

support the allegation that workers of the subject firm produce an article.

A company official was contacted for clarification in regard to the nature of the work performed at the subject facility. The official stated the petitioning group of workers at the subject firm was responsible for software development, in particular design, programming, testing and maintenance/support. The official further clarified that customers can either access and download software via the Internet or purchase CD-ROMs with the desktop software. The official stated that the desktop client software developed at the subject firm is mass produced in a CD form for further distribution to customers.

The sophistication of the work involved is not an issue in ascertaining whether the petitioning workers are eligible for trade adjustment assistance, but rather only whether they produced an article within the meaning of section 222 of the Trade Act of 1974.

Technical writing design, programming and testing of the software is not considered production of an article within the meaning of Section 222 of the Trade Act. Petitioning workers do not produce an "article" within the meaning of the Trade Act of 1974. Information electronic databases, technical documentation and codes, are not tangible commodities, and they are not listed on the Harmonized Tariff Schedule of the United States (HTS), as classified by the United States International Trade Commission (USITC), Office of Tariff Affairs and Trade Agreements, which describes articles imported to the United States.

To be listed in the HTS, an article would be subject to a duty on the tariff schedule and have a value that makes it marketable, fungible and interchangeable for commercial purposes. Although a wide variety of tangible products are described as articles and characterized as dutiable in the HTS, informational products that could historically be sent in letter form and that can currently be electronically transmitted are not listed in the HTS. Such products are not the type of products that customs officials inspect and that the TAA program was generally designed to address.

The investigation on reconsideration supported the findings of the primary investigation that the petitioning group of workers does not produce an article. However, it was revealed that electronic desktop software created by the subject company is recorded on media devices (CD-ROMs) for further mass-production and distribution. Thus, it was determined that the petitioning group of

service workers support production of CD-ROMs containing software.

The Department conducted an additional investigation to determine whether workers can be considered eligible for TAA as directly-impacted workers in support of production of CD-ROMs containing desktop software.

The group eligibility requirements for directly-impacted (primary) workers under section 222(a) the Trade Act of 1974, as amended, can be satisfied in either of two ways:

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles is a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

The investigation of Galileo International, Travel Distribution Services, Centennial, Colorado, revealed that criteria (I.B) and (II.B) were not met. According to the information provided

by the company official, sales and production of CD-ROMs containing desktop software did not decline during the relevant time period. Moreover, the subject firm did not shift production abroad, nor did it increase company imports of CD-ROMs containing desktop software, during the relevant period.

The petitioner further alleges that because workers lost their jobs due to a transfer of job functions to India, petitioning workers should be considered import impacted.

The company official stated that coding and programming job functions were outsourced to a third party joint venture in India. The official also stated that all design documents and other documentation written in India is returned to the United States through electronic mail or Internet.

Technical writing of informational documentation that is electronically transmitted is not considered production within the context of TAA eligibility requirements, so there are no imports of products in this instance. Further, as the PDF files and technical documentation do not become products until they are recorded on media device, there was no shift in production of an "article" abroad within the meaning of the Trade Act of 1974.

## Conclusion

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Galileo International, Travel Distribution Services, Centennial, Colorado.

Signed at Washington, DC this 20th day of September, 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, (19 U.S.C. 2273), the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) number and alternative trade adjustment assistance (ATAA) by

(TA-W) number issued during the periods of September 2005.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222(a) of the Act must be met.

I. Section (a)(2)(A) all of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. The sales or production, or both, of such firm or subdivision have decreased absolutely; and

C. Increased imports of articles like or directly competitive with articles produced by such firm or subdivision have contributed importantly to such workers' separation or threat of separation and to the decline in sales or production of such firm or subdivision; or

II. Section (a)(2)(B) both of the following must be satisfied:

A. A significant number or proportion of the workers in such workers' firm, or an appropriate subdivision of the firm, have become totally or partially separated, or are threatened to become totally or partially separated;

B. There has been a shift in production by such workers' firm or subdivision to a foreign country of articles like or directly competitive with articles which are produced by such firm or subdivision; and

C. One of the following must be satisfied:

1. The country to which the workers' firm has shifted production of the articles is a party to a free trade agreement with the United States;

2. The country to which the workers' firm has shifted production of the articles to a beneficiary country under the Andean Trade Preference Act, African Growth and Opportunity Act, or the Caribbean Basin Economic Recovery Act; or

3. There has been or is likely to be an increase in imports of articles that are like or directly competitive with articles which are or were produced by such firm or subdivision.

Also, in order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be issued, each of the group eligibility requirements of Section 222(b) of the Act must be met.

(1) Significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) The workers' firm (or subdivision) is a supplier or downstream producer to a firm (or subdivision) that employed a group of workers who received a certification of eligibility to apply for trade adjustment assistance benefits and such supply or production is related to the article that was the basis for such certification; and

(3) Either—

(A) The workers' firm is a supplier and the component parts it supplied for the firm (or subdivision) described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) A loss or business by the workers' firm with the firm (or subdivision) described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

#### Negative Determinations for Worker Adjustment Assistance

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

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B) (No shift in production to a foreign country) have not been met.

