

## APPENDIX—PETITIONS INSTITUTED ON 11/13/2000—Continued

TA-W	Subject firm (Petitioners)	Location	Date of petition	Product(s)
38,301	York International (Wrks)	Elyria, OH	10/24/2000	Residential Heating and Cooling Products.
38,302	Ohpus Corp (Comp)	Florham Park, NJ	10/25/2000	Electronic Scales.
38,303	CMI Industries, Inc. (Wrks)	Geneva, AL	10/27/2000	Unfinished Cloth.
38,304	USR Optronix, Inc. (Comp)	Hackettstown, NJ	10/24/2000	Toner and Developer for Copy Machines.
38,305	Stora Enso North America (Comp)	Wisconsin Rapid, WI	10/31/2000	Paper.
38,306	Alstom Power (Comp)	Kings Mountain, NC	11/06/2000	Heat Recovery Steam Generators.
38,307	Progress Lighting (Wrks)	Cowpens, SC	10/28/2000	Light Fixtures.
38,308	Advanced Cast Products (USWA)	Meadville, PA	10/25/2000	Railroad Products, Truck Suspension.
38,309	Virogenetics Corp. (Wrks)	Troy, NY	10/27/2000	Biotech Research Facility.
38,310	ABC-NACO (BBF)	Ashland, WI	10/24/2000	Rail Track Switches.
38,311	Lightnin SPX Corp (Comp)	Wytheville, VA	10/20/2000	Industrial Mixing Equipment.
38,312	R and S Manufacturing (GMP)	West Chester, PA	11/13/2000	Electric Motors for Room Fans.
38,313	Winn Dixie (Wrks)	Garden City, SC	10/30/2000	Grocery Store.
38,314	International Security (Wrks)	Ogdensburg, NY	10/30/2000	Printing Ink.
38,315	DiBon Leather Goods (Wrks)	Hackensack, NJ	10/20/2000	Briefcases, Portfolios, Agendas, Handbags.
38,316	Bryant Grinder Corp. (UE)	Springfield, VT	11/01/2000	Internal/External Grinders.
38,317	Vanalco Aluminum (Wrks)	Vancouver, WA	11/01/2000	Aluminum.
38,318	Pyramid Mountain Lumber (Comp)	Seeley Lake, MT	10/30/2000	Kiln Dried Lumber.
38,319	Hit Apparel, Inc. (Comp)	Athens, TN	10/13/2000	Children's Pajamas.
38,320	American Baseball Cap (Wrks)	Friedens, PA	10/30/2000	Baseball Helmets.

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## DEPARTMENT OF LABOR

## Employment and Training Administration

[TA-W-38,195]

## Nova Bus, Inc., Roswell, New Mexico; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on October 10, 2000, in response to a petition which was filed by the company on behalf of workers at Nova Bus, Inc., Roswell, New Mexico.

The petitioner has requested that the petition be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 20th day of November 2000.

Linda G. Poole,

*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 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 November, 2000.

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-38,022; *Celanese Acetate, Cel River Plant, Rock Hill, SC.*

TA-W-38,204; *Williamette Industries, Custom Products Div., Albany, OR.*

TA-W-37,911; *Pillowtex Corp., Rocky Mount, NC.*

TA-W-38,211; *ADM Milling Co., Milwaukee, WI.*

TA-W-38,145; *Ceragraphic, Inc., Hackensack, NJ.*

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

TA-W-38,213; *General Electric Industrial Systems, Motor Div., Erie, PA.*

TA-W-37,919; *Guess?, Inc., Los Angeles, CA.*

TA-W-38,223; *GE Capital Card Service, Cincinnati, OH.*

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

TA-W-38,031; *Wabash Automotive, Fort Worth, TX.*

TA-W-38,006; *Rohm and Haas Co., Philadelphia, PA.*

TA-W-38,239; *Airtherm LLC, Forrest City, AR.*

TA-W-37,998; *Eaton Corp., Vickers Industrial and Mobile Div., Omaha, NE.*

TA-W-37,933; *Scott Logging, Inc., Bend, OR.*

TA-W-38,010; *Key Tronic Corp., Spokane, WA.*

TA-W-38,076; *Union Tools, Frankfort, NY.*

TA-W-37,962; *Boise Cascade Corp., Timber and Wood Products Div., Independence, OR.*

TA-W-38,238; *Royal Oak Enterprises, Inc., Paris, AR.*

TA-W-38,168; *Anchor Dye and Finishing Co. A Div. of Amicale Industries, Inc., Philadelphia, PA.*

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

TA-W-37,999; *Savane International Corp., El Paso, TX*

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

**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-38,290; *Sara Campbell Ltd, Boston, MA: October 20, 1999.*

TA-W-38,136; *Fruit of The Loom, Texas, Inc., Gitano Dept, Harlingen, TX: September 11, 1999.*

TA-W-37,887; *Avent, Inc., Tucson, AZ: April 8, 2000.*

TA-W-38,173; *Ethicon Endo-Surgery, Inc., Including Leased Workers of Kelly Services, Cincinnati, OH; September 20, 1999.*

