

Total Burden Hours: 167.
Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$0.

Description: The Form CM-981 is completed by a school official to verify whether a beneficiary's dependent, aged 18-23, qualifies as a full-time student under the provisions of the Blacklung Benefits Act, 30 U.S.C. 902(g) and 20 CFR 725.209 or 20 CFR 410.370.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 01-8342 Filed 4-4-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-37,000 and NAFTA-3402]

Barry Callebaut Usa, Incorporated, Van Leer Division, Jersey City, New Jersey; Notice of Negative Determination on Remand

The United States Court of International Trade (USCIT) granted the Secretary of Labor's motion for a voluntary remand for further investigation in *Former Employees of Barry Callebaut v. Herman, United States Secretary of Labor*, No. 00-05-00202.

The Department's initial denial of Trade Adjustment Assistance (TAA) for the workers producing chocolate and ingredients at Barry Callebaut Usa, Inc., was based on the finding that criterion (3) of the group eligibility requirements of section 222 of the Trade Act of 1974, as amended, was not met. The decision was signed on December 12, 1999, and published in the **Federal Register** on December 28, 1999 (64 FR 72691).

The Department's initial denial of North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA) for the same worker group, was based on the finding that criteria (3) and (4) of paragraph (a)(1) of the group eligibility requirements of Section 250 of the Trade Act of 1974, as amended, were not met. The notice was issued on November 15, 1999, and published in the **Federal Register** on February 4, 2000 (65 FR 5691).

The petitioners request for reconsideration of the Department's negative determinations for TA-W-37,000 and NAFTA-3402, resulted in a negative determination on the application, which was issued on March 6, 2000, and published in the **Federal**

Register on March 15, 2000 (65 Fed. Reg. 13991).

On remand, the Department contacted officials of Barry Callebaut Usa, Incorporated, to obtain additional information to address the petitioners claims regarding the shift in production and machinery from the Jersey City, New Jersey plant to Canada. The Department was informed that the contact person identified in the petitions, and in the request for reconsideration, was no longer employed with the company. The Department did, however, locate the individual, who did not provide any new information regarding the transfer of production and the disposition of the machinery at the Jersey City plant.

The Workers of Barry Callebaut Usa, Incorporated, Van Leer Division, Jersey City, New Jersey, produced chocolate, sugar-free chocolate and snaps. The workers also produced chocolate liquor, cocoa butter and cocoa cake, which are ingredients used to make the finished products. This new information with respect to the cocoa cake differs from the initial investigation finding that cocoa powder was produced at the plant. Barry Callebaut officials report that cocoa cake is further processed to make cocoa powder. Other new information obtained from the company show that the workers producing chocolate, sugar-free chocolate and snaps are separately identifiable from the workers producing chocolate liquor, cocoa butter and cocoa cake.

Findings on remand revealed that the vast majority of chocolate, sugar-free chocolate and snap production at Jersey City was shifted to other Barry Callebaut domestic locations. A negligible amount of these articles was shifted from the subject firm plant to Canada. Company imports of chocolate, sugar-free chocolate and snap are insignificant.

Findings on remand with respect to the chocolate liquor, cocoa butter and cocoa cake produced in Jersey City, show a shift in production to other domestic locations of Barry Callebaut. A negligible amount of these articles was shifted to Canada. The company data for 1998 and 1999, show that imports of chocolate liquor are negligible. The company imports cake but did increase their purchases from 1998 to 1999. The company was significantly increased their domestic production of cake during the relevant period. Company imports of cocoa butter account for a negligible portion of the company's domestic needs.

On remand, Barry Callebaut submitted data for 1998 and 1999, which show increases in domestic sales and production, on a company-wide

basis, of finished products and the ingredients.

The domestic company locations producing candy and ingredients are located in St. Albans, Vermont, Pennsauken, New Jersey and Piscataway, New Jersey, with the headquarters for these locations in St. Hyacinthe, Quebec, Canada.

Other findings on remand show that after the purchase and analysis of production at the Jersey City factory, Barry Callebaut officials determined the equipment and machinery were obsolete and not cost efficient. Some equipment used for the production of specific panning products was shifted to the Piscataway, New Jersey plant. The vast majority of other equipment and machinery was shifted to the company's domestic and Canadian locations to be used to produce product lines that had not been produced at the subject plant. Some equipment was for sale or used as a write-off.

Conclusion

After reconsideration on remand, I affirm the original notices of negative determination of eligibility to apply for adjustment assistance and NAFTA-TAA for workers and former workers of Barry Callebaut Usa, Inc., Van Leer Division, Jersey City, New Jersey.

Signed at Washington, D.C. this 22nd day of March 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-8334 Filed 4-4-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-38,458 and NAFTA-4373]

Country Roads, Inc. Greenville, MI; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of January 17, 2001, the company requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA) and North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA), applicable to workers and former workers of the subject firm. The denial notices were signed on January 10, 2001, and were published in the **Federal Register** on February 8, 2001 (66 FR 9599) and (66 FR 9600), respectively.

The company asserts that in addition to refurbishing auditorium seats, the workers at the Greenville plant also produced new auditorium seats.

Conclusion

After careful review of the application, I conclude that the claim is of sufficient weight to justify reconsideration of the Department of Labor's prior decision. The application is, therefore, granted.

Signed at Washington, DC this 13th day of March, 2001.