TA-W-57,707; *Guardian Manufacturing Co., a subsidiary of J.P. Industries, Willard, OH*

TA-W-57,522; *ExxonMobil Chemical Co., Films Div., a division of Exxon Mobil Corporation, Stratford, CT*

TA-W-57,553; *Merix Corporation, Forest Grove, OR*

TA-W-57,569; *Tescom Corp., Elk River, MN*

TA-W-57,573; *Xiotech Corp., Eden Prairie, MN*

TA-W-57,542; *Cray, Inc., Manufacturing Div., Chippewa Falls, WI*

TA-W-57,733; *HBC Barge, LLC, Brownsville, PA*

TA-W-57,597; *T.S. Manufacturing, Inc., a subsidiary of Olson Technology, Inc., Atwater, CA*

TA-W-57,611; *Doane Pet Care Company, Inc., Hillburn Plant, Hillburn, NY*

TA-W-57,624; *Northwest*

*Manufacturing Corp., Corry, PA*  
TA-W-57,638; *Tarkett Wood, a div. of Tarkett, Tillar, AR*

TA-W-57,689; *Sony Electronics, Inc., Direct View-CRT Division, Mt. Pleasant, PA*

TA-W-57,708; *Milwaukee Sign Co., LLC, d/b/a Signstrut, Grafton, WI*

TA-W-57,412; *Reptron Electronics, Inc., Hibbing, MN*

TA-W-57,545; *Solvay Pharmaceuticals, Inc., Baudette, MN*

TA-W-57,618; *Albemarle Knitting Corp., Albemarle, NC*

TA-W-57,619 & A, B, C; *National Spinning Co., LLC, a subsidiary of National Spinning Co., Inc., Whiteville, NC, Beulaville, NC, Burlington, NC, Corporate Office, Washington, NC*

TA-W-57,670; *Henkel Corp., Henkel Technologies Division, Olean, NY*

TA-W-57,863; *Plymouth Printing Co., Inc., Winston-Salem, NC*

TA-W-57,657; *Midas International Corp., Muffler Corp. of America Division, Hartford Manufacturing Facility, Hartford, WI*

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B) (No shift in production to a foreign country) have not been met.

TA-W-57,721; *American Video Glass Co., a div. of Sony Electronics, Inc., Mt. Pleasant, PA*

TA-W-57,712; *G&L Motion Control, Inc., a subsidiary of Danaher Corp., Fond du Lac, WI*

The investigation revealed that criterion (a)(2)(A)(I.A) and (a)(2)(B)(II.A) (no employment decline) has not been met.

TA-W-57,632; *Guilford Mills, Inc., Pine Grove, PA*

TA-W-57,855; *Tree Top, Inc., Milton-Freewater, OR*

TA-W-57,667; *Morrison Products, Inc., Tempe, AZ*

TA-W-57,617; *Gemtron Corp., Holland Div., a subsidiary of Schott Corp., Holland, MI*

TA-W-57,847; *Nidec America Corp., Norwood, MA*

TA-W-57,641; *One World Technologies, Inc., Formerly Ryobi Technologies, Anderson, SC*

TA-W-57,616; *Komex International, Inc., d/b/a Bubblegum, USA, Los Angeles, CA*

TA-W-57,603; *Cordis Corp., Miami Lakes, FL*

TA-W-57,698; *Action Staffing-Seneca Office, Workers at Westpoint Stevens, Currently Known as Westpoint Home, Bed Products Division, Clemson, SC*

TA-W-57,895; *JD Fine and Company, Concord, CA*

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

TA-W-57,785; *Greenfield Montague Transit Area, Greenfield, MA*

TA-W-57,784; Greenfield Inn, Greenfield, MA  
 TA-W-57,589; Tennessee Warehouse and Distribution, LLC, Morrison, TN  
 TA-W-57,758; Optek Technology, Carrollton, TX  
 TA-W-57,748; Sportrack Accessories, Port Huron, MI  
 TA-W-57,741; Globetrans Network, Inc., Staten Island, NY  
 TA-W-57,555; Apotex Corp., Subdivision of Apotex, Inc., Lincolnshire, IL  
 TA-W-57,650; Meromex USA, Inc., El Paso, TX  
 TA-W-57,781; Nu-Gro Technologies, Inc., Gloversville, NY  
 TA-W-57,651; Cerwin Vega, Inc., A Florida Corp., a div. of Stanton Magnetics, Inc., Chatsworth, CA  
 TA-W-57,783; Bricker's Restaurant, Greenfield, MA  
 TA-W-57,823; Ingram Micro, Inc., Williamsville, NY  
 TA-W-57,824; Hapag-Lloyd Container Line, Norfolk, VA  
 TA-W-57,677; Brackett Trucking Co., Inc., Bostic, NC  
 TA-W-57,841; Panasonic Services Company, Factory ServiCenter, A div. of Panasonic Corp. of North America, Langhorne, PA  
 TA-W-57,666 & A; Philips Semiconductors, Longmont Technology Center, Longmont, CO, Specifications Center, San Jose, CA  
 TA-W-57,800; Nuvo Network Corp., a subsidiary of Nuvo Network Management, Inc., Pennsauken, NJ  
 TA-W-57,811; Telemarketing Concepts, Call Center, Yorktown Heights, NY

The investigation revealed that criteria (a)(2)(A)(I.C.) (Increased imports and (a)(2)(B)(II.C.) (has shifted production to a foreign country) have not been met.

TA-W-57,728; J.E. Morgan Knitting Mills (Sara Lee), Tamaqua, PA  
 TA-W-57,812; Sanford North America, Point Making Department, Santa Monica, CA

The investigation revealed that criteria (2) has not been met. The workers firm (or subdivision) is not a supplier or downstream producer to trade-affected companies.

