

initial negative determination and negative determination on reconsideration revealed that the subject firm produced molds for its parent company, Ball-Foster Glass Container. On July 1, 1996, when Penn Mould Industries, Incorporated was purchased by Ross Mould, Inc., the Washington, Pennsylvania plant became a commercial production facility. The workers were laid-off on July 5, 1996. A survey of the principal customer of Penn Mould, which account for the predominate proportion of the subject firm's sales, revealed no import purchases of glass forming molds from Mexico, Canada or other foreign sources through September 1996.

On remand, the Department has further determined that criterion (2) of paragraph (a)(1) of Section 250 and Section 222 of the group eligibility requirements of the Trade Act of 1974, as amended, was not met. Production of molds at the Washington plant had a negligible decline of 0.7 percent prior to the worker separations.

The plaintiffs also question the accuracy and validity of the customer survey conducted during the investigation. Unless it has definitive information to the contrary, the Department must rely on the information provided by the company and the survey responses from the subject firm customers since the company and the responding customers are in the best position to provide reliable information.

Conclusion

After reconsideration on remand, I affirm the original notice of negative determination of eligibility to apply for adjustment assistance for workers and former workers of Penn Mould Industries Incorporated, Washington, Pennsylvania.

Signed at Washington, D.C. this 10th day of July 1997.

Curtis K. Kooser,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-33,481]

Abele Knitting Mills, Incorporated, Farmingdale, New York; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on May 12, 1997 in response to a worker petition which was filed on behalf of former workers at Abele Knitting Mills, Incorporated, located in Farmingdale, New York (TA-W-33,481).

The Department of Labor has been unable to locate the company official at the subject firm. Consequently, the Department of Labor cannot conduct an investigation to make a determination as to whether the workers are eligible for adjustment assistance benefits under the Trade Act of 1974.

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

Signed at Washington, D.C. this 18th day of July 1997.

Curtis K. Kooser,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-33,289]

CDR Ridgway, Ridgway, Pennsylvania; Notice of Negative Determination Regarding Application for Reconsideration

By application of May 9, 1997, the United Steelworkers of America requested administrative reconsideration of the Department's negative determination regarding worker eligibility to apply for trade adjustment assistance, applicable to workers of the subject firm. The denial notice was signed on April 28, 1997 and will soon be published in the **Federal Register**.

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 request for reconsideration claims that the amount of pigment production in the United States has decreased and that the amount of inks and ink related products being shipped into the United States has affected the employment at CDR Ridgway.

In order for the Department to issue a worker group certification, all of the group eligibility requirements of Section 222 of the Trade Act must be met.

Review of the investigation findings show that criterion (2) was not met. Layoffs at the subject firm were the result of the consolidation of pigment production from the subject firm into three other company-owned plants located domestically. Corporate wide sales of pigments increased in 1996 compared to 1995.

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 11th day of July 1997.

Curtis K. Kooser,

Acting Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

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DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-33,404]

Devoe & Reynolds Company, Louisville, Kentucky; Notice of Affirmative Determination Regarding Application for Reconsideration

By letter of May 15, 1996, the United Paperworkers International Union (UPIU), Local 7906, requested administrative reconsideration of the Department of Labor's Notice of Negative Determination Regarding Eligibility to Apply for Worker Adjustment Assistance, applicable to petition number TA-W-33,404. The denial notice was signed on April 23,