

Dated: October 8, 2008.

Lynn Bryant,

Department Clearance Officer, PRA, United States Department of Justice.

[FR Doc. E8-24284 Filed 10-10-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances; Notice of Application

Pursuant to 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 21 U.S.C. 952(a)(2) 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 Title 21 Code of Federal Regulations (CFR), 1301.34(a), this is notice that on August 26, 2008, Hospira Inc., 1776 North Centennial Drive, McPherson, Kansas 67460-1247, made application to the Drug Enforcement Administration (DEA) to be registered as an importer of Remifentanyl (9739), a basic class of controlled substance listed in schedule II.

The company plans to import Remifentanyl for use in dosage form manufacturing.

Any bulk manufacturer who is presently, or is applying to be, registered with DEA to manufacture such basic classes of controlled substances may file comments or objections to the issuance of the proposed registration and may, at the same time, file a written request for a hearing on such application pursuant to 21 CFR 1301.43 and in such form as prescribed by 21 CFR 1316.47.

Any such comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, Federal Register Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than November 13, 2008.

This procedure is to be conducted simultaneously with, and independent of, the procedures described in 21 CFR 1301.34(b), (c), (d), (e), and (f). As noted in a previous notice published in the **Federal Register** on September 23, 1975, (40 FR 43745), all applicants for registration to import a basic class of any controlled substance 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 USC 958(a); 21 U.S.C. 823(a); and 21 CFR 1301.34(b), (c), (d), (e), and (f) are satisfied.

Dated: October 6, 2008.

Joseph T. Rannazzisi,

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

[FR Doc. E8-24308 Filed 10-10-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Application

Pursuant to § 1301.33(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on May 13, 2008, Halo Pharmaceutical Inc., 30 North Jefferson Road, Whippany, New Jersey 07981, made application to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed in schedules I and II:

Drug	Schedule
Dihydromorphine (9145)	I
Hydromorphone (9150)	II

Dihydromorphine is an intermediate in the manufacture of Hydromorphone and is not for commercial distribution. The company plans to manufacture Hydromorphone HCL for sale to other manufacturers and for the manufacture of other controlled substance dosage units for distribution to its customers.

Any other such applicant, and any person who is presently registered with DEA to manufacture such substances, may file comments or objections to the issuance of the proposed registration pursuant to 21 CFR 1301.33(a).

Any such written comments or objections should be addressed, in quintuplicate, to the Drug Enforcement Administration, Office of Diversion Control, Federal Register Representative (ODL), 8701 Morrisette Drive, Springfield, Virginia 22152; and must be filed no later than December 15, 2008.

Dated: October 7, 2008.

Joseph T. Rannazzisi,

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

[FR Doc. E8-24310 Filed 10-10-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket Nos. 05-13 and 05-45]

Sunny Wholesale, Inc. Revocation of Registration and Denial of Application; Correction

On October 3, 2008, the Drug Enforcement Administration (DEA) published an order in the **Federal Register** (73 FR 57655) that, among other things, revoked the registration of Sunny Wholesale, Inc. In the order taking this action, the DEA Certificate of Registration was incorrectly cited. The correct Certificate of Registration for Sunny Wholesale, Inc., 120 Forest Parkway, Forest Park, Georgia, is 004550SLY.

Therefore, the Certificate of Registration referenced at 73 FR 57668, first column, sixth line down, is corrected to read "004550SLY."

Dated: October 6, 2008.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E8-24305 Filed 10-10-08; 8:45 am]

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DEPARTMENT OF JUSTICE

Office of Justice Programs

[OMB Number 1121-NEW]

Agency Information Collection Activities: New Information Collection, Comments Requested

ACTION: 30-Day Notice of Information Collection Under Review: NICS Act State Record Estimates Data Collection.

The Department of Justice (DOJ), Office of Justice Programs, Bureau of Justice Statistics (BJS), will be submitting the following information collection request to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995. The proposed information collection is published to obtain comments from the public and affected agencies. This proposed information collection was previously published in the **Federal Register** Volume 73, Number 150, page 45245 on August 4, 2008, allowing for a 60 day comment period.

The purpose of this notice is to allow for an additional 30 days for public comment until November 13, 2008. This process is conducted in accordance with 5 CFR 1320.10.

The proposed information collection is available online at <http://www.ojp.usdoj.gov/bjs/niaa.htm>.

Written comments should be directed to: Gerard F. Ramker, Bureau of Justice Statistics, 810 Seventh St., NW., Washington, DC 20531. Comments are solicited to:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the Bureau of Justice Statistics pursuant to the NICS Improvement Amendments Act of 2007, including whether the information will have practical utility;
- Evaluate the accuracy of the agencies' estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Overview of This Information Collection

(1) *Type of Information Collection:* New information collection.

