European steel producers, and to privatization of European steel companies as contributing to a tighter supply situation for cold-rolled steel. Notwithstanding these developments, however, there is evidence of an oversupply of steel and falling steel prices in Europe. Further, the petition does not provide any basis for its claim that privatization has led to tighter steel supplies in general. Nor does the request show a sufficient correlation between increases in captive production of cold-rolled steel in Germany and the Netherlands and decreases in exports to the United States.

Second, the requesting parties contend that imports from Germany and the Netherlands have fallen off and that non-subject imports, particularly from Eastern Europe, have taken their place. The request cites *Birch Three-Ply Door Skins from Japan* as constituting a similar set of facts that formed the basis for a changed circumstances review. Replacement of subject imports by non-subject imports, alone, does not, however, necessarily constitute changed circumstances. The changes in volumes of subject versus non-subject imports at issue here are likely attributable to the effects of the orders. More importantly, there is no evidence that U.S. market share held by the subject imports since the imposition of the order has changed significantly. Finally, there is no evidence indicating that there is a decline in the capacity of the domestic industry rendering it unable to supply the market demand previously supplied by the subject imports. *Compare Birch Three-Ply Door Skins from Japan,* Inv. No. 751–TA–6 (Review), USITC Pub. 1271 (July 1982) (Facilities of domestic producer who accounted for majority of domestic production were sold and devoted to production of other products, while other domestic producers had ceased operations, such that market share held by subject imports shifted to non-subject imports, rather than domestic industry).

Third, the request alleges that since the date of the orders, the U.S. dollar has weakened against the German mark and Dutch guilder, and that accordingly imports from those sources are now less price-competitive and less likely to cause injury. The requesting parties contend that this realignment in exchange rates has led to increased domestic shipments of U.S. steel, and that this trend is likely to increase. Recent history shows, however, that exchange rates between the Netherlands, or Germany, and the United States have fluctuated within a fairly narrow band. Finally, since the request was filed, the U.S. dollar has actually strengthened against the two currencies.

Next, the request claims that as a result of existing AD/CVD orders on corrosion-resistant steel, U.S. demand for cold-rolled steel for use in the production of corrosion-resistant steel has greatly increased, making the industry less vulnerable to imports. This is, however, not a changed circumstance in terms of being a change in the conditions of competition. Moreover, the fact that there is a large captive component to cold-rolled steel production is not a new development. Further, the Commission does not consider the increase in captive consumption of U.S. cold-rolled steel for corrosion-resistant production reported in the request to be of sufficient magnitude to constitute a changed circumstance in the context of this industry. In addition, there is some evidence that the increase in corrosion-resistant steel production has peaked.

The request further asserts that because of the way the Commission voted on the investigations concerning the Netherlands and Germany (with different Commissioners cumulating different combinations of imports), there are now fewer imports at issue than there were at the time of the original investigation, and that such instances have, in the past, warranted institution of 751(b) review investigations. Those cases, however, are distinguishable, as they involved subsequent partial revocations or changed (narrowed) scope determinations by Commerce. See, e.g., Potassium Chloride from Canada, 751–TA–3; Stainless Steel Plate from Sweden, 751–TA–15. In this case, however, all of the facts and circumstances upon which the requesting parties base their claim were known to the Commission at the time of its vote in the original investigations. There is nothing anomalous about imposing an order on imports from countries as to which three or four Commissioners made affirmative determinations. Rather, that is a function of the cumulation and threat provisions of the statute.

In sum, the changed circumstances alleged in the request do not warrant institution of a review. Evidence contained in the request and in responses opposing the request shows either that the alleged changes have not, in fact, had a significant impact on the conditions of competition in this industry or on subject imports, or that the changes have reversed themselves.

In light of the above analysis, the Commission determines that institution of a review investigation under section 751(b) of the Act concerning the Commission's affirmative determinations in Investigations Nos. 701–TA–340, 731–TA–604, & 731–TA–608 (Final), regarding cold-rolled steel from Germany and the Netherlands, is not warranted.

By order of the Commission.

Issued: April 16, 1996.

Donna R. Koehnke,

Secretary.

[FR Doc. 96–9730 Filed 4–18–96; 8:45 am]

BILLING CODE 7020–02–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Tej Pal Singh Jowhal, M.D.; Revocation of Registration

On August 28, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Tej Pal Singh Jowhal, M.D., (Respondent), of South Miami, Florida, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BJ3506170, under 21 U.S.C. 824(a)(3), and deny any pending applications for registration pursuant to 21 U.S.C. 824(a)(4), because the Florida Board of Medicine suspended his state license to practice medicine, leaving him without state authorization to handle controlled substances. Further, the Order asserted that the Respondent's continued registration was not in the public interest, as that term is used in 21 U.S.C. 823(f), due to his failure to abide by the terms of a Memorandum of Agreement entered into between him and the DEA in February of 1993.

The Order was mailed in the U.S. Mail, and a signed receipt dated September 1, 1995, was returned to DEA. However, neither the Respondent nor anyone purporting to represent him has replied to the Order to Show Cause. More than thirty days have passed since the Order was served upon the Respondent. Therefore, pursuant to 21 CFR 1301.54(d), the Deputy Administrator finds that the Respondent has waived his opportunity for a hearing on the issues raised by the Order to Show Cause, and, after considering the investigative file, enters his final order in this matter without a hearing pursuant to 21 CFR 1301.54(e) and 1301.57.

