II. The second criterion (set forth in Section 222(a)(2) of the Act, 19 U.S.C. 2272(a)(2)) may be satisfied in one of two ways:

(A) Increased Imports Path:

(i) sales or production, or both, at the workers' firm must have decreased absolutely, AND

(ii) (I) imports of articles or services like or directly competitive with articles or services produced or supplied by the workers' firm have increased, OR

(II)(aa) imports of articles like or directly competitive with articles into which the component part produced by the workers' firm was directly incorporated have increased; OR

(II)(bb) imports of articles like or directly competitive with articles which are produced directly using the services supplied by the workers' firm have increased; OR

(III) imports of articles directly incorporating component parts not produced in the U.S. that are like or directly competitive with the article into which the component part produced by the workers' firm was directly incorporated have increased.

(B) Shift in Production or Supply Path:

(i)(I) there has been a shift by the workers' firm to a foreign country in the production of articles or supply of services like or directly competitive with those produced/supplied by the workers' firm; OR

(i)(II) there has been an acquisition from a foreign country by the workers' firm of articles/services that are like or directly competitive with those produced/supplied by the workers' firm.

III. The third criterion requires that the increase in imports or shift/acquisition must have contributed importantly to the workers' separation or threat of separation. *See* Sections 222(a)(2)(A)(iii) and 222(a)(2)(B)(ii) of the Act, 19 U.S.C. 2272(a)(2)(A)(iii), 2272(a)(2)(B)(ii).

Section 222(d) of the Act, 19 U.S.C. 2272(d), defines the terms "Supplier" and "Downstream Producer." For the Department to issue a secondary worker certification under Section 222(c) of the Act, 19 U.S.C. 2272(c), to workers of a Supplier or a Downstream Producer, the following criteria must be met:

(1) a significant number or proportion of the workers in the workers' firm or an appropriate subdivision of the firm have become totally or partially separated, or are threatened to become totally or partially separated;

(2) the workers' firm is a Supplier or Downstream Producer to a firm that employed a group of workers who received a certification of eligibility under Section 222(a) of the Act, 19 U.S.C. 2272(a), and such supply or production is related to the article or service that was the basis for such certification; and

(3) either

(A) the workers' firm is a supplier and the component parts it supplied to the firm described in paragraph (2) accounted for at least 20 percent of the production or sales of the workers' firm; or

(B) a loss of business by the workers' firm with the firm described in paragraph (2) contributed importantly to the workers' separation or threat of separation.

Workers of a firm may also be considered eligible to apply for worker adjustment assistance if they are publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in a category of determination that is listed in Section 222(f) of the Act, 19 U.S.C. 2272(f).

The group eligibility requirements for workers of a firm under Section 222(f) of the Act, 19 U.S.C. 2272(f), can be satisfied if the following criteria are met:

(1) the workers' firm is publicly identified by name by the International Trade Commission as a member of a domestic industry in an investigation resulting in—

(A) an affirmative determination of serious injury or threat thereof under section 202(b)(1);

(B) an affirmative determination of market disruption or threat thereof under section 421(b)(1); or

(C) an affirmative final determination of material injury or threat thereof under section 705(b)(1)(A) or 735(b)(1)(A) of the Tariff Act of 1930 (19 U.S.C. 1671d(b)(1)(A) and 1673d(b)(1)(A));

(2) the petition is filed during the 1-year period beginning on the date on which—

(A) a summary of the report submitted to the President by the International Trade Commission under section 202(f)(1) with respect to the affirmative determination described in paragraph (1)(A) is published in the **Federal Register** under section 202(f)(3); or

(B) notice of an affirmative determination described in subparagraph (1) is published in the **Federal Register**; and

(3) the workers have become totally or partially separated from the workers' firm within—

(A) the 1-year period described in paragraph (2); or

(B) notwithstanding section 223(b)(1), the 1-year period preceding the 1-year period described in paragraph (2).

Information obtained during the initial investigation confirmed that Criterion II has not been met because The Jewelry Stream did not shift to a foreign country the production of articles like or directly competitive with jewelry produced by the subject worker group and, during the relevant period, did not increase imports of articles like or directly competitive with jewelry produced by the subject worker group. As such, the subject workers have not met the criteria set forth in Section 222(a).

Moreover, The Jewelry Stream did not produce a component part that was used by a firm that both employed a worker group eligible to apply for TAA and directly incorporated the component part in the production of an article or supply of a service that was the basis for the TAA certification. As such, the subject workers have not met the criteria set forth in Section 222(c).

Further, The Jewelry Stream has not been identified by name in an affirmative finding of injury by the International Trade Commission. As such, the subject workers have not met the criteria set forth in Section 222(f).

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Jewelry Stream, Los Angeles, California.

Signed in Washington, DC, on this 14th day of February 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011–5930 Filed 3–14–11; 8:45 am]

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## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–73,301]**

### Shieldalloy Metallurgical Corporation, a Subsidiary of AMG; Newfield, NJ; Notice of Negative Determination on Reconsideration

On October 7, 2010, the Department of Labor (Department) issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of Shieldalloy Metallurgical Corporation, a subsidiary of AMG, Newfield, New Jersey (subject firm). The Department's Notice was published in the **Federal Register** on October 25, 2010 (75 FR 65515).

