

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

[TA-W-41,723]

**Snorkel International, Omniquip  
Textron, Inc., Elwood, KS; Notice of  
Negative Determination Regarding  
Application for Reconsideration**

By application received on October 4, 2002, a petitioner requested administrative reconsideration of the Department's negative determination regarding eligibility for workers and former workers of the subject firm to apply for Trade Adjustment Assistance (TAA). The denial notice applicable to workers of Snorkel International, Omniquip Textron Inc., Elwood, Kansas was signed on September 9, 2002, and published in the **Federal Register** on September 27, 2002 (67 FR 61160).

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 mis-interpretation of facts or of the law justified reconsideration of the decision.

The TAA petition, filed on behalf of workers at Snorkel International, Omniquip Textron Inc., Elwood, Kansas, engaged in activities related to production of aerial work platforms, was denied because the "contributed importantly" group eligibility requirement of section 222(3) of the Trade Act was not met. The contributed importantly test is generally demonstrated through a survey of the customers of the workers' firm. Results of the survey revealed that customers did not increase their imports of competitive products during the relevant period.

In requesting reconsideration, the petitioner attached a copy of an article taken from the company Web site referring to a significant shift in production from the Kansas facility to New Zealand.

As the same article was attached to the petition, a company official was contacted during the initial investigation to clarify the facts in the Web site article. The official revealed that, there is a company facility in New Zealand, but it does not service domestic customers and the company

does not import aerial work platforms from this facility to the United States.

The company official further indicated that the article in question had been put on the Web site without official authorization from the company and was purely speculative.

**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 3rd day of February, 2003.

**Edward A. Tomchick,**

*Director, Division of Trade Adjustment Assistance.*

[FR Doc. 03-4283 Filed 2-21-03; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training  
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[TA-W-50,332]

**Tetley USA, Inc., Williamsport, VA;  
Notice of Termination of Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on December 12, 2003 in response to a worker petition filed by a company official on behalf of workers at Tetley USA, Inc., Williamsport, Virginia.

The petitioner has requested that the petition be withdrawn. Consequently, the investigation has been terminated.

Signed at Washington, DC, this 27th day of January, 2003.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-4271 Filed 2-21-03; 8:45 am]

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**DEPARTMENT OF LABOR****Employment and Training  
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[TA-W-50,380]

**Tristar Refractories, Inc., Cincinnati,  
OH; Notice of Termination of  
Investigation**

Pursuant to Section 221 of the Trade Act of 1974, as amended, an investigation was initiated on January 3, 2003 in response to a worker petition filed by the United Steelworkers of

America, District 1/Sub-District 3 on behalf of workers at Tristar Refractories, Inc., Cincinnati, Ohio. Workers at the subject firm produced isostatically pressed ceramics.

The Department of Labor issued negative determinations applicable to the petitioning group of workers on July 2, 2002 (TA-W-41,130). No new information or change in circumstances is evident which would result in a reversal of the Department's previous determination. Consequently, further investigation would serve no purpose, and the investigation has been terminated.

Signed at Washington, DC, this 31st day of January, 2003.

**Linda G. Poole,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

[FR Doc. 03-4272 Filed 2-21-03; 8:45 am]

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

[TA-W-50,664 and TA-W-50,664A]

**Tyco Healthcare Retail Group,  
Harmony, PA; Tyco Healthcare Retail  
Group, East Butler, PA; Notice of  
Termination of Investigation**

Pursuant to section 221 of the Trade Act of 1974, an investigation was initiated on January 23, 2003, in response to a petition filed by a company official on behalf of workers at Tyco Healthcare Retail Group, Harmony, Pennsylvania, and East Butler, Pennsylvania.

The company official submitting the petition 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 31st day of January 2003.

**Richard Church,**

*Certifying Officer, Division of Trade Adjustment Assistance.*

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