set forth the reasons why DEA believes Ganes' application should be granted under the factors pursuant to 21 U.S.C. 823(a) as set forth below.

In stating that Ganes Chemicals, Inc.'s application to manufacture methylphenidate would be contrary to the public interest under 21 U.S.C. 823(a), the commentor argues that Ganes would lack effective controls against diversion of methylphenidate; that Ganes' past experience in the manufacture of controlled substances and experience in the establishment of effective control against diversion were questionable; that there is currently an adequate and uninterrupted supply of methylphenidate under adequately competitive conditions; and that there were other relevant factors to indicate that Ganes' registration would be contrary to the public health and safety.

In support of the contentions that Ganes lacks effective controls to prevent diversion and that Ganes' past experience in this regard was questionable, the commentor states that as a result of an Order to Show Cause issued by DEA and a Civil Complaint filed in the United States District Court for the District of New Jersey charging Ganes with various security and record-keeping violations and with manufacturing controlled substances in excess of quotas, Ganes entered into a Consent Agreement in December 1980, agreeing to withdraw its application to bulk manufacture methaqualone and not reapply until 1984 and pay a $25,000 fine.

Ganes' application is based on the firm's request to add methylphenidate to its existing registration as a bulk manufacturer. Ganes has been and is currently registered with DEA as a bulk manufacturer of other Schedule II controlled substances. Both the Order to Show Cause and the civil complaint occurred over fifteen years ago. The firm has been investigated by DEA on a regular basis since that time to determine if the firm maintains effective controls against diversion and if its continued registration is consistent with the public interest. These investigations have included, in part, inspection and testing of the firm's physical security, audits of the firm's records, verification of compliance with state and local law and a review of the firm's background and history. The investigations have found Ganes to be in compliance with the CSA and its implementing regulations.

The commentor argues that there is an adequate and uninterrupted supply of methylphenidate under adequately competitive conditions. In support of this argument, the commentor asserts that the present bulk manufacturers are adequate for this purpose, that quota restrictions have been eased sufficiently since 1988, and that the commentor sells methylphenidate in dosage form to itself and other distributors.

Under Title 21, CFR 1301.43(b), DEA is not required to limit the number of manufacturers solely because a smaller number is capable of producing an adequate supply, provided effective controls against diversion are maintained. DEA has determined that effective controls against diversion will be maintained by Ganes.

The commentor, in support of its argument that Ganes' registration would be contrary to the public health and safety, cites Ganes' manufacture of the List I chemicals, ephedrine and pseudoephedrine. The commentor states that DEA has reported that ephedrine and pseudoephedrine are used in the clandestine manufacture of methamphetamine and methcathinone and that companies such as Ganes may be the source of these chemicals.

With respect to Ganes' manufacture of ephedrine and pseudoephedrine, there is no evidence of any violations of the Chemical Diversion and Trafficking Act (CDTA) and the Domestic Chemical Diversion Control Act (DCDCA).

Another factor which the commentor claims is relevant is that the Food and Drug Administration (FDA) has made various inspections of Ganes' two production centers between 1980 and 1994, and noted various problems with record keeping, manufacturing practices and product-complaint procedures. The commentor states that some of these findings pertain to controlled substances.

The FDA violations are based on the practices of another federal agency within another department of government operating under the authority of distinctly different statutes. Moreover, DEA has verified with FDA that Ganes' drug registration under the Federal Food, Drug and Cosmetic Act is current, that the nature of the indicated (or noted) FDA citations against Ganes and the FDA actions to ensure compliance do not warrant a finding that Ganes' compliance with Federal laws is so lacking or inadequate as to warrant denial under the CSA.

It is within DEA's sole discretion to decide whether or not to file an Order to Show Cause after reviewing all of the evidence, including the comments and objections provided to DEA under 21 CFR 1301.43(a). After reviewing all the evidence, including the comment filed, DEA has determined, pursuant to 21 U.S.C. 823(a), that it is consistent with the public interest to grant Ganes' application to manufacture methylphenidate at this time. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistant Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm for registration as a bulk manufacturer of the basic classes of controlled substances listed above is granted.

Dated: May 13, 1996.

Gene R. Haislip,

Deputy Assistant Administrator Office of Diversion Control Drug Enforcement Administration.