None

#### **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.

The following certifications have been issued. The requirements of (a)(2)(A)

(increased imports) of Section 222 have been met.  
 TA-W-57,724; Dan River, Inc., Danville, VA: August 21, 2005.  
 TA-W-57,630 & A; Regal Ware, Inc., Kewaskum Manufacturing Plant, Kewaskum, WI and West Bend Manufacturing Plant, West Bend, WI: July 31, 2005.  
 TA-W-57,629; Vivitone, Inc., Paterson, NJ: July 27, 2004.  
 TA-W-57,859; Beach and Summer Design, Huntington Park, CA: August 26, 2004.  
 TA-W-57,859; Industrial Distribution Group, working on-site at Oldham Saw Co., a subsidiary of Black and Decker, West Jefferson, NC: June 27, 2004.  
 TA-W-57,765; Metz Tool and Die, Inc., Rockford, IL: August 8, 2004.  
 TA-W-57,755; Johnson Textiles, Inc., Southern Phenix Textiles Div., Phenix City, AL: August 9, 2004.  
 TA-W-57,749 & A; Slater Screen Print Corp., Pawtucket, RI and Slater Dye Works, Inc., Pawtucket, RI: August 15, 2004.  
 TA-W-57,852; Flanders Industries, Inc., Fort Smith, AR: August 26, 2004.  
 TA-W-57,821; Union Stamping & Assembly, Inc., d/b/a Mayflower Vehicle Systems, South Charleston, WV: August 17, 2004.  
 TA-W-57,792; Kwan's Sewing, Inc., San Francisco, CA: July 25, 2004.  
 TA-W-57,762; Crotty Corporation, Celina Division, Celina, TN: August 13, 2004.  
 TA-W-57,679; Eastern Tool and Stamping Co., Inc., Saugus, MA: July 25, 2004.  
 TA-W-57,659; VF Intimates, LP, a div. of The VF Corp., McAllen, TX: August 1, 2004.  
 TA-W-57,653; Northwest Automatic Productions, Inc., Minneapolis, MN: August 1, 2004.  
 TA-W-57,614; Engineered Machined Products, Inc., Plant 1 and 2, Manufacturing Div., Escanaba, MI: July 13, 2004.  
 TA-W-57,602; Renco Finishing Corporation, Fairlawn, NJ: July 29, 2004.  
 TA-W-57,665; American Outpost, LLC, Zelienople, PA: July 25, 2004.  
 TA-W-57,816; Nidec America Corp., Manufacturing Div., a subsidiary of Nidec Corp-Japan, including on-site leased workers of Jaci Carroll Staffing and Alternative Employment, Inc., Torrington, CT: August 22, 2004.  
 TA-W-57,786; Laufren International, Inc., a subsidiary of Group Roca, Tulsa, OK: July 29, 2004.  
 TA-W-57,751; The Pulaski Rubber Co., Pulaski, TN: August 15, 2004.

TA-W-57,656; Sun's Manufacturing, Inc., Lansford Div., Lansford, PA: July 23, 2004.  
 TA-W-57,648; U.S. Textile Corp., Newland, NC: July 22, 2004.  
 TA-W-57,636; Delafoil Ohio, Inc., Perrysburg, OH: January 24, 2005.  
 TA-W-57,773; OWT Industries, Inc., Outdoor Products Div., including on-site leased workers of Staffmasters, USA, Inc., Pickens, SC: August 17, 2004.  
 TA-W-57,686; Raybestos Automotive Components, a subsidiary of Raytech Corporation, Sterling Heights, MI: August 2, 2004.  
 TA-W-57,647; PPG Fiber Glass Products, Shelby, NC: July 28, 2004.  
 TA-W-57,631 & A; Brodnax Mills, Inc., Brodnax, VA and Sales Office, New York, NY: June 29, 2004.  
 TA-W-57,627; Clearwater Loaders, Inc., leased on-site workers at Unifi-Kinston, LLC, formerly d/b/a Invista, S.A.R.L., a subsidiary of Koch Industries, formerly d/b/a Invista, Inc., a subsidiary of E.I. DuPont de Nemours & Company, Inc., Kinston, NC  
 TA-W-57,533; Atlas Wire and Cable Corporation, Montebello, CA: July 8, 2004.  
 TA-W-57,445; Liz Claiborne, Inc., Ellen Tracy Div., New York, NY: June 21, 2004.  
 TA-W-57,690; Keys Health & Fitness, L.P., including on-site leased workers of Advanced Temporaries, Tyler, TX: August 5, 2004.  
 TA-W-57,592; Anvil International, Inc., Columbia, PA: July 14, 2004.  
 TA-W-57,576; Meke, Inc., New Hollard, PA: July 17, 2004.  
 TA-W-57,562; Kraco Enterprises, Inc., Compton, CA: July 11, 2004.  
 TA-W-57,561; Concept Fabrics, Inc., Asheboro, NC: July 12, 2004.  
 TA-W-57,556; Webb Wheel Products, Inc., Aftermarket Division, Siloam Spring, AR: July 14, 2004.  
 TA-W-57,481; Crown City Plating, El Monte, CA: June 15, 2004.  
 TA-W-57,546 & A, B; Westpoint Stevens, Inc., Now Known as Westpoint Home, Inc., including on-site leased workers of Pro Resources, Middletown, IN, Anderson, IN and Daleville, IN: July 10, 2004.  
 TA-W-57,572; Wagner Castings Co., a/k/a Interment Decatur Foundry, Decatur, IL: July 18, 2004.  
 TA-W-57,571; Cap America, Fredericktown, MO: July 12, 2004.  
 TA-W-57,563; Addie Fashions, Inc., West Union, SC: July 7, 2004.  
 TA-W-57,702; Plastic Dress-Up Co., El Monte, CA: August 9, 2004.

