Memorandum of Agreement wit DEA in February of 1993. Per the terms of the agreement, the Respondent agreed to abide by all Federal, state and local laws and regulations relating to controlled substances. He also agreed that a violation of any provision of the agreement would result in the initiation of proceedings to revoke the DEA Certificate of Registration issued to him. Subsequently, the DEA received a copy of a Final Order from the State of Florida, Agency for Health Care Administration, Board of Medicine (Medical Board) dated April 26, 1995, finding that the Respondent had engaged in conduct which violated Florida law when he (1) provided substandard patient care by administering excessive amounts of Nubain to a patient he knew was addicted to the substance; and (2) improperly prepared prescriptions for controlled substances on numerous occasions. As a result, the Medical Board ordered, among other things, that the Respondent's license to practice medicine in the State of Florida be suspended for a period of five years.

The Deputy Administrator notes that the DEA does not have statutory authority under the Controlled Substances Act to issue or maintain a registration if the applicant or registrant is without state authority to handle controlled substances in the state in which he conducts his business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E. Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988).

Here, it is clear that the Respondent is not currently authorized to practice medicine in the State of Florida. From this fact, the Deputy Administrator infers that the Respondent lacks authorization to handle controlled substances in Florida. Therefore, the Respondent currently is not entitled to a DEA registration.

Also, pursuant to 21 U.S.C. 823(f) and 824(a)(4), the Deputy Administrator may revoke a DEA Certificate of Registration, or deny a pending application for 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 a 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 FR 16422 (1989).

In this case, factors one, two, four, and five are relevant in determining whether the Respondent's certificate should be revoked and any pending application denied as being inconsistent with the public interest. As to factor one, the Medical Board found that the Respondent's acts of misconduct warranted suspension of his state medical license for five years.

As to factors two, four, and five, the Deputy Administrator finds relevant that, after reviewing the Respondent's conduct, the Medical Board found that the Respondent had violated state law by improperly preparing controlled substance prescriptions on numerous occasions, and by providing substandard patient care, to include administering Nubian, a non-controlled substance noted for having a low potential for abuse, to a patient he knew was addicted to the drug. By engaging in conduct which violated state law, the Respondent also violated provisions of his Memorandum of Agreement with the DEA. As a result of this conduct, the Deputy Administrator also finds that the public interest is best served by revoking the Respondent's DEA Certificate of Registration.

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 BJ3506170, issued to Tej Pal Singh Jowhal, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration be, and they hereby are, denied. This order is effective May 20, 1996.

Dated: April 12, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–9725 Filed 4–18–96; 8:45 am]

BILLING CODE 4410–09–M

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 December 22, 1995, Knoll Pharmaceuticals, 30 North Jefferson Road, Whippany, New Jersey 07981, made application, which was received for processing on March 13, 1996, to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule II controlled substance hydromorphone (9150).

The firm plans to produce hydromorphone bulk product and finished dosage units of dilaudid for distribution to its customers.

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

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than June 18, 1996.

Dated: April 9, 1996.

Gene R. Haislip,

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

[FR Doc. 96–9723 Filed 4–18 –96; 8:45 am]

BILLING CODE 4410–09–M

Walter William Stoll, Jr., M.D., Revocation of Registration

On October 19, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Walter William Stoll, Jr., M.D., (Respondent), of Nicholasville, Kentucky, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AS5639286, under 21 U.S.C. 824(a)(3), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f), because the Commonwealth of Kentucky, State Board of Medical Licensure, had revoked his Kentucky medical license