

Dated: July 11, 2013.

**Peter Lurie,**

*Acting Associate Commissioner for Policy and Planning.*

[FR Doc. 2013-17103 Filed 7-16-13; 8:45 am]

**BILLING CODE 4160-01-C**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2011-N-0592]

#### **Yuri Izurieta; Conviction Reversal; Final Order Withdrawing Debarment Order**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The U.S. Food and Drug Administration (FDA) is issuing an order, under the Federal Food, Drug, and Cosmetic Act (the FD&C Act), withdrawing its January 25, 2012, order debarring Yuri Izurieta from importing food or offering food for importation into the United States. FDA is issuing this order because the U.S. Court of Appeals for the Eleventh Circuit issued an order vacating the conviction and sentence of Yuri Izurieta.

**DATES:** *Effective Date:* July 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** Kenny Shade, Office of Regulatory Affairs, Food and Drug Administration, 12420 Parklawn Dr., Rockville, MD 20857, 301-796-4640.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** on January 25, 2012 (77 FR 3776), FDA debarred Yuri Izurieta for a period of 20 years from importing articles of food or offering such articles for importation into the United States. FDA issued the debarment order under section 306(b)(1)(C) of the FD&C Act (21 U.S.C. 335a(b)(1)(C)), which permits FDA to debar an individual from importing an article of food or offering such an article for import into the United States if FDA finds, as required by section 306(b)(3)(A) of the FD&C Act (21 U.S.C. 335a(b)(3)(A)), that the individual has been convicted of a felony for conduct relating to the importation into the United States of any food. The debarment was based on FDA's finding that Mr. Izurieta was convicted of six felony counts under Federal law for conduct relating to the importation into the United States of an article of food. Mr. Izurieta was convicted on May 11, 2011, in the U.S. District Court for the Southern District of Florida and sentenced on July 29, 2011, for

conspiracy to smuggle goods into the United States and smuggling goods into the United States. The basis for Mr. Izurieta's conviction was his alleged role in distributing shipments of dairy products that were adulterated and not authorized for entry into the United States. On August 3, 2011, Mr. Izurieta appealed his conviction and sentence.

On February 22, 2013, the U.S. Court of Appeals for the Eleventh Circuit issued an order vacating the conviction and sentence of Mr. Izurieta. A copy of the court's order is available in Docket No. FDA-2011-N-0592. By this order, the court vacated Mr. Izurieta's conviction. The order was issued as a mandate on April 23, 2013. Section 306(d)(3)(B)(i) of the FD&C Act (U.S.C. 335a(d)(3)(B)(i)) states that "If the conviction which served as the basis for the debarment of an individual under subsection . . . (b)(3) is reversed, the Secretary shall withdraw the order of debarment."

Accordingly, the Acting Associate Commissioner for Regulatory Affairs, Office of Regulatory Affairs, under section 306(d)(3)(B)(i) of the FD&C Act and under authority delegated to the Associate Commissioner (Staff Manual Guide 1410.21), issues this order withdrawing the order of debarment of Yuri Izurieta, thereby allowing him to import food or offer such articles for importation into the United States. This order is effective July 17, 2013.

Dated: July 12, 2013.

**Melinda K. Plaisier,**

*Acting Associate Commissioner for Regulatory Affairs, Office of Regulatory Affairs.*

[FR Doc. 2013-17122 Filed 7-16-13; 8:45 am]

**BILLING CODE 4160-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2011-N-0589]

#### **Anneri Izurieta; Conviction Reversal; Final Order Withdrawing Debarment Order**

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The U.S. Food and Drug Administration (FDA) is issuing an order, under the Federal Food, Drug, and Cosmetic Act (the FD&C Act), withdrawing its January 13, 2012, order debarring Anneri Izurieta from importing food or offering food for importation into the United States. FDA is issuing this order because the U.S.

Court of Appeals for the Eleventh Circuit issued an order vacating the conviction and sentence of Anneri Izurieta.

**DATES:** *Effective Date:* July 17, 2013.

**FOR FURTHER INFORMATION CONTACT:** Kenny Shade, Office of Regulatory Affairs, Food and Drug Administration, 12420 Parklawn Dr., Rockville, MD 20857, 301-796-4640.