TA-W-57,643; Madeleine Manufacturing, Inc., Union, SC: March 26, 2004.

TA-W-57,613; Advantek, Inc., a subsidiary of Siegel-Robert, Inc., Minnetonka, MN: July 22, 2004.

TA-W-57,547; Archway & Mothers Cookie Co., Red Bud, IL: June 30, 2004.

TA-W-57,655; Interforest Corp., Darlington Div., Darlington, PA: July 21, 2004.

TA-W-57,735; Kamashian Engineering, Inc., Metal Stamping and Assembly Department, Bellflower, CA: August 12, 2004.

TA-W-57,634; General Henry Biscuit, a div. of Archway & Mother's Cookie Co., Duquoin, IL: July 25, 2004.

TA-W-57,525; Guess?, Inc., Cutting Department, Los Angeles, CA: June 23, 2004.

TA-W-57,588; Benchmark Electronics, Inc., DATS Div., Loveland, CO: July 19, 2004.

The following certifications have been issued. The requirements of (a)(2)(B) (shift in production) of Section 222 have been met.

TA-W-57,352; Specialty Filaments, Inc., Burlington Div., Burlington, VT: May 23, 2004.

TA-W-57,726; General Electric, Consumer and Industrial Div., Tell City, IN: August 10, 2004.

TA-W-57,715; Sanmina-SCI Corp., Enterprise Computing and Storage Div., including leased workers of Aerotek Staffing Services and Remedy Staffing, Fountain, CO: August 9, 2004.

TA-W-57,692; Chicago Miniature Lighting, IT, Inc., Hackensack, NJ: August 5, 2004.

TA-W-57,699; Rockwell Collins, Airshow Systems Div., including leased workers of Volt Temporary Agency, Kirkland, WA: August 8, 2004.

TA-W-57,797; Southwire Company, Electrical Div., Long Beach, CA: August 11, 2004.

TA-W-57,685; Tiro Industries, LLC, including on-site leased workers of Excel Staffing, Fridley, MN: July 22, 2004.

TA-W-57,884 & A; General Electric, Components-Specialty Transformer Div., Fort Wayne, IN and Motors and Controls Div., Fort Wayne, IN: September 1, 2004.

TA-W-57,858 & A; International Legwear Group, Neuville Industries, Inc., including on-site leased workers from Catawba Staffing, Express and Accuforce, Hildebran, NC and including on-site leased workers from Optimum Staffing, Athens, TN: August 25, 2004.

TA-W-57,818; Trim Masters, Inc., including on-site leased workers of Nesco Resource, Kelly Services and Staffing Alternatives, Harrodsburg, KY: August 10, 2004.

TA-W-57,772; Bobs Candies, Inc., Div. of Farley's and Sathers Candy Co., Inc., including on-site leased workers of Kelly Services, Albany, GA: August 11, 2004.

TA-W-57,795; 3M Company, Fairmont, MN: August 18, 2004.

TA-W-57,678; Super Sack VA, Inc., a subsidiary of B.A.G. Corp., Manufacturing Div., Pennington Gap, VA: August 6, 2005.

TA-W-57,605; Ludlow Textiles Co., Inc., including on-site leased workers from Magellan, Ludlow, MA: July 21, 2004.

TA-W-57,731; Teepak Limited Liability Corp., Shirring Department, Danville Plant, Danville, IL: August 10, 2004.

TA-W-57,640; Molex, Inc., Tool Room/Build Group, Lisle, IL: July 28, 2004.

TA-W-57,779; Sonoco, Inc., Industrial Products Div., including leased workers of Adecco Staffing, Canandaigua, NY: August 17, 2004.

TA-W-57,764; Merrimac Paper Co., Lawrence, MA: August 8, 2004.

TA-W-57,752; Nestle USA, St. Louis, MO: August 12, 2004.

TA-W-57,717; Hooker Furniture Co., Pleasant Garden Plant, Pleasant Garden, NC: August 8, 2004.

TA-W-57,729; Teleflex Medical, including leased workers of Adecco, Research Triangle Park, NC: August 12, 2004.

TA-W-57,705; Components Manufacturing Co., Inc., Air Conditioning Div., a subsidiary of Rheem Manufacturing Co., including on-site leased workers of Kelly Services and Spherion, Trenton, SC: August 1, 2004.

TA-W-57,664; Emerson Flow Controls, St. Louis, MO: July 9, 2005.

TA-W-57,606; International Paper, Containerboard Div., Ft. Madison, IA: July 22, 2004.

TA-W-57,668; Culp, Inc., Artee-Shelby Plant, Shelby, NC: August 2, 2004.

TA-W-57,448; Mammoth, Inc., Chaska, MN: June 24, 2004.

TA-W-57,768; Younger Manufacturing Co., Torrance, CA: August 12, 2004.

TA-W-57,732; Microtek Medical, a subsidiary of Microtek Medical Holdings, Inc., Columbus, MS: August 12, 2004.

TA-W-57,672; Cambridge-Lee Industries, LLC, Reading Tube Div., including on-site leased workers of Gage Personnel, Contemporary Personnel and Advance Personnel, Reading, PA: August 4, 2004.

