Commission disclosing (1) the identities of the parties to the venture and (2) the nature and objectives of the venture. 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.

Pursuant to Section 6(b) of the Act, the identities of the parties to the venture are: Siemens Westinghouse Power Corporation, Orlando, FL and Mesoscribe Technologies, Inc., Stony Brook, NY. The nature and objectives of the venture are to demonstrate the viability of smart, self-aware engine components that will incorporate embedded, harsh-environment capable sensors for thermal, mechanical, and wear sensing, integrated with wireless technology for signal transmission under the Advanced Technology Program of NIST. The activities of the joint venture will be partially funded by an award from the Advanced Technology Program, National Institute of Standards and Technology.

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 04–26223 Filed 11–26–04; 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—Smart Active Label Consortium, Inc.

Notice is hereby given that, on September 20, 2004, pursuant to section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), Smart Active Label Consortium, Inc., (''SAL'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the name and principal place of business of the standards development organization and (2) the nature and scope of its standards development activities. 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.

Pursuant to section 6(b) of the Act, the name and principal place of business of the standards development organization is: Smart Active Label Consortium, Inc., Wakefield, MA. The nature and scope of SAL's standards development activities are: (a) To bring smart active label technology into use in a wide range of industries; and (b) to bring together a critical mass of technology suppliers, manufacturers, solutions providers, end-users, standards organizations, governmental bodies, and academic institutions.

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 04–26203 Filed 11–26–04; 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—U.S. Product Data Association

Notice is hereby given that, on September 20, 2004, pursuant to Section 6(a) of the National Cooperative Research and Production Act of 1993, 15 U.S.C. 4301 *et seq.* (''the Act''), U.S. Product Data Association (''US PRO'') has filed written notifications simultaneously with the Attorney General and the Federal Trade Commission disclosing (1) the name and principal place of business of the standards development organization and (2) the nature and scope of its standards development activities. 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.

Pursuant to Section 6(b) of the Act, the name and principal place of business of the standards development organization is: U.S. Product Data Association, North Charleston, SC. The nature and scope of US PRO's standards development activities are: To provide the management functions for the IGES/PDES Organization (IPO) and its related activities, including the U.S. Technical Advisory Group (TAG) to ISO TC184/SC4.

Dorothy B. Fountain,

Deputy Director of Operations, Antitrust Division.

[FR Doc. 04–26216 Filed 11–26–04; 8:45 am]

BILLING CODE 4410–11–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 01–31]

Deborah Bordeaux, M.D.; Revocation of Registration

On June 8, 2001, the Administrator of the Drug Enforcement Administration (DEA), issued an Order to Show Cause/Immediate Suspension of Registration to Deborah Bordeaux, M.D. (Dr. Bordeaux), notifying her of an opportunity to show cause as to why DEA should not revoke her DEA Certificate of Registration, BB3869370, as a practitioner, pursuant to 21 U.S.C. 824(a)(4) for reason that Dr. Bordeaux's continued registration would be inconsistent with the public interest and to deny any pending applications for renewal of registration pursuant to 21 U.S.C. 823(f). The Order to Show Cause/Immediate Suspension of Registration further advised Dr. Bordeaux that her DEA Certificate of Registration had been suspended, pursuant to 21 U.S.C. 824(d), as an imminent danger to public health and safety.

The Order to Show Cause/Immediate Suspension of Registration alleged, inter alia, that for February 2000 through Febrary 2001, Dr. Bordeaux was employed by the Comprehensive Care & Pain Management Center (CCPMC) and the Myrtle Beach Medical Clinic (MBMC), both located in Myrtle Beach, South Carolina. During this period she routinely and continually prescribed controlled substances, including Oxycontin, Lortab and Lorcet, to patients without adequate medical testing, validation of patients' complaints or consideration of more appropriate alternative treatments.

Many of these patients were traveling hundreds of miles to CCPMC, bypassing legitimate physicians qualified to treat chronic pain. DEA investigators also determined that a number of Dr. Bordeaux's patients were at drug treatment centers throughout South Carolina, where they were being treated for addiction to Oxycontin that had repeatedly been prescribed them by Dr. Bordeaux and other CCPMC physicians.

It was further alleged that she routinely issued controlled substance prescriptions to patients never seen by staff physicians and issued refills of Oxycontin prescriptions for no reason other than the patients ''wanted'' refills. Further, in March 2001, Dr. Bordeaux opened her own clinic where, until she was told by DEA investigators that she was operating at an unregistered location, she continued to prescribe controlled substances without obtaining

DEA approval to modify here registered address. She also indicated that she had been invited to resume work as a physician at CCPMC and it was alleged that she had continued her prescribing practices, even after becoming aware of DEA's investigation into those practices.

On July 3, 2001, counsel for Dr. Bordeaux requested a hearing and following prehearing procedures, Presiding Administrative Law Judge Mary Ellen Bittner (Judge Bittner) scheduled the hearing to begin on July 16, 2002. On July 10, 2002, counsel for Dr. Bordeaux filed a Motion to Defer Hearing as a result of her indictment by a Federal grant jury on charges stemming from the conduct alleged in the Order to Show Cause/Immediate Suspension of Registration. That motion was granted on July 10, 2002.

