

met. Workers at the firm possess skills that are easily transferable.

The Department has determined that criterion (3) of Section 246 has not been met. Competition conditions within the workers' industry are not adverse.

#### **Negative Determinations for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

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

Because the workers of the firm are not eligible to apply for TAA, the workers cannot be certified eligible for ATAA.

The investigation revealed that criteria (a)(2)(A)(I.A.) and (a)(2)(B)(II.A.) (employment decline) have not been met.

*TA-W-60,273; Micro Motions, Inc., A Division of Emerson Electric, Boulder, CO.*

The investigation revealed that criteria (a)(2)(A)(I.B.) (Sales or production, or both, did not decline) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

*TA-W-60,315; Ferrero USA, Somerset, NJ.*

The investigation revealed that criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.B.) (shift in production to a foreign country) have not been met.

*TA-W-60,133A; Rosboro Lumber, Vaughn Plant, Vaughn, OR.*

*TA-W-60,140; TAP Holdings, LLC, Los Angeles, CA.*

*TA-W-60,270; Beard Hosiery Co., Lenoir, NC.*

The investigation revealed that the predominate cause of worker separations is unrelated to criteria (a)(2)(A)(I.C.) (increased imports) and (a)(2)(B)(II.C.) (shift in production to a foreign country under a free trade agreement or a beneficiary country under a preferential trade agreement, or there has been or is likely to be an increase in imports).

*None.*

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

*TA-W-60,112; Stroheim and Romann, Long Island City, NY.*

*TA-W-60,310; Ford Motor Company, Ford Payroll Services, Dearborn, MI.*

The investigation revealed that criteria of Section 222(b)(2) has not been met. The workers' firm (or subdivision)

is not a supplier to or a downstream producer for a firm whose workers were certified eligible to apply for TAA.

*None.*

I hereby certify that the aforementioned determinations were issued during the period of November 13 through November 17, 2006. 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 21, 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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## **DEPARTMENT OF LABOR**

### **Employment and Training Administration**

**[TA-W-59,977]**

#### **Central Penn Sewing Machine Company, Inc., Bloomsburg, PA; Notice of Negative Determination Regarding Application for Reconsideration**

By application dated October 1, 2006, 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 September 14, 2006 and published in the **Federal Register** on September 26, 2006 (71 FR 56172).

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 petition for the workers of the Central Penn Sewing Machine Company, Inc., Bloomsburg, Pennsylvania engaged in production of industrial sewing machines was denied because the "contributed importantly" group eligibility requirement of Section

222 of the Trade Act of 1974, as amended, was not met, nor was there a shift in production from that firm to a foreign country in 2004, 2005 or January through August, 2006. The "contributed importantly" test is generally demonstrated through a survey of the workers' firm's customers. The survey revealed no imports of sewing machines during the relevant period. The subject firm did not import sewing machines nor did it shift production to a foreign country during the relevant period.

The petitioner states that the affected workers lost their jobs as a direct result of a loss of customers in the apparel industry. The petitioner alleges that major declining customers of the subject firm increased imports of apparel or were negatively impacted by imports of apparel. As a result, they decreased their purchases of sewing machines from the Central Penn Sewing Machine Company, Inc., Bloomsburg, Pennsylvania. The petitioner also states that several of the subject firm's customers were certified eligible for TAA based on an increase in imports of various apparel products. The petitioner concludes that because industrial sewing machines are used to manufacture apparel and sales and production of industrial sewing machines at the subject firm have been negatively impacted by increasing presence of foreign imports of apparel on the market, workers of the subject firm should be eligible for TAA.

In order to establish import impact, the Department must consider imports that are like or directly competitive with those produced at the subject firm. The Department conducted a survey of the subject firm's major declining customers regarding their purchases of industrial sewing machines. The survey revealed that the declining customers did not increase their imports of industrial sewing machines during the relevant period.

Imports of apparel cannot be considered like or directly competitive with industrial sewing machines produced by Central Penn Sewing Machine Company, Inc., Bloomsburg, Pennsylvania and imports of apparel are not relevant in this investigation.

The fact that subject firm's customers are importing or were import impacted is relevant to this investigation if determining whether workers of the subject firm are eligible for TAA based on the secondary upstream supplier of trade certified primary firm impact. For certification on the basis of the workers' firm being a secondary upstream supplier, the subject firm must produce a component part of the article that was

the basis for the customers' TAA certification.