TA-W-57,734; Focus Enhancements, Inc., Campbell, CA: August 5, 2004.

TA-W-57,551; Creo Americas, Inc., Rosemont, IL: July 15, 2004.

TA-W-57,777; Gemtron Corporation, a subsidiary of Schott Corporation, Sweetwater, TN: August 16, 2004.

TA-W-57,714; U.S. Button Corp., a subsidiary of Emsig Manufacturing, Putnam, CT: August 8, 2004.

TA-W-57,684; Rittal Corporation, a subsidiary of Rittal-Werk, Springfield, OH: July 27, 2004.

The following certification has been issued. The requirement of downstream producer to a trade certified firm has been met.

None

#### Negative Determinations for Alternative Trade Adjustment Assistance

In order for the Division of Trade Adjustment Assistance to issued a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

In the following cases, it has been determined that the requirements of Section 246(a)(3)(ii) have not been met for the reasons specified.

The Department as determined that criterion (2) of Section 246 has not been met. Workers at the firm possess skills that are easily transferable.

TA-W-53,321; Charter Fabrics, Inc., New York, NY

TA-W-57,525; Guess?, Inc., Cutting Department, Los Angeles, CA: June 23, 2004.

TA-W-57,735; Kamashian Engineering, Inc., Metal Stamping and Assembly Department, Bellflower, CA

TA-W-57,655; Interforest Corp., Darlington Div., Darlington, PA

TA-W-57,610; Gerdau Ameristeel, Beaumont Mill Div., workers' wages were reported under Cargill, Inc., Beaumont, TX

TA-W-57,694; Cequent Consumer Products, a Subsidiary of Trimas Corp., Sheffield, PA

TA-W-57,534; RAM Industries, LLC, Harnessing Department, including on-site leased workers of Gage Personnel Services, Contemporary @ Work Personnel Services, and Manpower Temporary Services, Leesport, PA

TA-W-57,777; Gemtron Corporation, a subsidiary of Schott Corp., Sweetwater, TN

TA-W-57,714; U.S. Button Corp., a subsidiary of Emsig Manufacturing, Putnam, CT

TA-W-57,684; Rittal Corp., a subsidiary of Rittal-Werk, Springfield, OH

TA-W-57,448; Mammoth, Inc., Chaska, MN  
 TA-W-57,768; Younger Manufacturing Co., Torrance, CA  
 TA-W-57,672; Cambridge-Lee Industries, LLC, Reading Tube Division, including on-site leased workers of Gage Personnel, Contemporary, Personnel and Advance Personnel, Reading, PA  
 TA-W-57,732; Microtek Medical, a subsidiary of Microtek Medical Holdings, Inc., Columbus, MS  
 The Department as determined that criterion (1) of Section 246 has not been met. Workers at the firm are 50 years of age or older.  
 TA-W-57,588; Benchmark Electronics, Inc., DATS Div., Loveland, CO  
 TA-W-57,634; General Henry Biscuit, a div. of Archway & Mother's Cookie Co., Duquoin, IL  
 TA-W-57,547; Archway & Mothers Cookie Company, Red Bud, IL  
 Since the workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.  
 TA-W-57,522; ExxonMobil Chemical Co., Films Div., a div. of Exxon Mobil Corp., Stratford, CT  
 TA-W-57,553; Merix Corp., Forest Grove, OR  
 TA-W-57,569; Tescom Corp., Elk River, MN  
 TA-W-57,573; Xiotech Corp., Eden Prairie, MN  
 TA-W-57,542; Cray, Inc., Manufacturing Div., Chippewa Falls, WI  
 TA-W-57,733; HBC Barge, LLC, Brownsville, PA  
 TA-W-57,597; T.S. Manufacturing, Inc., a subsidiary of Olson Technology, Inc., Atwater, CA  
 TA-W-57,611; Doane Pet Care Co., Inc., Hillburn Plant, Hillburn, NY  
 TA-W-57,624; Northwest Manufacturing Corp., Corry, PA  
 TA-W-57,638; Tarkett Wood, a div. of Tarkett, Tillar, AR  
 TA-W-57,689; Sony Electronics, Inc., Direct View-CRT Div., Mt. Pleasant, PA  
 TA-W-57,708; Milwaukee Sign Co., LLC, d/b/a Signstrut, Grafton, WI  
 TA-W-57,412; Repron Electronics, Inc., Hibbing MN  
 TA-W-57,545; Solvay Pharmaceuticals, Inc., Baudette, MN  
 TA-W-57,618; Albemarle Knitting Corp., Albemarle, NC  
 TA-W-57,619 & A, B, C; National Spinning Co., LLC, a subsidiary of National Spinning Co., Inc., Whiteville, NC, Beulaville, NC, Burlington, NC and Corporate Office, Washington, NC  
 TA-W-57,670; Henkel Corp., Henkel Technologies Div., Olean, NY

