMINATION AS WELL AS PRELIMINARY SCOPE DETERMINATIONS MADE ON CANDLES NOT IN PENDING REQUESTS AS SUBMITTED

In the list of preliminary scope determinations set forth in Mr. Lord's memorandum to file dated August 9, 2010, the Department had not made scope determinations on 183 candles that are still pending. The Department's regulations give the NCA and other interested parties

the opportunity to comment on scope requests as a matter of due process and fairness.⁴³ Therefore, the NCA requests the Department not make a final scope determinations on these candles until NCA has the opportunity to comment on each candle. Attached as Exhibit C is a list of the 183 omitted candles, for which the NCA has not had the opportunity to submit comments.

Furthermore, the Department has made preliminary scope determinations on seven candles that are not described in the pending scope requests and for which pictures are not available. Thus, the NCA could not provide any meaningful comments at this time. NCA requests that the Department not make final scope determinations on these seven candles until NCA is given pictures or samples upon which NCA can prepare comments. The seven candles are:

CandyM Enterprises candles:

- R0183 "Stone in Tube"
- R3109 "Rock 4" (3ASST)

Trade Associates Group candles:

- "Flower Bunch" (4 candles)
- 610581 "Harvest Apple"

⁴³ 19 C.F.R. § 351.225(f)(1)(iii) and (f)(3).

The Honorable Gary Locke
Secretary of Commerce
September 20, 2010
Page 25

V. CONCLUSION

In view of the above, the Department should include all candles within the scope of the Order, except for utility candles, birthday candles, and figurine candles. Alternatively, the Department should adopt the ASTM definitions, except for utility candles, birthday candles, and figurine candles. Lastly, if the Department insists on using candle shapes as a basis for interpreting the scope of the Order, it should adopt the NCA's revised definitions set forth in Section III, *supra*.

Respectfully submitted,

BARNES & THORNBURG LLP



Karen A. McGee
Randolph J. Stayin
Counsel to the National Candle Association

Attachments:

- Exhibit A – Declaration of Robert J. Staab
- Exhibit B – Comments on Candles from Preliminary Determination
- Exhibit C – 183 Candles Excluded from Preliminary Determination

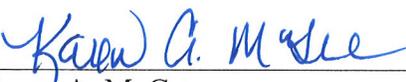
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COMMENTS ON
PRELIMINARY RESULTS OF REQUEST FOR COMMENTS
ON THE SCOPE OF THE ANTIDUMPING DUTY ORDER
PETROLEUM WAX CANDLES FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-504)

CERTIFICATION

I, Karen A. McGee, of Barnes & Thornburg LLP, counsel to the National Candle Association certify that:

- (1) I have read the attached submission, and
- (2) based on the information made available to me by the members of the National Candle Association, I have no reason to believe that this submission contains any material misrepresentation or omission of fact.



Karen A. McGee



Date

COMMENTS ON
PRELIMINARY RESULTS OF REQUEST FOR COMMENTS
ON THE SCOPE OF THE ANTIDUMPING DUTY ORDER
PETROLEUM WAX CANDLES FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-504)

CERTIFICATION

I, Allen Weidman, currently employed by the National Candle Association ("NCA"),
certify that:

- (1) I have read the attached Comments on
Preliminary Results of Request for Comments; and
- (2) Information contained in the submission is, to the best of
my knowledge, true and accurate.



Allen Weidman, Executive Vice President

9/20/10
Date

Inv. No. A-570-504
Scope Inquiry
IA/NME/IX: AV
Public Document

PETROLEUM WAX CANDLES FROM THE
PEOPLE'S REPUBLIC OF CHINA (A-570-504)

CERTIFICATE OF SERVICE

I hereby certify that on September 20, 2010, no copies were sent of the attached Comments on Preliminary Results of Request for Comments on the Scope of the Petroleum Wax Candles From the People's Republic of China Antidumping Duty Order addressed to John The Honorable Gary Locke, U.S. Department of Commerce, because there is no service list on the record at this time.



Karen A. McGee
Barnes & Thornburg LLP
750 17th Street, N.W., Suite 900
Washington, D.C. 20006
Tel: 202-289-1313
Counsel to the National Candle Association

9/10/20
Date

Exhibit A

**Affidavit of
Robert J. Staab**

BEFORE THE
UNITED STATES DEPARTMENT OF COMMERCE
INTERNATIONAL TRADE ADMINISTRATION

IN THE MATTER OF:)	
)	Inv. No A-570-504
PETROLEUM WAX CANDLES)	Comments on
)	Preliminary Results of
FROM THE PEOPLE'S REPUBLIC OF CHINA)	Scope of the
)	Antidumping Duty Order

