This prerequisite has been consistently upheld. See *Dominick A. Ricci, M.D.*, 58 Fed. Reg. 51,104 (1993); *James H. Nickens, M.D.*, 57 Fed. Reg. 59,847 (1992); *Roy E. Hardman, M.D.*, 57 Fed. Reg. 49,195 (1992). Here, it is clear that Dr. Green is neither currently authorized to practice medicine nor to dispense controlled substances in the State of Texas. Therefore, Dr. Green currently is not entitled to a DEA registration. Because Dr. Green is not entitled to a DEA registration due to his lack of state authorization to handle controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to address whether Dr. Green's continued registration would be inconsistent with the public interest.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824 and 28 C.F.R. 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BG3952339, previously issued to Demetris A. Green, M.D., be, and it hereby is, revoked. The Acting Deputy Administrator further orders that any pending applications for registration be, and they hereby are, denied. This order is effective December 30, 1996.

Dated: November 19, 1996.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 96–30379 Filed 11–27–96; 8:45 am]

BILLING CODE 4410–09–M

Irene C. Kelly, a/k/a Ayter Yalincak, a/k/a Imrag Yalincak; Revocation of Registration

On April 1, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order to Show Cause to Irene C. Kelly, a/k/a Ayter Yalincak, a/k/a Imrag Yalincak, of Indiana, notifying her of an opportunity to show cause as to why DEA should not revoke her DEA Certificate of Registration, BK3903829, under 21 U.S.C. 824(a)(1), 824(a)(3), and 824(a)(4), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f). The order alleged in essence that Ms. Kelly fraudulently misrepresented her medical credentials, thereby falsifying her application for registration, and as a result, her state medical license was voided and she was convicted of practicing medicine without a license. The order also notified Ms. Kelly that should no request for a hearing be filed within 30 days, her hearing right would be deemed waived.

The order was sent by certified mail, and a signed return receipt dated April 6, 1996, was received by the DEA. However, no request for a hearing or any other reply was received by the DEA from Ms. Kelly or anyone purporting to represent her in this matter.

Therefore, the Acting Deputy Administrator, finding that (1) more than thirty days have passed since the receipt of the Order to Show Cause, and (2) no requests for a hearing having been received, concludes that Ms. Kelly is deemed to have waived her hearing right. After considering relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.54(e) and 1301.57.

The Acting Deputy Administrator finds that on May 26, 1994, the Medical Licensing Board of Indiana (Board) summarily suspended the medical license held by Irene Catherine Mary Kelly, M.D. for 90 days. The Board's order stated that on January 27, 1994, Ms. Kelly, fraudulently obtained a license to practice medicine in the State of Indiana by impersonating a Canadian-educated physician. On her application for state registration, she used the fictitious name of ''Irene Catherine Mary Kelly, M.D.'' and submitted phony documentation that indicated her purported credentials. Subsequently, by an Order dated February 16, 1995, the Board voided ab initio the medical license which was issued to Irene Catherine Mary Kelly, M.D. Subsequently, Ms. Kelly was convicted in state court of practicing medicine without a license, and is currently incarcerated, serving a four year sentence. Ms. Kelly has refused to surrender her DEA Certificate of Registration. The Acting Deputy Administrator concludes that Ms. Kelly is not currently authorized to handle controlled substances in the State of Indiana.

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 she conducts 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). Here, it is clear that Ms. Kelly is neither authorized to practice medicine nor to dispense controlled substances in the State of Indiana. Therefore, Ms. Kelly is not entitled to a DEA registration. Because Ms. Kelly is not entitled to a DEA registration due to her lack of state authorization to handled controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to specifically address the other issues raised by the Order to Show Cause.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BK3903829, previously issued to Irene Kelly, M.D., be, and it hereby is, revoked, and any pending applications for registration, be, and they hereby are, denied. This order is effective December 30, 1996.

Dated: November 19, 1996.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 96–30380 Filed 11–27–96; 8:45 am]

BILLING CODE 4410–09–M

Importation of Controlled Substances; Notice of Application

Pursuant to Section 1008 of the Controlled Substances Import and Export Act (21 U.S.C. 958(i)), the Attorney General shall, prior to issuing a registration under this Section to a bulk manufacturer of a controlled substance in Schedule I or II and prior to issuing a regulation under Section 1002(a) authorizing the importation of such a substance, provide manufacturers holding registrations for the bulk manufacture of the substance an opportunity for a hearing.

