

## APPENDIX—Continued

[TAA petitions instituted between 12/3/07 and 12/7/07]

TA-W	Subject Firm (Petitioners)	Location	Date of Institution	Date of Petition
62525	Magna Donnelly Engineered (Comp)	Holland, MI	12/03/07	11/30/07
62526	Bulk Bag Express (State)	Malvern, AR	12/03/07	11/30/07
62527	Dievelopment (Comp)	Kentwood, MI	12/03/07	11/26/07
62528	Holophane/Acuity (Wkrs)	Utica, OH	12/03/07	11/29/07
62529	Leitchfield Plastics (Comp)	Leitchfield, KY	12/03/07	11/29/07
62530	Cooper Standard Automotive (UAW)	New Lexington, OH	12/04/07	11/27/07
62531	Nova Measuring Instruments, Inc. (Wkrs)	State College, PA	12/04/07	11/20/07
62532	Hoover Company (The) by TTI Floor Care North America, Inc. (Comp)	North Canton, OH	12/04/07	12/03/07
62533	Pilot Hosiery Mills, Inc. (Wkrs)	Pilot Mountain, NC	12/04/07	11/29/07
62534	S and Z Tool and Die (UAW)	Cleveland, OH	12/04/07	11/30/07
62535	Panolam/Nevamar Decorative Surfaces Division (Wkrs)	Oshkosh, WI	12/05/07	12/03/07
62536	Tower Auto Operations (State)	Granite City, IL	12/05/07	12/04/07
62537	Rockford Corporation (Comp)	Tempe, AZ	12/05/07	12/05/07
62538	ITW Foils (Wkrs)	Mt. Pleasant, MI	12/05/07	12/04/07
62539	Wolverine Tube (Wkrs)	Booneville, MS	12/05/07	12/04/07
62540	Culp, Inc (Comp)	High Point, NC	12/05/07	11/30/07
62541	General Electric (Wkrs)	West Burlington, IA	12/06/07	11/29/07
62542	Syntax—Brilliant (Wkrs)	Tempe, AZ	12/06/07	11/28/07
62543	McNeil Consumer Healthcare (Comp)	Parsippany, NJ	12/06/07	12/05/07
62544	XL Capital/XL Specialty Insurance Company (Wkrs)	Exton, PA	12/06/07	11/30/07
62545	William Wright Company (Comp)	West Warren, MA	12/07/07	12/04/07
62546	RemyReman LLC (Comp)	Raleigh, MS	12/07/07	12/06/07

[FR Doc. E7-24539 Filed 12-18-07; 8:45 am]  
BILLING CODE 4510-FN-P

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

[TA-W-62,333]

**Liberty Fibers Corporation, Lowland, TN; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter dated November 28, 2007, a company official requested administrative reconsideration of the Department's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to workers and former workers of the subject firm. The negative determination was issued on November 13, 2007, and was published in the **Federal Register** on December 10, 2007 (72 FR 69711).

The negative determination was based on the Department's finding that, during the relevant period, the subject firm did not produce an article within the meaning of section 222(a)(2) of the Trade Act of 1974. Workers performed maintenance of a facility that ceased production prior to the relevant period.

The request for reconsideration stated that several workers were not separated prior to the expiration of a previous Trade Adjustment Assistance certification (TA-W-58,039) because

those workers were required in order for the trustee appointed by the bankruptcy court to carry out its responsibilities (to liquidate the assets and settle the affairs of the corporation).

The request for reconsideration also stated that the TAA certification of TA-W-58,039 was amended on February 28, 2006 and that the amended certification stated that "[t]he intent of the Department's certification is to include all workers of Liberty Fibers Corporation, a subsidiary of Silva Holdings, Inc., Lowland, Tennessee who was adversely affected by increased customer imports."

The Department has carefully reviewed the request for reconsideration and has determined that the Department will conduct further investigation.

**Conclusion**

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

Signed at Washington, DC, this 11th day of December 2007.

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

[FR Doc. E7-24543 Filed 12-18-07; 8:45 am]

BILLING CODE 4510-FN-P

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

[TA-W-57,802 and TA-W-57,802E]

**Sara Lee Branded Apparel, Division Office, Division of Sara Lee Corporation, Formerly Known as National Textiles, LLC, Currently Known as Hanesbrands, Inc., Winston-Salem, NC, Including an Employee Located in Houston, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance and Negative Determination Regarding Eligibility To Apply for 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 a Negative Determination Regarding Eligibility to Apply for Alternative Trade Adjustment Assistance on September 28, 2005, applicable to workers of Sara Lee Branded Apparel, Division Office, Winston-Salem, North Carolina. The notice was published in the **Federal Register** on October 31, 2005 (70 FR 62347).

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 Division Office, Winston-Salem, North Carolina facility of the Sara Lee Branded Apparel located in Houston, Texas. Ms. Cynthia Shepherd provided a customer support function services for the activities related to the production of underwear (shorts and T-shirts) produced by the subject company.

Based on these findings, the Department is amending this certification to include an employee of the Division Office, Winston-Salem, North Carolina facility of the Sara Lee Branded Apparel located in Houston, Texas.

The intent of the Department's certification is to include all workers of Sara Lee Branded Apparel, Division Office, Winston-Salem, North Carolina who were adversely affected by increased imports.

The amended notice applicable to TA-W-57,802 is hereby issued as follows:

"All workers of Sara Lee Branded Apparel, Division Office, Division of Sara Lee Corporation, formerly known as National Textiles, LLC, currently known as Hanesbrands, Inc., Winston-Salem, North Carolina (TA-W-57,802), and including an employee of Sara Lee Branded Apparel, Division Office, Division of Sara Lee Corporation, currently known as Hanesbrands, Inc., Winston Salem, North Carolina, located in Houston, Texas (TA-W-57,802E), who became totally or partially separated from employment on or after July 29, 2004, through September 28, 2007, are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

I further determine that all workers of Sara Lee Branded Apparel, Division Office, Division of Sara Lee Corporation, formerly known as National Textiles, LLC, currently known as Hanesbrands, Inc., Winston-Salem, North Carolina (TA-W-57,802), and including an employee of Sara Lee Branded Apparel, Division Office, Division of Sara Lee Corporation, currently known as Hanesbrands, Inc., Winston Salem, North Carolina, located in Houston, Texas (TA-W-57,802E), Sara Lee Branded Apparel, Division of the Sara Lee Corporation, Division Office, currently known as Hanesbrands, Inc., Winston-Salem, North Carolina, are denied eligibility to apply for alternative trade adjustment assistance under Section 246 of the Trade Act of 1974.

Signed at Washington, DC, this 11th day of December 2007.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E7-24541 Filed 12-18-07; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

#### Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade 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 period of December 3 through December 7, 2007.

In order for an affirmative determination to be made for workers of a primary firm and a certification issued regarding eligibility to apply for worker adjustment assistance, 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 for secondarily affected workers of a firm and a certification issued regarding eligibility to apply for worker adjustment assistance, 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.

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.

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

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