

APPENDIX—Continued

[TAA petitions instituted between 10/20/08 and 10/24/08]

TA-W	Subject firm (Petitioners)	Location	Date of institution	Date of petition
64258	Irwin Research and Development (Wkrs)	Yakima, WA	10/21/08	10/16/08
64259	Kim Ro Manufacturing, Inc. (Wkrs)	Trezevant, TN	10/21/08	10/17/08
64260	Glatfelter's Ohio Operation (USW)	Chillicothe, OH	10/21/08	10/17/08
64261	Reed Elsevier/Lexis Nexis (Wkrs)	Miamisburg, OH	10/21/08	10/16/08
64262	Classic Components Corporation (State)	Torrence, CA	10/22/08	09/28/08
64263	Celanese Emulsions Corporation (Union)	Meredosia, IL	10/22/08	10/09/08
64264	General Motors Corporation—Pittsburgh Metal Center (UAW)	West Mifflin, PA	10/22/08	10/22/08
64265	Cooper Crouse-Hinds, Cooper Interconnect (Comp)	LaGrange, NC	10/22/08	10/16/08
64266	Environmental Business Services/Katun Corporation (State)	Austin, TX	10/22/08	10/21/08
64267	Stevens Linen Associates, Inc. (01571)	Dudley, MA	10/22/08	10/21/08
64268	Eagle Ottawa LLC (Comp)	Waterloo, IA	10/23/08	10/22/08
64269	SD Summit Design, Inc. (State)	Montebello, CA	10/23/08	10/22/08
64270	Thermo Fisher Scientific, Lab Vision Fremont, Mfg. Dept. (Wkrs)	Fremont, CA	10/23/08	10/22/08
64271	Knight Colotex (Comp)	Lisbon Falls, ME	10/23/08	10/10/08
64272	Nielsen Co. (formerly AC Nielsen Co.) (Wkrs)	Fond du Lac, WI	10/23/08	10/21/08
64273	Century Furniture Casegoods (Comp)	Hickory, NC	10/24/08	10/23/08
64274	Item-Eyes Apparel (UNITE)	New York, NY	10/24/08	10/23/08
64275	Reynolds Foil, Inc. (Comp)	Richmond, VA	10/24/08	10/21/08
64276	American Safety Razor (IUE)	Verona, VA	10/24/08	10/01/08
64277	Louisiana-Pacific Corporation (State)	Athens, GA	10/24/08	10/23/08
64278	Purcell Systems (Wkrs)	Spokane Valley, WA	10/24/08	10/13/08

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-63,713]

Canterbury Printing Company of Rome Incorporated, Rome, New York; Notice of Negative Determination on Reconsideration

On September 17, 2008, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Canterbury Printing Company of Rome Incorporated, Rome, New York (subject firm). The Department's Notice of affirmative determination was published in the **Federal Register** on September 24, 2008 (73 FR 55137). Workers produce printed materials including postcards, calendars, and journals.

The Department's determination regarding the subject workers' eligibility to apply for Trade Adjustment Assistance (TAA) and Alternative Trade Adjustment Assistance (ATAA) was based on the Department's findings that, during the relevant period, there were no increased imports by the subject firm or its major declining customer or a shift of production by the subject firm to a foreign country.

In the request for administrative reconsideration, the Graphic Communications Conference of the

International Brotherhood of Teamsters Union, Local 503-M, alleged that increased imports contributed to the closure of the subject firm.

In order to apply for TAA, petitioners must meet the worker group eligibility requirements for directly-impacted (primary) workers under Section 222(a) the Trade Act of 1974, as amended. The eligibility requirements can be met by satisfying either Section (a)(2)(A) or Section (a)(2)(B).

Under Section (a)(2)(A), the following criteria must be met:

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; and

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.

Under Section (a)(2)(B), the following criteria must be met:

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; and

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; or

2. The country to which the workers' firm has shifted production of the articles is 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.

During the reconsideration investigation, the Department confirmed that the subject firm closed permanently in July 2008. Therefore, the Department affirms that the first two criteria of Section 222(a)(2)(A) have been met.