DECLARATION OF ROBERT J. STAAB

1. My name is Robert J. Staab. I have worked at Lancaster Colony from November 1974; served as President of the Candle-lite Division from 1980 to 1985; and served as Group President of the candle and glassware Divisions from 1985 to 2003. I have worked in the candle industry for 29 years, and as such, have a thorough knowledge of the candle industry and marketplace in the United States. I have served as President of the National Candle Association, and was Chairman of NCA's Trade Committee from 1983-1987. As Chairman, I was deeply involved in preparation of the antidumping petition, testified before the International Trade Commission, and served as expert advisor to counsel during the antidumping investigations of *Candles from China*.
2. As a result of my extensive involvement in the antidumping investigation and the preparation of the petition, I am in the best position to testify as to the intent of candles to be included within the scope of the Antidumping Duty Order on *Petroleum*

Wax Candles from the People's Republic of China, 51 Fed. Reg. 30686 (Aug. 28, 1986) ("the Order").

3. Our intent was to have the scope of the Order to be as broad as possible, which is why we broadly described the candles as "petroleum wax candles." That meant all petroleum wax candles. During preparation and submission of the petition, there was no discussion, or even a suggestion, that there should be any limitation on the scope of the Order based on the size or shape of a candle. I understand that during the investigation and, at the request of importers, the Department approached NCA's counsel requesting whether birthday, utility and figurine candles were intended to be excluded from the Order. Reluctantly, the NCA agreed to the exclusion of only these 3 specific candle types.
4. It would not have made sense to limit the Order to only certain shapes, and not others, as that would be contrary to what we were trying to accomplish by bringing the antidumping case. In the petition, we described various candles shapes and types that would be included in the Order as examples of some common candles types, but never intended to limit the Order to only those candles shapes. Our intent always was to have the scope of the Order to be as broad as possible to include virtually all shapes and types of candles.
5. We wanted to stop Chinese producers from dumping virtually all shapes of candles in the U.S. market. Some companies had been driven out of business by cheap imports of candles from China. Candles from China were being sold in the U.S. at the price U.S. producers paid for the wax alone. We knew we could not survive unless we

stopped the unfair dumping of Chinese candles in the U.S. market. It would be contrary to this goal to place artificial limitations or exclusions in the language of the scope.

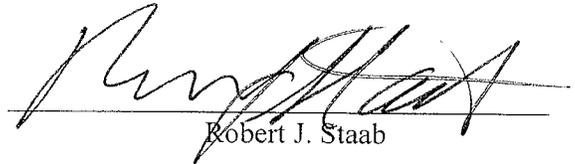
6. We were well aware that, had we limited the Order to only certain shapes, U.S. producers would not have been able to compete with the Chinese for other excluded candle shapes. U.S. producers would have no incentive to produce excluded candle shapes lost to unfairly traded Chinese imports. The U.S. industry would suffer a stifling loss of innovation and creativity, which was exactly what we were trying to stop by bringing an antidumping case.
7. I welcome the Department of Commerce's inquiry into the interpretation of the scope as an opportunity to close the loopholes that have arisen from scope rulings in the past. However, I am deeply concerned that the preliminary results will contradict the original intent of the Order and create more opportunities for Chinese producers to get around the Order.
8. At the time of filing the Petition in 1985, the U.S. candle industry produced a wide variety of candles, which were suffering from unfairly traded candles from China. The injury to the U.S. industry was not limited to the illustrative list of shapes in the Order. That is why the list contained examples of candles to be included, but not a

limitation on the breadth of the Order. I urge the Department not to exclude candles that are not on the list, as that would be contrary to the intent of the Order.

FURTHER SAYETH THE AFFIANT NOT.

I, Robert J. Staab, hereby declare under penalty of perjury that the foregoing is true and correct.

Executed on Sept 17, 2010.

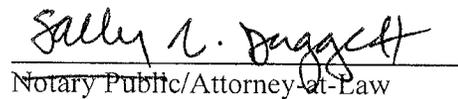

Robert J. Staab

STATE OF MAINE
COUNTY OF CUMBERLAND, ss.

September 17, 2010

Before me, a Notary Public/Attorney-at-Law, personally appeared Robert J. Staab, who having first been duly sworn by me upon his oath, stated that the facts set forth in the foregoing Declaration are true.

