

to Show Cause to Rosalind A. Cropper, M.D. and Rosalind A. Cropper, Inc., of New Orleans, Louisiana, proposing to revoke her DEA Certificate of Registration, BC0747381, as a practitioner, deny any pending application for registration as a practitioner and deny the application of Rosalind A. Cropper, Inc. (Respondent) for DEA registration as a Narcotic Treatment Program (NTP). The statutory basis for the Order to Show Cause was that Dr. Cropper's continued registration as a practitioner and Respondent's registration as an NTP would be inconsistent with the public interest as that term is used in 21 U.S.C. 823(f).

Respondent, through counsel, requested a hearing on the issues raised in the Order to Show Cause, and the matter was docketed before Administrative Law Judge Mary Ellen Bittner. On December 16, 1994, the Government filed a motion for summary disposition alleging that the State of Louisiana had denied Respondent's application to operate an NTP within that State, and, that Respondent lacked authority from the Food and Drug Administration (FDA) to operate an NTP. The Government's motion was supported by a letter from an FDA official informing Respondent that because the State of Louisiana had denied its application to establish an NTP, the FDA was unable to approve its application. Respondents did not file a response to the Government's motion and did not deny that FDA and the State of Louisiana has denied its applications.

On January 18, 1995, Judge Bittner issued her Opinion and Recommended Decision of the Administrative Law Judge and Order Severing Proceedings recommending that Respondent's application for DEA Certificate of Registration as an NTP be denied. Judge Bittner also ordered that the proceeding involving the proposed revocation of Respondent's registration as a practitioner be severed from Docket 94-76, be redocketed, and that the parties continue with prehearing procedures regarding that matter. No exceptions to Judge Bittner's opinion were filed by either party.

On February 21, 1995, the administrative law judge transmitted the record to the Deputy Administrator. After a careful consideration of the record in its entirety, the Deputy Administrator enters his final order in this matter, pursuant to 21 CFR 1316.67, based on findings of fact and conclusions of law as set forth herein.

By letter dated December 16, 1994, Respondent was advised that the FDA was unable to approve her application to the FDA to operate an NTP because

the State of Louisiana had denied her application to establish an NTP. Judge Bittner held that DEA does not have statutory authority under the Controlled Substances Act to register an NTP unless that entity is authorized by the FDA to dispense controlled substances. 21 U.S.C. 823(g). In a proceeding to obtain registration as an NTP, if the applicant does not possess the requisite FDA authorization to operate an NTP, a motion for summary disposition is properly entertained for it is well settled that where no question of fact exists, or where the material facts are agreed, a plenary administrative proceeding is not required. *Phillip E. Kirk, M.D.*, 48 FR 32887 (1983), aff'd sub nom, *Kirk v. Mullen*, 749 F.2d 297 (6th Cir. 1984).

Accordingly, the Deputy Administrator adopts the Opinion and Recommended Decision of the Administrative Law Judge in its entirety. Based on the foregoing, 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 Respondent's application for DEA Certificate of Registration as an NTP be, and it hereby is, denied. This order is effective May 10, 1995.

Dated: April 3, 1995.

Stephen H. Greene,
Deputy Administrator.

[FR Doc. 95-8651 Filed 4-7-95; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

[TA-W-29,352]

Hasbro, Inc. a/k/a Tonka Corporation El Paso Operations; El Paso, TX; Amended Certification Regarding Eligibility To Apply for Worker Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974 (19 USC 2273) the Department of Labor issued a Certification of Eligibility to Apply for Work Adjustment Assistance applicable to all workers of the subject firm.

The certification notice was issued on March 16, 1994 published in the **Federal Register** on March 30, 1994 (59 FR 14876).

At the request of the State Agency, the Department reviewed the certification for workers of the subject firm. New findings show that some of the workers had their unemployment insurance

taxes paid under Tonka Corporation, a division of Hasbro, Inc.

Accordingly, the Department is amending the certification to properly reflect this matter.

The amended notice applicable to TA-W-29,352 is hereby issued as follows:

"All workers of workers and former workers at Hasbro, Inc., also known as (a/k/a) Tonka Corporation, El Paso Operations, El Paso, Texas who became totally or partially separated from employment on or after December 14, 1992 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C., this 30th day of March 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-8723 Filed 4-7-95; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-30,505]

Cushman Industries, Inc.; Hartford, CT; Notice of Revised Determination on Reconsideration

On March 7, 1995, the Department issued an Affirmative Determination Regarding Application for Reconsideration for workers and former workers of the subject firm. The notice was published in the **Federal Register** on March 17, 1995 (60 FR 14452).

The findings show that the Hartford, Connecticut plant closed in December, 1994 when all production workers were laid off and production ceased.

New findings on reconsideration show that the company had increased imports of chucks in the relevant period.

Conclusion

After careful consideration of the new facts obtained on reconsideration, it is concluded that the workers at Cushman Industries, Hartford, Connecticut were adversely affected by increased imports of articles like or directly competitive with the chucks produced at Cushman Industries in Hartford, Connecticut. In accordance with the provisions of the Act, I make the following revised determination for workers of Cushman Industries, Hartford, Connecticut.

"All workers of Cushman Industries in Hartford, Connecticut who became totally or partially separated from employment on or after November 2, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974."