Based on the allegations in the request for reconsideration, the scope of the reconsideration investigation is limited to whether or not the third criteria in Section 222(a)(2)(A) has been met (increased imports of articles like or directly competitive with those produced by the subject firm contributed importantly to the workers' separation and to subject firm sales or production declines).

During the reconsideration investigation, the Department confirmed that the subject firm did not import printed material or articles like or

directly competitive with printed material.

On reconsideration, the Department contacted the subject firm's major declining customer that was surveyed during the initial investigation, and confirmed that the customer did not import articles like or directly competitive with the printed material produced by the subject firm. The customer also stated that it ceased purchasing from the subject firm because it transferred to a Web-based publication. The move from the print medium to an electronic medium was due to the interactive nature of the electronic medium and the customer's advertisers' demands.

During the reconsideration investigation, the Department contacted a previously-unidentified customer of the subject firm and was informed that this customer did not award the subject firm the contract for printing its 2008 catalogue of products. Although the customer did consider awarding the contract to a Chinese company, the contract was awarded to a domestic company.

During the reconsideration investigation, the Department obtained information regarding the printing industry in general. The information indicates that the rise of the digital media—and the attending changes in technology (such as new equipment and computer programs), operating procedures (like “on demand” or “short run” printing), and customers' demands (including access to Internet links and “pop up” advertisements)—is the major factor in the decline in the printing industry. The fast-paced changes in this industry brought about by the ever-changing nature of the digital media, compounded by aging infrastructure and the higher postage costs, have contributed to the closure of companies unable to adapt to the changing environment.

Based on findings in the initial investigation and the reconsideration investigation, the Department determines that increased imports did not contribute importantly to the subject workers' separations and subject firm sales/production declines. Therefore, the Department affirms that Section 222(a)(2)(A)(C) has not been met.

In order for the Department to issue a certification of eligibility to apply for Alternative Trade Adjustment Assistance (ATAA), the subject worker group must be certified eligible to apply for Trade Adjustment Assistance (TAA). Since the subject workers are denied eligibility to apply for TAA, the workers cannot be certified eligible for ATAA.

Conclusion

After careful reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Canterbury Printing Company of Rome Incorporated, Rome, New York.

Signed at Washington, DC this 27th day of October 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–63,574]

Albany International Research Company, Mansfield, MA; Notice of Negative Determination Regarding Application for Reconsideration

By application postmarked September 30, 2008, a company official 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 August 18, 2008 and published in the **Federal Register** on September 3, 2008 (73 FR 51530).

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 negative TAA determination issued by the Department for workers of Albany International Research Company, Mansfield, Massachusetts was based on the finding that imports of prototype fabrics did not contribute importantly to worker separations at the subject plant and there was no shift of production to a foreign country during the relevant period. The “contributed importantly” test is generally demonstrated through a survey of the workers' firm's declining domestic customers. In this instance, the subject

firm did not sell prototype fabrics to outside domestic customers, thus a survey was not conducted. The subject firm did not import prototype fabrics into the United States during the relevant period.

In the request for reconsideration the petitioner states that employment at the subject facility will be negatively impacted by a shift in a portion of Research and Development work to England. According to the company official, the shift will be taking place on December 31, 2008.

When assessing eligibility for TAA, the Department exclusively considers import impact during the relevant time period (one year prior to the date of the petition). Events occurring on December 31, 2008 are outside of the relevant time period as established by the petition date of June 19, 2008, and thus cannot be considered in this investigation.

Should conditions change in the future, the company is encouraged to file a new petition on behalf of the worker group which will encompass an investigative period that will include these changing conditions.

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 in Washington, DC, this 22nd day of October 2008.

Elliott S. Kushner,

Certifying Officer, Division of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA–W–63,962]

GE Consumer and Industrial Lighting, Willoughby Lucalox Plant, Willoughby, OH; Notice of Negative Determination Regarding Application for Reconsideration

By application dated October 10, 2008, IUE–CWA, Local 84707 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 24,