Before me,


Notary Public/Attorney-at-Law

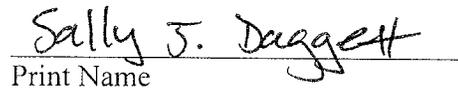

Print Name

Exhibit B

**NCA Comments on List of
269 Candles from
Preliminary Determination in
Tim Lord's Memorandum of
August 9, 2010 to Alex Villanueva**

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	610583	White Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form organic
Trade Associates Group	4325	MacIntosh Apple Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	4225	Red Delicious Apple Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	710055	Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form organic
Trade Associates Group	610582	Orange Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form organic
Trade Associates Group	210003	Cupcake Party Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Trade Associates Group	710003	Pumpkin Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form organic
Trade Associates Group	710052	Mini Pear Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form pear
Trade Associates Group	610589	Pumpkin Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form organic

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Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	710056	Gourd Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	711111	Harvest Apple	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	710053	Large Scented Pear Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- free-form pear
Trade Associates Group	610586	Gourd Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form organic
Trade Associates Group	610581	Tall Orange Pumpkin	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	610579	Harvest Apple Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Trade Associates Group	410182	Watering Can Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar" *
Trade Associates Group	210004	Cupcake Party Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Trade Associates Group	610512	Snowcap Taper Tree Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "TC"	Within Scope as "taper"

* Figurine is defined as carved or molded human, animal or deity as explained per Section III of NCA's comments.

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	610523	Large Snowcap Tree	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610588	Large Onion Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form tear drop
Trade Associates Group	610066	Floating Golden Tree Glitter Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - geometric cone
Trade Associates Group	610543	Whimsy Snowman	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610541	Whimsy Snowman	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610544	Snowman Tealights	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Trade Associates Group	710028	Mini Ornament Tealights	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Trade Associates Group	610095	Floating Tree Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610542	Whimsy Snowman	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	710975	Gumdrop Tree Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610549	Snowman Round Ornament	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610548	Snowman Ornament Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	710030	Glitter Ornament Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610550	Treelight Ornament Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610509	Small Snowball Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610508	Large Snowball Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610520	Golden Swirl Round Ornament	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	610482	Pinecone Round Ornament	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	710029	Large Whimsy Ornament Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610480	Berry Swirl Round Ornament	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610145	Dots Metallic Ornament Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical round
Trade Associates Group	610333	Large Sparkle Tree	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610546	Large Treelight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	710026	Glitter Tree Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610587	Small Onion Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" -free-form tear drop

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Accent Imports	N22432	Rose Shaped Tealight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Accent Imports	N22418	Owl Shape Tealight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Accent Imports	N22423	Pinecone Shaped Tealight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Accent Imports	N22431	Rose Shaped Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" -free-form round
Accent Imports	N22422	Pinecone Shaped Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Accent Imports	N22426	Ornament Shaped Tealight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Accent Imports	N22427	Beaded Cone Shape Tree Candle 21"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Accent Imports	N22428	Beaded Cone Shape Tree Candle 8.25"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Candym Enterprises, Ltd.	RT3132	Buck Head Shaped Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Outside Scope as Figurine	Outside Scope as Figurine

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Candym Enterprises, Ltd.	RT3138	Tree Shaped Tealight Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Candym Enterprises, Ltd.	RT3136	Tree Shaped Candle 12.5"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Candym Enterprises, Ltd.	RT3137	Tree Shaped Candle 8"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Candym Enterprises, Ltd.	RT3140	Tree Shaped Candle 8.5"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Candym Enterprises, Ltd.	RT3141	Tree Shaped Candle 11.75"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Sourcing International	1003	6 Mini Cacus Asst	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1016	Peony Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1017	Rose Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1018	Anemone Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Sourcing International	1019	Gerber Daisy Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1021	Sunflower Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1029	Hyacinth Bulb	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Sourcing International	1030	Hyacinth Bulb	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Sourcing International	1031	Hyacinth Bulb	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Sourcing International	1045	Yellow Sun Cameo Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - flattened round
Sourcing International	1010	Sunflower Floating Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Sourcing International	1011	Pink Floating Daisies	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Sourcing International	1034	Yellow Sunflowers	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Sourcing International	1033	Orange Anemones	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1035	Purple Zinnia	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1028	Ladybug Gnome Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Outside Scope as Figurine	Outside Scope as Figurine
Sourcing International	1037	Pot of 3 Sunflowers	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1038	Pot of 6 White Daisies	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1040	Pot of 3 Pink Daisies	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1041	Pot of 3 Orange Tulips	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1042	Pot of 3 Yellow Daffodils	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1043	Pot of 3 Purple Violets	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Sourcing International	1032	Hyacinth Bulb	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Sourcing International	1004	3 Pink Roses	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1005	3 Red Roses	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1006	3 Yellow Roses	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1002	6 Mini Flower Pots Asst B	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1001	6 Mini Flower Pots Asst A	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1036	Petite Orange Tulip Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1024	Rose Flower Bouquet	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1022	White Lily Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Sourcing International	1023	Daffodil Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1025	Stargazer Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1026	Tulip Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1027	Sunflower Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1009	Small Pink Rose	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form round organic
Sourcing International	1012	Large Pink Rose	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form round organic
Sourcing International	1008	Floating Sunflower	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Sourcing International	1013	Red Rose Sphere	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - spherical round
Sourcing International	1014	Fuchsia Rose Sphere	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - spherical round

