

Worker Adjustment Assistance on April 12, 2001, applicable to workers of CSC Ltd, Warren, Ohio. The notice was published in the **Federal Register** on May 2, 2001 (66 FR 22007).

At the request of a petitioner, the Department reviewed the certification for workers of the subject firm. New information shows that a worker separation occurred involving an employee of the CSC Ltd, Warren, Ohio facility located in Franklin Park, Illinois. This employee was engaged in employment related to the production of SBQ steel bar at the Warren, Ohio location of the subject firm.

Based on these findings, the Department is amending this certification to include an employee of the CSC Ltd, Warren, Ohio located in Franklin Park, Illinois.

The intent of the Department's certification is to include all workers of CSC Ltd. adversely affected by increased imports.

The amended notice applicable to TA-W-38,646 is hereby issued as follows:

All workers of CSC Ltd., Warren, Ohio, including a worker CSC, Ltd., Warren, Ohio located in Franklin Park, Illinois, who became totally or partially separated from employment on or after January 22, 2000, through April 12, 2003, are eligible to apply for adjustment assistance under section 223 of the Trade Act of 1974.

Signed at Washington, DC, this 8th day of January, 2002.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,112]

#### DuCoa, L.P., Verona, MO; Notice of Revised Determination on Reconsideration

By letter of August 21, 2001, the company requested administrative reconsideration regarding the Department's Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to the workers of the subject firm.

The initial investigation resulted in a negative determination issued on July 16, 2001, based on the finding that imports of calcium propionate, sodium propionate and calcium acetate did not contribute importantly to worker

separations at the subject plant. The denial notice was published in the **Federal Register** on August 6, 2001 (66 FR 41052).

To support the request for reconsideration, the company supplied additional information. The company indicated that plant production was shifted to an affiliated plant located in the Netherlands and that the foreign plant imported the propionates and acetate back to the United States to serve the subject firm's domestic customer base during the relevant period.

The company also indicated that the overwhelming majority of their customer base was directed toward the U.S. market and that the products sold were not for the export market as indicated in the initial decision.

### Conclusion

After careful review of the additional facts obtained on reconsideration, I conclude that increased imports of articles like or directly competitive with those produced at DuCoa, L.P., Verona, Missouri contributed importantly to the declines in sales or production and to the total or partial separation of workers at the subject firm. In accordance with the provisions of the Act, I make the following certification:

All workers of DuCoa, L.P., Verona, Missouri, who became totally or partially separated from employment on or after April 11, 2000 through two years from the date of this certification, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC, this 26th day of December 2001.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-39,365]

#### Eagle Affiliates Harrison, NJ; Notice of Negative Determination Regarding Application for Reconsideration

By application of August 23, 2001, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice applicable to workers of Eagle Affiliates, Harrison, New Jersey

was issued on July 23, 2001, and was published in the **Federal Register** on August 15, 2001 (66 FR 42879).

Pursuant to 29 CFR 90.18(c) reconsideration may be granted under the following circumstances:

(1) If it appears on the basis of facts not previously considered that the determination complained of was erroneous;

(2) If it appears that the determination complained of was based on a mistake in the determination of facts not previously considered; or

(3) If in the Opinion of the Certifying Officer, a misinterpretation of facts or of the law justified reconsideration of the decision.

The investigation findings revealed that criterion (3) of the group eligibility requirements of section 222 of the Trade Act of 1974 was not met. Increased imports did not contribute importantly to worker separations at the subject firm. Company imports are of products that are not and can not be made by the subject firm. Imports by the company are for the primary purpose to expand the subject firm's product line and not displace or replace the existing product line.

The request for reconsideration claims that the company imported products like and directly competitive with what the subject plant produced. The petitioner provided examples of products that are like and directly competitive with products produced at the subject firm.

The review of data supplied during the initial investigation shows that a meaningful portion of the company's sales consists of imported products. However, most of these products are hobby/craft related and stand alone items. They are new and unique and do not replace the overwhelming majority of products the company produces and do not provide an alternative to any products the company sells. In summary, company imports of hobby/craft items like and directly competitive with what the subject plant produces are negligible.

The company further indicated that a small portion of houseware sales consists of imports, but are negligible in relation to the products produced by the subject firm.

The preponderance in the declines in employment at the subject plant is related to plant products being outsourced to another domestic firm.

The survey results conducted during the initial investigation revealed that none of the customers increased their imports of products like and directly competitive with what the subject plant produced during the relevant period.