By order of the Commission.

Marilyn R. Abbott,

Secretary to the Commission.

[FR Doc. 03–6219 Filed 3–11–03; 2:42 pm]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Civil Division; Agency Information Collection Activities: Proposed Collection; Comments Requested

ACTION: 60-Day emergency notice of information collection under review: Annuity Broker Qualification Declaration Form.

The Department of Justice, Civil Division has submitted the following information collection request to the Office of Management and Budget (OMB) for review and clearance in accordance with emergency review procedures of the Paperwork Reduction Act of 1995. OMB approval has been requested by March 14, 2003. The proposed information collection is published to obtain comments from the public and affected agencies. If granted, the emergency approval is only valid for 180 days. Comments should be directed to OMB, Office of Information and Regulation Affairs, Attention: Department of Justice Desk Officer (202) 395–6466, Washington, DC 20503.

During the first 60 days of this same review period, a regular review of this information collection is also being undertaken. All comments and suggestions, or questions regarding additional information, to include obtaining a copy of the proposed information collection instrument with instructions, should be directed to Kenneth L. Zwick, Director, Office of Management Programs, Civil Division, U.S. Department of Justice, Main Building, Room 3140, 950 Pennsylvania Avenue NW., Washington, DC 20530, or facsimile (202) 514–8071.

Request written comments and suggestions from the public and affected agencies concerning the proposed collection of information. Your comments should address one or more of the following four points:

(1) Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

(2) 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;

(3) Enhance the quality, utility, and clarity of the information to be collected; and

(4) 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:

(1) *Type of information collection:* This is a new collection.

(2) *The title of the form/collection:* Annuity Broker Qualification Declaration Form.

(3) *The agency form number, if any, and the applicable component of the department sponsoring the collection: Form Number:* none. Civil Division, Torts Branch, Department of Justice.

(4) *Affected public who will be asked or required to respond, as well as a brief abstract: Primary:* Annuity Brokers. Other: None. The information collection requirement contained in this rule will be used to determine whether a broker meets the minimum qualifications to be listed as an annuity broker pursuant to section 11015(b) of Public Law 107–273.

(5) *An estimate of the total number of respondents and the amount of time estimated for an average respondent to respond/reply:* It is estimated that 400 respondents will complete the application in approximately 1 hour per response.

(6) *An estimate of the total public burden (in hours) associated with the collection:* The estimated total public burden associated with this application is 400 hours.

If additional information is required contact: Robert B. Briggs, Department Clearance Officer, Information Management and Security Staff, Justice Management Division, United States Department of Justice, 601 D Street NW., Patrick Henry Building, Suite 1600, NW., Washington, DC 20530.

Dated: March 10, 2003.

Robert B. Briggs,

Department Clearance Officer, Department of Justice.

[FR Doc. 03–6080 Filed 3–12–03; 8:45 am]

BILLING CODE 4410–12–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances; Notice of Registration

By notice dated October 25, 2002, and published in the **Federal Register** on November 7, 2002, (67 FR 67869), Chattem Chemicals, Inc., 3801 St. Elmo Avenue, Building 18, Chattanooga, Tennessee 37409, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as an importer of methamphetamine (1105), a basic class of controlled substance list in Schedule II.

The firm plans to import the listed controlled substance to bulk manufacture controlled substances.

No comments or objections have been received regarding this controlled substance. DEA has considered the factors in Title 21, United States Code, section 823(a) and determined that the registration of Chattem Chemicals, Inc., is consistent with the public interest and with United States obligations under international treaties, conventions, or protocols in effect on May 1, 1971, at this time. DEA has investigated Chattem Chemicals, Inc. on a regular basis to ensure the company's continued registration is consistent with the public interest. The investigation included inspection and testing of the company's physical security system, audit of the company's records, verification of the company's compliance with state and local laws, and a review of the company's background and history.

Therefore, pursuant to section 1008(a) of the Controlled Substances Import and Export Act and in accordance with Title 21 Code of Federal Regulations, § 1301.34, the above firm is granted registration as an importer of the basic class of controlled substance listed above.

Dated: February 28, 2003.