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Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Sourcing International	1015	Small Pink Rose Sphere	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" -spherical round
Sourcing International	1020	Yellow Tulip Pave	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1044	Petite Pink Tulip Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Sourcing International	1007	Floating Dahlia Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	710024	Bat Candle on a String Set	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Outside Scope as Figurine	Outside Scope as Figurine
Trade Associates Group	710943	Pumpkin Hat Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	410032	Mini Cupcake Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610403	Tall Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	100167	Small Firecracker Candles	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "pillars+decorative enhancement" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "pillar"

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Trade Associates Group	711107	Floating Snowman Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	410174	Beach Ball Candles	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical
Trade Associates Group	410048	Sherbet Candles Set	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Trade Associates Group	610545	Whimsy Snowman Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "TC"	Within Scope as "taper"
Trade Associates Group	610540	Snowman Floating Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	510101	Crazy Egg Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form egg shape
Trade Associates Group	610172	Small Candy Corn Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - geometric shape cone
Trade Associates Group	610585	Large Acorn Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form organic
Trade Associates Group	610573	Brussels Sprout Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" -free-form organic

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Trade Associates Group	410079	Garden Snail Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Outside Scope as Figurine	Outside Scope as Figurine
Trade Associates Group	419938	Large Floating Watermelon Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610347	Large Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	510098	Cupcake Party Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610405	Small Pumpkin Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	410078	Garden Frog Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Outside Scope as Figurine	Outside Scope as Figurine
Trade Associates Group	510008	Chick Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form egg shape
Trade Associates Group	410028	Chick'n Egg Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form egg shape
Trade Associates Group	710102	Floating Holiday Cookie Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"

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Trade Associates Group	710082	Floating Ornament Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610167	Floating Fall Leaf Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	410068	Floating Turtle Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	419952	Floating Leaf Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	510092	Jumbo Flip Flop Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	419924	Floating Small Flower Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610143	Heart Votives	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610345	Haunted House Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	610385	Critters Floating Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"

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Trade Associates Group	419936	Sunflower Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610473	Autumn 3-Wick Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - flattened round
Trade Associates Group	710101	Peppermint Candy Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC" or "V"	Within Scope as "round" - geometric shape or votive **
Trade Associates Group	510055	3-Part Floating Bunny Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	710971	Gumdrop Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - geometric shape cone
Trade Associates Group	610584	Small Acorn Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" -free-form organic
Trade Associates Group	610474	Autumn Leaf Floating Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	610170	Large Candy Corn Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - geometric shape cone
Trade Associates Group	510059	Umbrella Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - flattened round

** Unclear from description or picture whether this candle is floating or free-standing.

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Trade Associates Group	200023	Large Chocolate Egg Candles	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form egg
Trade Associates Group	610330	Candy Cane Ball	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "round" - spherical
Trade Associates Group	610561	Peppermint Floating Candles	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "rounds" category, and as such, is within the scope of the Order.	Within Scope as "V"	Within Scope as "votive"
Trade Associates Group	100168	Large Firecracker Candle	This product is one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed interpretations, specifically the "pillars+decorative enhancement" category, and as such, is within the scope of the Order.	Within Scope as "FSC"	Within Scope as "pillar"
Trade Associates Group	710071	Caramel Apple Candle	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - spherical round or free-form organic
Candym Enterprises, Ltd.	R3120	Mushroom 3"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round"- spherical round or free-form organic
Candym Enterprises, Ltd.	R3119	Mushroom (set 6)	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Candym Enterprises, Ltd.	R3124	Succulent (Set 6)	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"

Exhibit B

NCA Comments on List of 269 Candles from Preliminary Determination in Tim Lord's Memorandum of August 9, 2010 to Alex Villanueva
Petroleum Wax Candles from PRC (A-570-504)

Requestor	Product #	Product Name	Analysis	Proposed ASTM Definition FSC = Free-Standing Candle FC = Filled Candle V = Votive TC = Taper Candle TL = Tealight	Proposed Revised Commerce Definition
Candym Enterprises, Ltd.	R3126	Succulent in Pot	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FC"	Within Scope as "wax-filled container"
Candym Enterprises, Ltd.	R0183	Stone in Tube	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		
Candym Enterprises, Ltd.	R3109	Rock 4"l (3ASST)	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		
Candym Enterprises, Ltd.	R3116	Flower Bulb 5"H	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order	Within Scope as "FSC"	Within Scope as "round" - free-form organic
Trade Associates Group	No Product #	Flower Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		
Trade Associates Group	No Product #	Flower Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		
Trade Associates Group	No Product #	Flower Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		
Trade Associates Group	No Product #	Flower Bunch	This product is not in one of the shapes the Department has preliminarily determined to be within the Order pursuant to the proposed Interpretation as such, is outside the scope of the Order		

