

In the request for reconsideration, the petitioner asserts that the subject workers supported the production of components (ink) of articles produced by the subject firm (ink and printer cartridges) and that their support functions were shifted abroad when cartridge production shifted abroad.

New information provided by the subject firm during the reconsideration investigation supports the finding that the subject workers purchased ink components which were used in the ink that was inserted into the ink cartridges which were used in the printers produced by the subject firm. As such, the workers are an integral part of ink and printer cartridge production.

Under the statute, the subject worker group must be employed by a firm (or an appropriate subdivision) which produced an article domestically during the twelve month period prior to the petition date. During the reconsideration investigation, the Department confirmed that neither the subject firm nor Lexmark International, Inc. produced ink or cartridges domestically during the relevant period.

Therefore, the Department determines that the subject workers are not employed by a company covered by the statute and are not eligible to apply for TAA.

In addition, in accordance with section 246 of the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department herein presents the results of its investigation regarding certification of eligibility to apply for ATAA for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the subject worker group must be certified eligible to apply for TAA. Since the subject workers are denied eligibility to apply for TAA, they cannot be certified eligible for ATAA.

## Conclusion

After review of the application and investigative findings, I conclude that there has been no error or misinterpretation of the law or of the facts which would justify revision of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 19th day of July 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-58,859]

#### **Midland Prints and Fabrics, Inc., Stenfield, NC; Affirmative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance; Correction**

This notice rescinds the notice of certification of eligibility to apply for Alternative Trade Adjustment Assistance applicable to TA-W-58,859, which was published in the **Federal Register** on April 12, 2006 (71 FR 18771-18773) in FR Document E6-5369, Billing Code 4510-30-P.

This rescinds the certification of eligibility for workers of TA-W-58,859, to apply for Alternative Trade Adjustment Assistance and confirms eligibility to apply for Worker Adjustment Assistance as identified on page 18771 in the third column, the eleventh TA-W-number listed.

The Department appropriately published in the **Federal Register** April 12, 2006, page 18773, under the notice of Negative Determinations for Alternative Trade Adjustment Assistance, the denial of eligibility applicable to workers of TA-W-58,859. The notice appears on page 18773 in the first column, the second TA-W-number listed.

Signed in Washington, DC, this 24th day of July 2006.

**Erica R. Cantor,**

*Director, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-58,929]

#### **Milprint, Inc., a Division of Bemis Company, Denmark, WI; Notice of Negative Determination on Reconsideration**

On May 10, 2006, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The Notice was published in the **Federal Register** on May 17, 2006 (71 FR 28712). The workers produce flexible plastic packaging, used largely in confectionary and snack food markets, and paper for

packaging cigarettes. Workers are not separately identifiable by product line.

The petition for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) filed on behalf of the workers of Milprint, Inc., A Division of Bemis Company, Denmark, Wisconsin (subject firm) was denied because the subject firm neither imported flexible plastic packaging or cigarette paper, nor shifted production of either article abroad during the relevant period. The investigation also revealed that the parent firm experienced increased sales of articles like or directly competitive with those produced by the subject facility during the investigatory period.

The petitioners had also filed as workers of a secondarily-affected company (supplied component parts for articles produced by a firm with a currently TAA-certified worker group). In the initial determination, the Department stated that the subject facility does not supply cigarette paper component parts to any TAA-certified firm in the relevant time period and that flexible plastic packaging is not a component part of confectionaries.

In the request for reconsideration, the United Steel Workers, Local 7-1203 (Union) stated that cigarette packaging paper constituted ten percent of subject firm production and that it was supplied to a TAA-certified firm, P.H. Gladfether, Neenah, Wisconsin (TA-W-53,612). The Union also stated that flexible plastic packaging constituted ninety percent of subject firm production and that this article was supplied to TAA-certified companies: Farley's and Sather Candy (TA-W-51,546), Archibald Candy (TA-W-53,983), American Safety Razor (TA-W-57,323), and Bob's Candy (TA-W-57,772).

To be certified as a secondarily-affected company, the subject firm must have a customer with a currently TAA-certified worker group and the subject firm produces a component part of the product that was the basis for the customer's certification. In addition, the TAA-certified customer must account for at least twenty percent of subject firm's sales or production or the loss of business with the customer contributed importantly to the workers' separations.

According to the Union, cigarette paper production constituted only ten percent of subject firm production. Even if P.H. Gladfether, Neenah, Wisconsin was the subject firm's only customer of this product, sales to P.H. Gladfether would have accounted for less than twenty percent of overall sales or production of the subject firm. Further, P.H. Gladfether, Neenah, Wisconsin was