Drug	Schedule
Methamphetamine (1105)	II
Phenylacetone (8501)	II
Raw Opium (9600)	II
Poppy Straw Concentrate (9670)	II

The company plans to import the listed controlled substances to manufacture bulk controlled substances for sale to its customers.

No comments or objections have been received. DEA has considered the factors in 21 U.S.C. 823(a) and 952(a) and determined that the registration of Chattem Chemicals, Inc. to import the basic classes of controlled substances 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. 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. 952(a) and 958(a), and in accordance with 21 CFR 1301.34, the above named company is granted registration as an importer of the basic classes of controlled substances listed.

Dated: November 26, 2007.

Joseph T. Rannazzisi,

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

[FR Doc. E7–23512 Filed 12–3–07; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Manufacturer of Controlled Substances; Notice of Registration

By Notice dated August 16, 2007, and published in the **Federal Register** on August 27, 2007, (72 FR 49020), Chemic Laboratories, Inc., 480 Neponset Street, Building 7, Canton, Massachusetts 02021, made application by renewal to the Drug Enforcement Administration (DEA) to be registered as a bulk manufacturer of Cocaine (9041), a basic class of controlled substance listed in schedule II.

The company plans to manufacture small quantities of the above listed controlled substance for distribution to its customers for the purpose of research.

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 Chemic Laboratories, Inc. to manufacture the listed basic class of controlled substance is consistent with the public interest at this time. DEA has investigated Chemic Laboratories, Inc. 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: November 26, 2007.

Joseph T. Rannazzisi,

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

[FR Doc. E7–23511 Filed 12–3–07; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Ammar Sabbagh; Denial of Application

On June 12, 2006, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration, issued an Order to Show Cause to Ammar Sabbagh (Respondent), of Sheridan, Oregon. The Show Cause Order proposed the denial of Respondent's pending application for a DEA Certificate of Registration as a distributor of the list I chemicals ephedrine and pseudoephedrine, on the ground that his ''registration would be inconsistent with the public interest.'' Show Cause Order at 1 (quoting 21 U.S.C. 823(h)).

More specifically, the Show Cause Order alleged that on November 4, 2005, Respondent pled guilty to conspiring to distribute pseudoephedrine, in violation of 21 U.S.C. 841(c)(2)–(3), and 846. *Id.* at 2. The Show Cause Order thus alleged that Respondent's proposed sales of list I chemical products would be inconsistent with the public interest. *Id.* The Show Cause Order further informed Respondent of his right to request a hearing on the allegations. *Id.*

On June 19, 2006, the Show Cause Order was served on Respondent by certified mail addressed to him at his new residence at the Federal Correctional Institution in Sheridan, Oregon. 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) Respondent did not timely request a hearing, 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

On December 10, 1999, Respondent applied for a DEA Certificate of Registration to distribute the list I chemicals ephedrine and pseudoephedrine. *See* 21 U.S.C. 802(34). While both chemicals have therapeutic uses, they are easily extracted from non-prescription drug products and used in the illicit manufacture of methamphetamine, a schedule II controlled substance. *See* 21 CFR 1308.12(d).

Methamphetamine is a powerful and addictive central nervous system stimulant. *See Gregg Brothers Wholesale Co., Inc.,* 71 FR 59830 (2006). As noted in numerous agency orders, the illegal manufacture and abuse of methamphetamine pose a grave threat to this country. Methamphetamine abuse has destroyed numerous lives and families and ravaged communities. Moreover, because of the toxic nature of the chemicals used to make methamphetamine, its manufacture causes serious environmental harms. *See, e.g., Id.*

During the course of investigating Respondent's application, DEA became aware that he was selling large quantities of pseudoephedrine to an individual he knew was using methamphetamine. Thereafter, Respondent also began supplying pseudoephedrine to several methamphetamine traffickers. Respondent also met with a confidential source and agreed to supply him with twenty to twenty-five cases a month of pseudoephedrine.

On March 2, 2005, a federal grand jury returned an indictment which charged Respondent with conspiring to distribute pseudoephedrine, having knowledge and reasonable cause to believe that it would be used to manufacture methamphetamine. First Superseding Indictment, *United States* v. *Sabbagh, et. al.,* No. CR04–398L, (W.D.Wash.) (citing 21 U.S.C. 841(c) & (e); *Id.* 846). On March 10, 2005, Respondent pled guilty to the charge, and on November 4, 2005, the United

States District Court entered a judgment of conviction. The court then sentenced Respondent to terms of thirty-six months imprisonment followed by three years of supervised release. *See United States* v. *Sabbagh,* Judgment at 1–3.