(2) *Title of the Form/Collection:* NICS Act State Record Estimates Data Collection.

(3) *Agency form number, if any, and the applicable component of the Department of Justice sponsoring the collection:* Not applicable.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract:* *Primary:* State and Local Government. This information collection seeks of available state and local records, and other information pursuant to the NICS Improvement Amendments Act of 2007 (Pub. L. 110-180), enacted on January 8, 2008. Submission of this information is a prerequisite for states to be eligible to apply for federal grant funds under programs authorized in the Act, should Congress appropriate funds for this purpose.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond:* Respondents may include the fifty (50) states, the District of Columbia, and the territories of Guam, American Samoa, U.S. Virgin Islands, Puerto Rico, and the Commonwealth of the Northern Mariana Islands. The time required to complete the information collection form is estimated at two (2) hours. It is estimated that the collaboration,

research and analysis required to develop the estimates and formulate the responses required by the initial information collection could range between 8 and 160 hours depending on the availability of data on which required estimates can be based.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The range of total burden hours associated with this collection is estimated at between 896 and 17,920 hours.

If additional information is required contact: Lynn Bryant, Department Clearance Officer, United States Department of Justice, Justice Management Division, Policy and Planning Staff, Patrick Henry Building, Suite 1600, 601 D Street, NW., Washington, DC 20530.

Dated: October 7, 2008.

Lynn Bryant,

Department Clearance Officer, PRA, U.S. Department of Justice.

[FR Doc. E8-24328 Filed 10-10-08; 8:45 am]

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DEPARTMENT OF LABOR

Employee Benefits Security Administration

Hearing on Proposed Class Exemption for Investment Advice

AGENCY: Employee Benefits Security Administration, U.S. Department of Labor.

ACTION: Notice of hearing.

SUMMARY: Notice is hereby given that the Department of Labor will hold a hearing on the Department's proposed class exemption from certain prohibited transaction restrictions of the Employee Retirement Income Security Act of 1974, as amended (ERISA, or the Act), and from certain taxes imposed by the Internal Revenue Code of 1986, as amended (Code), for the provision of investment advice to participants and beneficiaries of self-directed individual account plans and individual retirement accounts (IRAs).

DATES: The hearing will be held on October 21, 2008, beginning at 8 a.m., EST. Persons interested in presenting testimony and answering questions at the public hearing must submit requests and certain other information (as discussed below), by 3:30 p.m., EST, October 16, 2008.

ADDRESSES: The hearing will be held at the U.S. Department of Labor, Room S-3215 A&B, 200 Constitution Avenue, NW., Washington, DC 20210.

FOR FURTHER INFORMATION CONTACT: Fil Williams, Office of Regulations and Interpretations, Employee Benefits Security Administration, (202) 693-8510. This is not a toll-free number.

SUPPLEMENTARY INFORMATION: On August 22, 2008, notice was published in the **Federal Register** (73 FR 49924) that the Department of Labor (the Department) has under consideration a proposed class exemption to permit the provision of investment advice to participants and beneficiaries of self-directed individual account plans, such as 401(k) plans, and IRAs. The Department proposed the class exemption on its own motion pursuant to section 408(a) of ERISA, and in accordance with the procedures set forth in 29 CFR Part 2570, subpart B (55 FR 32836, August 10, 1990).

Specifically, upon adoption, the proposed exemption would provide relief from the restrictions of section 406(a) and 406(b) of the Act, and from the taxes imposed by section 4975(a) and (b) of the Code, by reason of section 4975(c)(1) of the Code, for the provision of investment advice described in section 3(21)(A)(ii) of ERISA by a fiduciary adviser to a participant or beneficiary in an individual account plan or IRA (and certain similar plans), the acquisition, holding or sale of a security or other property pursuant to the investment advice, and the direct or indirect receipt of fees or other compensation by the fiduciary adviser (or any employee, agent, registered representative or affiliate thereof) in connection with such transactions.

Upon adoption, the class exemption would affect sponsors, fiduciaries, participants and beneficiaries of participant-directed individual account plans and IRAs, as well as providers of investment and investment advice-related services to such plans.

In the notice of proposed exemption, the Department invited interested persons to submit written comments on or before October 6, 2008. To date, the Department has received approximately 39 written comments concerning the proposed class exemption, many of which were from major industry groups. All written comments are available to the public, without charge, online at <http://www.dol.gov/ebsa> and at the Public Disclosure Room N-1513, Employee Benefits Security Administration, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210.

In their written comments, four parties requested that the Department hold a public hearing to more fully examine issues raised under the proposed class exemption, and