TA-W-57,863; Plymouth Printing Co., Inc., Winston-Salem, NC  
 TA-W-57,657; Midas International Corp., Muffler Corporation of America Div., Hartford Manufacturing Facility, Hartford, WI  
 TA-W-57,632; Guilford Mills, Inc., Pine Grove, PA  
 TA-W-57,712; G&L Motion Control, Inc., a subsidiary of Danaher Corp., Fond du Lac, WI  
 TA-W-57,855; TreeTop, Inc., Milton-Freewater, OR  
 TA-W-57,667; Morrison Products, Inc., Tempe, AZ  
 TA-W-57,617; Gemtron Corp., Holland Div., a subsidiary of Schott Corp., Holland, MI  
 TA-W-57,847; Nidec America Corp., Norwood, MA  
 TA-W-57,641; One World Technologies, Inc., Formerly Ryobi Technologies, Anderson, SC  
 TA-W-57,616; Komex International, Inc., d/b/a Bubblegum, USA, Los Angeles, CA  
 TA-W-57,698; Action Staffing-Seneca Office, Workers at Westpoint Stevens, Currently Known as Westpoint Home, Bed Products Div., Clemson, SC  
 TA-W-57,603; Cordis Corp., Miami Lakes, FL  
 TA-W-57,741; Globetrans Network, Inc., Staten Island, NY  
 TA-W-57,555; Apotex Corp., subdivision of Apotex, Inc., Lincolnshire, IL  
 TA-W-57,650; Meromex USA, Inc., El Paso, TX  
 TA-W-57,781; Nu-Gro Technologies, Inc., Gloversville, NY  
 TA-W-57,651; Cerwin Vega, Inc. a Florida Corp., a div. of Stanton Magnetics, Inc., Chatsworth, CA  
 TA-W-57,783; Bricker's Restaurant, Greenfield, MA  
 TA-W-57,823; Ingram Micro, Inc., Williamsville, NY  
 TA-W-57,677; Brackett Trucking Co., Inc., Bostic, NC  
 TA-W-57,841; Panasonic Services Co., Factory ServiCenter, a div. of Panasonic Corp., of North America, Langhorne, PA  
 TA-W-57,666 & A; Philips Semiconductors, Longmont Technology Center, Longmont, CO and Specifications Center,  
 TA-W-57,800; Nuvo Network Corporation, a subsidiary of Nuvo Network Management, Inc., Pennsauken, NJ  
 TA-W-57,811; Telemarketing Concepts, Call Center, Yorktown Heights, NY  
 TA-W-57,728; J.E. Morgan Knitting Mills (Sara Lee), Tamaqua, PA

TA-W-57,812; Sanford North America, Point Making Department, Santa Monica, CA

The Department has determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

TA-W-57,551; Creo Americas, Inc., Rosemont, IL

TA-W-57,734; Focus Enhancements, Inc., Campbell, CA

#### **Affirmative Determinations for Alternative Trade Adjustment Assistance**

In order for the Division of Trade Adjustment Assistance to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA) for older workers, the group eligibility requirements of Section 246(a)(3)(A)(ii) of the Trade Act must be met.

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 determinations.

In the following cases, it has been determined that the requirements of Section 246(a)(3)(ii) have been met.

I. Whether a significant number of workers in the workers' firm are 50 years of age or older.

II. Whether the workers in the workers' firm possess skills that are not easily transferable.

III. The competitive conditions within the workers' industry (i.e., conditions within the industry are adverse).

TA-W-57,724; Dan River, Inc., Danville, VA: August 21, 2005.

TA-W-57,630 & A; Regal Ware, Inc., Kewaskum Manufacturing Plant, Kewaskum, WI and West Bend Manufacturing Plant, West Bend, WI: July 31, 2005.

TA-W-57,629; Vivitone, Inc., Paterson, NJ: July 27, 2004.

TA-W-57,859; Beach and Summer Design, Huntington Park, CA: August 26, 2004.

TA-W-57,859; Industrial Distribution Group, working on-site at Oldham Saw Co., a subsidiary of Black and Decker, West Jefferson, NC: June 27, 2004.

TA-W-57,765; Metz Tool and Die, Inc., Rockford, IL: August 8, 2004.

TA-W-57,755; Johnson Textiles, Inc., Southern Phenix Textiles Div., Phenix City, AL: August 9, 2004.

TA-W-57,749 & A; Slater Screen Print Corp., Pawtucket, RI and Slater Dye Works, Inc., Pawtucket, RI: August 15, 2004.

TA-W-57,852; Flanders Industries, Inc., Fort Smith, AR: August 26, 2004.