Discussion

Section 303(h) of the CSA provides that ''[t]he Attorney General shall register an applicant to distribute a list I chemical unless the Attorney General determines that registration of the applicant is inconsistent with the public interest.'' 21 U.S.C. 823(h). In making this determination, Congress directed that I consider the following factors:

(1) Maintenance by the applicant of effective controls against diversion of listed chemicals into other than legitimate channels;

(2) Compliance by the applicant with applicable Federal, State, and local law;

(3) Any prior conviction record of the applicant under Federal or State laws relating to controlled substances or to chemicals controlled under Federal or State law;

(4) Any past experience of the applicant in the manufacture and distribution of chemicals; and

(5) Such other factors as are relevant to and consistent with the public health and safety.

Id.

''These factors are considered in the disjunctive.'' *Joy's Ideas,* 70 FR 33195, 33197 (2005). I may rely on any one or a combination of factors, and may give each factor the weight I deem appropriate in determining whether an application for a registration should be denied. *See, e.g., David M. Starr,* 71 FR 39367, 39368 (2006); *Energy Outlet,* 64 FR 14269 (1999). Moreover, I am ''not required to make findings as to all of the factors.'' *Hoxie* v. *DEA,* 419 F.3d 477, 482 (6th Cir. 2005); *Morall* v. *DEA,* 412 F.3d 165, 173–74 (D.C. Cir. 2005).

Given Respondent's conviction for conspiring to distribute pseudoephedrine knowing that it would be used to manufacture methamphetamine, I conclude that factor three is dispositive and that it is unnecessary to make findings as to the remaining factors. Respondent's conviction indisputably establishes that granting him a registration would be ''inconsistent with the public interest.'' 21 U.S.C. 823(h). Respondent's application will therefore be denied.

Order

Pursuant to the authority vested in me by 21 U.S.C. 823(h), and 28 CFR 0.100(b) & 0.104, I order that the application of Ammar Sabbagh for a DEA Certificate of Registration as a distributor of list I chemicals be, and it hereby is, denied. This order is effective January 3, 2008.

Dated: November 21, 2007.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. E7–23476 Filed 12–3–07; 8:45 am]

BILLING CODE 4410–09–P

DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review: Comment Request

November 28, 2007.

The Department of Labor (DOL) hereby announces the submission the following public information collection requests (ICR) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104–13, 44 U.S.C. chapter 35). A copy of each ICR, with applicable supporting documentation; including among other things a description of the likely respondents, proposed frequency of response, and estimated total burden may be obtained from the RegInfo.gov Web site at *http://www.reginfo.gov/public/do/PRAMain* or by contacting Darrin King on 202–693–4129 (this is not a toll-free number)/e-mail: *king.darrin@dol.gov.*

Interested parties are encouraged to send comments to the Office of Information and Regulatory Affairs, *Attn:* Brenda Aguilar, OMB Desk Officer for the Employee Benefits Security Administration (EBSA), Office of Management and Budget, Room 10235, Washington, DC 20503, Telephone: 202–395–7316/Fax: 202–395–6974 (these are not toll-free numbers), E-mail: *OIRA_submission@omb.eop.gov* within 30 days from the date of this publication in the **Federal Register**. In order to ensure the appropriate consideration, comments should reference the OMB Control Number (see below).

The OMB is particularly interested in comments which:

- 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;
- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;
- Enhance the quality, utility, and clarity of the information to be collected; and
- 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.

Agency: Employee Benefits Security Administration.

Type of Review: Extension without change of currently approved collection.

Title: Notice to Participants and Beneficiaries and the Federal Government of Electing One Percent Increased Cost Exemption.

OMB Control Number: 1210–0105.

Affected Public: Private Sector: Business or other for-profit.

Estimated Number of Respondents: 10.

Estimated Total Annual Burden Hours: 300.

Estimated Total Annual Cost Burden: $7,000.

Description: Group health plans may be exempted from Mental Health Party Act of 1996 (Pub. L. 104–194) requirements for parity between mental health and medical/surgical benefits if parity would result in cost increase of one percent or more. This request pertains to notice to participants and beneficiaries and the Federal Government that is required in order to make use of the exemption. For additional information, please refer to a related notice published at 72 FR 54072 on September 21, 2007 and the interim final rule published at 62 FR 66931 on December 22, 1997.

Agency: Employee Benefits Security Administration.

Type of Review: Extension without change of currently approved collection.

Title: Calculation and Disclosure of Documentation of Eligibility for Exemption.

OMB Control Number: 1210–0106.

Affected Public: Private Sector: Business or other for-profit.

Estimated Number of Respondents: 10.

Estimated Total Annual Burden Hours: 110.

Estimated Total Annual Cost Burden: $216.

Description: The Mental Health Parity Act of 1996 (Pub. L. 104–194) requires parity between the dollar limits imposed on mental health benefits and those imposed on medical/surgical benefits offered by group health plans and issuers. Upon receipt of notice that a plan claims exemption from these requirements, participants and beneficiaries may request a summary of the information upon which the exemption was based. This request pertains to the calculation and