

2004, and all persons who requested the opportunity were permitted to appear in person or by counsel.

The Commission transmitted its determination in this investigation to the Secretary of Commerce on October 22, 2004. The views of the Commission are contained in USITC Publication 3732 (October 2004), entitled Polyvinyl Alcohol from Taiwan: Investigation No. 731-TA-1088 (Preliminary).

By order of the Commission.

Issued: October 25, 2004.

**Marilyn R. Abbott,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

[EOIR No. 149]

### Executive Office for Immigration Review; Notice Extending Period To File Motions To Reopen Under the *Barahona-Gomez v. Ashcroft* Settlement

**AGENCY:** Executive Office for Immigration Review ("EOIR"), Justice.

**ACTION:** Notice.

**SUMMARY:** This notice is to inform all parties that the motion to reopen period as defined in section (II)(B)(4) of the settlement agreement in *Barahona-Gomez v. Ashcroft*, 243 F. Supp. 2d 1029 (N.D. Cal. 2002), was extended to March 20, 2005. The full settlement agreement can be found at 243 F. Supp. 2d 1029 (N.D. Cal. 2002), and also is reproduced on the EOIR Web site at <http://www.usdoj.gov/eoir>. The settlement agreement initially provided that the motion to reopen period was for eighteen (18) months from the date the Advisory Statement was published in the **Federal Register**. The Advisory Statement providing notice of the settlement was published in the **Federal Register** on March 20, 2003. See 68 FR 13727. The motion to reopen period was to close on September 20, 2004. Under section (II)(B)(4) of the settlement agreement, if any eligible class member filed a motion to reopen proceedings under the settlement agreement within six months prior to September 20, 2004, the motion to reopen period is extended for an additional 180 days. This notice acknowledges that the deadline date was extended to March 20, 2005.

**DATES:** The deadline for filing motions to reopen under the settlement agreement was extended to March 20, 2005.

**FOR FURTHER INFORMATION CONTACT:** MaryBeth Keller, General Counsel,

Office of the General Counsel, Executive Office for Immigration Review, 5107 Leesburg Pike, Suite 2600, Falls Church, VA 22041, telephone (703) 305-0470.

Dated: October 15, 2004.

**Kevin D. Rooney,**

*Director, Executive Office for Immigration Review.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### Manufacturer of Controlled Substances; Notice of Application

Pursuant to 21 CFR 1301.33(a), this is notice that on May 25, 2004, Cambrex North Brunswick Inc., Technology Centre of New Jersey, 661 Highway One, North Brunswick, New Jersey 08902, made application by renewal and on June 11, 2004 by letter to the Drug Enforcement Administration (DEA) for registration as a bulk manufacturer of the basic classes of controlled substances listed:

Drug	Schedule
N-Ethylamphetamine (1475) .....	I
Tetrahydrocannabinols (7370) .....	I
2,5-Dimethoxyamphetamine (7396) .....	I
3,4-Methylenedioxyamphetamine (7400) .....	I
4-Methoxyamphetamine (7411) .....	I
Amphetamine (1100) .....	II
Methamphetamine (1105) .....	II
Methylphenidate (1724) .....	II
Codeine (9050) .....	II
Hydromorphone (9150) .....	II
Hydrocodone (9193) .....	II
Methadone (9250) .....	II
Methadone Intermediate (9254) .....	II
Morphine (9300) .....	II
Sufentanil (9740) .....	II
Fentanyl (9801) .....	II

The company plans to manufacture the listed controlled substances in bulk for distribution to its customers.

Any other such applicant and any person who is presently registered with DEA to manufacture such a substance may file comments or objections to the issuance of the proposed registration pursuant to 21 CFR 1301.33(a).

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, DC 20537, Attention: DEA **Federal Register** Representative (ODLR) and must be filed no later than December 28, 2004.

Dated: October 1, 2004.

**William J. Walker,**

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

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

#### EZRX, LLC Revocation of Registration

On May 17, 2004, the Deputy Administrator of the Drug Enforcement Administration (DEA) issued an Order to Show Cause and Immediate Suspension of Registration to EZRX, LLC (EZRX) of Union, New Jersey. EZRX was notified of an opportunity to show cause as to why DEA should not revoke its DEA Certificate of Registration, BE8488783, as a retail pharmacy, and deny any pending applications for renewal or modification of such registration pursuant to 21 U.S.C. 823(f) and 824(a)(4) for reason that its continued registration would be inconsistent with the public interest. EZRX was further notified that its DEA registration was immediately suspended as an imminent danger to the public health and safety pursuant to 21 U.S.C. 824(d).

The Order to Show Cause and Immediate Suspension alleged in sum, that EZRX was engaged in illegally dispensing controlled substances as part of a scheme in which controlled substances were dispensed by EZRX based on Internet orders placed by customers and approved by associated physicians, based solely on their review of Internet questionnaires and without personal contact, examination or bona fide physician/patient relationships. Such prescriptions were not issued "in the usual course of professional treatment" and violated 21 CFR 1306.04 and 21 U.S.C. 841(a). This action was part of a nationwide enforcement operation by DEA titled Operation Pharmnet, which targeted online suppliers of prescription drugs, including owners, operators, pharmacists and doctors, who have illegally and unethically been marketing controlled substances via the Internet.

According to the investigative file on May 26, 2004, the Order to Show Cause and Immediate Suspension of Registration was personally served by Special Agents and Diversion Investigators of the DEA at EZRX's registered premises in Union, New Jersey. More than thirty days have passed since the Order to Show Cause