The Deputy Administrator finds that the Respondent was issued DEA Certificate of Registration BJ3506170, a restricted registration, for his practice in Florida, after entering into a

Memorandum of Agreement wit DEA in February of 1993. Per the terms of the agreement, the Respondent agreed to abide by all Federal, state and local laws and regulations relating to controlled substances. He also agreed that a violation of any provision of the agreement would result in the initiation of proceedings to revoke the DEA Certificate of Registration issued to him. Subsequently, the DEA received a copy of a Final Order from the State of Florida, Agency for Health Care Administration, Board of Medicine (Medical Board) dated April 26, 1995, finding that the Respondent had engaged in conduct which violated Florida law when he (1) provided substandard patient care by administering excessive amounts of Nubain to a patient he knew was addicted to the substance; and (2) improperly prepared prescriptions for controlled substances on numerous occasions. As a result, the Medical Board ordered, among other things, that the Respondent's license to practice medicine in the State of Florida be suspended for a period of five years.

The Deputy Administrator notes that the 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 which he conducts his business. 21 U.S.C. 802(21), 823(f), and 824(a)(3). This prerequisite has been consistently upheld. See Dominick A. Ricci, M.D., 58 FR 51,104 (1993); James H. Nickens, M.D., 57 FR 59,847 (1992); Roy E. Hardman, M.D., 57 FR 49,195 (1992); Myong S. Yi, M.D., 54 FR 30,618 (1989); Bobby Watts, M.D., 53 FR 11,919 (1988).

Here, it is clear that the Respondent is not currently authorized to practice medicine in the State of Florida. From this fact, the Deputy Administrator infers that the Respondent lacks authorization to handle controlled substances in Florida. Therefore, the Respondent currently is not entitled to a DEA registration.

Also, pursuant to 21 U.S.C. 823(f) and 824(a)(4), the Deputy Administrator may revoke a DEA Certificate of Registration, or deny a pending application for registration, if he determines that the continued registration would be inconsistent with the public interest. Section 823(f) requires that the following factors be considered:

(1) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(2) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(3) The applicant's conviction record under Federal or State laws relating to the manufacture, distribution, or dispensing of controlled substances.

(4) Compliance with applicable State, Federal, or local laws relating to controlled substances.

(5) Such other conduct which may threaten the public health or safety.

These factors are to be considered in the disjunctive; the Deputy Administrator may rely on any one or a combination of factors and may give each factor the weight he deems appropriate in determining whether a registration should be revoked or an application for registration denied. See Henry J. Schwarz, Jr., M.D., Docket No. 88–42, 54 FR 16422 (1989).

In this case, factors one, two, four, and five are relevant in determining whether the Respondent's certificate should be revoked and any pending application denied as being inconsistent with the public interest. As to factor one, the Medical Board found that the Respondent's acts of misconduct warranted suspension of his state medical license for five years.

As to factors two, four, and five, the Deputy Administrator finds relevant that, after reviewing the Respondent's conduct, the Medical Board found that the Respondent had violated state law by improperly preparing controlled substance prescriptions on numerous occasions, and by providing substandard patient care, to include administering Nubian, a non-controlled substance noted for having a low potential for abuse, to a patient he knew was addicted to the drug. By engaging in conduct which violated state law, the Respondent also violated provisions of his Memorandum of Agreement with the DEA. As a result of this conduct, the Deputy Administrator also finds that the public interest is best served by revoking the Respondent's DEA Certificate of Registration.

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 BJ3506170, issued to Tej Pal Singh Jowhal, 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 May 20, 1996.

Dated: April 12, 1996.

Stephen H. Greene,

Deputy Administrator.

[FR Doc. 96–9725 Filed 4–18–96; 8:45 am]

BILLING CODE 4410–09–M

Manufacturer of Controlled Substances; Notice of Application

Pursuant to Section 1301.43(a) of Title 21 of the Code of Federal Regulations (CFR), this is notice that on December 22, 1995, Knoll Pharmaceuticals, 30 North Jefferson Road, Whippany, New Jersey 07981, made application, which was received for processing on March 13, 1996, to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the Schedule II controlled substance hydromorphone (9150).

The firm plans to produce hydromorphone bulk product and finished dosage units of dilaudid for distribution to its customers.

Any other such applicant and any person who is presently registered with DEA to manufacture such substances may file comments or objections to the issuance of the above application.

Any such comments or objections may be addressed, in quintuplicate, to the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, United States Department of Justice, Washington, D.C. 20537, Attention: DEA Federal Register Representative (CCR), and must be filed no later than June 18, 1996.

Dated: April 9, 1996.

Gene R. Haislip,

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

[FR Doc. 96–9723 Filed 4–18 –96; 8:45 am]

BILLING CODE 4410–09–M

Walter William Stoll, Jr., M.D., Revocation of Registration

On October 19, 1995, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Walter William Stoll, Jr., M.D., (Respondent), of Nicholasville, Kentucky, notifying him of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, AS5639286, under 21 U.S.C. 824(a)(3), and deny any pending applications for registration pursuant to 21 U.S.C. 823(f), because the Commonwealth of Kentucky, State Board of Medical Licensure, had revoked his Kentucky medical license