TA-W-37,965; *Telex Communication, Inc., Sevierville, TN: July 24, 1999.*

TA-W-38,159; *Exel USA, Inc., Fiberspar Sports, West Wareham, MA: September 15, 1999.*

TA-W-38,105; *Briggs Industries, Inc., Abingdon, IL: September 7, 1999.*

TA-W-38,245; *Leapwood Apparel, Adamsville, TN: October 11, 1999.*

TA-W-38,025; *Jenny K. Fashions, Meriden, CT: May 11, 1999.*

TA-W-37,179; *Wexco Corp., Lynchburg, VA: September 22, 1999.*

TA-W-37,926; *Philips Consumer Electronics—Industrial Operation, Life Test and Qualify Control Dept, Greenville, TN: July 13, 1999.*

TA-W-37,809; *Aly-Wear, Inc., Ephrata, PA: April 12, 1999.*

TA-W-37,994; *Central Point Lumber, a/k/a Tree Source, Central Point, OR; August 10, 1999.*

TA-W-38,220; *Avery Dennison, Writing Instruments Div., Crossville, TN: September 29, 1999.*

TA-W-37,858; *Shape Global Technology, Inc., Kennebunk, ME: June 28, 1999.*

TA-W-38,009; *Roseburg Forest Products, Co., Big Log Sawmill, Dillard, OR: August 16, 1999.*

TA-W-37,831; *Cross Huller North America, Div. of Thyseerupp, Fraser, MI: June 14, 1999.*

TA-W-38,119; *John Dusenber Co., Randolph, NJ: September 11, 1999.*

TA-W-38,143 & A; *Copley Pharmaceutical, Inc., Canton, MA and Dedham, MA: September 13, 1999.*

TA-W-38,042; *EJ Footwear LLC, Franklin, TN: August 22, 1999.*

TA-W-38,130; *Elberton Manufacturing Co., Inc., Elberton, GA: September 8, 1999.*

TA-W-37,929; *B.F. Goodrich Aerospace (Coltec), Landing Gear Div., Eulese, TX: July 14, 1999.*

TA-W-38,057; *Corlair Corp., Piedmont, MO: August 24, 1999.*

TA-W-38,124; *A.D.H. Manufacturing Corp., Etowah, TN: September 8, 1999.*

TA-W-38,102; *McDowell Manufacturing, DuBois, PA: September 11, 1999.*

TA-W-37,942; *Unique Finishing, Inc., Wrightsville, GA: July 19, 1999.*

TA-W-38,038; *Guilford Mill, Inc., Fishman Facility, Greensboro, NC; August 7, 1999.*

TA-W-38,272; *Renfro Corp., Finishing Dept, Pulaski, VA: October 13, 1999.*

TA-W-38,070; *Sharp Manufacturing Co. of America, Memphis, TN: September 11, 1999.*

TA-W-38,234 & A; *Northside Manufacturing, Philipsburg, PA and Streamline Fashions Manufacturing Co., Philipsburg, PA: October 6, 1999.*

TA-W-38,004 & A; *Duluth Engineering and Manufacturing/Pitman, Duluth, MN and Grandview, MO: August 11, 1999.*

TA-W-38,190; *Amscan, Inc., Lumart Div., Brooklyn, NY: September 22, 1999.*

TA-W-38,176; *Tyco Electronics, TDI Batteries Div., Romeoville, IL: September 8, 1999.*

TA-W-38,296; *Kim Mark Hosiery, Mount Airy, NC: July 14, 1999.*

TA-W-38,235; *Universal Auto Radiator Mfg Co., Pittsburgh, PA: October 10, 1999.*

TA-W-38,016; *Leoni Wiring Systems, Tucson, AZ: August 10, 1999.*

TA-W-37,953; & A, B; *Stanley Knitting Mills (South Main Street Plant),*

*Oakboro, NC, Richfield, NC and Stanley Knitting Mills, Sales Corp., New York: August 4, 1999.*

TA-W-38,030; *Phoenix Medical Technology, Inc., Andrews, SC: August 17, 1999.*

TA-W-37,980; *Fulton Apparel, Inc., South Pittsburg, TN: July 27, 1999.*

TA-W-38,273; *McNairy Shirtworks, Adamsville, TN: October 17, 1999.*

TA-W-38,273; *Stanley Tools, Eagle Square Plant, Shaftsbury, VT: August 8, 1999.*

TA-W-38,255; *Still-Man Heating Product, Cookeville, TN: October 18, 1999.*

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 November, 2000.