[FR Doc. 96–12429 Filed 5–16–96; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment and Training Administration

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA 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 May, 1996.

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–32,177; EMI Co., Erie, PA

TA–W–32,097; International Paper, Gardiner, OR
TA–W–31,981; Sealright Packaging Co., Inc., Desoto, KS
TA–W–32,119; Jasper Yarn Processing, Inc., Jasper, GA
TA–W–32,190 & A; Northeast Lumber Co., Inc., Chester, ME
TA–W–32,115; Fox Point Sportswear, Inc., Merrill, WI

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

TA–W–32,209; Chic By HIS, Henry I. Siegel Co., Inc., Clinton, KY
TA–W–32,219; Pelican Seafoods, Inc., Pelican, AK
TA–W–32,110; Cowtown Boot Co., Inc., El Paso, TX
TA–W–32,127; Pennsylvania Power Co., Bruce Mansfield Plant, Shippingport, PA
TA–W–31,985; United Technologies, Hamilton Standard Commercial Aircraft Products, Mesa, AZ

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

TA–W–32,075; Coach Leatherware, Carlstadt, NJ
TA–W–32,167; Red Kap Industries, Inc., Tupelo, MS
TA–W–32,235; Zenith Electronics Corp., El Paso, TX
TA–W–31,990; L. Bonfanti, Inc., Salem, MA
TA–W–32,128; Permian Basin Community Center, Midland, TX
TA–W–32,045; Noram Gas Transmission, Shreveport, LA

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

TA–W–32,005; The McGraw Hill Co., Blue Ridge Summit, PA

The investigation revealed that criterion (2) and criterion (3) have not been met. Sales or production did not decline during the relevant period as required for certification. Increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have not contributed importantly to the separations or threat thereof, and the absolute decline in sales or production.

TA–W–31,997; Morton International Adhesives & Chemical Specialties, Danvers, MA

The investigation revealed that criterion (2) has not been met. Sales or production did not decline during the relevant period as required for certification.

TA–W–32,149; Vanity Fair Mills, McAllen, TX

The investigation revealed that criterion (1) has not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification.

TA–W–32,196; Liz Clairborne, Inc., (Headquarters Building—1 Liz Clairborne Avenue), North Bergen, NJ

The investigation revealed that criterion (1) and criterion (2) have not been met. A significant number or proportion of the workers did not become totally or partially separated as required for certification. Sales or production did not decline during the relevant period as required for certification.

