acquiring 100 percent of the voting shares of First Capital Bank, Peoria, Illinois (in organization).

B. Federal Reserve Bank of San Francisco (Kenneth R. Binning, Director, Bank Holding Company) 101 Market Street, San Francisco, California 94105:

1. First Hawaiian, Inc., Honolulu, Hawaii; to acquire 100 percent of the voting shares of Pacific One Bank, Portland, Oregon, a *de novo* bank.

2. ValliCorp Holdings, Inc., Fresno, California; to merge with CoBank Financial Corporation, San Luis Obispo, California, and thereby indirectly acquire Commerce Bank of San Luis Obispo, National Association, San Luis Obispo, California.

Board of Governors of the Federal Reserve System, January 4, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–332 Filed 1–9–96; 8:45 am]

BILLING CODE 6210–01–F

Ohio Valley Banc Corp., et al.; Change in Bank Control Notices; Acquisitions of Shares of Banks or Bank Holding Companies; Correction

This notice corrects a notice (FR Doc. 96-00009) published on page 168 of the issue for Wednesday, January 3, 1996.

Under the Federal Reserve Bank of Cleveland heading, the entry for Ohio Valley Banc Corp., Gallopolis, Ohio, is revised to read as follows:

1. Ohio Valley Banc Corp., Gallipolis, Ohio; to engage *de novo* through its subsidiary, Loan Central, Inc., in secured and unsecured consumer and commercial lending activities pursuant to § 225.25(b)(1)(iii) of the Board's Regulation Y. These activities are to be performed nationwide.

Comments on this application must be received by January 19, 1996.

Board of Governors of the Federal Reserve System, January 4, 1996.

Jennifer J. Johnson,

Deputy Secretary of the Board.

[FR Doc. 96–333 Filed 1–9–96; 8:45 am]

BILLING CODE 6210–01–F

GENERAL SERVICES ADMINISTRATION

Public Buildings Service: Proposed Pacific Highway Port of Entry Expansion, Blaine, Washington; Notice of Availability of Final Environmental Impact Statement

Pursuant to section 102(2)(C) of the National Environmental Policy Act (NEPA) of 1969, as amended, as implemented by the Council on Environmental Quality (40 CFR Parts 1500-1508), the General Services Administration (GSA) has filed with the Environmental Protection Agency, and made available to other government and interested private parties, the Final Environmental Statement (FEIS) for the proposed expansion at the Pacific Highway Port of Entry in Blaine, Washington.

The FEIS is on file and a copy may be obtained from U.S. General Services Administration, Region 10, Attention: Donna M. Meyer, 400 15th Street, SW, Auburn, Washington 98001 (206) 931–7675. A limited number of copies of the FEIS are available to fill single copy requests. Loan copies are available for public review at the Blaine City Library, 610 Third Street, Blaine, Washington.

Written comments regarding the Final Environmental Impact Statement may be submitted until January 22, 1996 and should be addressed to General Services Administration in care of GSA's EIS subconsultant, Berger/ABAM Engineers Inc. 33301 Ninth Avenue South, Federal Way, Washington, 98003–6395

Dated: December 21, 1995.

L. Jay Pearson,

Regional Administrator (10A).

[FR Doc. 96–323 Filed 1–9–96; 8:45 am]

BILLING CODE 6820–33–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[NV–030–96–4830–10–24–1 A]

Sierra Front/Northwest Great Basin Resource Advisory Council; Meeting

AGENCY: Bureau of Land Management, Interior.

ACTION: Notice of meeting.

DATES: January 25–26, 1996.

ADDRESSES: 850 Harvard Way, Reno, Nevada, 89520.

SUMMARY: The Council will meet January 25, 1996, from 10:00 a.m. to 5:00 p.m. and on January 26 from 8:00 a.m. to 3:00 p.m. The Agenda will include the following:

1. Call to Order.
2. Minutes of October 16, 1995 meeting.
3. Correspondence.
4. Overview of Standards and Guidelines.
5. General discussion of Standards and Guidelines.
6. Public comment 1:30 p.m., January 26, 1996.
7. Adjourn.

FOR FURTHER INFORMATION CONTACT: Joan Sweetland, BLM Public Affairs Officer, 1535 Hot Springs Road, Carson City, Nevada 89706–0638. (Phone: 702–885–6000)

Dated this 3rd day of January, 1996.

John O. Singlaub,

District Manager, Carson City District.

