earliest practical date and should be received no later than the close of business on April 14, 1999. All submissions should be addressed to the Secretary, United States International Trade Commission, 500 E Street SW, Washington, DC 20436. The Commission's rules do not authorize filing submissions with the Secretary by facsimile or electronic means.

Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202–205–2000. General information concerning the Commission may also be obtained by accessing its Internet server **(http://www.usitc.gov)**.

List of Subjects

Methyl tertiary butyl ether, MTBE, oxygenates, ethanol, reformulated gasoline, butane, and Saudi Arabia.

Issued: January 27, 1999.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 99–2548 Filed 2–2–99; 8:45 am]

BILLING CODE 7020–02–P

INTERNATIONAL TRADE COMMISSION

[Inv. No. 337–TA–411]

Certain Organic Photo-Conductor Drums and Products Containing the Same; Notice of Decision To Extend the Deadline for Determining Whether To Review an Initial Determination Terminating the Investigation

AGENCY: U.S. International Trade Commission.

ACTION: Notice.

SUMMARY: Notice is hereby given that the U.S. International Trade Commission has determined to extend by three weeks, or until February 17, 1999, the deadline for determining whether to review an initial determination (ID) (Order No. 12) issued by the presiding administrative law judge (ALJ) in the above-captioned investigation.

FOR FURTHER INFORMATION CONTACT: Jean Jackson, Esq., Office of the General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone (202) 205–3104. Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on 202–205–1810. General information concerning the Commission may also be obtained by accessing its Internet server (http://www.usitc.gov).

SUPPLEMENTARY INFORMATION: The Commission instituted this investigation on June 4, 1998, based on a complaint filed by Mitsubishi Chemical Corporation of Japan and Mitsubishi Chemical Corporation America of White Plains, New York (collectively, Mitsubishi). 58 FR 30513. Twelve firms were named as respondents. Only respondents Dainippon Ink & Chemicals, Inc. and DIC Trading (USA) Inc. remain active in the investigation. The other respondents have either been terminated from the investigation or have sought termination based on consent orders or withdrawal of the complaint as to them. On December 7, 1998, the ALJ issued an ID terminating the investigation based on withdrawal of Mitsubishi's complaint. The deadline for determining whether to review this ID was previously extended on December 23, 1998. 63 FR 72327 (December 31, 1998).

This action is taken under the authority of section 337 of the Tariff Act of 1930, 19 U.S.C. § 1337, and section 210.42(h)(3) of the Commission Rules of Practice and Procedure, 19 CFR § 210.42(h)(3).

Copies of the nonconfidential version of the ID and all other nonconfidential documents filed in connection with this investigation are or will be available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street S.W., Washington, D.C. 20436, telephone 202–205–2000.

Issued: January 27, 1999.

By order of the Commission.

Donna R. Koehnke,

Secretary.

[FR Doc. 99–2549 Filed 2–2–99; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Wendell Leondrus Chestnut, M.D. Revocation of Registration

On July 23, 1997, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Wendell Leondrus Chestnut, M.D., of Philadelphia, Pennsylvania, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AC2513972 under 21 U.S.C. 824(a)(3), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f), for reason that he is not currently authorized to handle controlled substances in the Commonwealth of Pennsylvania. The order also notified Dr. Chestnut that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

Dr. Chestnut was ultimately served with the Order to Show Cause on January 23, 1998. No request for a hearing or any other reply was received by the DEA from Dr. Chestnut or anyone purporting to represent him in this matter. Therefore, the Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Chestnut is deemed to have waived his hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters his final order without a hearing pursuant to 21 CFR 1301.43 (d) and (e) and 1301.46

The Deputy Administrator finds that effective October 22, 1996, the Commonwealth of Pennsylvania, State Board of Medicine indefinitely suspended Dr. Chestnut's license to practice medicine and surgery in Pennsylvania based upon his failure to purchase professional liability insurance and to pay annual surcharges since January 1992. Dr. Chestnut did not present any evidence to indicate that he is licensed to practice medicine in Pennsylvania.

The Deputy Administrator finds that Dr. Chestnut is not currently licensed to practice medicine in the Commonwealth of Pennsylvania and therefore, it is reasonable to infer that he is not currently authorized to handle controlled substances in that state. The DEA does not have the 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 he conducts his business. 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. See Romeo J. Perez, M.D., 62 FR 16,193 (1997); Demetris A. Green, M.D., 61 FR 60,728 (1996); Dominick A. Ricci, M.D., 58 FR 51,104 (1993).

Here it is clear that Dr. Chestnut is not currently authorized to handle controlled substances in the Commonwealth of Pennsylvania. As a result, Dr. Chestnut is not entitled to a DEA registration in that state.

Accordingly, the Deputy Administrator of the Drug Enforcement

Administration, pursuant to the authority vested in him by 21 U.S.C. 823 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AC2513972, previously issued to Wendell Leondrus Chestnut, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for the renewal of such registration, be, and they hereby are, denied. This order is effective March 5, 1999.

Dated: January 5, 1999.

Donnie R. Marshall,

Deputy Administrator.