Affirmative Determinations for Worker Adjustment Assistance

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

TA–W–32,060; Rhubarb Fashions, Jersey City, NJ: February 28, 1995.
TA–W–32,073; Rust Evader Corp., Altoona, PA: March 4, 1995.
TA–W–32,087; Vans, Inc., Orange, CA: February 6, 1995.
TA–W–32,131; Ranick Ltd, Athens, GA: March 25, 1995.
TA–W–32,132; Ranick Ltd, Washington, GA: March 25, 1995.
TA–W–32,178 & A; Kentucky Apparel LLP, Burkesville, KY, & El Paso, TX: March 11, 1995.
TA–W–32,260; Buster Brown Apparel, Inc., Garmet Finished Department, Chatanooga, TN: April 15, 1995.
TA–W–32,146; Tex Mex Sportswear International, Inc., El Paso, TX: March 14, 1995.
TA–W–32,099; Stapleton Garmet Co. (Knight Industries), Stapleton, GA: March 11, 1995.
TA–W–32,171; L. Chessler, Inc., Philadelphia, PA: March 25, 1995.
TA–W–32,080; Award Lighting, Miami Lakes, FL: February 19, 1995.
TA–W–32,024; GEM II, Inc., Florala, AL: February 22, 1995.
TA–W–32,181; Century Pine Products, Inc., Redmond, OR: March 25, 1995.
TA–W–32,160; Casablanca Fan Co., City of Industry, CA: March 12, 1995.
TA–W–32,156; Lucia, Inc., Winston-Salem, NC: March 21, 1995.
TA–W–32,070 & A; Marcraft, Bloomsburg, PA & Sewcomp, Inc., New Berling, PA: March 11, 1995.
TA–W–32,245; Super Craft, Garfield, NJ: April 11, 1995.
TA–W–32,124; Mayr Bros. Logging Co., Inc., Hoquiam, WA: March 14, 1995.
TA–W–32,276; Early Manufacturing Co., Blakely, GA: April 18, 1995.
TA–W–32,109; Branch Oil & Gas, Shelby, MT: February 29, 1995.
TA–W–32,184; Timber Products Co., Grove Lumber Div., Springfield, OR: March 19, 1995.
TA–W–31,966; Dreher, Inc., Newark, NJ: January 29, 1995.
TA–W–32,042; Dye-Tex Limited, Roanoke, VA: March 5, 1995.
TA–W–31,999; Beco Well Service, Co., Cement, OK: February 29, 1995.
TA–W–32,272; Teleflex Automotive, Martinsburg, WV:
TA–W–32,255; General Electric Co., Residential Transformer, Hickory, NC: March 20, 1995.
TA–W–32,180; Majester Production Co., Austin, TX: March 20, 1995.
TA–W–32,151; Western Publishing Co., Inc., Racine, WI: May 18, 1996.
TA–W–32,215; Pike Manufacturing Corp., Troy, AL: March 29, 1995.
TA–W–32,186; OSRAM Sylvania, Inc., General Lighting Div., Incandescent Lamp Manufacturing Plant, St. Mary's PA: March 26, 1995.
TA–W–32,114; Forte Cashmere Co., Inc., Woonsocket, RI: March 16, 1995.
TA–W–32,004; Wrangler, Inc., Silver Lake Div. of the Alameda Plant, El Paso, TX: January 10, 1995.
TA–W–32,189; Meren Industries, Inc., Newark, NJ: April 2, 1995.
TA–W–32,176; Advance Transformer Co., Platteville, WI: March 26, 1995.

Also, pursuant to Title V of the North American Free Trade Agreement Implementation Act (P.L. 103–182) concerning transitional adjustment assistance hereinafter called (NAFTA–TAA) and in accordance with Section 250(a) Subchapter D, Chapter 2, Title II, of the Trade Act as amended, the Department of Labor presents summaries of determinations regarding eligibility to apply for NAFTA–TAA issued during the month of May, 1996.

In order for an affirmative determination to be made and a certification of eligibility to apply for NAFTA–TAA the following group eligibility requirements of Section 250 of the Trade Act must be met:

(1) That a significant number of proportion of the workers in the workers' firm, or an appropriate subdivision thereof, (including workers in any agricultural firm or appropriate subdivision thereof) have become totally or partially separated from employment and either—

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

(3) That imports from Mexico or Canada of articles like or directly competitive with articles produced by such firm or subdivision have increased, and that the increases in imports contributed importantly to such workers' separations or threat of separation and to the decline in sales or production of such firm or subdivision; or

(4) That there has been a shift in production by such workers' firm or subdivision to Mexico or Canada of articles like or directly competitive with articles which are produced by the firm or subdivision.

Negative Determinations NAFTA–TAA

In each of the following cases the investigation revealed that criteria (3) and (4) were not met. Imports from Canada or Mexico did not contribute importantly to workers' separations. There was no shift in production from the subject firm to Canada or Mexico during the relevant period.

NAFTA–TAA–00934; Vanity Fair Mills, McAllen, TX
NAFTA–TAA–00905; Jasper Yarn Processing, Inc., Jasper, GA
NAFTA–TAA–00901; Pennsylvania Power Co., Bruce Mansfield Plant, Shippingport, PA
NAFTA–TAA–00910; Syracuse Lithographing Co., Syracuse, NY
NAFTA–TAA–00895; EMI Co., Erie, PA
NAFTA–TAA–00886; International Paper, Gardiner, OR
NAFTA–TAA–00916; Chic By H.I.S., Henry I. Siegel Co., Inc., Clinton, KY
NAFTA–TAA–00915; Shirts Elite, Inc., Glens Falls, NY
NAFTA–TAA–00912; Vans, Inc., Orange, CA
NAFTA–TAA–00892 & A; Ranick, Ltd, Athens, GA & Washington, GA

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

NAFTA–TAA–00955; Puchi's Family Fashion Centers, Tucson, AZ
NAFTA–TAA–00918; Permian Basin Community Center, Midland, TX
NAFTA–TAA–00909; Zenith Electronics Corp., El Paso, TX
NAFTA–TAA–00881; Alemeda Equipment Co., Inc., Master Equipment Center, Amherst, NY

The investigation revealed that the workers of the subject firm did not produce an article within the meaning of Section 250(a) of the Trade Act, as amended.

