

**Findings of Scientific Misconduct****AGENCY:** Office of the Secretary, HHS.**ACTION:** Notice.**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI) has made final findings of scientific misconduct in the following case:

*David F. Eierman, Ph.D., University of North Carolina at Chapel Hill:* The Division of Research Investigations (DRI) of the Office of Research Integrity (ORI) reviewed an investigation conducted by the University of North Carolina at Chapel Hill into possible scientific misconduct on the part of Dr. Eierman while a research assistant at the University of North Carolina. Based in part on Dr. Eierman's admission, the University concluded that he committed scientific misconduct by falsifying or fabricating data in biomedical research supported by two Public Health Service grants. The ORI accepted the University's conclusions and found that Dr. Eierman engaged in scientific misconduct.

Dr. Eierman has fully cooperated with the University of North Carolina and ORI in this matter and has signed a Voluntary Exclusion Agreement under which he has agreed to be excluded from support under Federal grants, contracts, and cooperative agreements for a three-year period beginning December 12, 1994, and ending December 11, 1997, and from service on PHS advisory committees, boards, or peer review groups for the same period. ORI notes that Dr. Eierman's cooperation in resolving this matter indicates that he has accepted responsibility for his actions, and this is regarded as a positive factor that was taken into consideration in negotiating the Voluntary Exclusion Agreement. The fabricated and falsified data were reported in two manuscripts that were never published and in Figure 3 of " $\beta_1$  and  $\beta_2$  Integrin Subunit Regulation of the Monocyte Inflammatory Response," Cellular and Cytokine Networks in Tissue Immunity (M. Meltzer, and A. Mantovani, Eds.). (1991). New York: Wiley-Liss.

**FOR FURTHER INFORMATION CONTACT:** Director, Division of Research Investigations, Office of Research Integrity, 301-443-5330.**Lyle W. Bivens, Ph.D.***Director, Office of Research Integrity.*

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**Findings of Scientific Misconduct****AGENCY:** Office of the Secretary, HHS.**ACTION:** Notice.**SUMMARY:** Notice is hereby given that the Office of Research Integrity (ORI) has made final findings of scientific misconduct in the following case:

*Celia Ryan, R.N., University of Pittsburgh:* The Division of Research Investigations (DRI) of the Office of Research Integrity (ORI) reviewed an investigation conducted by the University of Pittsburgh into possible scientific misconduct on the part of Ms. Ryan while an employee of the University. ORI concurred with the factual findings as set forth in the University of Pittsburgh report, and finds that Ms. Ryan committed scientific misconduct by falsifying and fabricating interview data in a research project, "Assessment of the Variation and Outcomes of Pneumonia," supported by a grant from the Agency for Health Care Policy and Research, HS 06468. Ms. Ryan accepted the misconduct finding and agreed to a Voluntary Exclusion and Settlement Agreement under which Ms. Ryan will not apply for, nor permit her name to be used on any application for Federal grant or contract funds, will not receive nor be supported by such funds, and will not serve on PHS advisory committees, boards, or peer review groups for a three-year period beginning January 11, 1995.

**FOR FURTHER INFORMATION CONTACT:** Director, Division of Research Investigations, Office of Research Integrity, 301-443-5330.**Lyle W. Bivens,***Director, Office of Research Integrity.*

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**Food and Drug Administration**

[Docket No. 94N-0173]

**International Drug Scheduling; Convention on Psychotropic Substances; World Health Organization Scheduling Recommendations for Seven Drug Substances****AGENCY:** Food and Drug Administration, HHS.**ACTION:** Notice.**SUMMARY:** The Food and Drug Administration (FDA) is providing interested persons with the opportunity to submit written comments and to request an informal public meeting concerning recommendations by the World Health Organization (WHO) to impose international manufacturing and distributing restrictions, pursuant to international treaties, on certain drug

substances. The comments received in response to this notice and/or public meeting will be considered in preparing the U.S. position on these proposals for a meeting of the United Nations Commission on Narcotic Drugs (CND) in Vienna, Austria, on March 14-23, 1995. This notice is issued pursuant to the Controlled Substances Act (CSA).

**DATES:** Written comments by February 9, 1995; written requests for a public meeting and the reasons for such a request by January 30, 1995.**ADDRESSES:** Submit written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, rm. 1-23, 12420 Parklawn Dr., Rockville, MD 20857; written requests for a public meeting and the reasons for such a request to Nicholas P. Reuter (address below). **FOR FURTHER INFORMATION CONTACT:** Nicholas P. Reuter, Office of Health Affairs (HFY-20), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-1382.**SUPPLEMENTARY INFORMATION:****I. Background**

The United States is a party to the 1971 Convention on Psychotropic Substances (the Convention). Section 201(d)(2)(B) of the CSA (21 U.S.C. 811(d)(2)(B)) provides that when the United States is notified under Article 2 of the Convention that CND proposes to decide whether to add a drug or other substance to one of the schedules of the Convention, transfer a drug or substance from one schedule to another, or delete it from the schedules, the Secretary of State must transmit notice of such information to the Secretary of Health and Human Services (HHS).

The Secretary of HHS must then publish a summary of such information in the **Federal Register** and provide opportunity for interested persons to submit comments. The Secretary of HHS shall then evaluate the proposal and furnish a recommendation to the Secretary of State which shall be binding on the representative of the United States in discussions and negotiations relating to the proposal.

As detailed below in this document, the Secretary of State has received a notification from the Secretary-General of the United Nations. This notification reflects the recommendations from the 29th WHO Expert Committee for Drug Dependence (ECDD), which met in September 1994. WHO recommends that the substances aminorex, brotizolam, and mesocarb be added to Schedule IV of the Convention. In addition, WHO recommends that etryptamine and methcathinone be