Therefore, in accordance with Section 1311.42 of Title 21, Code of Federal Regulations (CFR), notice is hereby given that on August 6, 1996, Cambridge Isotope Lab, 50 Frontage Road, Andover, Massachusetts 01810, made application to the Drug enforcement Administration for renewal of registration as an importer of the basic classes of controlled substances listed below:

Drug	Schedule
Methaqualone (2565)	I
Dimethyltryptamine (7435)	I
Amphetamine (1100)	II
Methamphetamine (1105)	II
Pentobarbital (2270)	II
Secobarbital (2315)	II
Phencyclidine (7471)	II
Cocaine (9041)	II
Codeine (9050)	II
Benzoylecgonine (9180)	II
Methadone (9250)	II
Morphine (9300)	II
Fentanyl (9801)	II

The firm plans to import small quantities of the listed controlled substances to produce isotope labeled standards for drug analysis.

Any manufacturer holding, or applying for, registration as a bulk, manufacturer of these basic classes of controlled substances may file written comments on or objections to the application described above and may, at the same time, file a written request for a hearing on such application in accordance with 21 CFR 1301.54 in such form as prescribed by 21 CFR 1316.47.

Any such comments, objections, or requests for a hearing may be addressed 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 December 30, 1996.

This procedure is to be conducted simultaneously with and independent of the procedures described in 21 CFR 1311.42 (b), (c), (d), (e), and (f). As noted in a previous notice at 40 FR 43745–46 (September 23, 1975), all applicants for registration to import basic classes of any controlled substances in Schedule I or II are and will continue to be required to demonstrate to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration that the requirements for such registration pursuant to 21 U.S.C. 958(a), 21 U.S.C. 823(a), and 21 CFR 1311.42 (a), (b), (c), (d), (e), and (f) are satisfied.

Dated: October 21, 1996.

Gene R. Haislip,

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

[FR Doc. 96–30355 Filed 11–27–96; 8:45 am]

BILLING CODE 4410–09–M

Earl G. Rozeboom, M.D.; Revocation of Registration

On March 4, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Earl G. Rozeboom, M.D., of Des Moines, Iowa, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AR4044611, under 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of his registration under 21 U.S.C. 823(f), for reason that, on or about January 20, 1994, the Iowa Board of Pharmacy Examiners revoked his state controlled substance registration. The order also notified Dr. Rozeboom that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The order was sent by certified mail, and a signed return receipt dated March 15, 1996, was received by the DEA. However, no request for a hearing or any other reply was received by the DEA from DR. Rozeboom or anyone purporting to represent him in this matter.

Therefore, the Acting Deputy Administrator, finding that (1) more than thirty days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Rozeboom is deemed to have waived his hearing right. After considering relevant material from the investigative file in this matter, the Acting Deputy Administrator now enters his final order without a hearing pursuant to 21 C.F.R. 1301.54(e) and 1301.57.

The Acting Deputy Administrator finds that based upon Dr. Rozeboom's excessive prescribing of controlled substances, on November 18, 1993, the Board of Medical Examiners of the State of Iowa placed his license to practice medicine on probation for five years, subject to various terms and conditions. One term of that probation is that, Dr. Rozeboom ''shall not posses, order, dispense, administer or prescribe any controlled drugs until further order of the Board.'' As a result of this action, the State of Iowa, Board of Pharmacy Examiners revoked Dr. Rozeboom's controlled substances registration on or about January 20, 1994. Therefore, the Acting Deputy Administrator concludes that Dr. Rozeboom is not currently authorized to handle controlled substances in the State of Iowa.

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 Fed. Reg. 51,104 (1993); *James H. Nickens, M.D.*, 57 Fed. Reg. 59,847 (1992); *Roy E. Hardman, M.D.*, 57 Fed. Reg. 49,195 (1992). Because Dr. Rozeboom is not currently authorized by the State of Iowa to handle controlled substances, he is not entitled to a DEA registration.

Accordingly, the Acting Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 824, and 28 C.F.R. 0.100(b) and 0.104, hereby orders the DEA Certificate of Registration, AR404611, previously issued to Earl G. Rozeboom, M.D., be, and it hereby is, revoked, and any pending applications for renewal of such registration, be, and they hereby are, denied. This order is effective December 30, 1996.

Dated: November 19, 1996.

[FR Doc. 96–30377 Filed 11–27–96; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF LABOR

Employment Standards Administration, Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination; Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay