in the United States is threatened with material injury [2] by reason of imports from the United Kingdom of foam extruded PVC and polystyrene framing stock,[3] provided for in subheadings 3924.90.20, 3926.90.90, 3926.90.95, and 3926.90.98 of the Harmonized Tariff Schedule of the United States, that are alleged to be sold in the United States at less than fair value (LTFV).

Background

On September 8, 1995, a petition was filed with the Commission and the Department of Commerce by Marley Mouldings, Inc., Marion, VA, alleging that an industry in the United States is materially injured or threatened with material injury by reason of LTFV imports of foam extruded PVC and polystyrene framing stock from the United Kingdom. Accordingly, effective September 8, 1995, the Commission instituted antidumping investigation No. 731–TA–738 (Preliminary). The petition in this investigation was filed subsequent to the effective date of the Uruguay Round Agreements Act (''URRA''). This investigation, thus, is subject to the substantive and procedural rules of the law as modified by the URAA. *See* Public Law 103–465, approved Dec. 8, 1994, Stat 4809, at § 291.

Notice of the institution of the Commission's investigation and of a public conference to be held in connection therewith was given by posting copies of the notice in the Office of the Secretary, U.S. International Trade Commission, Washington, DC, and by publishing the notice in the Federal Register of September 18, 1995 (60 F.R. 48167). The conference was held in Washington, DC, on September 29, 1995, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on October 23, 1995. The views of the Commission are contained in USITC Publication 2930 (October 1995), entitled ''Foam Extruded PVC and Polystyrene Framing Stock from the United Kingdom: Investigation No. 731–TA–738 (Preliminary).''

Issued: October 25, 1995.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 95–27689 Filed 11–7–95; 8:45 am]

BILLING CODE 7020–02–P

[2] Commissioner Carol T. Crawford and Commissioner Lynn M. Bragg find that there is a reasonable indication that an industry in the United States is materially injured by reason of imports from the United Kingdom of foam extruded PVC and polystyrene framing stock that are alleged to be sold in the United States at LTFV.

[3] For purposes of this investigation, the subject product consists of all extruded PVC and polystyrene framing stock regardless of color, finish, width or length. Finished frames assembled from foam extruded PVC and polystyrene framing stock are excluded.

[Investigation No. 337–TA–371]

Certain Memory Devices With Increased Capacitance and Products Containing Same; Notice

Notice is hereby given that the prehearing conference and hearing in this matter scheduled to commence at 10:00 a.m. on November 6, 1995, in Courtroom A (Room 100), U.S. International Trade Commission Building, 500 E St. S.W., Washington, D.C., is cancelled.

The Secretary shall publish this notice in the Federal Register.

Issued: November 2, 1995.

Sidney Harris,

Administrative Law Judge.

[FR Doc. 95–27688 Filed 11–7–95; 8:45 am]

BILLING CODE 7020–02–P

[Investigation No. 753–TA–33]

Roses From Israel; Import Investigation

Determination

Pursuant to section 753(b)(4) of the Tariff Act of 1930 (19 U.S.C. § 1675b(b)(4)) (the Act), the Commission hereby determines that an industry in the United States is not likely to be materially injured by reason of imports from Israel of roses if the countervailing duty order on such merchandise were to be revoked.

Background

Section 753(a) of the Act provides that, in the case of a countervailing duty order issued under section 303 of the Act with respect to which the requirement of an affirmative determination of material injury under section 303(a)(2) was not applicable at the time the order was issued, interested parties may request the Commission to initiate an investigation to determine whether an industry in the United States is likely to be materially injured by reason of imports of the subject merchandise if the order is revoked. Further, section 753(a)(3) requires that such requests must be filed with the Commission within 6 months of the date on which the country from which the subject merchandise originates became a signatory to the Agreement on Subsidies and Countervailing Measures (the Subsidies Agreement), as referred to in section 101(d)(12) of the Uruguay Round Agreements Act.

On May 26, 1995, the Department of Commerce (Commerce) published in the Federal Register notice of opportunity to request injury investigation(s) under section 753 of the Act (60 F.R. 27963, May 26, 1995). In that notice, Commerce stated that, for those countries becoming signatories to the Subsidies Agreement on January 1, 1995, requests for injury investigations must be filed with the Commission no later than June 30, 1995. In addition, Commerce noted that in the case of Israel, that country became a signatory to the Subsidies Agreement on April 21, 1995.

Section 753(b)(4) of the Act provides that, if a request for an injury investigation is not made within 6 months of the time the country of origin of the subject merchandise became a signatory to the Subsidies Agreement, the Commission shall notify the administering authority that it has made a negative determination with regard to the question of the likelihood of material injury by reason of imports of the subject merchandise if the order is revoked. As of October 23, 1995, the Commission had not received a request for investigation under section 753(a) with regard to the outstanding countervailing duty order on roses from Israel. Accordingly, pursuant to section 753(b)(4) of the Act, the Commission hereby notifies Commerce of its negative injury determination with regard to the outstanding countervailing duty order on roses from Israel.

FOR FURTHER INFORMATION CONTACT: Jonathan Seiger (202–205–3183) or Vera Libeau (202–205–3176), Office of Investigations, U.S. International Trade Commission, 500 E Street S.W., Washington, DC 20436. Hearing-impaired persons can obtain information on this matter by contacting the Commission's TDD terminal on 202–205–1810.