- TA-W-57,821; Union Stamping & Assembly, Inc., d/b/a Mayflower Vehicle Systems, South Charleston, WV: August 17, 2004.
- TA-W-57,792; Kwan's Sewing, Inc., San Francisco, CA: July 25, 2004.
- TA-W-57,762; Crotty Corporation, Celina Division, Celina, TN: August 13, 2004.
- TA-W-57,679; Eastern Tool and Stamping Co., Inc., Saugus, MA: July 25, 2004.
- TA-W-57,659; VF Intimates, LP, a div. of The VF Corp., McAllen, TX: August 1, 2004.
- TA-W-57,653; Northwest Automatic Productions, Inc., Minneapolis, MN: August 1, 2004.
- TA-W-57,614; Engineered Machined Products, Inc., Plant 1 and 2, Manufacturing Div., Escanaba, MI: July 13, 2004.
- TA-W-57,602; Renco Finishing Corporation, Fairlawn, NJ: July 29, 2004.
- TA-W-57,665; American Outpost, LLC, Zelienople, PA: July 25, 2004.
- TA-W-57,816; Nidec America Corp., Manufacturing Div., a subsidiary of Nidec Corp-Japan, including on-site leased workers of Jaci Carroll Staffing and Alternative Employment, Inc., Torrington, CT: August 22, 2004.
- TA-W-57,786; Laufen International, Inc., a subsidiary of Group Roca, Tulsa, OK: July 29, 2004.
- TA-W-57,751; The Pulaski Rubber Co., Pulaski, TN: August 15, 2004.
- TA-W-57,656; Sun's Manufacturing, Inc., Lansford Div., Lansford, PA: July 23, 2004.
- TA-W-57,648; U.S. Textile Corp., Newland, NC: July 22, 2004.
- TA-W-57,636; Delafoil Ohio, Inc., Perrysburg, OH: January 24, 2005.
- TA-W-57,773; OWT Industries, Inc., Outdoor Products Div., including on-site leased workers of Staffmasters, USA, Inc., Pickens, SC: August 17, 2004.
- TA-W-57,686; Raybestos Automotive Components, a subsidiary of Raytech Corporation, Sterling Heights, MI: August 2, 2004.
- TA-W-57,647; PPG Fiber Glass Products, Shelby, NC: July 28, 2004.
- TA-W-57,631 & A; Brodnax Mills, Inc., Brodnax, VA and Sales Office, New York, NY: June 29, 2004.
- TA-W-57,627; Clearwater Loaders, Inc., leased on-site workers at Unifi-Kinston, LLC, formerly d/b/a Invista, S.A.R.L., a subsidiary of Koch Industries, formerly d/b/a Invista, Inc., a subsidiary of E.I. DuPont de Nemours & Company, Inc., Kinston, NC
- TA-W-57,533; Atlas Wire and Cable Corporation, Montebello, CA: July 8, 2004.
- TA-W-57,445; Liz Claiborne, Inc., Ellen Tracy Div., New York, NY: June 21, 2004.
- TA-W-57,690; Keys Health & Fitness, L.P., including on-site leased workers of Advanced Temporaries, Tyler, TX: August 5, 2004.
- TA-W-57,592; Anvil International, Inc., Columbia, PA: July 14, 2004.
- TA-W-57,576; Meke, Inc., New Holland, PA: July 17, 2004.
- TA-W-57,562; Kraco Enterprises, Inc., Compton, CA: July 11, 2004.
- TA-W-57,561; Concept Fabrics, Inc., Asheboro, NC: July 12, 2004.
- TA-W-57,556; Webb Wheel Products, Inc., Aftermarket Division, Siloam Spring, AR: July 14, 2004.
- TA-W-57,481; Crown City Plating, El Monte, CA: June 15, 2004.
- TA-W-57,546 & A, B; Westpoint Stevens, Inc., Now Known as Westpoint Home, Inc., including on-site leased workers of Pro Resources, Middletown, IN, Anderson, IN and Daleville, IN: July 10, 2004.
- TA-W-57,572; Wagner Castings Co., a/k/a Interment Decatur Foundry, Decatur, IL: July 18, 2004.
- TA-W-57,571; Cap America, Fredericktown, MO: July 12, 2004.
- TA-W-57,563; Addie Fashions, Inc., West Union, SC: July 7, 2004.
- TA-W-57,702; Plastic Dress-Up Co., El Monte, CA: August 9, 2004.
- TA-W-57,643; Madeleine Manufacturing, Inc., Union, SC: March 26, 2004.
- TA-W-57,613; Advantek, Inc., a subsidiary of Siegel-Robert, Inc., Minnetonka, MN: July 22, 2004.
- TA-W-57,352; Specialty Filaments, Inc., Burlington Div., Burlington, VT: May 23, 2004.
- TA-W-57,726; General Electric, Consumer and Industrial Div., Tell City, IN: August 10, 2004.
- TA-W-57,715; Sanmina-SCI Corp., Enterprise Computing and Storage Div., including leased workers of Aerotek Staffing Services and Remedy Staffing, Fountain, CO: August 9, 2004.
- TA-W-57,692; Chicago Miniature Lighting, IT, Inc., Hackensack, NJ: August 5, 2004.
- TA-W-57,699; Rockwell Collins, Airshow Systems Div., including leased workers of Volt Temporary Agency, Kirkland, WA: August 8, 2004.
- TA-W-57,797; Southwire Company, Electrical Div., Long Beach, CA: August 11, 2004.
- TA-W-57,685; Tiro Industries, LLC, including on-site leased workers of
- Excel Staffing, Fridley, MN: July 22, 2004.
- TA-W-57,884 & A; General Electric, Components-Specialty Transformer Div., Fort Wayne, IN and Motors and Controls Div., Fort Wayne, IN: September 1, 2004.
- TA-W-57,858 & A; International Legwear Group, Neuville Industries, Inc., including on-site leased workers from Catawba Staffing, Express and Accuforce, Hildebran, NC and including on-site leased workers from Optimum Staffing, Athens, TN: August 25, 2004.
- TA-W-57,818; Trim Masters, Inc., including on-site leased workers of Nesco Resource, Kelly Services and Staffing Alternatives, Harrodsburg, KY: August 10, 2004.
- TA-W-57,772; Bobs Candies, Inc., Div. of Farley's and Sathers Candy Co., Inc., including on-site leased workers of Kelly Services, Albany, GA: August 11, 2004.
- TA-W-57,795; 3M Company, Fairmont, MN: August 18, 2004.
- TA-W-57,678; Super Sack VA, Inc., a subsidiary of B.A.G. Corp., Manufacturing Div., Pennington Gap, VA: August 6, 2005.
- TA-W-57,605; Ludlow Textiles Co., Inc., including on-site leased workers from Magellan, Ludlow, MA: July 21, 2004.
- TA-W-57,731; Teepak Limited Liability Corp., Shirring Department, Danville Plant, Danville, IL: August 10, 2004.
- TA-W-57,640; Molex, Inc., Tool Room/Build Group, Lisle, IL: July 28, 2004.
- TA-W-57,779; Sonoco, Inc., Industrial Products Div., including leased workers of Adecco Staffing, Canandaigua, NY: August 17, 2004.
- TA-W-57,764; Merrimac Paper Co., Lawrence, MA: August 8, 2004.
- TA-W-57,752; Nestle USA, St. Louis, MO: August 12, 2004.
- TA-W-57,717; Hooker Furniture Co., Pleasant Garden Plant, Pleasant Garden, NC: August 8, 2004.
- TA-W-57,729; Teleflex Medical, including leased workers of Adecco, Research Triangle Park, NC: August 12, 2004.
- TA-W-57,705; Components Manufacturing Co., Inc., Air Conditioning Div., a subsidiary of Rheem Manufacturing Co., including on-site leased workers of Kelly Services and Spherion, Trenton, SC: August 1, 2004.
- TA-W-57,664; Emerson Flow Controls, St. Louis, MO: July 9, 2005.
- TA-W-57,606; International Paper, Containerboard Div., Ft. Madison, IA: July 22, 2004.
- TA-W-57,668; Culp, Inc., Artee-Shelby Plant, Shelby, NC: August 2, 2004.