[FR Doc. 96–392 Filed 1–9–96; 8:45 am]

BILLING CODE 4310–HC–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 94–49]

Farmacia Ortiz; Revocation of Registration

On May 6, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Farmacia Ortiz, a pharmacy owned by Wayne Ortiz Ramirez (hereinafter ''Owner'') of San German, Puerto Rico, notifying him of an opportunity to show cause as to why DEA should not revoke the retail pharmacy's DEA Certificate of Registration, AF1619040 (hereinafter ''registration''), under 21 U.S.C. §§ 824(a)(4) and 823(f), as being inconsistent with the public interest. Specifically, the Order to Show Cause recorded ten allegations of recordkeeping violations, of alteration of expiration dates on seven bottles of controlled substances, of providing controlled substances to an undercover operative without a valid prescription, of providing controlled substances to individuals with photocopied or altered prescriptions, of possession of controlled substances not accounted for in its inventory, and of the owner-pharmacist's entering of a guilty plea in Federal court to a single count of dispensing Schedule II controlled substances without a prescription.

On May 28, 1994, the Owner, on behalf of Farmacia Ortiz, requested a hearing, and following prehearing procedures, a hearing was held in Hato Rey, Puerto Rico, on January 25, 1995, before Administrative Law Judge Paul A. Tenney. At the hearing the Owner represented the interests of the pharmacy, both parties called witnesses to testify and introduced documentary evidence, and after the hearing, the Government counsel submitted proposed findings of fact, conclusions of law and argument. No post-hearing submissions were offered for the pharmacy. On March 22, 1995, Judge

Tenney issued his opinion and recommended ruling, recommending that the DEA Certificate of Registration for Farmacia Ortiz be revoked. Neither party filed exceptions to his decision, and on April 24, 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 Findings of Fact, Conclusions of Law and Recommended Ruling 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 Farmacia Ortiz (hereinafter the Pharmacy) was established over sixty years ago, and is owned by Mr. Ortiz-Ramirez, who is also the pharmacist. The investigation of the Pharmacy began with DEA investigators reviewing the Pharmacy's DEA 222 order forms for Schedule II controlled substances. The investigators found a questionable purchasing pattern of Demerol injectables from 1990 to 1992, specifically, an increase from approximately 2,300 in 1990, to 5,000 in 1991, to 14,400 in 1992.

Based on this information, the investigators conducted an audit of the Pharmacy for the period from December 31, 1990, until November 30, 1992. As evidenced by the computation chart prepared by a DEA Diversion Investigator, the audit revealed an overage of 237 units of Demerol, and a shortage of 400 tablets of Percocet. The audit also revealed overages of Tylenol No. 3, Hydrocet, Valium, Xanax, and Halcion. Judge Tenney took official notice of the facts that (1) Percocet is a brand name for a product containing oxycodone, a Schedule II narcotic controlled substance pursuant to 21 CFR § 1308.12(b); (2) Demerol is a brand name for a product containing meperidine, a Schedule II narcotic controlled substance pursuant to 21 CFR § 1308.12(c); (3) Tylenol No. 3 is a brand name for a product containing codeine, a Schedule III narcotic controlled substance pursuant to 21 CFR § 1308.13(e); (4) Valium is a brand name for a product containing diazepam, a Schedule IV narcotic controlled substance pursuant to 21 CFR § 1308.14(c); (5) Xanax is a brand name for a product containing alprazolam, a Schedule IV controlled substance pursuant to 21 CFR § 1308.14(c); and (6) Halcion is a brand name for a product containing triazolam, a Schedule IV controlled substance pursuant to 21 CFR § 1308.14(c).

The investigators had also concluded that the Pharmacy had neither an initial inventory nor a biennial inventory. However, at the hearing before Judge Tenney, the Owner testified that the Puerto Rican authorities would not give him a license unless a yearly inventory was made, and Judge Tenney found that this assertion was not rebutted by the Government.

Further, a review of the Pharmacy's prescription records revealed that original prescriptions and multiple photocopies of the same prescriptions had been filled. A DEA Diversion Investigator testified that in February 1993, he had interviewed the doctors who purportedly issued some of these photocopied prescriptions, and each doctor interviewed recognized the names of the patients listed on his prescriptions, but denied issuing the photocopied prescriptions.