Authority

This determination is being made under authority of the Tariff Act of 1930, title VII, as amended by the URAA. This notice is published pursuant to section 207.12 of the Commission's rules.

By order of the Commission.

Issued: October 30, 1995.

Donna R. Koehnke,

Secretary.

[FR Doc. 95–27687 Filed 11–7–95; 8:45 am]

BILLING CODE 7020–02–P

INTERSTATE COMMERCE COMMISSION

[Finance Docket No. 32547]

Kansas City Southern Railway Company—Construction and Operation Exemption—to Exxon Corporation's Plastics Plant Near Baton Rouge and Baker, LA

AGENCY: Interstate Commerce Commission.

ACTION: Notice of conditional exemption.

SUMMARY: Under 49 U.S.C. 10505, the Commission exempts from the prior approval requirements of 49 U.S.C. 10901 Kansas City Southern Railway Company's (KCS) construction and operation of a line of railroad. The proposed line would be about .375 miles long, beginning at KCS milepost 40 + 07.2 on the KCS Stupp lead, located near the intersection of U.S. Highway 61 and Thomas Road (LA Hwy 423), near Baker, LA, and connecting with the industry track facilities of the Exxon Corporation's Baton Rouge Plastics Plant located south of Thomas Road (LA Hwy 423) near Baker, LA. (milepost 17 + 99.8 of the Stupp lead).

DATES: Petitions to reopen must be filed by November 28, 1995.

ADDRESSES: Send pleadings referring to Finance Docket No. 32547 to: (1) Office of the Secretary, Case Control Branch, Interstate Commerce Commission, 1201 Constitution Avenue, N.W., Washington, DC 20423; and (2) Petitioner's representative: John R. Molm, Troutman Sanders, 601 Pennsylvania Avenue, N.W., Suite 640, Washington, DC 20004.

FOR FURTHER INFORMATION CONTACT: Joseph H. Dettmar, (202) 927–5660. [TDD for the hearing impaired: (202) 927–5721.]

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To purchase a copy of the full decision, write to, call, or pick up in person from: DC NEWS & DATA, INC., Interstate Commerce Commission Building, 1201 Constitution Avenue, N.W., Room 2229, Washington, DC 20423. Telephone: (202) 289–4357/4359.

Decided: October 30, 1995.

By the Commission, Chairman Morgan, Vice Chairman Owen, and Commissioner Simmons.

Vernon A. Williams,

Secretary.

[FR Doc. 95–27677 Filed 11–7–95; 8:45 am]

BILLING CODE 7035–01–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on September 22, 1995, Hoffmann-LaRoche, Inc., 340 Kingsland Street, Nutley, New Jersey 07110, made application to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule II controlled substance levorphanol (9220).

The firm plans to manufacture finished dosage forms for distribution to its customers.

Any other such applicant and any person who is presently registered with DEA to manufacture such substance may file comments or objections to the issuance of the above application.

Any such comments or objections may be addressed to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, DC 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than January 8, 1996.

Dated: October 24, 1995.

Gene R. Haislip,

Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration.

[FR Doc. 95–27675 Filed 11–7–95; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 94–27]

Hugh I. Schade, M.D.; Denial of Application

On February 25, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Hugh I. Schade, M.D., (Respondent) of San Jose, California, notifying him of an opportunity to show cause as to why DEA should not deny his pending application, executed on August 28, 1992, for registration as a practitioner under 21 U.S.C. 823(f), as being inconsistent with the public interest. Specifically, the Order to Show Cause alleged that: (1) In September and October 1987 a DEA inspection of the Respondent's registered location revealed discrepancies in his recordkeeping and security, including the storage of controlled substances at an unregistered location, and an audit revealed overages and shortages of controlled substances, including a shortage of 4,193 dosage units of Diazepam, a Schedule IV controlled substance; (2) during the DEA audit, the Respondent and his wife admitted to personally using acetaminophen with codeine products and Anexsia, a Schedule III controlled substance, out of office stock, since 1985, without recording the usage; (3) on September 12, 1989, the Respondent was arrested on thirty-one counts of violating the California Health and Safety Code by prescribing controlled substances without a legitimate medical purpose and not in the usual course of professional practice; (4) on December 18, 1991, the Respondent was convicted in the Superior Court of California, Santa Clara County, of thirteen felony counts of issuing controlled substance prescriptions without medical cause and one count of manslaughter, arising out of a patient's drug overdose death.

On March 1, 1994, the Respondent, through counsel, filed a timely request for a hearing, and following prehearing procedures, a hearing was held in San Francisco, California, on October 26 and 27, 1994, before Administrative Law Judge Paul A. Tenney. At the hearing, both parties called witnesses to testify and introduced documentary evidence, and after the hearing, counsel for both sides submitted proposed findings of fact, conclusions of law and argument. On January 12, 1995, Judge Tenney issued his Findings of Fact, Conclusions of Law, and Recommended Ruling, recommending that the Respondent's application for registration be denied, and also writing that ''the Respondent is encouraged to reapply in about one year from the effective date of any final decision in this case.'' Neither party filed exceptions to his decision, and on February 15, 1995, Judge Tenney transmitted the record of these proceedings to the Deputy Administrator.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts, in full, the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge, and his adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Deputy Administrator finds that the parties have stipulated to the following: (1) That Anexsia, a brand name for a product containing hydrocodone, is a Schedule III narcotic