

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated March 19, 2007, and published in the **Federal Register** on March 27, 2007, (72 FR 14297), Stepan Company, Natural Products Dept., 100 W. Hunter Avenue, Maywood, New Jersey 07607, 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 in schedule II:

Drug	Schedule
Cocaine (9041)	II
Ecgonine (9180)	II

The company plans to manufacture in bulk for distribution to its customers.

No comments or objections have been received. DEA has considered the factors in 21 U.S.C. 823(a) and determined that the registration of Stepan Company to manufacture the listed basic class of controlled substance is consistent with the public interest at this time. DEA has investigated Stepan Company to ensure that the company's registration is consistent with the public interest. The investigation has 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 in accordance with 21 CFR 1301.33, the above named company is granted registration as a bulk manufacturer of the basic class of controlled substance listed.

Dated: June 26, 2007.

Joseph T. Rannazzisi,

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

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Michael F. Myers, M.D.; Revocation of Registration

On January 10, 2007, I, the Deputy Administrator of the Drug Enforcement Administration, issued an Order to Show Cause and Immediate Suspension of Registration to Michael F. Myers, M.D. (Respondent) of Woodruff, South

Carolina. The Order to Show Cause proposed the revocation of Respondent's DEA Certificate of Registration, BM5526009, as a practitioner, on the ground that Respondent's continued registration would be inconsistent with the public interest. Show Cause Order at 1 (citing 21 U.S.C. 824(a)(4)). The Immediate Suspension was imposed based on my preliminary finding that Respondent had "diverted large quantities of controlled substances," and that there was a "substantial likelihood that [he] would continue to divert controlled substances to drug abusers." *Id.* at 1-2. I therefore concluded that Respondent's "continued registration during the pendency of these proceedings would constitute an imminent danger to the public health and safety." *Id.*

The Show Cause Order alleged that Respondent "frequently grew marijuana in [his] residence," that he "regularly purchased large quantities of marijuana," that "he smoked marijuana throughout the day on a daily basis," and that he "regularly distributed marijuana from [his] residence." *Id.* at 2. The Show Cause Order further alleged that Respondent "regularly exchanged controlled substance prescriptions for marijuana and other prescription controlled substances." *Id.* The Show Cause Order also alleged that Respondent "routinely sold controlled substance prescriptions and large quantities of marijuana to known drug peddlers." *Id.*

More specifically, the Show Cause Order alleged that Respondent had distributed marijuana on a continuing basis in quantities ranging from "small user amounts" to as much as five pounds. *Id.* The Show Cause Order also alleged that Respondent had prescribed Adderall, a schedule II controlled substance, and hydrocodone, a schedule III controlled substance, for a person without "performing any tests or formulat[ing] a diagnosis during the initial visit," and he had "continued to authorize prescriptions for [these] controlled substances without an examination or further care." *Id.* Relatedly, the Show Cause Order alleged that Respondent subsequently "received some of the hydrocodone from the prescriptions [he] wrote for this" person. *Id.*

Next, the Show Cause Order alleged that Respondent had "prescribe[d] controlled substances to a person [he] knew was addicted to [them]," and that Respondent also "knew [that] this person was selling the filled prescriptions to support [his] addiction." *Id.* The Show Cause Order further alleged that Respondent had

engaged in a scheme to provide controlled prescription drugs to drug dealers. *Id.* According to the Show Cause Order, the dealers' runners would go to Respondent's residence to receive the prescriptions; after the prescriptions were filled, the dealer would provide Respondent with half of the drugs and sell the other half to drug abusers. *Id.* Finally, the Show Cause Order alleged that on May 10, 2006, law enforcement officers executed a search warrant at Respondent's home during which they found marijuana, pills which appeared to be prescription controlled substances, and assorted drug-related paraphernalia. *Id.*

On January 12, 2007, DEA investigators personally served the Show Cause Order on Respondent. Since that time, neither Respondent, nor anyone purporting to represent him, has responded. Because (1) more than thirty days have passed since service of the Show Cause Order, and (2) no request for a hearing has been received, I conclude that Respondent has waived his right to a hearing. *See* 21 CFR 1301.43(d). I therefore enter this final order without a hearing based on relevant material contained in the investigative file and make the following findings.

Findings

Respondent is the holder of DEA Certificate of Registration, BM5526009, as a practitioner, which authorizes him to dispense controlled substances in schedules II through V. Respondent's registration was last renewed on February 15, 2006, and expires on January 31, 2009.

In July 1996, Respondent was disciplined by the State Board of Medical Examiners of South Carolina, which found that he had written prescriptions for Lortab 7.5 (hydrocodone), and Didrex (benzphetamine),¹ using the names of other patients, which he then had filled and diverted to his personal use. Respondent admitted to the State's allegation. The Board fined him \$7500, issued a reprimand, and imposed various conditions on his medical license including random drug testing. On October 17, 2000, however, the Board removed the conditions.

According to the investigative file, the Board's conditions appeared to have had only a limited impact on Respondent. Beginning in the summer of 1999, while the Board's conditions were still in effect, Respondent purchased marijuana from a person who

¹ Both drugs are schedule III controlled substances. *See* 21 CFR 1308.13.