Linda G. Poole,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 01-8328 Filed 4-4-01; 8:45 am]

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DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and MAFTA Transitional Adjustment Assistance

In accordance with section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of February and March, 2001.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-38,575; *Rossville Chromatex, Plant #2, Div. of Culp, Inc., West Hazelton, PA*
 TA-W-38,397; *Owens-Brockway, Glass Container, Brockway, PA*
 TA-W-38,624; *Johnstown America corp., Franklin and Shell Plants, Johnstown, PA*
 TA-W-38,374; *Owens-Brockway, Glass Container, Brockway, PA*
 TA-W-38,492; *Wellman of Mississippi, Inc., Pearl River Plant, Bay St. Louis, MS*
 TA-W-38,294; *Cyprus Thompson Creek Mining Co., Clayton, ID*
 TA-W-38,550; *Pottstown Precision Casting, Inc., Harvard Industries, Inc., Formerly Known as Doehler Jarvis, Stowe, PA*
 TA-W-37,976; *S and S Glass Specialties, Inc., Wauseon, OH*
 TA-W-38,630; *North Douglas Wood Products, Inc., Drain, OR*
 TA-W-38,368; *Crown Pacific Limited Partnership Coeur D'Alene, ID*
 TA-W-38,422; *LTV Steel Corp., Aliquippa Works, Tin Mill Dept., Aliquippa, PA*

In the following cases, the investigations revealed that the criteria for eligibility have not been met for the reasons specified.

The workers firm does not produce an article as required for certification under section 222 of the Trade Act of 1974.

TA-W-38,538; *Southern Oregon Log Scaling and Grading Bureau, Roseburg, OR*
 TA-W-38,637; *SPX Corp., Service solutions, Jackson, MI*
 TA-W-38,610; *Kodak Polychrome Graphics, LLC ("KPG"), Research and Development Carlstadt, NJ*
 TA-W-38,660; *VF Imagewear (West), Inc., Todd Uniforms, Henning, TN*

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-38,390; *Eaton Corp., Mobile Hydraulic Div., Carol Stream, IL*
 TA-W-38,372; *Alcoa Lebanon Works, Lebanon, PA*
 TA-W-38,545; *Sappi Fine Paper Co., North America, Muskegon, MI*
 TA-W-38,663; *Johnson Electric Automotive, Inc., Brownsville, TX*
 TA-W-38,556; *Con-Vey Keystone, Inc., Roseburg, OR*
 TA-W-38,498; *Ingersoll Co., Mayfield, KY*
 TA-W-38,478; *Mother Parker's Tea and Coffee, Inc., Amherst, NY*
 TA-W-38,589; *Collins & Aikman Automotive Interior Systems, Canton, OH*
 TA-W-38,509; *Brown Packing Co., Inc., Little Rock, AR*
 TA-W-38,386 & A; *Unocal, Sugarland, TX and Lafayette, LA*

TA-W-38,380; *Rexam Medical Packaging, Mt. Holly, NJ*
 TA-W-38,528; *Griffin Wheel Co., Bessemer, AL*
 TA-W-38,501; *Photobit Corp., Pasadena, CA*
 TA-W-38,301; *York International Unitary Products Group, Elyria, OH*
 TA-W-38,539; *Spreckels Sugar Co., Div. of Imperial Sugar Co., Tracy, CA*
 TA-W-38,559; *Spreckels Sugar Co., Div. of Imperial Sugar Co., Woodland, CA*
 TA-W-38,295; *Bobst Group, Inc., Engineering Dept., Roseland, NJ*
 TA-W-38,503; *Turner Industries II, Ltd., Mayfield, KY*
 TA-W-38,597; *Commonwealth Aluminum, Lewistown, KY*
 The investigation revealed that criteria (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA-W-38,584; *Millennium Plastic Technologies, LLC, El Paso, TX*

The investigation revealed that criteria (1) and criteria (3) have not been met. A significant number or proportion of the workers did not become totally or partially separated from employment as required for certification. Increased imports did not contribute importantly to worker separations at the firm.

TA-W-38,560; *Bayer Corp., Consumer Care Div., Elkhart, IN*

Affirmative Determinations for Worker Adjustment Assistance

The following certifications have been issued; the date following the company name and location of each determination references the impact date for all workers of such determination.

TA-W-38,400; *Potlatch Corp., Cloquet, MN: November 27, 1999.*
 TA-W-38,464; *Carolina Narrow Fabric Co., Sparta, NC: December 6, 1999.*
 TA-W-38,619; *Schumacher Electric Corp., Rensselaer, IN: January 15, 2000.*
 TA-W-38,647; *Milacron Resin Abrasives, Inc., Carlisle, PA: January 26, 2000.*
 TA-W-38,392; *Hagale Industries, Inc., Ava, MO: October 27, 1999.*
 TA-W-38,353; *Langston Corp., Cherry Hill, NJ: November 6, 1999.*
 TA-W-38,700; *Challenger Electric Co., Pageland, SC: February 2, 2000.*
 TA-W-38,690; *C-Cor.Met Corp., State College, PA: February 6, 2000.*
 TA-W-38,657; *Lanier Clothes, Greenville, GA: February 19, 2001.*
 TA-W-38,302; *Ohaus Corp., Florham Park, NJ: October 25, 1999.*
 TA-W-38,678; *Monona Wire Corp., Wauzeka, WI: January 31, 2000.*