

**DEPARTMENT OF LABOR****Employment and Training Administration**

[T-W-37,387]

**Timbergon, Redmond, Oregon; Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on February 28, 2000 in response to a worker petition which was filed on behalf of workers at Timbergon, Redmond, Oregon.

The petitioner has requested that the petition be withdrawn.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 6th day of April, 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-9975 Filed 4-20-00; 8:45 am]

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Tultex Corporation who were adversely affected by increased imports.

The amended notice applicable to TA-W-37,208 is hereby issued as follows:

All workers of Tultex Corporation, South Boston, Virginia (TA-W-37,208) and California Shirt Sales, Inc., Fullerton, California (TA-W-37,208A), Honolulu, Hawaii (TA-W-37,208B), Las Vegas, Nevada (TA-W-37,208C), Oakland, California (TA-W-37,208D), Kent, Washington (TA-W-37,208F) and Tempe, Arizona (TA-W-37,208G) who became totally or partially separated from employment on or after December 16, 1998 through January 13, 2002 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 7th day of April, 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-9976 Filed 4-20-00; 8:45 am]

BILLING CODE 4510-30-M

**DEPARTMENT OF LABOR****Employment and Training Administration**

[NAFTA-3578 and TA-W-37,035; Court Metal Finishing, Inc., Flint, Michigan]

**Notice of Revised Determination on Reconsideration**

On March 31, 2000, the Department issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of the subject firm denied eligibility to apply for North American Free Trade Agreement-Transitional Adjustment Assistance (NAFTA-TAA). The notice was published in the **Federal Register** on April 11, 2000 (65 FR 19390). The petitioners presented information regarding customer imports from Mexico of articles like or directly competitive with those produced at the workers' firm.

The January 6, 2000, denial of NAFTA-TAA for workers of Court Metal Finishing, Inc., Flint, Michigan, engaged in employment related to the production of valves was based on the finding that criteria (3) and (4) of the Group Eligibility Requirements of paragraph (a)(1) of section 250 of the Trade Act of 1974, as amended, were not met. The investigation revealed that there were no company or customer imports of valves from Mexico or Canada during the time period relevant to the investigation. Court Metal Finishing, Inc. did not shift production of valves from the Flint, Michigan plant to Mexico or Canada.

On reconsideration, the Department conducted an additional survey of the subject firm's major declining customers. The responses revealed that a major declining customer increased imports of valves from Mexico or Canada while reducing purchases from Court Metal Finishing, Inc.

The Department, on its own motion, reviewed the findings of the January 6, 2000 Trade Adjustment Assistance (TAA) negative determination applicable to workers of the subject firm, petition number TA-W-37,035. The investigation review shows that with the new customer information obtained on reconsideration of NAFTA-3578, all criteria of the Group Eligibility Requirements of section 222 of the Trade Act of 1974 are met.

**Conclusion**

After careful consideration of the new facts obtained on reconsideration, it is concluded that the workers of Court Metal Finishing, Inc., Flint, Michigan,

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[TA-W-37,208, et al.]

**Tultex Corporation, South Boston, Virginia; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on January 13, 2000, applicable to workers of Tultex Corporation, South Boston, Virginia. The notice was published in the **Federal Register** on February 4, 2000 (65 FR 5690).

At the request of the company, the Department reviewed the certification for workers of the subject firm. The workers are engaged in employment related to the production of fleece activewear. New findings show that California Shirt Sales, Inc., is a wholly owned subdivision of Tultex Corporation. Worker separations occurred at various locations of California Shirt Sales when Tultex Corporation closed all locations, including the South Boston, Virginia plant, in February, 2000. The workers provided distribution of finished fleece activewear manufactured by Tultex Corporation to its customers.

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

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[NAFTA-03839]

**Ametek Aerospace, Wilmington, Massachusetts; Notice of Termination of Investigation**

Pursuant to Title V of the North American Free Trade Agreement Implementation Act (Pub. L. 103-182) concerning transitional adjustment assistance, hereinafter called (NAFTA-TAA), and in accordance with Section 250(a), Subchapter D, Chapter 2, Title II, of the Trade Act of 1974, as amended (19 U.S.C. 2273), an investigation was initiated on February 18, 2000 in response to a petition filed on behalf of workers at Ametek Aerospace, Wilmington, Massachusetts.

In a letter dated April 10, 2000, the petitioner requested that the petition for NAFTA-TAA be withdrawn. Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 13th day of April, 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-9974 Filed 4-20-00; 8:45 am]

BILLING CODE 4510-30-M

were adversely affected by increased imports, including those from Mexico or Canada, of articles like or directly competitive with those produced at the subject firm.

