

representation is true and substantiated. Part III of the proposed order prohibits respondents from failing to comply with the Textile Act or the Textile Rules.

Parts IV through VIII require respondents to keep copies of relevant advertisements and materials substantiating claims made in the advertisements; to provide copies of the order to certain of their personnel; to notify the Commission of changes in corporate structure that might affect compliance obligations under the order; to notify the Commission of changes in the individual respondents' current business or employment; and to file compliance reports with the Commission and respond to other requests from FTC staff. Part IX provides that the order will terminate after twenty (20) years under certain circumstances.

The purpose of this analysis is to facilitate public comment on the proposed order. It is not intended to constitute an official interpretation of the agreement and proposed order or to modify in any way its terms.

By direction of the Commission.

Donald S. Clark

Secretary.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

Findings of Scientific Misconduct

AGENCY: Office of the Secretary, HHS.

ACTION: Notice.

SUMMARY: Notice is hereby given that the Office of Research Integrity (ORI) and the Assistant Secretary for Health have taken final action in the following case:

Zhong Bin Deng, Medical College of Georgia: Based on the report of an investigation conducted by the Medical College of Georgia (MCG), the report of the MCG Adjudication Subcommittee, additional analysis conducted by ORI in its oversight review, and the Respondent's written and oral admissions and expressed remorse, ORI found that Dr. Zhong Bin Deng, former postdoctoral fellow at MCG in Augusta, GA, engaged in scientific misconduct in research supported by National Institute of Allergy and Infectious Diseases (NIAID), National Institutes of Health (NIH), grant 2 P01 AI42288.

ORI found that Dr. Deng engaged in scientific/research misconduct by falsifying research results reported in a

paper published in *Nature Medicine*.¹ Specifically:

- Figures 1 and 2 in the *Nature Medicine* paper purportedly show that the autoimmune regulator Aire controls iNKT cell development and maturation. In Figure 1(a), the Respondent falsified the Aire +/+ (thymus and liver) flow cytometry plots by substituting Aire +/− (thymus and liver) flow cytometry plots that were altered to disguise their origins and falsified the Aire −/− (bone marrow) flow cytometry plot by substituting the Aire +/− (bone marrow) flow cytometry plot, also altered to disguise its origin.

- In supplementary Figure 2 of the *Nature Medicine* paper, the Respondent falsified flow cytometry plots as follows: (1) in row 1, the Aire −/− (thymus) flow cytometry plot [plot 2] and the Aire +/+ → −/− (thymus) flow cytometry plot [plot 3] are duplicates, thus one of the plots is falsified; (2) in row 2, the Aire −/− (spleen) flow cytometry plot [plot 2] and the Aire −/− → +/+ flow cytometry plot [plot 5] are duplicates, thus one of the plots is falsified; (3) in row 3, the Aire −/− (liver) flow cytometry plot [plot 2] and the Aire +/− → −/− (liver) flow cytometry plot [plot 3] are duplicates, thus one of the plots is falsified; and (4) in row 4, the Aire −/− (thymus) flow cytometry plot [plot 2] and the Aire +/+ → +/+ flow cytometry plot [plot 4] are duplicates, thus one of the plots is falsified.

Dr. Deng has entered into a Voluntary Settlement Agreement in which he has voluntarily agreed, for a period of two (2) years, beginning on October 2, 2009:

- (1) That any institution that submits an application for PHS support for a research project on which the Respondent's participation is proposed or that uses him in any capacity on PHS-supported research or that submits a report of PHS-funded research in which he is involved must concurrently submit a plan for supervision of his duties to ORI; the supervisory plan must be designed to ensure the integrity of his research contribution; respondent agreed that he will not participate in any PHS-supported research until such a supervisory plan is approved by ORI;
- (2) That any institution employing him submits, in conjunction with each application for PHS funds, or report, manuscript, or abstract involving PHS funded research in which the Respondent is involved, a certification

¹ Mi, Q.-S., Deng, Z.-B., Joshi, S.K., Wang, Z.-Z., Zhou, L., Eckenrode, S., Joshi, R., Ly, D., Yi, B., Delovitch, D.L., & She, J.-X. "The autoimmune regulator 9Aire) controls iNKT cell development and maturation." *Nature Medicine* 12:624-626, 2006; hereafter referred to as the "*Nature Medicine* paper."

to ORI that the data provided by the Respondent are based on actual experiments or are otherwise legitimately derived and that the data, procedures, and methodology are accurately reported in the application or report; and

(3) To exclude himself from serving in any advisory capacity to the U.S. Public Health Service (PHS), including but not limited to service on any PHS advisory committee, board, and/or peer review committee, or as a consultant.

FOR FURTHER INFORMATION CONTACT:

Director, Division of Investigative Oversight, Office of Research Integrity, 1101 Wootton Parkway, Suite 750, Rockville, MD 20852. (240) 453-8800.

John Dahlberg,

Director, Division of Investigative Oversight, Office of Research Integrity.

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DEPARTMENT OF HEALTH AND HUMAN SERVICES

Centers for Disease Control and Prevention

Disease, Disability, and Injury Prevention and Control Special Emphasis Panel (SEP): CDC Grants for Public Health Research Dissertation (Panel E), Funding Opportunity Announcement (FOA) PAR07-231, Initial Review

In accordance with Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), the Centers for Disease Control and Prevention (CDC) announces the aforementioned SEP:

Time and Date: 12 p.m.–3 p.m., December 2, 2009 (Closed).

Place: Teleconference.

Status: The meeting will be closed to the public in accordance with provisions set forth in Section 552b(c) (4) and (6), Title 5 U.S.C., and the Determination of the Director, Management Analysis and Services Office, CDC, pursuant to Public Law 92-463.

Matters To Be Discussed: The meeting will include the initial review, discussion, and evaluation of applications received in response to "CDC Grants for Public Health Research Dissertation, FOA PAR07-231, Panel E."

Contact Person for More Information: Sheree Marshall Williams, PhD, MSc, Scientific Review Administrator, CDC, 1600 Clifton Road, NE., Mailstop D73, Atlanta, GA 30333, Telephone 404-639-7742.

The Director, Management Analysis and Services Office, has been delegated the authority to sign **Federal Register** notices pertaining to announcements of meetings and other committee management activities, for both CDC and the Agency for Toxic Substances and Disease Registry.