In this case, however, the subject firm does not act as an upstream supplier, because industrial sewing machines do not form a component part of apparel and other textile products. Thus the subject firm workers are not eligible under secondary impact.

**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, day 20th of November, 2006.

**Elliott S. Kushner,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. E6-20059 Filed 11-27-06; 8:45 am]

**BILLING CODE 4510-30-P**

**DEPARTMENT OF LABOR**

**Employment and Training Administration**

**Investigations Regarding Certifications of Eligibility To Apply for Worker Adjustment Assistance and Alternative Trade Adjustment Assistance**

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than December 8, 2006.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than December 8, 2006.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC, this 20th day of November 2006.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

**APPENDIX**

[TAA petitions instituted between 11/13/06 and 11/17/06]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
60397	Dana Corporation Thermal Products Division (Comp).	Sheffield, PA	11/13/06	11/09/06
60398	Western Industries (Union)	Chilton, WI	11/13/06	11/08/06
60399	Customized Manufacturing, Inc. (Comp)	McKenzie, TN	11/13/06	11/08/06
60400	Unum Provident (Wkrs)	Portland, ME	11/13/06	11/07/06
60401	Pimalco Inc. (Wkrs)	Chandler, AZ	11/13/06	11/09/06
60402	Hayes Products, LLC (Wkrs)	Buena Park, CA	11/13/06	11/07/06
60403	Metolius Mountain Products (Comp)	Bend, OR	11/13/06	11/09/06
60404	Dickten Masch Plastics (Union)	Hattiesburg, MS	11/13/06	11/09/06
60405	Employment Solutions (State)	Fort Collins, CO	11/13/06	11/10/06
60406	A.O. Smith Electrical Products Co. (Comp)	Scottsville, KY	11/13/06	11/09/06
60407	Shoreline Industries (Wkrs)	Benton Harbor, MI	11/13/06	11/07/06
60408	Textram, Inc. (Wkrs)	Charlotte, NC	11/14/06	11/08/06
60409	Davis International (Wkrs)	Okolona, MS	11/14/06	11/08/06
60410	Ames True Temper (IAMAW)	Delaware, OH	11/14/06	11/10/06
60411	Littelfuse, Inc. (Comp)	Des Plaines, IL	11/14/06	11/09/06
60412	Kwikset Corporation (Comp)	Denison, TX	11/14/06	10/25/06
60413	Bendix (Union)	Frankfort, KY	11/14/06	11/10/06
60414	Print, Inc. (Wkrs)	Gilbert, AZ	11/14/06	11/13/06
60415	United Healthcare (Wkrs)	Hartford, CT	11/14/06	11/10/06
60416	Moore's Machine Company of Fayetteville, Inc. (Comp).	Fayetteville, NC	11/14/06	11/09/06
60417	Whirlpool Corporation (IUECWA)	Evansville, IN	11/14/06	11/07/06
60418	Vesuvius USA (Comp)	Fisher, IL	11/14/06	11/10/06
60419	I&W Industries, LLC (Comp)	Traverse City, MI	11/14/06	11/09/06
60420	Mesick Precision Co., Inc. (Wkrs)	Mesick, MI	11/14/06	10/29/06
60421	Fisher & Company, Inc. (Comp)	St. Clair Shores, MI	11/14/06	10/11/06
60422	Ahlstrom LLC (Wkrs)	Mt. Holly Springs, PA	11/14/06	10/26/06
60423	3M (Comp)	Columbia, MO	11/14/06	11/13/06
60424	Creative Engineered Products, LLC (Wkrs)	Akron, OH	11/14/06	11/07/06
60425	Steed Sales Company, Inc. (Comp)	Bowdon, GA	11/14/06	11/13/06
60426	Haldex Brakes Products Corp. (Union)	Paris, TN	11/14/06	11/13/06
60427	RBC Tyson Bearing (Wkrs)	Glasgow, KY	11/14/06	10/02/06
60428	Boc Edwards (Wkrs)	Philadelphia, PA	11/14/06	11/06/06
60429	Xyron Inc. (Wkrs)	Garden Grove, CA	11/14/06	10/26/06
60430	JP Morgan Chase (Comp)	Louisville, KY	11/14/06	11/13/06
60431	Jackson, Tennessee Plant (Comp)	Jackson, TN	11/15/06	11/06/06