

## **EXPLANATION OF COMMISSION DETERMINATION ON ADEQUACY**

in

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

On November 5, 2004, the Commission determined that it should conduct a full review in the subject five-year review pursuant to section 751(c) of the Tariff Act of 1930, as amended, 19 U.S.C. § 1675(c).

The Commission received a response to the notice of institution from the National Candle Association (NCA), a trade association a majority of whose members manufacture petroleum wax candles in the United States. The Commission determined that NCA's response was individually adequate. Because NCA's response accounted for a substantial percentage of U.S. production, the Commission determined that the domestic interested party response was adequate.

The Commission did not receive a response from any respondent interested party. Consequently, the Commission determined that the respondent interested party response was inadequate.

Since the issuance of the order in 1986, the Department of Commerce has made over fifty scope rulings excluding certain candles from the scope of the order. In light of these scope rulings, the Commission found that circumstances warranted conducting a full review. The data currently on the record regarding Chinese imports combine, in non-segregable fashion, both subject and non-subject imports. Conducting a full review will allow the Commission to seek information concerning both the effect of the scope rulings and an accurate assessment of the likely effects of revocation of the order. In addition, a full review will provide an opportunity for the Commission to closely examine any like product issues raised by the scope rulings.

Therefore, the Commission did not exercise its discretion to conduct an expedited review, but instead determined to conduct a full review. A record of the Commission's votes is available from the Office of the Secretary and the Commission's web site (<http://www.usitc.gov>).