[FR Doc. 99–2467 Filed 2–2–99; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 96–38]

Daniel Family Pharmacy; Continuation of Registration With Restrictions

On June 24, 1996, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Daniel Family Pharmacy (Respondent) of Galesburg, Illinois, notifying the pharmacy of an opportunity to show cause as to why DEA should not revoke its DEA Certificate of Registration, AD2002626, pursuant to 21 U.S.C. 824(a)(2) and (a)(4), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f).

By letter dated July 23, 1996, Respondent, through counsel, filed a request for a hearing, and following prehearing procedures, a hearing was held in Chicago, Illinois on March 11 through 14, 1997, before Administrative Law Judge Mary Ellen Bittner. At the hearing, both parties called witnesses to testify and introduced documentary evidence. After the hearing, counsel for both sides submitted proposed findings of fact, conclusions of law and argument. On July 7, 1998, Judge Bittner issued her Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision, recommending that Respondent's DEA Certificate of Registration be continued subject to certain conditions. On July 27, 1998, the Government filed Exceptions to Judge Bittner's Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision. Thereafter, Judge Bittner transmitted the record of these proceedings to the then-Acting Deputy Administrator on August 11, 1998.

On September 30, 1998, Judge Bittner transmitted to the then-Acting Deputy Administrator Respondent's Motion for Leave to File its Response to Government's Objection which was filed on September 29, 1998. In its motion, Respondent's counsel represented that the Government did not object to Respondent's request for additional time to file its response to the Government's exceptions and that no party would be prejudiced by allowing Respondent the opportunity to respond.

By letter dated October 2, 1998, Government counsel indicated that it did in fact object to Respondent being given additional time to respond to the Government's exceptions. Government counsel stated that the Government attorney who agreed to Respondent's request was not an attorney of record in these proceedings and was not authorized to agree to Respondent's request. Government counsel noted that 21 CFR 1316.66 provides the parties with the opportunity to file exceptions to the Administrative Law Judge's recommended decision within 20 days of the date of the decision and that the Administrative Law Judge can grant additional time past the 20 days for the filing of a response to any exceptions. Government counsel argued that Respondent did not file any response or request for additional time to file a response within 20 days of Judge Bittner's decision. In addition, the Government argued that no good cause was given by Respondent to file a response at such a late date; that its request is tantamount to a motion to reopen the record; and that allowing Respondent to respond to the Government's exceptions at such a late date would delay the publication of a final order in this matter.

Respondent replied to the Government's letter on October 5, 1998, and forwarded its Response to the Government's Exceptions to the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge. Respondent pointed out that it could not have filed anything regarding the Government's exceptions within 20 days of Judge Bittner's recommendation since the Government did not file its exceptions until the twentieth day, and that the delay in filing its response was due to the unavailability of Respondent's owner and the work schedules of Respondent's counsel. Respondent then noted that 21 CFR 1316.66 allows for extensions ''for the filing of a response to the exceptions filed by another party if . . . no party will be prejudiced and . . . the ends of justice will be served thereby.'' Respondent argued given the delay that had already occurred in this proceeding, ''it is difficult to imagine how the government will be prejudiced if Daniel Pharmacy is allowed to file its Response 41 days after the filing for the Government's Exceptions.''

The Deputy Administrator recognizes that the regulations permit the granting of additional time to file a response to exceptions, however Respondent has not given any reason why it did not even request an opportunity to file a response until two months after the Government's exceptions were filed. Nevertheless, the Deputy Administrator concludes that no party will be prejudiced by consideration of Respondent's response given the length of time that it has taken to complete these proceedings.

The Deputy Administrator has considered the record in its entirety, and pursuant to 21 CFR 1316.67, hereby issues his final order based upon findings of fact and conclusions of law as hereinafter set forth. The Deputy Administrator adopts in full the Opinion and Recommended Ruling, Findings of Fact, Conclusions of Law and Decision of the Administrative Law Judge and includes an additional restriction. The Deputy Administrator's adoption is in no manner diminished by any recitation of facts, issues and conclusions herein, or of any failure to mention a matter of fact or law.

The Deputy Administrator finds that Respondent is a pharmacy that has been in existence since 1988 and is owned by a corporation, Daniel Pharmacy, Inc. with George Daniel and his wife holding 51 and 49 percent of the shares respectively, George Daniel is also the managing pharmacist of Respondent.

In January 1993, an individual who was cooperating with law enforcement after being arrested on a burglary charge went to Respondent on two occasions and obtained Vicodin, a Schedule III controlled substance, from Mr. Daniel without a prescription. On January 5, 1993, the cooperating individual was monitored by law enforcement personnel. He indicated to Mr. Daniel that he was getting ready to move out of state and said, ''Hey, I thought you might give me some Vicodin or something just for the road * * *.'' Mr. Daniel gave the cooperating individual some Vicodin. During this meeting, the cooperating individual gave Mr. Daniel $1,100.00 apparently to repay a personal loan. There is no evidence that the cooperating individual paid Mr. Daniel for the Vicodin.

The cooperating individual returned to Respondent on January 6, 1993. Again he was monitored by law enforcement