

## DEPARTMENT OF COMMERCE

## Foreign-Trade Zones Board

[Order No. 1360]

**Grant of Authority for Subzone Status; Rockwell Automation, Inc. (Industrial Automation Products), Champaign, IL**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Foreign-Trade Zones Act provides for “\* \* \* the establishment \* \* \* of foreign-trade zones in ports of entry of the United States, to expedite and encourage foreign commerce, and for other purposes,” and authorizes the Foreign-Trade Zones Board to grant to qualified corporations the privilege of establishing foreign-trade zones in or adjacent to U.S. Customs ports of entry;

*Whereas*, the Board’s regulations (15 CFR part 400) provide for the establishment of special-purpose subzones when existing zone facilities cannot serve the specific use involved, and when the activity results in a significant public benefit and is in the public interest;

*Whereas*, the Economic Development Council for Central Illinois, grantee of Foreign-Trade Zone 114, has made application to the Board for authority to establish special-purpose subzone status at the warehousing, processing and distribution facility (industrial automation products) of Rockwell Automation, Inc., located in Champaign, Illinois (FTZ Docket 6-2004, filed 3/5/2004);

*Whereas*, notice inviting public comment has been given in the **Federal Register** (69 FR 12300, 3/16/2004); and,

*Whereas*, the Board adopts the findings and recommendations of the examiner’s report, and finds that the requirements of the FTZ Act and the Board’s regulations are satisfied, and that approval of the application would be in the public interest;

*Now, therefore*, the Board hereby grants authority for subzone status at the industrial automation products warehousing, processing and distribution facility of Rockwell Automation, Inc., located in Champaign, Illinois (Subzone 114E), at the location described in the application, subject to the FTZ Act and the Board’s regulations, including § 400.28.

Signed in Washington, DC, this 18th day of November, 2004.

**James J. Jochum**,

*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

Attest:

**Dennis Puccinelli**,

*Executive Secretary.*

[FR Doc. 04-26562 Filed 12-1-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

## Foreign-Trade Zones Board

[Order No. 1359]

**Expansion of Foreign-Trade Zone 72; Indianapolis, IN**

Pursuant to its authority under the Foreign-Trade Zones Act of June 18, 1934, as amended (19 U.S.C. 81a-81u), the Foreign-Trade Zones Board (the Board) adopts the following Order:

*Whereas*, the Indianapolis Airport Authority, grantee of Foreign-Trade Zone 72, submitted an application to the Board for authority to expand FTZ 72 to include four additional sites at locations in Madison, Marion and Hendricks Counties, Indiana, within the Indianapolis Customs port of entry (FTZ Docket 45-2003; filed 9/10/03);

*Whereas*, notice inviting public comment was given in the **Federal Register** (68 FR 54717, 9/18/03) and the application has been processed pursuant to the FTZ Act and the Board’s regulations; and,

*Whereas*, the Board adopts the findings and recommendations of the examiner’s report, and finds that the requirements of the FTZ Act and Board’s regulations are satisfied, and that the proposal is in the public interest;

*Now, therefore*, the Board hereby orders:

The application to expand FTZ 72 is approved, subject to the Act and the Board’s regulations, including Section 400.28, and further subject to the Board’s standard 2,000-acre activation limit for the overall zone project.

Signed in Washington, DC, this 18th day of November, 2004.

**James J. Jochum**,

*Assistant Secretary of Commerce for Import Administration, Alternate Chairman, Foreign-Trade Zones Board.*

[FR Doc. 04-26563 Filed 12-1-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

## Foreign-Trade Zones Board

[Docket 53-2004]

**Foreign-Trade Zone 7—Mayaguez, PR; Application for Subzone, Ortho Biologics, LLC (Pharmaceutical Intermediates), Manatí, PR**

An application has been submitted to the Foreign-Trade Zones Board (the Board) by the Puerto Rico Industrial Development Company (PRIDCO), grantee of FTZ 7, requesting special-purpose subzone status for the pharmaceutical intermediate manufacturing facility of Ortho Biologics, LLC (OBI) in Manatí, Puerto Rico. OBI is a subsidiary of Johnson & Johnson. The application was submitted pursuant to the provisions of the Foreign-Trade Zones Act, as amended (19 U.S.C. 81a-81u), and the regulations of the Board (15 CFR part 400). It was formally filed on November 19, 2004.

