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;

Whereas, an application from the Port Authority of New York and New Jersey, grantee of Foreign-Trade Zone 49, for authority to establish special-purpose subzone status at the pharmaceutical manufacturing facility of Merck & Co., Inc., in Rahway, New Jersey, was filed by the Board on May 20, 1994, and notice inviting public comment was given in the **Federal Register** (FTZ Docket 21–94, 59 FR 28052, 5–31–94); and.

Whereas, the Board has found that the requirements of the FTZ Act and Board's regulations are satisfied, and that approval of the application is in the public interest;

Now, therefore, the Board hereby authorizes the establishment of a subzone (Subzone 49D) at the plant site of Merck & Co., Inc., in Rahway, New Jersey, at the location described in the application, subject to the FTZ Act and the Board's regulations, including § 400.28.

Signed at Washington, DC, this 1st day of June 1995.

Susan G. Esserman,

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

Attest

John J. Da Ponte, Jr.,

Executive Secretary.

[FR Doc. 95–14073 Filed 6–7–95; 8:45 am]

International Trade Administration [A-475-818, A-489-805]

Initiation of Antidumping Duty Investigations: Certain Pasta From Italy and Turkey

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

EFFECTIVE DATE: June 8, 1995.

FOR FURTHER INFORMATION CONTACT: John Brinkmann at (202) 482–5288, or Greg Thompson at (202) 482–3003, Office of Antidumping Investigations, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230.

Initiation of Investigations

The Applicable Statute

Unless otherwise indicated, all citations to the statute are references to

the provisions effective January 1, 1995, the effective date of the amendments made to the Tariff Act of 1930 (the Act) by the Uruguay Round Agreements Act (URAA).

The Petition

On May 12, 1995, the Department of Commerce (the Department) received a petition filed in proper form by Borden, Inc., Hershey Foods Corp., and Gooch Foods, Inc. (the petitioners), three U.S. producers of certain pasta. Supplements to the petition were filed on May 26 and June 1, 1995.

In accordance with section 732(b) of the Act, the petitioners allege that imports of certain pasta from Italy and Turkey are being, or are likely to be, sold in the United States at less than fair value within the meaning of section 731 of the Act, and that such imports are materially injuring, or threatening material injury to, a U.S. industry.

The petitioners state that they have standing to file the petition because they are interested parties, as defined under section 771(9)(C) of the Act.

Determination of Industry Support for the Petition

Section 732(c)(4)(A) of the Act requires the Department to determine, prior to the initiation of an investigation, the domestic industry supports an antidumping petition. A petition meets this requirement if (1) the domestic producers or workers who support the petition account for at least 25 percent of the total production of the domestic like product; and (2) the domestic producers or workers who support the petition account for more than 50 percent of the production of the domestic like product produced by that portion of the industry expressing support for, or opposition to, the petition.

A review of the industry support data provided in the petition and other production information readily available to the Department indicates that the petitioners account for more than 25 percent of the total production of the domestic like product and for more than 50 percent of that produced by companies expressing support for, or opposition to, the petition. The Department received no expressions of opposition to the petition from any interested party. Accordingly, the Department determines that this petition is supported by the domestic industry.

Scope of the Investigations

The Department has inherent authority to redefine and clarify the scope of an investigation, as set forth in a petition, whenever it determines that the petition language is overly broad, or insufficiently specific to allow proper investigation, or is in any other way defective. See NTN Bearing Corp. v. United States, 747 F. Supp. 726 (CIT 1990). We revised the petitioners' proposed scope to eliminate channel of trade as a scope criterion in order to ensure that it would be clear and administrable.

The scope of these investigations consists of certain non-egg dry pasta in packages of five pounds (or 2.27 kilograms) or less, whether or not enriched or fortified or containing milk or other optional ingredients such as chopped vegetables, vegetable purees, milk, gluten, diastases, vitamins, coloring and flavorings, and up to two percent egg white. The pasta covered by this scope is typically sold in the retail market, in fiberboard or cardboard cartons or polyethylene or polypropylene bags, of varying dimensions.

Excluded from the scope of these investigations are refrigerated, frozen, or canned pastas, as well as all forms of egg pasta, with the exception of non-egg dry pasta containing up to two percent egg white.

The merchandise under investigation is currently classifiable under items 1902.19.20 of the *Harmonized Tariff Schedule of the United States (HTSUS)*. Although the *HTSUS* subheadings are provided for convenience and customs purposes, our written description of the scope of this investigation is dispositive.

Italy

Export Price and Normal Value

The petitioners based export price on two sources. First, the petitioners based export price on the average unit values (AUVs) derived from the IM-146 monthly import statistics for HTSUS subheading 1902.19.20, published by the U.S. Department of Commerce, for the months of December 1994 and January and February 1995. These AUVs corresponded to the months the available home market price lists were in effect. The AUVs, which represent the f.o.b. Italy price of the subject pasta, were not adjusted for foreign inland freight. We find the AUVs a reasonable basis for export price because 1) the HTSUS subheading is inclusive of all sales of the subject merchandise, 2) there were limited imports of nonsubject pasta under this subheading, and 3) a market research report submitted by the petitioners shows the AUVs to be consistent with the average export values of non-egg pasta from Italy to the U.S.