The DEA investigators also found a large number of Demerol prescriptions written by Dr. Silvestry to a single named patient. Dr. Silvestry was interviewed, and he explained that the named patient was a cancer patient who frequently visited the doctor, but that Dr. Silvestry never gave this patient prescriptions for more than 75 or 100 ampules of Demerol at one time. However, DEA investigators found at the Pharmacy multiple prescriptions for 125, 150, and 175 ampules of Demerol written to this patient. Also in February 1993, the investigators interviewed this patient, who denied receiving anything greater than 100 ampules of Demerol at a time, and he denied altering any prescriptions. However, he admitted visiting Dr. Silvestry quite often and filling his prescriptions from Dr. Silvestry at the Pharmacy.

Investigators also interviewed a patient of Dr. Pluguez about photocopied prescriptions found at the Pharmacy with his name. The Pharmacy had filled a Demerol (100 mg) prescription purportedly issued in October 1992 by Dr. Pluguez to this patient, and the instructions on the prescription specified ''Sig. 1p.o. q 6 H.'' The DEA Investigator testified that the instructions meant that the patient was to take ''one tablet orally every six hours.'' Both the Investigator and the Owner testified that 100 mg of Demerol is an injectable substance that comes in liquid form; it cannot be taken orally. Judge Tenney found the investigator's testimony credible. Although the Owner testified that the meaning of ''p.o.'' could differ from doctor to doctor, he did not provide any other meaning. Also, Judge Tenney found it significant that the Owner had not called Dr. Pluguez to ascertain his meaning of ''p.o.'' prior to filling the prescription, and ''[d]espite this suspect prescription, [the Pharmacy] continued to fill prescriptions for [this patient] in October and November of 1992.''

This same patient admitted to making the prescription photocopies ''so he didn't have to go back to the doctor and spend the money.'' He also told the investigator that he took the photocopied prescriptions to the Pharmacy because he could get them filled without question. However, the Owner testified that in May 1993, the patient had offered a photocopied prescription, and that then he had called the doctor to verify the prescription. When the doctor denied issuing the prescription in question, the Owner had refused to fill that prescription.

Next the investigators initiated two undercover visits to the Pharmacy, with the assistance of Dr. Pluguez's patient. During the first visit in April 1993, a Puerto Rican police officer observed the patient enter the Pharmacy supplied with two altered, photocopied prescriptions, one for Demerol and one for Percocet, and receive medication from the Owner. Shortly thereafter, the Officer and the patient met outside the Pharmacy, and the patient handed over 10 ampules of Demerol and 80 capsules of Percocet, which he had received from the Owner. The second visit occurred on April 21, 1993, and the police officer, accompanied by the patient, gave the Owner altered prescriptions. The Owner then gave the police officer Demerol and Percocet.

Further, on May 21, 1993, investigators searched the Pharmacy, seizing controlled substances, some of which were expired or had altered labels. Investigators found several bottles of controlled substances on which the expiration dates had been altered; specifically, the year of expiration had been changed on five bottles, and on three of those bottles, the month of expiration had been altered. Before Judge Tenney, the Owner denied changing any of these expiration dates.

On August 18, 1993, the Owner was indicted in the United States District Court for the District of Puerto Rico, and pursuant to a plea agreement, he pled guilty to violations of 21 U.S.C. § 829(a), 842(a)(1), and 842(c)(2)(A), for dispensing Demerol and Percocet ''based on the photocopies of the prescriptions which had not been prescribed on original prescriptions by

a licensed physician.'' The Judge accepted the plea agreement and sentenced him to probation for one year and to pay a $500.00 fine.

After the plea agreement was entered, the DEA Investigator continued to notice that the Pharmacy still purchased large quantities of Demerol. Based on this information, investigators conducted a second audit of the Pharmacy of the period of May 21, 1993, through November 30, 1993, and this audit revealed that the Pharmacy had a shortage of 28 ampules of Demerol.

Pursuant to 21 U.S.C. §§ 823(f) and 824(a)(4), the Deputy Administrator may revoke a DEA Certificate of Registration if he determines that the continued registration would be inconsistent with the public interest. Section 823(f) requires that the following factors be considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health or safety. These factors are to be considered in the disjunctive; the Deputy Administrator may rely on any one or combination of factors and may give each factor the weight he deems appropriate in determining whether a registration should be revoked or an application for registration denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88–42, 54 Fed. Reg. 16,422 (1989).

In this case, factors one through five are relevant in determining whether the Pharmacy's continued registration would be inconsistent with the public interest. As to factor one, ''recommendation of the appropriate State licensing board,'' Judge Tenney found that there was ''no evidence to indicate that [the Pharmacy] does not hold proper State authorization to operate a retail pharmacy and handle controlled substances.''