Laura M. Nagel,

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

[FR Doc. 03–6066 Filed 3–12–03; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Richard J. Clement, M.D.; Revocation of Registration

On November 19, 2002, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Richard J. Clement, M.D. (Dr. Clement) of Lake Charles, Louisiana, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration AC3534814 under 21 U.S.C. 824(a), and deny any

pending applications for renewal of that registration pursuant to 21 U.S.C. 823(f). As a basis for revocation, the Order to Show Cause alleged that Dr. Clement is not currently authorized to practice medicine or handle controlled substances in the State of Louisiana, the state in which he practices. The order also notified Dr. Clement that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

The Order to Show Cause was sent by certified mail to Dr. Clement at his registered location in Lake Charles, Louisiana. DEA subsequently received a signed receipt notification indicating that the Order to Show Cause was received on behalf of Dr. Clement on November 29, 2002. DEA has not received a request for hearing or any other reply from Dr. Clement 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. Clement 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 Dr. Clement currently possesses DEA Certificate of Registration AC3534814 and that registration remains valid until August 31, 2004. The Deputy Administrator further finds that by Opinion and Ruling dated July 31, 2002, the Louisiana State Board of Medical Examiners (Board) ordered the indefinite suspension of Dr. Clement's medical license. The suspension order arose out of Dr. Clement's refusal to undergo inpatient evaluation to ascertain whether he suffered from ''a psychiatric, neurologic (sic) or physical condition which render[ed] him incapable of practicing medicine with reasonable skill and safety to patients.''

The investigative file contains no evidence that the Board's suspension order has been stayed or that Dr. Clement's medical license has been reinstated. Therefore, the Deputy Administrator finds that Dr. Clement is not currently authorized to practice medicine in the State of Louisiana. As a result, it is reasonable to infer that he 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 the state in which he conducts business. *See* 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. *See* Ramona K. Morris, M.D., 67 FR 68687 (2002); Dominick A. Ricci, M.D., 58 FR 51104 (1993); Bobby Watts, M.D., 53 FR 11919 (1988).

Here, it is clear that Dr. Clement's medical license has been indefinitely suspended, and as a result, he is not licensed to handle controlled substances in the State of Louisiana where he is registered with DEA. Therefore, he 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 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration AC3534814, issued to Richard J. Clement, 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 April 14, 2003.

Dated: February 27, 2003.

John B. Brown III,

Deputy Administrator.

[FR Doc. 03–6102 Filed 3–12–03; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Importer of Controlled Substances Notice of Registration

By Notice dated July 9, 2002, and published in the **Federal Register** on August 6, 2002, (67 FR 50899), Penick Corporation, 158 Mount Olivet Avenue, Newark, New Jersey 07114, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Codeine (9050)	II
Dihydrocodeine (9120)	II
Oxycodone (9143)	II
Hydromorphone (9150)	II
Hydrocodone (9193)	II
Morphine (9300)	II
Thebaine (9333)	II
Oxymorphone (9652)	II

The firm plans to bulk manufacture the listed controlled substances for the manufacture of bulk pharmaceutical controlled substances.

No comments or objections have been received. DEA has considered the factors in Title 21, U.S. section 823(a) and determined that the registration of Penick Corporation to manufacture the listed controlled substances is consistent with the public interest at this time. DEA has investigated Penick Corporation to ensure that the company's registration is consistent with the public interest. This investigation included inspection and testing of the company's physical security systems, verification of the company's compliance with state and local laws, and a review of the company's background and history. Therefore, pursuant to 21 U.S.C. 823 and 28 CFR 0.100 and 0.104, the Deputy Assistance Administrator, Office of Diversion Control, hereby orders that the application submitted by the above firm is granted registration as a bulk manufacturer of the basic classes of controlled substances listed.

Dated: February 28, 2003.

Laura M. Nagel,

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

[FR Doc. 03–6064 Filed 3–12–03; 8:45 am]

BILLING CODE 4410–09–M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By notice dated June 14, 2002, and published in the **Federal Register** on June 28, 2002, (67 FR 43684), Sigma Aldrich Research Biochemicals, Inc., Attn: Richard Milius, 1–3 Strathmore Road, Natick, Massachusetts 01760, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of the basic classes of controlled substances listed below:

Drug	Schedule
Cathinone (1235)	I
Methcathinone (1237)	I
Aminorex (1585)	I
Alpha-Ethyltryptamine (7249)	I
Lysergic acid diethylamide (7315)	I
Tetrahydrocannabinols (7370)	I
4-Bromo-2,5-dimethoxyamphetamine (7391).	I
4-Bromo-2,5-dimethoxyamphetamine (7392).	I
2,5-Dimethoxyamphetamine (7396).	I
3,4-Methylenedioxyamphetamine (7400).	I