

further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 7th day of May, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12380 Filed 6-1-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,664]

#### **Owens-Illinois, Inc., Hayward, CA; Notice of Affirmative Determination Regarding Application for Reconsideration**

By letter of April 8, 2004, Glass, Molders, Pottery, Plastics & Allied Workers International Union and Local Union 167 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 Department's determination notice was signed on January 29, 2004. The Notice was published in the **Federal Register** on March 12, 2004 (69 FR 11888).

The Department reviewed the request for reconsideration and has determined that the petitioners have provided additional information. Therefore, the Department will conduct further investigation to determine if the workers meet the eligibility requirements of the Trade Act of 1974.

#### **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 21st day of May, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12386 Filed 6-1-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-53,735]

#### **Phillips Plastics Corporation, Multi Shot Facility, Eau Claire, WI; Notice of Negative Determination on Reconsideration**

On March 5, 2004, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm. The Department published the Notice in the **Federal Register** on March 16, 2004 (69 FR 12351).

The initial Trade Adjustment Assistance petition, dated December 4, 2003, was filed on behalf of workers at Phillips Plastics Corporation, Eau Claire, Wisconsin. The petition was denied based on no sales decline, no company imports and no shift of production during the relevant time period.

In a letter dated February 6, 2004, the petitioner requested administrative reconsideration of the Department's negative determination. The petitioner alleged that production declined during October-December 2003, that sales may decline in 2004 from previous levels, and that 2003 sales declined from 2002 levels.

The relevant time period of the investigation is one year prior to the date of the petition through the date of the decision. Therefore, events which occur outside the relevant time period cannot be considered.

The Department conducted an investigation to determine whether subject company production of molded parts declined during the relevant time period. The investigation revealed that while production decline during October-December 2003 as alleged, the decline occurred in only one month and increased in the other two months as compared to the corresponding time period in 2002. The investigation also revealed that while production fluctuated during 2003, overall production for 2003 was greater than overall production for 2002.

Petitioner's allegation of sales declines in 2004 was not investigated because it falls outside the relevant time period and therefore cannot be considered.

The Department also investigated whether subject facility sales declined in 2003 from 2002 levels. The investigation revealed that sales increased in 2003 from 2002 levels.

#### **Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Phillips Plastics Corporation, Eau Claire, Wisconsin.

Signed at Washington, DC, this 5th day of May, 2004.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12381 Filed 6-1-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,691]

#### **R.A.G.S., Inc., Including Leased Workers of Selective HR Solutions, Inc., Albemarle, NC; 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 April 30, 2004, applicable to workers of R.A.G.S., Inc., Albemarle, North Carolina. The notice will be published soon in the **Federal Register**.

At the request of the State agency, the Department reviewed the certification for workers of the subject firm. The workers were engaged in the production of women's tops: jackets, blouses and shirts.

Information provided by the State agency shows that all workers of the Albemarle, North Carolina location of the subject firm are leased workers of Selective HR Solutions, Inc.

Information also shows that workers separated from employment at the subject firm had their wages reported under a separate unemployment insurance (UI) tax account for Selective HR Solutions, Inc. employed at R.A.G.S., Inc., Albemarle, North Carolina.

Based on these findings, the Department is amending this certification to include leased workers of Selective HR Solutions, Inc. working at R.A.G.S., Inc., Albemarle, North Carolina.

The intent of the Department's certification is to include all workers of

R.A.G.S., Inc. who was adversely affected by increased imports.

The amended notice applicable to TA-W-54,691 is hereby issued as follows:

All workers of R.A.G.S., Inc., including leased workers of Selective HR Solutions, Inc., Albemarle, North Carolina, who became totally or partially separated from employment on or after March 31, 2003, through April 30, 2006, 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 at Washington, DC, this 20th day of May, 2004.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12382 Filed 6-1-04; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-54,786]

#### Royce Hosiery, LLC, Martinsburg, WV; Notice of Termination of Investigation

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on April 27, 2004, in response to a worker petition which was filed on behalf of workers at Royce Hosiery, LLC, Martinsburg, West Virginia (TA-W-54,786).

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

Signed in Washington, DC, this 7th day of May, 2004.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 04-12379 Filed 6-1-04; 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

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 periods of April and May 2004.

In order for an affirmative determination to be made and a certification of eligibility to apply for directly-impacted (primary) worker adjustment assistance to be issued, 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 and a certification of eligibility to apply for worker adjustment assistance as an adversely affected secondary group to be issued, 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.

#### Negative Determinations for Worker Adjustment Assistance

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

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B) (No shift in production to a foreign country) have not been met.

TA-W-54,506; Sanford Pattern Works, Inc., Taylor, MI;

TA-W-53,521; Wil-Mort Metals, Inc., Fort Payne, AL;

TA-W-54,638 & A; Spartech Polycom, Inc., Danora Plant 1, Compounding Div., a subsidiary of Spartech Corp., Danora, PA and Danora Plant 2, Danora, PA;

TA-W-54,675; Royal Vendors, Inc., Kearneysville, WV;

TA-W-54,604; Penn Ventilation, Air System Components, LP, Junction, KY;

TA-W-54,755; Textile Sales & Repair, Inc., Gastonia, NC;

TA-W-54,436; Thomson Broadcast and Media Solutions, Inc., AKA Thomson Grass Valley, a subsidiary of Thomson, Inc., Customer Service Organization, Nevada City, CA;

TA-W-54,779; Morgan Adhesives Co., a subsidiary of Bemis Company, Inc., North Las Vegas, NE;

TA-W-54,559; Cequent Trailer Products, formerly Hammerblow Corp., Wausau, WI;