**SUPPLEMENTARY INFORMATION:** In a notice published in the **Federal Register** on January 13, 2012 (77 FR 2070), FDA debarred Anneri Izurieta for a period of 30 years from importing articles of food or offering such articles for importation into the United States. FDA issued the debarment order under section 306(b)(1)(C) of the FD&C Act (21 U.S.C. 335a(b)(1)(C)), which permits FDA to debar an individual from importing an article of food or offering such an article for importation into the United States if FDA finds, as required by section 306(b)(3)(A) of the FD&C Act (21 U.S.C. 335a(b)(3)(A)), that the individual has been convicted of a felony for conduct relating to the importation into the United States of any food. The debarment was based on FDA's finding that Ms. Izurieta was convicted of six felony counts under Federal law for conduct relating to the importation into the United States of an article of food. Ms. Izurieta, the president and director of Naver Trading, was convicted on May 11, 2011, and sentenced on July 29, 2011, for conspiracy to smuggle goods into the United States and smuggling goods into the United States. The basis for Ms. Izurieta's conviction was her alleged role in distributing shipments of dairy products that were adulterated and not authorized for entry into the United States. On August 3, 2011, Ms. Izurieta appealed her conviction and sentence.

On February 22, 2013, the U.S. Court of Appeals for the Eleventh Circuit issued an order vacating the conviction and sentence of Ms. Izurieta. A copy of the court's order is available in Docket No. FDA-2011-N-0589. By this order, the court vacated Ms. Izurieta's conviction. The order was issued as a mandate on April 23, 2013. Section 306(d)(3)(B)(i) of the FD&C Act (U.S.C. 335a(d)(3)(B)(i)) states that "If the conviction which served as the basis for the debarment of an individual under subsection . . . (b)(3) is reversed, the Secretary shall withdraw the order of debarment."

Accordingly, the Acting Associate Commissioner for Regulatory Affairs, Office of Regulatory Affairs, under section 306(d)(3)(B)(i) of the FD&C Act and under authority delegated to the

Associate Commissioner (Staff Manual Guide 1410.21), issues this order withdrawing the order of debarment of Anneri Izurieta, thereby allowing her to import food or offer such articles for importation into the United States. This order is effective July 17, 2013.

Dated: July 12, 2013.

**Melinda K. Plaisier,**

*Acting Associate Commissioner for Regulatory Affairs, Office of Regulatory Affairs.*

[FR Doc. 2013-17123 Filed 7-16-13; 8:45 am]

**BILLING CODE 4160-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Health Resources and Services Administration

#### School-Based Health Center Program

**AGENCY:** Health Resources and Services Administration (HRSA), Department of Health and Human Services (HHS).

**ACTION:** Notice of Noncompetitive Replacement Award to the School Board of Gadsden County.

**SUMMARY:** HRSA will be transferring a School-Based Health Center Capital (SBHCC) Program grant, as authorized by the Patient Protection and Affordable Care Act (Affordable Care Act) (Pub. L. 111-148), Title IV, Section 4101(a)), originally awarded to ICAN/ICAN TOO Organization, Inc., Havana, Florida, in order to ensure that significant and pressing capital needs to improve service delivery and support the expansion of services at school-based health centers will continue.

#### SUPPLEMENTARY INFORMATION:

*Former Grantee of Record:* ICAN/ICAN TOO Organization, Inc.

*Original Period of Grant Support:* December 1, 2011, to November 30, 2013.

*Replacement Awardee:* The School Board of Gadsden County.

*Amount of Replacement Award:* The current award to ICAN/ICAN TOO Organization, Inc., was issued in the amount of \$499,974. ICAN/ICAN TOO Organization, Inc., and The School Board of Gadsden County have agreed that the remaining amounts as of the date of this **Federal Register** Notice will be transferred.

*Period of Replacement Award:* The period of support for the replacement award is April 1, 2013, to November 30, 2013.

