

defined the term “practitioner” to mean “a physician . . . or other person licensed, registered, or otherwise permitted, by . . . the jurisdiction in which he practices . . . , to distribute, dispense, . . . [or] administer . . . a controlled substance in the course of professional practice.” 21 U.S.C. 802(21). Second, in setting the requirements for obtaining a practitioner’s registration, Congress directed that “[t]he Attorney General shall register practitioners . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.” 21 U.S.C. 823(f). Because Congress has clearly mandated that a practitioner possess State authority in order to be deemed a practitioner under the CSA, the DEA has held repeatedly that revocation of a practitioner’s registration is the appropriate sanction whenever he is no longer authorized to dispense controlled substances under the laws of the State in which he practices. *See, e.g., Hooper, supra, 76 FR at 71,371–72; Sheran Arden Yeates, M.D., 71 FR 39,130, 39,131 (2006); Dominick A. Ricci, M.D., 58 FR 51,104, 51,105 (1993); Bobby Watts, M.D., 53 FR 11,919, 11,920 (1988); Blanton, supra, 43 FR at 27,617.*

Under the Pennsylvania Controlled Substance, Drug, Device and Cosmetic Act, “no controlled substance . . . may be dispensed without the written prescription of a practitioner.” 35 Pa. Stat. and Const. Stat. Ann. § 780–111(a) (West April 7, 2014 to October 23, 2019). Further, the definition of “practitioner,” as used in the Act, includes a “physician . . . or other person licensed, registered or otherwise permitted to distribute, dispense, conduct research with respect to or to administer a controlled substance . . . in the course of professional practice . . . in the Commonwealth of Pennsylvania.” *Id.* at 780–102(b).

Here, the undisputed evidence in the record is that Respondent currently lacks authority to practice medicine in the Commonwealth of Pennsylvania. As already discussed, a physician must be a licensed practitioner to dispense a controlled substance in Pennsylvania. Thus, because Respondent lacks authority to practice medicine in the Commonwealth of Pennsylvania and, therefore, is not authorized to handle controlled substances in the Commonwealth of Pennsylvania, Respondent is not eligible to maintain a DEA registration. Accordingly, I will order that Respondent’s DEA registration be revoked.

Order

Pursuant to 28 CFR 0.100(b) and the authority vested in me by 21 U.S.C. 824(a), I hereby revoke DEA Certificate of Registration No. BB3258034 issued to Parth S. Bharill, M.D. This Order is effective September 9, 2019.

Dated: July 29, 2019.

Uttam Dhillon,
Acting Administrator.

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Dated: July 30, 2019.

John J. Martin,
Assistant Administrator.
[FR Doc. 2019–17002 Filed 8–7–19; 8:45 am]
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DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Anthony Schapera, M.D.; Decision and Order

On December 31, 2018, the Assistant Administrator, Diversion Control Division, Drug Enforcement Administration (hereinafter, DEA or Government), issued an Order to Show Cause (hereinafter, OSC) to Anthony Schapera, M.D. (hereinafter, Registrant), of Bishop, California. OSC, at 1. The OSC proposes the revocation of Registrant’s Certificate of Registration No. AS3008213, the denial of any applications for renewal or modification of his registration, and the denial of “any applications for any other DEA registrations” on the ground that he “has no state authority to handle controlled substances.” *Id.* (citing 21 U.S.C. 824(a)(3)).

The substantive ground for the proceeding, as alleged in the OSC, is that Registrant is “without authority to handle controlled substances in the State of California, the state in which . . . [he is] registered with DEA.” *Id.* Specifically, the OSC alleges that the Medical Board of California revoked Registrant’s medical license effective June 22, 2018. *Id.*

The Show Cause Order notified Registrant of his right to request a hearing on the allegations or to submit a written statement while waiving his right to a hearing, the procedures for electing each option, and the consequences for failing to elect either option. *Id.* at 2 (citing 21 CFR 1301.43). The OSC also notified Registrant of the opportunity to submit a corrective action plan. OSC, at 2–3 (citing 21 U.S.C. 824(c)(2)(C)).

Adequacy of Service

In a Declaration dated March 19, 2019 (hereinafter, Declaration), a Diversion Investigator (hereinafter, DI) assigned to the Newark Field Division declared under penalty of perjury that he and another DI “personally served” the OSC on Registrant. Declaration, at 1. Attached to the DI’s Declaration is a DEA–12, Receipt for Cash or Other Items. According to the DI, Registrant acknowledged receipt of the OSC by signing this DEA–12 on January 17, 2019. *Id.*

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. DEA–392]

Bulk Manufacturer of Controlled Substances Application: Alcami Wisconsin Corporation

ACTION: Notice of application.

DATES: Registered bulk manufacturers of the affected basic classes, and applicants therefore, may file written comments on or objections to the issuance of the proposed registration on or before October 7, 2019.

ADDRESSES: Written comments should be sent to: Drug Enforcement Administration, Attention: **DEA Federal Register Representative/DPW**, 8701 Morrisette Drive, Springfield, Virginia 22152.

SUPPLEMENTARY INFORMATION: In accordance with 21 CFR 1301.33(a), this is notice that on March 12 2019, Alcami Wisconsin Corporation, W130N10497 Washington Drive, Germantown, Wisconsin 53022 applied to be registered as a bulk manufacturer of the following basic classes of controlled substances:

Controlled substance	Drug code	Schedule
Marihuana Extract	7350	I
Marihuana	7360	I
Tetrahydrocannabinols	7370	I
5-Methoxy-N-N-dimethyltryptamine.	7431	I
Thebaine	9333	II
Alfentanil	9737	II

The company plans to provide bulk active pharmaceutical ingredient to support clinical trials. In reference to drug codes 7350 marihuana extract, 7360 marihuana, and 7360 THC, the company plans to manufacture these substances synthetically. No other activity for these drug codes is authorized for this registration.