Signed at Washington, D.C., this 30th day of March 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-8722 Filed 4-7-95; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-30, 360 etc.]

BASF Corp., Lowland, TN; Amended Certification Regarding Eligibility to Apply for Worker Adjustment Assistance

In the matter of: TA-W-30,360 Nylon Hosiery Department, TA-W-30,360A Polyester Filament Department, and TA-W-30,360B Nylon Staple Fibers Department.

In accordance with Section 223 of the Trade Act of 1974 (19 U.S.C. 2273) the Department of Labor issued a Certification of Eligibility to Apply for Worker Adjustment Assistance on December 7, 1994, applicable to all workers of the Nylon Hosiery Department. The Notice was published in the **Federal Register** on January 3, 1995 (60 FR 148).

A **Federal Register** Correction was issued on February 10, 1995 revising the date of the petition to August 1, 1994. The correction was published in the **Federal Register** on February 17, 1995 (60 FR 9407). The certification was subsequently amended on February 10, 1995 to include the Polyester Filament Department. The amended notice was published in the **Federal Register** on February 17, 1995 (60 FR 9407).

At the request of the company, the Department again reviewed the certification for workers of the subject firm. New findings show that the Nylon Staple Fibers business was part of the Fiber Products Division and worker separations and declines in sales and production have occurred in the relevant periods. Accordingly, the Department is amending the certification to include all workers at the Lowland, Tennessee plant.

The amended notice applicable to TA-W-30,360 is hereby issued as follows:

All workers of BASF Corporation, Lowland, Tennessee who became totally or partially separated from employment on or after August 1, 1993 are eligible to apply for adjustment assistance under Section 223 of the Trade Act of 1974.

Signed in Washington, DC., this 29th day of March, 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-8725 Filed 4-7-95; 8:45 am]

BILLING CODE 4510-30-M

[TA-W-30,864]

Bridgestone/Firestone, Incorporated, Decatur, Illinois; Notice of Termination of Investigation

Pursuant to Section 221 of the Trade Act of 1974, an investigation was initiated on March 6, 1995 in response to a worker petition which was filed on March 6, 1995 on behalf of workers at Bridgestone/Firestone, Incorporated, Decatur, Illinois.

The petitioning group of workers is subject to an ongoing investigation for which a determination has not yet been issued (TA-W-30,787). Consequently, further investigation in this case would serve no purpose, and the investigation has been terminated.

Signed in Washington, D.C. this 29th day of March, 1995.

Victor J. Trunzo,

Program Manager, Policy and Reemployment Services, Office of Trade Adjustment Assistance.

[FR Doc. 95-8274 Filed 4-7-95; 8:45 am]

BILLING CODE 4510-30-M

Notice of Determinations Regarding Eligibility To Apply for Worker Adjustment Assistance and NAFTA Transitional Adjustment Assistance

In accordance with Section 223 of the Trade Act of 1974, as amended, the Department of Labor herein presents summaries of determinations regarding eligibility to apply for trade adjustment assistance for workers (TA-W) issued during the period of March 1995.

In order for an affirmative determination to be made and a certification of eligibility to apply for worker adjustment assistance to be issued, each of the group eligibility requirements of Section 222 of the Act must be met.

(1) that a significant number or proportion of the workers in the workers' firm, or an appropriate subdivision thereof, have become totally or partially separated,

(2) that sales or production, or both, of the firm or subdivision have decreased absolutely, and

(3) that increases of imports of articles like or directly competitive with articles produced by the firm or appropriate

subdivision have contributed importantly to the separations, or threat thereof, and to the absolute decline in sales or production.

Negative Determinations for Worker Adjustment Assistance

In each of the following cases the investigation revealed that criterion (3) has not been met. A survey of customers indicated that increased imports did not contribute importantly to worker separations at the firm.

TA-W-30,744; Gioia Macaroni/Borden, Inc., Buffalo, NY

TA-W-30,762; Hecla Mining Co., Inc., Republic Unit, Republic, WA

TA-W-30,814; Eagle Coach Corp., Brownsville, TX

TA-W-30,723; R. Neumann & Co., Hoboken, NJ

TA-W-30,754; UDT Sensors, Inc., El Paso, TX

TA-W-30,812; Anderson & Middleton, Grays Harbor Veneer Div. Hoquiam, WA

In the following cases, the investigation revealed that the criteria for eligibility have not been met for the reasons specified.

TA-W-30,708; U.S. Dept. of Agriculture, Food Safety Inspection Service, Import Inspection Div., New Orleans, LA

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-30,772; Anne Klein & Co., New York, NY

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-30,793; Phillips Petroleum Co., Odessa, TX

The workers' firm does not produce an article as required for certification under Section 222 of the Trade Act of 1974.

TA-W-30,759; Touch of Elegance, Inc., Holland, MI

The subject firm experienced no sales during the 1994 including the earliest possible date of certification coverage under the Trade Act of 1974.

TA-W-30,724; Boise Cascade Corp., Timber & Wood Products Div. Plant No. 2, Council, ID

Increased imports did not contribute importantly to worker separations at the firm.

TA-W-30,749; Bristol Myers Squibb, North Brunswick, NJ

The investigation revealed that criteria (2) has not been met. Sales or