**Authority:** Patient Protection and Affordable Care Act (Affordable Care Act) (Pub. L. 111-148), Title IV, Section 4101(a)).

*CFDA Number:* 93.501.

*Justification for the Exception to Competition:* The former grantee, ICAN/ICAN TOO Organization, Inc., has requested that HRSA transfer the School-Based Health Center Capital Program funds to The School Board of Gadsden County to implement and carry out grant activities originally proposed under the ICAN/ICAN TOO Organization, Inc.'s, funded SBHCC grant application. The School Board of Gadsden County was originally identified as the sponsoring facility with ICAN/ICAN TOO Organization, Inc., on the implementation of the activities funded through the SBHCC grant and will continue to implement the same activities.

**FOR FURTHER INFORMATION CONTACT:** Matt Kozar, Supervisory Public Health Analyst, Bureau of Primary Health Care, HRSA, 5600 Fishers Lane, Rockville, MD 20857, via email at [MKozar@hrsa.gov](mailto:MKozar@hrsa.gov); or phone at 301-443-1034.

Dated: July 11, 2013.

**Mary K. Wakefield,**

*Administrator.*

[FR Doc. 2013-17127 Filed 7-16-13; 8:45 am]

**BILLING CODE 4165-15-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Indian Health Service

#### American Indians Into Nursing; Notice of Competitive Grant Applications for American Indians Into Nursing Program

*Announcement Type:* Competing Continuation.

*Funding Announcement Number:* HHS-2013-IHS-NU-0001.

*Catalog of Federal Domestic Assistance Number:* 93.970.

*Dates:*

#### Key Dates

*Application Deadline Date:* August 19, 2013.

*Review Date:* August 22, 2013.

*Earliest Anticipated Start Date:* September 15, 2013.

*Proof of Non-Profit Status Due Date:* August 9, 2013.

#### I. Funding Opportunity Description

##### Statutory Authority

The Indian Health Service (IHS) Office of Public Health Support (OPHS) is accepting competitive cooperative agreement applications for the American Indians into Nursing Program (Section 112). This program is authorized under Section 112 of the

Indian Health Care Improvement Act, Public Law 94-437, as amended (IHCIA), codified at 25 U.S.C. 1616e. This program is described in the Catalog of Federal Domestic Assistance under 93.970.

#### Background

The IHS, an agency within the Department of Health and Human Services (HHS), is responsible for providing Federal health services to American Indians and Alaska Natives (AI/AN). The mission of the IHS is to raise the physical, mental, social, and spiritual health of AI/AN. The IHCIA authorizes the IHS to administer programs that are designed to attract and recruit qualified individuals into health professions needed at IHS facilities. The programs administered are designed to encourage AI/AN to enter health professions and to ensure the availability of health professionals to serve AI/AN populations. Section 112 of the IHCIA requires IHS to administer the American Indians into Nursing Scholarship Program. Within the Section 112 program, IHS provides grants to colleges, universities, and other entities to develop and maintain nursing education programs and recruit individuals to become Registered Nurses, Certified Nurse Midwives, Nurse Practitioners and Certified Nurse Anesthetists who will provide services to AI/AN people. Nursing program scholarship grants may be used by the educational institution to provide scholarships to students enrolled in nursing education programs. According to the terms and conditions of the nursing program scholarship grant award, scholarship awards are for a 1-year period; additional scholarship support may be awarded to each eligible student for up to four years (maximum).

#### Purpose

The purpose of this IHS cooperative agreement is to augment the number of Registered Nurses, Certified Nurse Midwives, Nurse Practitioners and Certified Nurse Anesthetists who deliver health care services to AI/AN communities. The primary objectives of this cooperative agreement grant award are to: (1) Recruit and train individuals to be Registered Nurses (Associate Degree in Nursing (ADN), Bachelor of Science in Nursing (BSN)) and Advance Practice Nurses (Masters of Science in Nursing (MSN) and Doctor of Nursing Practice (DNP)); (2) Provide scholarships to individuals enrolled in schools of nursing to pay tuition, books, fees, and stipends for living expenses; (3) provide a program that encourages nurses (DNP, MSN, BSN, ADN) to