

**DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-55,907]

**GlaxoSmithKline Bristol, TN; Notice of Revised Determination on Reconsideration**

On February 23, 2005, the Department issued an Affirmative Determination Regarding Application on Reconsideration applicable to workers and former workers of the subject firm. The notice was published in the **Federal Register** on March 15, 2005 (70 FR 12737).

The previous investigation initiated on November 7, 2004, resulted in a negative determination issued on December 9, 2004, based on the finding that imports of Augmentin and Amoxil did not contribute importantly to worker separations at the subject firm and no shift of production to a foreign source occurred. The denial notice was published in the **Federal Register** on January 24, 2005 (70 FR 3390).

In the request for reconsideration, the petitioner provided additional information regarding subject firm's products. In particular, it was revealed that Augmentin and Amoxil, addressed by the company official during the original investigation as products manufactured at GlaxoSmithKline in Bristol, Tennessee, are brand names of penicillin-based antibiotics. It was further revealed that other companies manufacture antibiotics equivalent to Augmentin and Amoxil, but use different generic names for these products. Therefore, surveys of customers conducted during the original investigation did not reveal purchases from any sources other than the subject firm.

The Department conducted new customer surveys requesting information on purchases of penicillin-based antibiotics like or directly competitive with Augmentin and Amoxil. The result of this survey showed that the largest declining customer of the subject firm significantly increased its reliance on purchases of penicillin-based antibiotics like or directly competitive with Augmentin and Amoxil from other domestic firms during the relevant time period. However, the customer had no knowledge of the country of origin of these products.

Upon further investigation, it was revealed that GlaxoSmithKline, Bristol, Tennessee is the only domestic manufacturer of Augmentin and Amoxil and their generic equivalents in the

United States. All other generic brands sold on the domestic market are imports. Consequently, customers increasing their reliance on purchases from other domestic firms, increased their reliance on imports.

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 GlaxoSmithKline, Bristol, Tennessee, 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 GlaxoSmithKline, Bristol, Tennessee, who became totally or partially separated from employment on or after October 11, 2003 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.

Signed in Washington, DC this 8th day of April 2005.

**Elliott S. Kushner,***Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-1939 Filed 4-22-05; 8:45 am]

**BILLING CODE 4510-30-P****DEPARTMENT OF LABOR****Employment and Training Administration**

[TA-W-56,361; TA-W-56,361A; TA-W-56,361B; and TA-W-56,361C]

**Hedstrom Corporation, Arlington Heights, IL, Including Employees of Hedstrom Corporation Arlington Heights, IL Working In The States of: Nevada, Texas, Florida; Amended 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) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance on February 8, 2005, applicable to workers of Hedstrom Corporation, Arlington Heights, Illinois. The notice was published in the **Federal Register** on March 9, 2005 (70 FR 11704).

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. New information shows that worker separations have occurred involving employees of Hedstrom Corporation, Arlington Heights, Illinois working in Nevada, Texas and Florida. These employees provide support function services for the production of children's leisure products such as swing sets, trampolines and sleeping bags produced at the Arlington Heights, Illinois location of the subject firm.

Based on these findings, the Department is amending this certification to include employees of Hedstrom Corporation, Arlington Heights, Illinois working in Nevada, Texas and Florida.

The intent of the Department's certification is to include all workers of Hedstrom Corporation who were adversely affected by increased company imports.

The amended notice applicable to TA-W-56,361 is hereby issued as follows:

All workers of Hedstrom Corporation, Arlington Heights, Illinois (TA-W-56,361), including employees of Hedstrom Corporation, Arlington Heights, Illinois, working in Nevada (TA-W-56,361A), Texas (TA-W-56,361B), and Florida (TA-W-56,361C), who became totally or partially separated from employment on or after January 12, 2004, through February 8, 2007, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974, and are also eligible to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed in Washington, DC this 1st day of April 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-1927 Filed 4-22-05; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,751]

#### Hitachi Global Storage Technologies, Inc., San Jose, CA; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on March 11, 2005 in response to a worker petition filed by a company official on behalf of workers at Hitachi Global Storage Technologies, Inc., San Jose, California.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC this 30th day of March 2005.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-1933 Filed 4-22-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-56,586]

#### Lawson-Hemphill Sales, Inc., Spartanburg, SC; Notice of Affirmative Determination Regarding Application for Reconsideration

By application of April 2, 2005, a petitioner requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers of the subject firm. The determination was signed on March 3, 2005 and the Department's Notice of determination was published in the **Federal Register** on April 1, 2005 (70 FR 16847). Workers were engaged in the distribution of textile testing instruments.

A company official filed the petition on January 24, 2005 as a secondarily-affected company. The petition was denied on the basis that the subject firm neither separated nor threatened to separate a significant number or

proportion of workers at the subject facility during the relevant period.

In the request for reconsideration, the petitioner alleged, and provided documentation that supports the allegation, that the subject facility is affiliated with Lawson-Hemphill, Inc., Central Falls, Rhode Island, and infers that worker separations at the subject facility are related to sales and/or production declines at Lawson-Hemphill, Inc., Central Falls, Rhode Island.

During the initial investigation, the Department determined that the subject facility was unaffiliated with Lawson-Hemphill, Inc., Central Falls, Rhode Island, and thus did not inquire into whether sales and/or production declined at that facility.

The Department carefully reviewed the petitioner's request for reconsideration and has determined that the Department will conduct further investigation based on new information provided by the petitioner.

#### 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 6th day of April 2005.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E5-1930 Filed 4-22-05; 8:45 am]

BILLING CODE 4510-30-P

## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-55,748]

#### Liz Claiborne, Inc., North Bergen, NJ; Notice of Revised Determination on Reconsideration

On March 1, 2005, the Department issued an Affirmative Determination Regarding Application for Reconsideration applicable to workers and former workers of the subject firm. The Notice of determination was published in the **Federal Register** on March 15, 2005 (70 FR 12737). A corrected copy of the determination (dated March 11, 2005) was published in the **Federal Register** on March 22, 2005 (70 FR 14484).

The Department initially denied Trade Adjustment Assistance (TAA) to workers of Liz Claiborne, Inc., North Bergen, New Jersey because the subject

company did not import garment prototypes or samples and did not shift production of these articles abroad.

In the request for reconsideration, the petitioners alleged that the subject firm shifted sample production abroad.

In order to make an affirmative determination and issue a certification of eligibility to apply for Trade Adjustment Assistance, the group eligibility requirements in either paragraph (a)(2)(A) or (a)(2)(B) of Section 222 of the Trade Act must be met. It is determined in this case that the requirements of (a)(2)(B) of Section 222 have been met.

During the reconsideration investigation, the Department requested additional information and clarification from the subject company and the petitioners.

The reconsideration investigation revealed that the company official misunderstood what constituted a shift of production. Based on newly obtained information, the Department determined that during the relevant period, subject company domestic garment sample production levels and employment levels declined and that the subject company shifted garment sample production abroad and increased its reliance on imports of garment samples.

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

According to the company official, a significant number of workers at the firm are age fifty or over and workers of the subject facility possess skills that are not easily transferable. Competitive conditions within the garment industry are adverse.

#### Conclusion

After careful review of the newly obtained facts obtained in the reconsideration investigation, I determine that there was a shift of garment sample production abroad followed by actual or likely increased imports of articles that are like or directly competitive with those produced by the subject firm or subdivision. In accordance with the provisions of the Act, I make the following certification: