



National Candle Association

529 14th Street, NW, Suite 750 • Washington, DC 20045 • Tel: (202) 591-2455

Email: info@candles.org

Website: www.candles.org

Contact: Karen McGee
Karen.McGee@btlaw.com

Commerce Department Reaffirms All-inclusive Scope of Antidumping Duty Order on Candles from China; Issues Narrow Definition for Excluded Birthday Candles

WASHINGTON, D.C. (March 11, 2013)— The U.S. Department of Commerce has issued a Final Scope Ruling reaffirming the all-inclusive language of the scope of the Antidumping Duty Order on Petroleum Wax Candles from China, with only three narrow exclusions for birthday, utility and figurine candles. The Final Scope Ruling is clear that the exclusion for birthday candles is limited to candles that meet a number of different physical criteria in addition to be labeled as a birthday candle. The ruling also was clear that novelty and party candles are not excluded from the scope of the Order, and thus are subject to the 108.3% antidumping duty.

An antidumping duty has been in effect on candles manufactured in China to combat aggressive “dumping” in the U.S. market by Chinese manufacturers since 1986. U.S. candle manufacturers have continually faced unfair competition from producers and importers of Chinese candles who have attempted to expand exclusions to the antidumping order.

In August of 2011, following an extensive and public two-year proceeding, Commerce issued a scope clarification making it clear the Order applies to all shapes, sizes, styles and types of candles imported from China that contain any amount of petroleum wax, with only three narrowly defined exclusions: utility candles, figurine candles and birthday candles. In early 2012, importers filed a number of scope requests challenging the August 2011 scope criteria and seeking to expand the exclusions. Importers were asking Commerce to redefine the exclusions so broadly that they would encompass candles similar to those manufactured by the U.S. industry. This Final Scope Ruling is significant because it sets the precedent for future scope requests and maintains the efficacy of the Order.

The Final Scope Ruling establishes a narrow definition of excluded birthday candles, which specifies 11 different physical characteristics of an excluded birthday candle, including objective requirements for height, width, weight, and burn time, etc.

Various U.S. candle manufacturers and members of Congress recently urged Commerce to maintain its narrow definition of birthday, figurine and utility candles detailed in the 2011 clarification to protect against marketplace distortions that could unfairly injure the U.S. candle industry and manufacturing jobs.

"The NCA appreciates the commitment of the Department of Commerce to remain vigilant in maintaining a strong and effective antidumping duty Order that protects U.S. candle manufacturers against unfairly dumped Chinese candles," said NCA Executive Vice President Carol Freysinger.

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The National Candle Association (NCA) is the major trade association representing U.S. candle manufacturers and their suppliers. It is widely recognized as the world's leading technical authority on candles and candle manufacturing. NCA's members are dedicated to upholding consumer confidence through a commitment to candle quality, safety and science.