Affirmative Determinations NAFTA–TAA

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

NAFTA–TAA–00914; Terminal Fabrication, Inc., Freeport, IL: February 28, 1995.
NAFTA–TAA–00890 & A; Kentucky Apparel LLP, Burkesville, KY & EL Paso, TX: March 6, 1995.
NAFTA–TAA–00896; Branch Oil & Gas, Shelby, MT: February 29, 1995.
NAFTA–TAA–00948; Irvin Automotive Products, Inc., Del Rio Trim, Del Rio, TX: March 18, 1995.
NAFTA–TAA–00942; Century Pine Products, Inc., Redmond, OR: March 25, 1995.
NAFTA–TAA–00931; Casablanca Fan Co., City of Industry, CA: March 12, 1995.
NAFTA–TAA–00932; Timber Products Co., Grove Lumber Div., Springfield, OR: March 19, 1995.
NAFTA–TAA–00940; OSRAM Sylvania, Inc., General Lighting Div., Incandescent Lamp Manufacturing Plant, St. Mary's PA: March 26, 1995.
NAFTA–TAA–00936; Advance Transformer Co., Platteville, WI: March 26, 1995.
NAFTA–TAA–00922; Western Publishing Co., Inc., Racine, WI: March 22, 1995.
NAFTA–TAA–00935; Majestic Products Co., Austin, TX: March 20, 1995.
NAFTA–TAA–00919; Flexitallic, Inc., Pennsauken, NJ: March 12, 1995.
NAFTA–TAA–00911; Mayr Bros. Logging Co., Inc., Hoquiam, WA: March 14, 1995.
NAFTA–TAA–00933; McGill Electric Switch Product Group, a Div. of Therm-O-Disc, Inc., Valparaiso, IN: March 28, 1995.
NAFTA–TAA–00963; Dolphin International Ltd, The Dalles, OR: April 1, 1995.
NAFTA–TAA–00913; TxMx Sportswear International, Inc., El Paso, TX: March 14, 1995.

I hereby certify that the aforementioned determinations were issued during the month of May 1996. Copies of these determinations are available for inspection in Room C–4318, U.S. Department of Labor, 200 Constitution Avenue, N.W., Washington, D.C. 20210 during normal business hours or will be mailed to persons who write to the above address.

Dated: May 9, 1996.

Russell Kile,

Acting Program Manager, Policy & Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96–12443 Filed 5–16–96; 8:45 am]

BILLING CODE 4510–30–M

[TA–W–30,472A]

Exxon Company, U.S.A., a/k/a Exxon Corporation, Houston/Corpus Christi Production Division, Including the Marketing Division, Houston, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Notice of Certification Regarding Eligibility to Apply for Worker Adjustment Assistance on December 15, 1994, applicable to all workers of Exxon Company, U.S.A., Houston/Corpus Christi Production Division, Houston, Texas. The notice was published in the Federal Register on January 20, 1995 (60 FR 4195). The notice was subsequently amended to reflect a name change from Exxon Company U.S.A. to Exxon Corporation, and published in the Federal Register on March 31, 1995 (60 FR 16677).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The State reports that some of the workers of the subject firm are being denied eligibility to apply for TAA because they were in the Marketing Division of Exxon in Houston. Findings show that when the certification was issued it was the Department's intent to include workers of the subject firm engaged in employment related to the exploration and drilling for crude oil, and the administrative, technical and support staff. Accordingly, the Department is amending the certification to specifically include the Marketing Division of the subject firm.

The amended notice applicable to TA–W–30,472A is hereby issued as follows:

All workers of Exxon Company U.S.A., a/k/a Exxon Corporation, Houston/Corpus Christi Production Division, including the Marketing Division, Houston, Texas who became totally or partially separated from employment on or after October 23, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, D.C. this 9th day of May 1996.

Russell T. Kile,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 96–12440 Filed 5–16–96; 8:45 am]

BILLING CODE 4510–30–M