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 states that the workers' separations occurred between October 2009 and February 2010 and described the service supplied as "aluminum

products (shipped/received) shipping, receiving, customer service." The petition also states that "production, shipping/receiving, customer service, is being done at a facility in UK." In an attachment to the petition, the petitioners stated that "(since 2006) the company has had to shift production * * * the (grinding) department suffered from cheaper imports * * * has shut down permanently . * * *"

The initial investigation resulted in a negative determination based on the finding that a shift of production by the subject firm to Canada in 2006 did not contribute importantly to workers' separations because, during the period of the investigation, the subject firm did not produce an article. Rather, the subject firm supplied storage services for other subsidiaries of AMG (the parent company) and those storage services were shifted to an affiliate domestic facility. Further, the subject firm did not, during the relevant period, increased imports of services like or directly competitive with the storage services supplied by the workers. In addition, the subject firm did not supply services to a firm that both employed a worker group that employed a worker group eligible to apply for Trade Adjustment Assistance (TAA) and used the services supplied by the subject firm in the production of an article or the supply of the service that was the basis for the TAA certification.

In the request for reconsideration, a former worker of the subject firm reiterated that the subject firm shifted operations to various facilities throughout the United States, as well as Canada, Brazil, England, and Mexico.

Information obtained during the reconsideration investigation confirmed that, during the relevant period, workers at the subject firm were engaged in activities related to the supply of storage and shipment services, which consist of receiving finished products from related companies and shipping these products to customers. Information obtained during the reconsideration investigation also confirmed that, during the relevant period, the workers' firm neither shifted to a foreign country the supply of services like or directly competitive with the services supplied by the subject workers, nor acquired from a foreign country services like or directly competitive with those supplied by the subject workers.

**Conclusion**

After reconsideration, I affirm the original notice of negative determination of eligibility to apply for worker adjustment assistance for workers and former workers of Shieldalloy Metallurgical Corporation, a subsidiary of AMG, Newfield, New Jersey.

Signed in Washington, DC, on this 16th day of February 2011.

**Del Min Amy Chen,**

*Certifying Officer, Office of Trade Adjustment Assistance.*

[FR Doc. 2011–5931 Filed 3–14–11; 8:45 am]

**BILLING CODE 4510–FN–P**

## DEPARTMENT OF LABOR

### Employment and Training Administration

**[TA–W–72,729]**

### International Paper Company, Pineville Mill Industrial Packaging Group; Pineville, LA; Notice of Negative Determination on Reconsideration

On October 15, 2010, the Department of Labor (Department) issued an Affirmative Determination Regarding Application for Reconsideration for the workers and former workers of International Paper Company, Pineville Mill, Industrial Packaging Group, Pineville, Louisiana (subject facility). The Department's Notice was published in the **Federal Register** on October 29, 2010 (75 FR 66795). The subject workers produce containerboard/paperboard (uncoated freesheet containerboard).

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 initial investigation resulted in a negative determination based on the findings that neither International Paper Company (subject firm) nor any of its customers imported articles like or directly competitive with uncoated freesheet containerboard produced at the subject facility, and that the subject firm neither shifted production to a foreign country nor acquired from another country articles like or directly competitive with the uncoated freesheet containerboard produced at the subject facility. The initial investigation also revealed that the workers are not eligible to apply for TAA as adversely-impacted secondary workers because the subject facility did not produce a component part that was used by a firm that both employed a worker group that is currently eligible to apply for TAA and directly incorporated the containerboard in the production of the article that was the basis for the TAA certification.

In the request for reconsideration, a subject firm official provided new information regarding the article produced at the subject facility, possible customer imports, and the possibility that workers are adversely-impacted secondary workers.

During the reconsideration investigation, the Department contacted the subject firm to confirm and clarify previously-submitted information. The Department also reviewed previous International Paper Company certifications to determine whether the subject workers are adversely-impacted secondary workers.

Information obtained during the reconsideration investigation confirmed that the workers at the subject facility were engaged in employment related to the production of containerboard/paperboard.

Information obtained during the reconsideration investigation also confirmed that, during the relevant period, the subject firm did not import either articles like or directly competitive with containerboard/paperboard, or articles directly incorporating foreign-produced component parts which are like or directly competitive with imports of articles incorporating component parts produced by the subject facility.

Information obtained during the reconsideration investigation also confirmed that the subject facility supplies directly to box production plants and that a customer survey is not necessary because the majority of the customers of the subject facility are other subject firm facilities.

Information obtained during the reconsideration investigation also confirmed that the subject facility did not produce and supply a component part that was used by a firm (including an affiliated facility of the subject firm) that both employed a worker group that is currently eligible to apply for TAA and directly incorporated the containerboard/paperboard in the production of that article that was the basis for the TAA certification. Although four subject firm facilities employed workers eligible to apply for TAA, none can be the basis for a secondary impact certification in the case at hand.