As to factor two, the Respondent's ''experience in dispensing * * * controlled substances,'' the Deputy Administrator agrees with Judge Tenney that the evidence of numerous photocopied prescriptions filled by the Pharmacy ''clearly demonstrated poor dispensing experience under 21 U.S.C. § 823(f)(2) * * *. In addition, substantial weight must be given to factor (2) in evaluating the public interest based upon the dangerous trend concerning Demerol.'' Specifically, the Deputy Administrator agrees with Judge Tenney's findings concerning the Pharmacy's dispensing of Demeral to individuals presenting altered and photocopied prescriptions and to individuals presenting prescriptions with instructions that were inconsistent with the nature of the substance prescribed. Further, the Pharmacy's inability to accurately account for its supply of Demerol as evidenced by the overage and shortage revealed during DEA audits, and its inability to track its supply of various Schedule III and IV controlled substances, are all relevant concerns under factor two. Finally, the Deputy Administrator agrees with Judge Tenney's conclusion that ''the Government has proven poor dispensing experience under 21 U.S.C. § 823(f)(2), and this conduct warrants serious concern by the DEA.''

As to factor three, ''the applicant's conviction record * * * relating to the * * * distribution * * * of controlled substances, ''the evidence shows that the Owner-pharmacist working at the Pharmacy had a conviction record related to the dispensing of controlled substances, for in August 1993, he pled guilty to charges of violating Federal statutes; specifically, he admitted to accepting and filling photocopied prescriptions in violation of 21 U.S.C. §§ 829(a), 842(a)(1) and 842(c)(2)(A). He was placed on probation for one year and fined $500.00.

As to factor four, the Respondent's ''[c]ompliance with applicable State, Federal, or local laws relating to controlled substances,'' there was some dispute as to the evidence presented. The record contains testimony that the pharmacy failed to maintain an initial and a biennial inventory as required by regulation, and yet the Owner testified that he maintained a ''perpetual inventory,'' for the Puerto Rican authorities would not give him a license unless a yearly inventory was maintained. Judge Tenney found that the Owner's testimony on this point was credible and unrebutted, and he concluded ''in light of the weight that is attached to other factors under 21 U.S.C. § 823(f), factor (4) is not considered critical in assessing the public interest.''

As to factor five, ''[s]uch other conduct which may threaten the public health or safety,'' Judge Tenney agreed with the Government's position, that ''in light of [the Owner's] past conduct * * * potential future actions by [the Owner] may threaten the public health and safety * * * [for] considerable weight is attached to the alterations of expiration dates on bottles of controlled substances seized at the [Pharmacy].'' Although the Owner testified that he was unaware of the alterations made on the expiration dates, Judge Tenney found his testimony on this point lacked credibility. In the alternative, Judge Tenney also found that, as the owner and pharmacist at the Pharmacy, ''it was his responsibility to assure that such alterations did not occur.''

The Deputy Administrator agrees with Judge Tenney's findings and his conclusion that the Government proved, by a preponderance of the evidence, that continued registration of the Farmacia Ortiz by the DEA would be inconsistent with the public interest, and that any pending applications should be denied at the present time. See Sokoloff v Saxbe, 501 F. 2d 571, 576 (2d Cir. 1974) (stating that ''permanent revocation'' of a DEA Certificate of Registration may be ''unduly harsh'').

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. §§ 823 and 824, and 28 CFR §§ 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AF1619040, issued to Farmacia Ortiz, be, and it hereby is, revoked and any pending applications are hereby denied. This order is effective February 9, 1996.

Dated: December 28, 1995.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–338 Filed 1–9–96; 8:45 am]

BILLING CODE 4410–09–M

[Docket No. 94–40]

Darrell Risner, D.M.D., P.S.C.; Granting of Restricted Registration

On March 18, 1994, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Darrell Risner, D.M.D., P.S.C., (Respondent) of Barbourville, Kentucky, notifying him of an opportunity to show cause as to why DEA should not deny his application 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. An investigation by the Kentucky State Police in 1989 revealed that in 1988 and 1989, [the Respondent] wrote numerous prescriptions for Percodan and Percocet, Schedule II controlled substances, using the names of fictitious individuals or individuals who did not receive the prescriptions.

2. On June 12, 1989, [the Respondent] surrendered [his] DEA Certificate of Registration, #AR1091482.