I hereby certify that the aforementioned determinations were issued during the month of September 2005. Copies of These determinations are available for inspection in Room C-5311, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: Date: September 27, 2005.

**Timothy Sullivan,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. E5-5478 Filed 10-5-05; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,696 and TA-W-56,696A]

#### **Hewlett-Packard Company Imaging & Printing Group—Technology Platforms Division Including On-Site Leased Workers of Chimes, Inc., Corvallis, OR; Including an Employee of Hewlett-Packard Company Imaging & Printing Group—Technology Platforms Division Corvallis, OR Located in Chino, CA; Amended Notice of Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273), and Section 246 of the Trade Act of 1974, (26 U.S.C. 2813), as amended, the Department of Labor issued a Certification Regarding Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on April 7, 2005, applicable to workers of Hewlett-Packard Company, Imaging & Printed Group—Technology Platforms Division, including on-site leased workers of Chimes, Inc., Corvallis, Oregon. The notice was published in the **Federal Register** on May 16, 2005 (70 FR 25862).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that a worker separation occurred involving an employee of the Corvallis, Oregon facility of the Imaging & Printing Group—Technology Platforms Division of Hewlett-Packard Company located in Chino, California. Ms. Sheri Milne provided various support services for the production of inkjet cartridges for small desktop printers at the Corvallis, Oregon location of the subject firm.

Based on these findings, the Department is amending this certification to include an employee of the Corvallis, Oregon facility of the Imaging & Printing Group—Technology Platforms Division of Hewlett-Packard Company located in Chimes, California.

The intent of the Department's certification is to include all workers of Hewlett-Packard Company, Imaging & Printing Group—Technology Platforms Division, Corvallis, Oregon, who were adversely affected by a shift in production to Singapore.

The amended notice applicable to TA-W-56,696 is hereby issued as follows:

All workers of Hewlett-Packard Company, Imaging & Printing Group—Technology Platforms Division, including on-site leased workers of Chimes, Inc., Corvallis, Oregon (TA-W-56,696), including an employee of Hewlett-Packard Company, Imaging & Printing Group—Technology Platforms Division, Corvallis, Oregon located in Chino, California (TA-W-56,696A), who became totally or partially separated from employment on or after March 7, 2004, through April 7, 2007, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974, as amended.

Signed at Washington, DC, this 26th day of September 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-5477 Filed 10-5-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment And Training Administration

[TA-W-57,491]

#### **Iberia Sugar Cooperative, Inc., New Iberia, LA; Notice of Revised Determination on Reconsideration**

By letter dated September 21, 2005 a company official 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 signed on August 8, 2005 was based on the finding that imports of raw cane sugar and blackstrap molasses did not contribute importantly to worker separations at the subject plant and no shift of production to a foreign source occurred. The denial notice was published in the **Federal**

**Register** on September 8, 2005 (70 FR 53389).

To support the request for reconsideration, the company official supplied additional information. Upon further review and contact with the subject firm's major declining customers, it was revealed that the customers increased their reliance on imported raw cane sugar and blackstrap molasses during the relevant period. The imports accounted for a meaningful portion of the subject plant's lost sales and production. The investigation further revealed that production and employment at the subject firm declined during the relevant time period.

In accordance with Section 246 the Trade Act of 1974 (26 U.S.C. 2813), as amended, the Department of Labor herein presents the results of its investigation regarding certification of eligibility to apply for alternative trade adjustment assistance (ATAA) for older workers.

In order for the Department to issue a certification of eligibility to apply for ATAA, the group eligibility requirements of Section 246 of the Trade Act must be met. The Department has determined in this case that the requirements of Section 246 have been met.

A significant number of workers at the firm are age 50 or over and possess skills that are not easily transferable. Competitive conditions within the industry are adverse.

### 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 Iberia Sugar Cooperative, Inc., New Iberia, Louisiana, 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 Iberia Sugar Cooperative, Inc., New Iberia, Louisiana who became totally or partially separated from employment on or after June 20, 2004 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, and are eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974."