DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Center for Manufacturing Sciences, Inc. (NCMS)

Notice is hereby given that, on March 3, 1997, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), the National Center for Manufacturing Sciences, Inc. (''NCMS'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing a change in the participants in a joint venture identified as ''Rapid Response Manufacturing.'' The notifications were filed for the purpose of extending the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances. Specifically, Structural Dynamics Research Corporation, Milford, OH, has been added as participant in the joint venture.

No other changes have been made in the joint venture, and its nature and objectives remain unchanged. NCMS intends to file additional written notification disclosing all changes in the joint venture.

On February 20, 1987, NCMS filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act of March 17, 1987 (52 FR 8375).

The last notification was filed with the Department on February 26, 1997. This notice has not been published in the **Federal Register**.

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 97–10950 Filed 4–28–97; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Antitrust Division

Notice Pursuant to the National Cooperative Research and Production Act of 1993—National Industrial Information Infrastructure Protocols Solutions for Manufacturing—Adaptable Replicable Technology

Notice is hereby given that, on March 21, 1997, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), the National Industrial Information Infrastructure Protocols Solutions for Manufacturing—Adaptable Replicable Technology (''NIIIP–SMART'') filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing changes in its membership. The notifications were filed for the purpose of invoking the Act's provisions limiting the recovery of antitrust plaintiffs to actual damages under specified circumstances.

Specifically, the following organization has joined NIIIP–SMART: Pilot Industries, Inc. The following organizations have withdrawn their membership from NIIIP–SMART: Consilium; General Motors Corporation; and Promis.

No other changes have been made in either the membership or planned activities of NIIIP–SMART. Membership remains open and NIIIP–SMART intends to file additional written notifications disclosing all changes in membership.

On May 1, 1996, NIIIP–SMART filed its original notification pursuant to section 6(a) of the Act. The Department of Justice published a notice in the **Federal Register** pursuant to section 6(b) of the Act on June 13, 1996 (61 FR 30098).

Constance K. Robinson,

Director of Operations, Antitrust Division.

[FR Doc. 97–10949 Filed 4–28–97; 8:45 am]

BILLING CODE 4410–11–M

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 February 12, 1997, Celgene Corporation, 7 Powder Horn Drive, Warren, New Jersey 07059, made application to the Drug Enforcement Administration (DEA) for registration by letter as a bulk manufacturer of the Schedule II controlled substance methylphenidate (1724).

The firm plans to manufacture methylphenidate for clinical trials, formulation studies, and product research and development.

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, in quintuplicate, to the Acting 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 30, 1997.

Dated: March 31, 1997.

Terrance W. Woodworth,

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

[FR Doc. 97–11036 Filed 4–28–97; 8:45 am]

BILLING CODE 4410–09–M

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 January 29, 1997, Celgene Corporation, 7 Powder Horn Drive, Warren, New Jersey 07059, made application by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule I controlled substance 4-Methoxyamphetamine (7411).

The firm plans to manufacture 4-methoxyamphetamine which is used as an intermediate in the manufacture of a non-controlled substance.

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, in quintuplicate, to the Acting 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 30, 1997.

Dated: April 8, 1997.

Terrance W. Woodworth,

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

[FR Doc. 97–11037 Filed 4–28–97; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Samuel Wise Chang, M.D.; Revocation of Registration

On October 24, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA) issued an Order

to Show Cause to Samuel Wise Chang, M.D., of Alexandria, Virginia, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AC5597262, under 21 U.S.C. 824 (a)(3) and (a)(4), and deny any pending applications for renewal of such registration as a practitioner under 21 U.S.C. 823(f), for reason that he is not authorized to handle controlled substances in the Commonwealth of Virginia, and his continued registration would be inconsistent with the public interest. The Order to Show Cause specifically alleged that:

''(1) In December 1993, a confidential informant informed the Alexandria (Virginia) police Vice Narcotics Section that (Dr. Chang) routinely dispensed and/or prescribed controlled substances for no legitimate medical purpose. In response to this information, law enforcement agents and confidential informants made 24 undercover visits to (Dr. Chang's) office between November 1993 and June 1994. On each occasion, (Dr. Chang) dispensed and/or prescribed controlled substances to these individuals for no legitimate medical purpose.