Exhibit C

**183 Candles Excluded from
Preliminary Determination and
Memorandum from
Mr. Lord dated August 9, 2010**

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

Product No.	Product Name	Company	Date Submitted
610111	Floating Winter Sprig Candles s/2	Trade Associations Group, Ltd.	June 11, 2009
301928	Floating Holly Candles s/4 - Green	Trade Associations Group, Ltd.	June 11, 2009
900261	Floating Holly Candles s/2 - Green	Trade Associations Group, Ltd.	June 11, 2009
900347	Floating Holly Candles s/4	Trade Associations Group, Ltd.	June 11, 2009
610206	Holly Berry Floating Leaf Candles s/2 Green	Trade Associations Group, Ltd.	June 11, 2009
610598	Small Treelight Tree Candle Green	Trade Associations Group, Ltd.	June 11, 2009
610597	Small Treelight Tree Candle White	Trade Associations Group, Ltd.	June 11, 2009
610547	Large Treelight Tree Candle White	Trade Associations Group, Ltd.	June 11, 2009
610332	Small Sparkle Tree Candle - Dk Olive	Trade Associations Group, Ltd.	June 11, 2009
610295	Small Sparkle Tree Candle - Red	Trade Associations Group, Ltd.	June 11, 2009
610297	Small Sparkle Tree Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
610303	Large Sparkle Tree Candle - Red	Trade Associations Group, Ltd.	June 11, 2009
610305	Large Sparkle Tree Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
610299	Small Sparkle Tree Candle - Olive	Trade Associations Group, Ltd.	June 11, 2009
610301	Large Sparkle Tree Candle - Olive	Trade Associations Group, Ltd.	June 11, 2009
610319	Mini Sparkle Tree Candles s/3 - Red	Trade Associations Group, Ltd.	June 11, 2009
610321	Mini Sparkle Tree Candles s/3 - Gold	Trade Associations Group, Ltd.	June 11, 2009
610323	Mini Sparkle Tree Candles s/3 - Olive	Trade Associations Group, Ltd.	June 11, 2009
711073	Large Golden Tree Glitter Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
711075	Small Golden Tree Glitter Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
610307	Large Whimsy Tree Candle - Green	Trade Associations Group, Ltd.	June 11, 2009
610309	Small Whimsy Tree Candle - Green	Trade Associations Group, Ltd.	June 11, 2009
610036	Floating Whimsy Tree Candles s/5 - Multi	Trade Associations Group, Ltd.	June 11, 2009
690041	Metallic Ball Tree Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
610101	Glitter Tree Straight Candles s/2 - Red	Trade Associations Group, Ltd.	June 11, 2009
610103	Glitter Tree Straight Candles s/2 - Ivory	Trade Associations Group, Ltd.	June 11, 2009
610524	Medium Snowcap Tree Candle White	Trade Associations Group, Ltd.	June 11, 2009
610525	Small Snowcap Tree Candles White	Trade Associations Group, Ltd.	June 11, 2009
710026	Glitter Tree Candles - Ivory	Trade Associations Group, Ltd.	June 11, 2009
900334	Floating Jester Stocking Dark Red	Trade Associations Group, Ltd.	June 11, 2009
100878	Mini Nutcracker Candles s/3 - Multi	Trade Associations Group, Ltd.	June 11, 2009
610042	Snowman Candle - White	Trade Associations Group, Ltd.	June 11, 2009
100754	Snowman Woodcut Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
711165	Happy Snowman Candle - Red	Trade Associations Group, Ltd.	June 11, 2009