On February 27, 2004, counsel for the Government filed a Motion for Summary Judgment. It alleged that on February 10, 2003, Dr. Bordeaux had been convicted in United States District Court for the District of South Carolina, of Conspiracy to Unlawfully Distribute Controlled Substances, in violation of 21 U.S.C. 846. Further, the motion alleged that March 10, 2003, the State Board of Medical Examiners of South Carolina (Medical Board) issued an Order of Temporary Suspension of Dr. Bordeaux's license to practice medicine in South Carolina and that she was no longer authorized to handle controlled substances in the State in which she maintained her DEA registration.

The Government attached to its motion an affidavit from a Medical Board investigator documenting the Federal conviction, a copy of the Order of Temporary Suspension and a February 20, 2004, letter from the Medical Board, indicating that as of that date, Dr. Bordeaux's medical license was still suspended. While given the opportunity, Dr. Bordeaux did not file a response to the Government's motion.

On May 4, 2004, Judge Bittner issued the Opinion and Recommended Decision of the Administrative Law Judge (Opinion and Recommended Decision). As part of her recommended ruling, Judge Bittner granted the Government's Motion for Summary Judgment, finding Dr. Bordeaux lacked authorization handle controlled substances in South Carolina, the jurisdiction in which she is registered with DEA.

In granting the Government's motion, Judge Bittner further recommended that Dr. Bordeaux's DEA registration be revoked and that any pending applications for modification or renewal be denied. No exceptions to the Opinion and Recommended Decision were filed.

The Deputy Administrator has considered the record in its entirety and pursuant to 21 CFR 1316.67, hereby issues her final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Adminstrator adopts, in full, the Opinion and Recommended Decision of the Administrative Law Judge.

The Deputy Administrator finds that Dr. Bordeaux currently possesses DEA Certificate of Registration BB3869370 and is registered to handle controlled substances in the State of South Carolina. The Deputy Administrator further finds that in response to her Federal conviction, on March 10, 2003, the State Board issued an Order of Temporary Suspension immediately suspending Dr. Bordeaux's license to practice medicine in South Carolina. There is no evidence before the Deputy Administrator that the State Board's Order has been lifted, stayed or modified. Therefore, the Deputy Administrator finds that Dr. Bordeaux is currently not licensed to practice medicine in South Carolina and as a result, it is reasonable to infer she is also without authorization to handle controlled substances in that State.

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. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See Stephen J. Graham, M.D.,* 69 FR 11661 (2004); *Dominick A. Ricci, M.D.,* 58 FR 51104 (1993); *Bobby Watts, M.D.,* 53 FR 11919 (1988). Revocation is also appropriate when a State license has been suspended, but with the possibility of future reinstatement. *See Alton E. Ingram, Jr., M.D.,* 69 FR 22562 (2004); *Anne Lazar Thorn, M.D.,* 62 FR 847 (1997).

Here, it is clear Dr. Bordeaux is not currently licensed to handle controlled substances in South Carolina, where she is registered with DEA. Therefore, she is not entitled to maintain that registration. Because Dr. Bordeaux is not entitled to a DEA registration in South Carolina due to lack of State authorization to handle controlled substances, the Deputy Administrator concludes it is unnecessary to address whether Dr. Bordeaux's registration should be revoked based upon the remaining public interest grounds asserted in the Order to Show Cause/Immediate Suspension of Registration. *See Fereida Walker-Graham, M.D.,* 68 FR 24761 (2003); *Nathaniel-Aikens-Afful, M.D.,* 62 FR 16871 (1997); *Sam F. Moore, D.V.M.,* 58 FR 14428 (1993).

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in her by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BB3869370, issued to Deborah Bordeaux, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for renewal or modification of such registration be, and they hereby are, denied. This order is effective December 29, 2004.

Dated: November 10, 2004.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. 04–26306 Filed 11–26–04; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

CWK Enterprises, Inc.; Denial of Registration

On July 23, 2004, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to CWK Enterprises, Inc. (CWK) proposing to deny its March 1, 2003, application for DEA Certificate of Registration as a distributor of list I chemicals. The Order to Show Cause alleged that granting CWK's application would be inconsistent with the public interest, as that term is used in 21 U.S.C. 823(h). The order also notified CWK that should not request for a hearing be filed within 30 days, its hearing right would be deemed waived.

According to the DEA investigative file, the Order to Show Cause was sent by certified mail to CWK at its proposed registered location at 3065 McCall Drive, Suite 10, Atlanta, Georgia 30224. It was received on August 5, 2004, and DEA has not received a request for a hearing or any other reply from CWK or anyone purporting to represent the company in this matter.

Therefore, the Deputy Administrator of DEA, finding that (1) thirty days have passed since delivery of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that CWK has waived its hearing right. *See Aqui Enterprises,* 67 FR 12576 (2002). After considering relevant material from the investigative file, the Deputy Administrator now enters her final order without a hearing pursuant to 21 CFR 1309.53 (c) and (d) and