''(2) On February 6, 1995, (Dr. Chang was) indicted in the Circuit Court for the City of Alexandria, and charged with 24 counts of illegal distribution and/or prescribing of controlled substances in violation of Title 18 of the Virginia State Code.

''(3) On June 7, 1995, (Dr. Chang was) found guilty of 15 felony counts of illegal distribution of anabolic steroids and seven misdemeanor counts of unlawful prescribing of controlled substances. (Dr. Chang was) sentenced to one month confinement on each felony count with a fine of $10,000 per count, and (Dr. Chang was) further fined $2,000 on each misdemeanor count. The matter is currently on appeal.

''(4) On October 26, 1995, the Virginia Department of Health Professions ordered the suspension of (his) license to practice medicine. Therefore, (he is) not currently authorized to handle controlled substances in the Commonwealth of Virginia.''

The Order to Show Cause also notified Dr. Chang that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The DEA received a signed receipt indicating that Dr. Chang received the order on November 4, 1996. No request for a hearing or any other reply was received by the DEA from Dr. Chang or anyone purporting to represent him in this matter. Therefore, the Acting Deputy Administrator, finding that (1) 30 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. Chang is deemed to have waived his hearing right. After considering the 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 1301.43 (d) and (e) and 1301.46.

The Acting Deputy Administrator finds that on October 26, 1995, the Virginia Department of Health Professions suspended Dr. Chang's license to practice medicine in the Commonwealth of Virginia based upon the fact that Dr. Chang was convicted of 15 felony counts of distribution of stimulants. A letter to the DEA from the Virginia Department of Health Professions dated October 3, 1996, indicates that Dr. Chang has not sought reinstatement of his license to practice medicine and it therefore remains suspended. The Acting Deputy Administrator finds that since Dr. Chang is not currently authorized to practice medicine in the Commonwealth of Virginia, it is reasonable to infer that he is not authorized to handle controlled substances in that state.

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 *Romeo J. Perex, M.D.,* 62 FR 16,193 (1997); *Demetris A. Green M.D.,* 61 FR 60,728 (1996); *Eominick A. Ricci, M.D.,* 58 FR 51,104 (1993).

Here, it is clear that Dr. Chang is not currently authorized to handle controlled substances in the Commonwealth of Virginia, where he is registered with DEA. Therefore, he is not entitled to maintain that registration. Because Dr. Chang is not entitled to a DEA registration in Virginia due to his lack of state authorization to handle controlled substances, the Acting Deputy Administrator concludes that it is unnecessary to address whether Dr. Chang's continued registration would be inconsistent with the public interest, as alleged in 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 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, AC 5597262, previously issued to Samuel Wise Chang, M.D., be, and it hereby is, revoked. The Acting 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 29, 1997.

Dated: April 21, 1997.

James S. Milford,

Acting Deputy Administrator.

[FR Doc. 97–10915 Filed 4–28–97; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Harvey Robert Spar, M.D.; Revocation of Registration

On July 30, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Harvey Robert Spar, M.D., of Camarillo, California, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AS1871486, under 21 U.S.C. 824(a)(3), and deny any pending applications for renewal of such registration as a practitioner pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the State of California. The order also notified Dr. Spar that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The DEA received a signed receipt indicating that the order was received by Dr. Spar on August 5, 1996. No request for a hearing or any other reply was received by the DEA from Dr. Spar or anyone purporting to represent him in this matter. Therefore, the Acting Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for hearing having been received, concludes that Dr. Spar is deemed to have waived his hearing right. After considering the 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 1301.43 (d) and (e) and 1301.46.

The Acting Deputy Administrator finds that by a Decision dated August 23, 1995, the Medical Board of California adopted a Stipulation for surrender of License signed by Dr. Spar on July 7, 1995, whereby Dr. Spar agreed to surrender his license to practice medicine in the State of California. The Acting Deputy Administrator finds that in light of the fact that Dr. Spar is not currently