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

711167	Happy Snowman Candle - Green	Trade Associations Group, Ltd.	June 11, 2009
610142	Floating Snowman Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
610144	Dots Metallic Ornament Candle - Fuchsia	Trade Associations Group, Ltd.	June 11, 2009
710000	Swirl Ornament Candle - Red/Green	Trade Associations Group, Ltd.	June 11, 2009
710001	Swirl Ornament Candle - Red/White	Trade Associations Group, Ltd.	June 11, 2009
710002	Dots Ornament Candle - White	Trade Associations Group, Ltd.	June 11, 2009
710095	Sm Whimsy Ornament Candles s/4 - Multi	Trade Associations Group, Ltd.	June 11, 2009
610104	Metallic Ball Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
610095	Small Golden Ball Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
610096	Large Golden Ball Candle - Gold	Trade Associations Group, Ltd.	June 11, 2009
710022	Large Pumpkin Candles - Multi	Trade Associations Group, Ltd.	June 11, 2009
610006	Floating Pumpkin Candles s/3 - Orange	Trade Associations Group, Ltd.	June 11, 2009
710021	Pumpkin Tealight Candles s/6 - Multi	Trade Associations Group, Ltd.	June 11, 2009
710945	Pumpkin Hat Candle - Orange	Trade Associations Group, Ltd.	June 11, 2009
610025	Witch's Hat Candle - Black	Trade Associations Group, Ltd.	June 11, 2009
610168	Witch's Cauldron Candle - Orange	Trade Associations Group, Ltd.	June 11, 2009
610419	Halloween Floating Candles s/6	Trade Associations Group, Ltd.	June 11, 2009
710935	Floating Glitter Spider Web Candle	Trade Associations Group, Ltd.	June 11, 2009
610176	Floating Halloween Candles - Multi	Trade Associations Group, Ltd.	June 11, 2009
610017	Small Ghost Lantern Candle	Trade Associations Group, Ltd.	June 11, 2009
610018	Large Ghost Lantern Candle - White	Trade Associations Group, Ltd.	June 11, 2009
610000	Ghost Tealights s/4 - White	Trade Associations Group, Ltd.	June 11, 2009
610024	Ghost Taper Candle s/2 - White	Trade Associations Group, Ltd.	June 11, 2009
610204	Ghost Candle - White	Trade Associations Group, Ltd.	June 11, 2009
710931	Mini Floating Ghost Candle - White	Trade Associations Group, Ltd.	June 11, 2009
610010	Floating Mini Ghost Candles s/4 - White	Trade Associations Group, Ltd.	June 11, 2009
410922	Sweetheart Candles s/6 - Red	Trade Associations Group, Ltd.	June 11, 2009
410904	Sweetheart Tealights s/9	Trade Associations Group, Ltd.	June 11, 2009
610121	Hugs & Kisses Tealight s/9 - Multi	Trade Associations Group, Ltd.	June 11, 2009
412916	Bunny w/Egg Candle Ivory	Trade Associations Group, Ltd.	June 11, 2009
510054	Floating Bunny Candles s/3 - Multi Pastel	Trade Associations Group, Ltd.	June 11, 2009
510013	Bunny Straight Candle - Multi Pastel	Trade Associations Group, Ltd.	June 11, 2009
510067	Bunny Candles in a Basket s/4 - Multi Pastel	Trade Associations Group, Ltd.	June 11, 2009
510053	Crazy Eggs Candles s/4 - Multi Pastel	Trade Associations Group, Ltd.	June 11, 2009
510547	Egg Candle in a Cup - Yellow	Trade Associations Group, Ltd.	June 11, 2009

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

510551	Egg Candle in a Cup - Pink	Trade Associations Group, Ltd.	June 11, 2009
510555	Egg Candle in a Cup - Blue	Trade Associations Group, Ltd.	June 11, 2009
510557	Egg Candle in a Cup - Green	Trade Associations Group, Ltd.	June 11, 2009
510099	Robin's Egg Candles s/3 Blue	Trade Associations Group, Ltd.	June 11, 2009
510005	Chirping Chick Candle - Lt Green	Trade Associations Group, Ltd.	June 11, 2009
510006	Chirping Chick Candle - Lt Pink	Trade Associations Group, Ltd.	June 11, 2009
510007	Chirping Chick Candle - Yellow	Trade Associations Group, Ltd.	June 11, 2009
610097	Floating Peppermint Candle s/8 red	Trade Associations Group, Ltd.	June 11, 2009
710068	Marshmallow Candles s/4 - Multi	Trade Associations Group, Ltd.	June 11, 2009
710057	Candy Cane Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
410972	Floating Spiral Candles s/4 - Multi	Trade Associations Group, Ltd.	June 11, 2009
610037	Asst Sugar Cookie Candles s/16 - Multi	Trade Associations Group, Ltd.	June 11, 2009
610400	Floating Mini Apple Candles s/9 - Multi	Trade Associations Group, Ltd.	June 11, 2009
610579	Mini Harvest Apple Candles s/12 Dark Red	Trade Associations Group, Ltd.	June 11, 2009
610051	Mini Sugared Apples & Pears s/6 - White	Trade Associations Group, Ltd.	June 11, 2009
100785	Sugared Mini Fruit Candles s/9 - Multi	Trade Associations Group, Ltd.	June 11, 2009
711115	Sugared Mini Harvest Candles s/3 - Multi	Trade Associations Group, Ltd.	June 11, 2009
711113	Sugared Harvest Pomegranate Candle - Terracc	Trade Associations Group, Ltd.	June 11, 2009
4676	Mini Floating Pear Candles s/9 - Spring Green	Trade Associations Group, Ltd.	June 11, 2009
610398	Floating Mini Pear Candles s/9 - Spring Green	Trade Associations Group, Ltd.	June 11, 2009
711109	Sugared Harvest Pear Candle - Olive	Trade Associations Group, Ltd.	June 11, 2009
419940	Small Watermelon Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
610589	Pumpkin Cluster Candle s/16 Orange	Trade Associations Group, Ltd.	June 11, 2009
900298	s/3 Baby Boo Candles White	Trade Associations Group, Ltd.	June 11, 2009
610287	Baby Boo Pumpkin Candles s/3 - Multi Harvest	Trade Associations Group, Ltd.	June 11, 2009
610196	Baby Boo Pumpkin Candle - Ivory	Trade Associations Group, Ltd.	June 11, 2009
711117	Harvest Pumpkin Candle - Ivory	Trade Associations Group, Ltd.	June 11, 2009
711119	Harvest Gourd Candle - Olive	Trade Associations Group, Ltd.	June 11, 2009
711121	Harvest Gourd Candle - Terracotta	Trade Associations Group, Ltd.	June 11, 2009
371322	Pumpkin Candle - Orange	Trade Associations Group, Ltd.	June 11, 2009
371326	Pumpkin Candle - Green	Trade Associations Group, Ltd.	June 11, 2009
371429	Gourd Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
710953	Large Sugared Pumpkin Candle - Orange	Trade Associations Group, Ltd.	June 11, 2009
710955	Small Sugared Pumpkin Candle - Orange	Trade Associations Group, Ltd.	June 11, 2009
410077	Garden Bird Candle Assortment - Multi	Trade Associations Group, Ltd.	June 11, 2009