The OBI facility is located within a Johnson & Johnson-affiliated complex (10 buildings, 128,548 sq. ft. on 58.518 acres) located at State Road No. 2, Km. 45.6 in Manatí, Puerto Rico. The property is owned by Ortho-McNeil-Janssen Pharmaceutical, Inc., which produces finished pharmaceutical products at one of 2 manufacturing plants at the site. Only the OBI plant will be activated at this time. The OBI plant (218 employees) is used for warehousing and manufacturing of EPO bulk intermediate; activities which OBI is proposing to perform under FTZ procedures. Most of the intermediate is exported for further processing into a hormone which stimulates red blood cell production for the treatment of anemia. Foreign-sourced materials will account for some 14 percent of the bulk intermediate’s value, and include Q-sepharose, citric acid, TRIS-HCL and Tris Base.

Zone procedures would exempt OBI from Customs duty payments on foreign materials used in production for export. At least 95 percent of the EPO bulk intermediate will be exported. The remaining five percent will be shipped domestically to a contractor to be processed into finished product that is then exported to Canada. On domestic shipments, the company would be able to defer Customs duty payments on foreign materials, and to choose the duty rate that applies to the EPO bulk intermediate (duty-free), instead of the rates otherwise applicable to the foreign input materials noted above (predominantly active ingredient, Q-sepharose, 3.9% *ad valorem*). OBI would also be able to avoid duty on

foreign input which becomes scrap/waste, estimated at 10 percent of imported material. The application also indicates that OBI may realize logistical/procedural benefits from subzone status. All of the above-cited savings from zone procedures could help improve the plant's international competitiveness.

In accordance with the Board's regulations, a member of the FTZ Staff has been designated examiner to investigate the application and report to the Board.

Public comment is invited from interested parties. Submissions (original and 3 copies) shall be addressed to the Board's Executive Secretary at one of the following addresses:

1. *Submissions Via Express/Package Delivery Services:* Foreign-Trade-Zones Board, U.S. Department of Commerce, Franklin Court Building—Suite 4100W, 1099 14th St., NW., Washington, DC 20005; or

2. *Submissions Via the U.S. Postal Service:* Foreign-Trade-Zones Board, U.S. Department of Commerce, FCB—Suite 4100W, 1401 Constitution Ave., NW., Washington, DC 20230.

The closing period for their receipt is January 31, 2005. Rebuttal comments in response to material submitted during the foregoing period may be submitted during the subsequent 15-day period (to February 15, 2005).

A copy of the application and accompanying exhibits will be available for public inspection at the Office of the Foreign-Trade Zones Board's Executive Secretary at address Number 1 listed above, and at the U.S. Department of Commerce Export Assistance Center, 525 F.D. Roosevelt Ave., Suite 905, San Juan, PR 00918.

Dated: November 19, 2004.

**Dennis Puccinelli,**

*Executive Secretary.*

[FR Doc. 04-26565 Filed 12-1-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### Foreign-Trade Zones Board

[Docket 51-2004]

#### Foreign-Trade Zone 167—Brown County, WS, Application for Expansion; Correction

The **Federal Register** notice (69 FR 67699-67700, 11/19/04) describing the expansion of Foreign-Trade Zone 167 in Brown County and Winnebago County, Wisconsin, to include Proposed Site 2A should read: Proposed Site 2A (289 acres)—Oshkosh Southwest Industrial Park located west of Oakwood Road,

north of State Highway 91, east of Clairville Road and south of 20th Avenue in the City of Oshkosh and Town of Algoma (listed as Parcel C in the application). The application otherwise remains unchanged.

