The more durable and more expensive graphite product would account for the dip in production, as customers would not have to re-order the item as frequently. The official stated further that the only known competition in this market is domestic.

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 17th day of October, 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29267 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–53,033]

Modern Packaging Products, Deer Park, NY; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 26, 2003 in response to a petition filed on by a company official on behalf of workers of Modern Packaging, Inc., Deer Park, New York.

The petitioner has requested that the petition be withdrawn.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

Signed at Washington, DC this 17th day of October 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29270 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–52,067]

Pall Corporation, Life Sciences Groups, Capsule Department, Ann Arbor, MI; Notice of Negative Determination Regarding Application for Reconsideration

By application of August 6, 2003, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on July 22, 2003, and published in the **Federal Register** on August 14, 2003 (68 FR 48645).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Pall Corporation, Life Sciences Groups, Capsule Department, Ann Arbor, Michigan was denied because criterion (1) was not met. Employment at the subject plant increased from 2001 to 2002, and January 2003 as compared to January 2002.

The petitioner suggests that the data indicating an increase in employment at the subject facility is mitigated by the fact that the company has reduced positions in ''skilled worker jobs'', and that the total number of employees is buffered by ''low wage level work'.

In following the directives of TAA legislation, the Department assesses whether worker groups are separately identifiable by product line. If workers at the subject facility are all engaged in the production of the same products, it is directed to consider the totals of all production workers. Thus the type of distinctions sought by the petitioner are not relevant to an investigation regarding group eligibility requirements for TAA.

In the request for reconsideration, the petitioner seems to imply that a shift of production to Puerto Rico on the part of the company constitutes a shift of production to a country included in Caribbean Basin Economic Recovery Act. The petitioner seems to conclude that it is this shift that is responsible for separations at the subject facility.

Puerto Rico is a U.S. Territory and therefore any movement of production to this region would not constitute a shift of production to a foreign source.

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 17th day of October, 2003.

Elliott S. Kushner

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29261 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–52,101]

Pearl Baths, Inc., a Division of MAAX, Inc., Brooklyn Park, MN; Notice of Negative Determination Regarding Application for Reconsideration

By application of August 18, 2003, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice was signed on July 25, 2003 and published in the **Federal Register** on August 14, 2003 (68 FR 48645).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, filed on behalf of workers at Pearl Baths, Inc., a division of MAXX, Inc., Brooklyn Park, Minnesota engaged in the production of whirlpool baths was denied because the ''contributed importantly'' group eligibility requirement of Section 222 of the Trade Act of 1974 was not met and production was not shifted abroad.

The petitioner's main allegation consisted in the fact that employees of the Marketing, Customer Service, Tech Service and Accounting Departments, who were engaged in production, were separated as a result of a shift of their positions to Canada.

Marketing, customer service, tech service and accounting do not constitute

production according to the eligibility requirements for trade adjustment assistance.

Only in very limited instances are service workers certified for TAA, namely the worker separations must be caused by a reduced demand for their services from a parent or controlling firm or subdivision whose workers produce an article and who are currently under certification for TAA.

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 2nd day of October, 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29260 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–51,652]

Plastene Supply Co., Plant 1, Division of Siegel Robert, Inc., Portageville, MO; Notice of Negative Determination Regarding Application for Reconsideration

By application of June 14, 2003, petitioners requested administrative reconsideration of the Department's negative determination regarding eligibility to apply for Trade Adjustment Assistance (TAA), applicable to workers and former workers of the subject firm. The denial notice was signed on June 6, 2003, and published in the **Federal Register** on June 19, 2003 (68 FR 36846).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The petition for the workers of Plastene Supply Co., Plant 1, Division of Siegel Robert, Inc., Portageville, Missouri was denied because the ''contributed importantly'' group eligibility requirement of Section 222(3) of the Trade Act of 1974, as amended, was not met and production did not shift to a foreign source. The subject firm shifted production to another domestic source.

In the reconsideration request, the petitioners state that other products were produced at the subject facility other than the ''automotive nameplates'' cited in the negative determination.

The negative determination was based on data received by the company regarding sales totals of all products at the subject facility. This data indicates that there was a direct domestic shift from the Portageville plant to another company owned plant in Farmington, Missouri. Totals of collective sales of competitive products from these two plants over the relevant period of this investigation indicate that there were no declines in domestic production.

The petitioners further allege that the subject firm served as a ''downstream producer'' because ''many parts were shipped to Canada or Mexico''.

The initial negative determination was issued on the basis of a primary investigation; no specific trade certified customers were indicated either in the initial petition or the reconsideration request. Further, in order to be eligible as secondary ''downstream producers'', the subject facility would have to assemble or finish products from primary firm production that was the basis for a trade adjustment assistance certification. There is no indication that subject firm production served this purpose.

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 17th day of October, 2003.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29265 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–52,873]

Progress Casting Group, Inc., Plymouth, MN; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 17, 2003 in response to a worker petition filed by a company official on behalf of workers at Progress Casting Group, Inc., Plymouth, Minnesota.

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

Signed at Washington, DC this 21st day of October, 2003.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29274 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P

DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–52,952]

Business Confidential, Old Time Cutting, A.K.A. R&S Cutting, Passaic, NJ; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, as amended, an investigation was initiated on September 24, 2003 in response to a petition filed by a State agency representative on behalf of workers at Old Time Cutting, also known as R&S Cutting, Passaic, New Jersey.

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

Signed at Washington, DC this 24th day of October, 2003.

Richard Church,

Certifying Officer, Division of Trade Adjustment Assistance.

[FR Doc. 03–29281 Filed 11–21–03; 8:45 am]

BILLING CODE 4510–30–P