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

900218	Bird Candle - Silver	Trade Associations Group, Ltd.	June 11, 2009
200614	Chocolate Bunny Candles s/3 - Multi	Trade Associations Group, Ltd.	June 11, 2009
412948	Bunny Candle s/2 - Ivory	Trade Associations Group, Ltd.	June 11, 2009
412960	Baby Chick Candles s/3	Trade Associations Group, Ltd.	June 11, 2009
210905	Large L'il Chick Candle - Yellow	Trade Associations Group, Ltd.	June 11, 2009
411985	Small L'il Chick Candle - Yellow	Trade Associations Group, Ltd.	June 11, 2009
200569	Floating Frog Candles s/2 - Green	Trade Associations Group, Ltd.	June 11, 2009
200567	Floating Ladybug Candles s/2 - Green	Trade Associations Group, Ltd.	June 11, 2009
200568	Floating Turtle Candles s/3 - Green	Trade Associations Group, Ltd.	June 11, 2009
900353	Hula Girl Floaters s/2	Trade Associations Group, Ltd.	June 11, 2009
910735	Tiki Floating Candles s/2 Wood	Trade Associations Group, Ltd.	June 11, 2009
410004	Large Floating Bright Candle - Red	Trade Associations Group, Ltd.	June 11, 2009
410005	Large Floating Bright Candle - Yellow	Trade Associations Group, Ltd.	June 11, 2009
410006	Large Floating Bright Candle - Aqua	Trade Associations Group, Ltd.	June 11, 2009
410007	Large Floating Bright Candle - Kiwi	Trade Associations Group, Ltd.	June 11, 2009
200013	Assorted Flower Tealights s/9 - Multi	Trade Associations Group, Ltd.	June 11, 2009
3709	Bright Flowers Tealight s/6 - Blue	Trade Associations Group, Ltd.	June 11, 2009
510577	Large Zinnia Illuminating Candle - Red	Trade Associations Group, Ltd.	June 11, 2009
510579	Large Zinnia Illuminating Candle - Yellow	Trade Associations Group, Ltd.	June 11, 2009
510581	Large Zinnia Illuminating Candle - Kiwi	Trade Associations Group, Ltd.	June 11, 2009
419996	Mini Floating Zinnia Candle s/3 - Multi	Trade Associations Group, Ltd.	June 11, 2009
510074	Floating Spring Candles s/3 - Multi Pastel	Trade Associations Group, Ltd.	June 11, 2009
610240	Floating Mini Leaf Candles s/9 - Multi Harvest	Trade Associations Group, Ltd.	June 11, 2009
710058	Falling Leaves Floating Candles s/4 - Multi Harvest	Trade Associations Group, Ltd.	June 11, 2009
610159	Acorn Candles s/6	Trade Associations Group, Ltd.	June 11, 2009
610208	Sugared Acorn & Pumpkin Candles s/6 - Multi Harvest	Trade Associations Group, Ltd.	June 11, 2009
419926	Watering Can Candle - Olive	Trade Associations Group, Ltd.	June 11, 2009
200094	Garden Birdhouse Candle - Sage	Trade Associations Group, Ltd.	June 11, 2009
410000	Flip Flop Stripe Candle s/2 - Multi	Trade Associations Group, Ltd.	June 11, 2009
410038	Flip Flop Polka Dot Candles s/2 Red	Trade Associations Group, Ltd.	June 11, 2009
410039	Flip Flop Flower Candles s/2 Orange	Trade Associations Group, Ltd.	June 11, 2009
410040	Flip Flop Striped Candles s/2 Lt Aqua	Trade Associations Group, Ltd.	June 11, 2009
412003	Floating Flip Flop Candles s/2 Kiwi	Trade Associations Group, Ltd.	June 11, 2009
412005	Floating Flip Flop Candles s/2 - Fuchsia	Trade Associations Group, Ltd.	June 11, 2009
412964	Floating Flip Flop Candles s/2 - Yellow	Trade Associations Group, Ltd.	June 11, 2009