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 or 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 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-04282; *Norman Barnes & Co., Inc., Arlington, WA*  
 NAFTA-TAA-04210; *Royal Oak Enterprises, Inc., Paris, AR*  
 NAFTA-TAA-03904; *APV Americas, Lake Mills, WI*  
 NAFTA-TAA-04120; *Corlair Corp., Piedmont, MO*  
 NAFTA-TAA-04025; *Kim Mark Hosierey, Inc., Mount Airy, NC*  
 NAFTA-TAA-04149; *Owik Tool Manufacturing, Magna Div., Lexington, KY*  
 NAFTA-TAA-04131; *Burlington Resources Oil and Gas, Mid Continent-Rockies, Sidney, MT*  
 NAFTA-TAA-04194; *Wabash Automotive, Ft. Worth, TX*  
 NAFTA-TAA-04226; *Airtherm, LLC, Forrest City, AR*  
 NAFTA-TAA-04169; *Hoh River Timber, Omak, WA*  
 NAFTA-TAA-04162; *Potlatch Corp., Wook Products, Div: Jaype Mill, Pierce, ID*  
 NAFTA-TAA-04167; *Roseboro, Lumber, Dimension Lumber Div., Springfield, OR*  
 NAFTA-TAA-04179; *GP Timber, Central Point, OR*

The investigation revealed that the criteria for eligibility have not been met for the reasons specified.

NAFTA-TAA-04197; *General Electric Industrial Systems, Motors Div., Erie, PA.*  
 NAFTA-TAA-04239; *DR Rent, LLC, Klamath Falls, OR.*  
 NAFTA-TAA-04177; *Derby Industries, LLC, Lexington, KY.*  
 NAFTA-TAA-04243; *Pronav Ship Management, Inc., Greenwich, CT.*

The investigation revealed that 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**

NAFTA-TAA-04088; *Leoni Wiring Systems, Tucson, AZ: August 10, 1999.*  
 NAFTA-TAA-04223; *Amscan, Inc., Lumart Div., Brooklyn, NY: September 22, 1999.*  
 NAFTA-TAA-04061 & A, B; *Stanley Knitting Mills (South Main Street Plant), Oakboro, NC, Richfield, NC and Stanley Knitting Mills Sales Corp., New York, NY: August 4, 1999.*  
 NAFTA-TAA-04032; *Philips Consumer Electronics—Industrial Operations, Life Test and Quality Control*

*Department, Greenville, TN: July 13, 1999.*

NAFTA-TAA-04168; *Tyco Electronics TDI Batteries Div., Tomeoville, IL: September 21, 1999.*  
 NAFTA-TAA-04160; *Quality Veneer and Lumber, Aberdeen, WA: September 12, 1999.*  
 NAFTA-TAA-04111; *Hayden Industrial Products LLC, Corona, CA August 22, 1999.*  
 NAFTA-TAA-04245; *Still-Man Heating Products, Cookeville, TN: October 18, 1999.*  
 NAFTA-TAA-4296; *Mulox, Inc., Macon, GA: August 30, 1999.*  
 NAFTA-TAA-04257; *A.O. Smith Electrical Products Do., Paoli Plant, Paoli, IN: October 20, 1999.*  
 NAFTA-TAA-04260; *3M, Scientific Angler, a/k/a Streamworks, a/k/a D.B. Dun, Boise, ID: October 19, 1999.*  
 NAFTA-TAA-04251; *Authentic Fitness Corp., Cutting Operation, Bell, CA: September 16, 1999.*  
 NAFTA-TAA-04211; *Tyco Electronics, Clinton Township, MI: October 4, 1999.*  
 NAFTA-TAA-04076; *Reynolds Metals Co., Troutdale, OR: August 9, 1999.*

I hereby certify that the aforementioned determinations were issued during the month of November, 2000. 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: November 27, 2000.

**Edward A. Tomchick,**  
 Director, Division of Trade Adjustment Assistance.

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

[NAFTA-04101]

#### **The Garden Grow Co., Lilly Miller Packet Seed Division, Wilsonville, OR; Notice of Negative Determination Regarding Application for Reconsideration**

By application dated November 2, 2000, the petitioner requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for NAFTA-Transitional Adjustment Assistance. The denial notice was

signed on October 6, 2000 and published in the **Federal Register** on November 1, 2000 (65 FR 65331).

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 petitioner requested that the Department reassess the findings that The Garden Company has *not* shifted production to Canada, nor has the Division of Lilly Miller. No new information concerning the decision was provided by the petitioner for reconsideration.

The Department's denial of NAFTA-TAA was based on the findings that criteria (3) and (4) of the group eligibility requirements of paragraph (a)(1) of section 250 of the Trade Act of 1974, as amended, were not met. Findings of the investigation showed that workers of The Garden Grow Company, Lilly Miller Packet Seed Division, Wilsonville, Oregon packaged seed in paper envelopes. The Department's denial of NAFTA-TAA for workers of the subject firm was based on the finding that there was no shift of production from the Wilsonville, Oregon production facility to Mexico or Canada. Sales and production were relatively flat. The workers were separated because the subject division was sold to a competitor who is shifting the work to another domestic location.

Although, the company has shifted some production (plastic seed bottle production) to Canada, no shifts in production have occurred during the relevant period.

#### **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 reconsideration of the Department of Labor's prior decision. Accordingly, the application is denied.

Signed at Washington, DC, this 21st day of November 2000.

**Linda G. Poole,**  
 Certifying Officer, Division of Trade Adjustment Assistance.

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