All workers of Court Metal Finishing, Inc., Flint, Michigan, who became totally or partially separated from employment on or after November 1, 1998, through two years from the date of this issuance are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

All workers of Court Metal Finishing, Inc., Flint, Michigan, who became totally or partially separated from employment on or after October 15, 1998 through two years from the date of this issuance are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed at Washington, DC this 13th day of April 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-9972 Filed 4-20-00; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

[TA-W-37,063 and NAFTA-3605]

#### **Kellogg Company, South Operations Plant, Battle Creek, Michigan; Notice of Revised Determination on Reconsideration**

On March 21, 2000, the Department issued an Affirmative Determination Regarding Application for Reconsideration with respect to the workers and former workers of the subject firm. The Department determined that the Bakery, Confectionery, Tobacco Workers and Grain Millers International Union, Local 3-G, assertion that the effects of a transfer of production equipment to Mexico warranted further investigation. The notice was published in the **Federal Register** on March 31, 2000 (65 FR 17311).

The February 10, 2000, negative determination regarding TAA was based upon the finding that the "contributed importantly" test of the Group Eligibility Requirements of the Trade Act of 1974, as amended, was not met. The investigation revealed that sales and production of cereal remained relatively constant from 1997 through September 1999 and that company imports relative to domestic production had declined slightly in recent years. Separations at the Battle Creek, Michigan plant were attributed to a domestic shift in production.

The February 10, 2000, negative determination regarding NAFTA-TAA was based upon the finding that criteria (3) and (4) of paragraph (a)(1) of Section 250 of the Trade Act were not met. The company's reliance on imported cereal from Mexico decreased throughout the relevant period through September 1999. Layoffs were attributable to the transfer of cereal production to other domestic plants.

On reconsideration, the Department requested current information from the subject firm applicable to the time period in which significant worker separations were scheduled to occur. The information provided by Kellogg's applicable to cereal produced by workers at the South Operations Plant, Battle Creek, Michigan, show declines in sales, production, employment. Additional information reveals that, although it remains apparent that a significant portion of former production of the South Operations Plant is being transferred domestically, there has been an increase in company imports of cereal from Mexico or Canada relative to domestic production since the phase down of production at the South Operations Plant began.

#### **Conclusion**

After careful consideration of the new facts obtained on reconsideration, it is concluded that the workers of Kellogg Company, South Operations Plant, Battle Creek, Michigan, were adversely affected by increased imports, including those from Mexico or Canada, of articles like or directly competitive with those produced at the subject firm.

All workers of Kellogg Company, South Operations Plant, Battle Creek, Michigan, engaged in employment related to the production of cereal, who became totally or partially separated from employment on or after October 29, 1998 through two years from the date of this issuance are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

All workers of Kellogg Company, South Operations Plant, Battle Creek, Michigan, engaged in employment related to the production of cereal, who became totally or partially separated from employment on or after November 23, 1998, through two years from the date of this issuance are eligible to apply for NAFTA-TAA under Section 250 of the Trade Act of 1974.

Signed at Washington, DC, this 11th day of April 2000.

**Grant D. Beale,**

*Program Manager, Division of Trade Adjustment Assistance.*

[FR Doc. 00-9971 Filed 4-20-00; 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 and NAFTA Transitional Adjustment Assistance**

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of March and April, 2000.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) That a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) That sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) That increases of imports of articles like or directly competitive with articles produced by the firm or appropriate subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

#### **Negative Determinations for Worker Adjustment Assistance**

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-37,332 & A; *Shelby Yarn Co. Including All Locations in Shelby, NC and Cherryville, NC*  
 TA-W-37,331; *Vesuvius Premier Refractories, Washington, PA*  
 TA-W-37,384; *FNA Acquisitions, d/b/a Superba, Mooresville, NC*  
 TA-W-37,239; *DeZurik Corp., McMinnville, TN*  
 TA-W-37,295; *Hylton House Furniture, Kenbridge, VA*  
 TA-W-37,134; *Advanced Manufacturing and Developing, Inc., Willits, CA*  
 TA-W-37,116; *Falcon Foundry Co., Lowellville, OH*  
 TA-W-37,401; *Arbor Acres, Carthage, MS*  
 TA-W-37,327; *Energy Knits, Denver, PA*  
 TA-W-37,294; *Ball Foster Glass Container Co LLC, Marion, IN*