Dated: November 19, 2004.

**Dennis Puccinelli,**

*Executive Secretary.*

[FR Doc. 04-26564 Filed 12-1-04; 8:45 am]

BILLING CODE 3510-DS-P

## DEPARTMENT OF COMMERCE

### International Trade Administration

[A-570-891]

#### Notice of Antidumping Duty Order: Hand Trucks and Certain Parts Thereof From the People's Republic of China

**AGENCY:** Import Administration, International Trade Administration, Department of Commerce.

**ACTION:** Notice of antidumping duty order.

**EFFECTIVE DATES:** December 2, 2004.

**FOR FURTHER INFORMATION CONTACT:** Daniel J. Alexy, Stephen Cho, or Audrey Twyman, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue, NW., Washington, DC 20230; telephone: (202) 482-1540, (202) 482-3798, or (202) 482-3534, respectively.

#### SUPPLEMENTARY INFORMATION:

##### Scope of Order

The merchandise subject to this antidumping duty order consists of hand trucks manufactured from any material, whether assembled or unassembled, complete or incomplete, suitable for any use, and certain parts thereof, namely the vertical frame, the handling area and the projecting edges or toe plate, and any combination thereof.

A complete or fully assembled hand truck is a hand-propelled barrow consisting of a vertically disposed frame having a handle or more than one handle at or near the upper section of the vertical frame; at least two wheels at or near the lower section of the vertical frame; and a horizontal projecting edge or edges, or toe plate, perpendicular or angled to the vertical frame, at or near the lower section of the vertical frame. The projecting edge or edges, or toe plate, slides under a load for purposes of lifting and/or moving the load.

That the vertical frame can be converted from a vertical setting to a horizontal setting, then operated in that

horizontal setting as a platform, is not a basis for exclusion of the hand truck from the scope of this petition. That the vertical frame, handling area, wheels, projecting edges or other parts of the hand truck can be collapsed or folded is not a basis for exclusion of the hand truck from the scope of the petition. That other wheels may be connected to the vertical frame, handling area, projecting edges, or other parts of the hand truck, in addition to the two or more wheels located at or near the lower section of the vertical frame, is not a basis for exclusion of the hand truck from the scope of the petition. Finally, that the hand truck may exhibit physical characteristics in addition to the vertical frame, the handling area, the projecting edges or toe plate, and the two wheels at or near the lower section of the vertical frame, is not a basis for exclusion of the hand truck from the scope of the petition.

Examples of names commonly used to reference hand trucks are hand truck, convertible hand truck, appliance hand truck, cylinder hand truck, bag truck, dolly, or hand trolley. They are typically imported under heading 8716.80.50.10 of the *Harmonized Tariff Schedule of the United States* ("HTSUS"), although they may also be imported under heading 8716.80.50.90. Specific parts of a hand truck, namely the vertical frame, the handling area and the projecting edges or toe plate, or any combination thereof, are typically imported under heading 8716.90.50.60 of the HTSUS. Although the HTSUS subheadings are provided for convenience and customs purposes, the Department's written description of the scope is dispositive.

Excluded from the scope are small two-wheel or four-wheel utility carts specifically designed for carrying loads like personal bags or luggage in which the frame is made from telescoping tubular material measuring less than 5/8 inch in diameter; hand trucks that use motorized operations either to move the hand truck from one location to the next or to assist in the lifting of items placed on the hand truck; vertical carriers designed specifically to transport golf bags; and wheels and tires used in the manufacture of hand trucks.

##### Antidumping Duty Order

In accordance with section 735(d) of the Tariff Act of 1930, as amended ("the Act"), the Department published its final determination that hand trucks from the PRC are being sold in the United States at less than fair value. See *Notice of Final Determination of Sales at Less Than Fair Value: Hand Trucks and Certain Parts Thereof from the People's Republic of China*, 69 FR 60980