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

510066	Floating Patriotic Flip Flop Candle s/2 - Multi	Trade Associations Group, Ltd.	June 11, 2009
510593	Sangria Stripe Flip Flop Candle s/2 - Multi Prima	Trade Associations Group, Ltd.	June 11, 2009
510613	Floating Flower Flip Flop Candle s/2 - Aqua	Trade Associations Group, Ltd.	June 11, 2009
510615	Floating Flower Flip Flop Candle s/2 - Red	Trade Associations Group, Ltd.	June 11, 2009
510617	Floating Flower Flip Flop Candle s/2 - Kiwi	Trade Associations Group, Ltd.	June 11, 2009
900220	Flip Flop Candles Red	Trade Associations Group, Ltd.	June 11, 2009
900221	s/2 Flip Flop Candles Blue	Trade Associations Group, Ltd.	June 11, 2009
900351	Flip Flop Candles s/2 Orange	Trade Associations Group, Ltd.	June 11, 2009
900352	Flip Flop Candles s/2 Pink	Trade Associations Group, Ltd.	June 11, 2009
900220	s/2 Flip Flop Candles Red	Trade Associations Group, Ltd.	June 11, 2009
900221	s/2 Flip Flop Candles Blue	Trade Associations Group, Ltd.	June 11, 2009
910709	s/2 Flip Flop Candles Red	Trade Associations Group, Ltd.	June 11, 2009
910711	s/2 Flip Flop Candles Blue	Trade Associations Group, Ltd.	June 11, 2009
910016	Floating Flip Flop Candle Orange	Trade Associations Group, Ltd.	June 11, 2009
910725	Hawaiian Shirt Floating Candle Red/White	Trade Associations Group, Ltd.	June 11, 2009
910723	Hawaiian Shirt Floating Candle Blue/White	Trade Associations Group, Ltd.	June 11, 2009
910727	Shorts Floating Candle Blue	Trade Associations Group, Ltd.	June 11, 2009
910729	Shorts Floating Candle Red	Trade Associations Group, Ltd.	June 11, 2009
910731	Surfboard Floaters s/2 Red	Trade Associations Group, Ltd.	June 11, 2009
910733	Surfboard Floaters s/2 Blue	Trade Associations Group, Ltd.	June 11, 2009
910719	Woodie Car with Surfboard	Trade Associations Group, Ltd.	June 11, 2009
710977	Large Scented Snowball Candle - White	Trade Associations Group, Ltd.	June 11, 2009
710979	Small Scented Snowball Candles s/9 - white	Trade Associations Group, Ltd.	June 11, 2009
610386	Small Snowball Candles s/4 - White	Trade Associations Group, Ltd.	June 11, 2009
610388	Large Snowball Candle - White	Trade Associations Group, Ltd.	June 11, 2009
610089	Snowflake Mitten Candles s/2 - Red	Trade Associations Group, Ltd.	June 11, 2009
610090	Dots Mitten Candles s/2 - Green	Trade Associations Group, Ltd.	June 11, 2009
900335	s/2 Floating Mitten Candles - Red	Trade Associations Group, Ltd.	June 11, 2009
510056	Sana Stripe Lantern Candle - Red	Trade Associations Group, Ltd.	June 11, 2009
510057	Sana Stripe Lantern Candle - Kiwi	Trade Associations Group, Ltd.	June 11, 2009
510058	Sana Stripe Lantern Candle - Aqua	Trade Associations Group, Ltd.	June 11, 2009
710067	Large Potted Tree Pinecone Candle Multi	Trade Associations Group, Ltd.	June 11, 2009
710066	Sm Potted Tree Pinecone Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
710065	Glittered Pinecone Ball Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
711133	Small Sugared Fruit Tree Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009

Exhibit C

183 Candles Excluded from

Preliminary Determination of Scope Criteria in Petroleum Wax Candles from PRC (A-570-504)

711135	Large Sugared Fruit Tree Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
711139	Lg Sugared Fruit Ball Candle - Multi	Trade Associations Group, Ltd.	June 11, 2009
R3115	Hyacinth Flower Bulb Shaped Candle 4.5"H	Candym	November 5, 2009
RT3127	Tree Shaped Tealight Candles	Candym	May 20, 2010
1052	Floral Bouquet	Sourcing International	August 20, 2009
1053	Floral Bouquet	Sourcing International	August 20, 2009
1054	Floral Bouquet	Sourcing International	August 20, 2009
1055	Floral Bouquet	Sourcing International	August 20, 2009
1056	Small Flower Pot	Sourcing International	August 20, 2009

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