

substances for revocation under 21 U.S.C. 824(a)(5). See *KK Pharmacy*, 64 FR 49,507 (1999); *Stanley Dubin, D.D.S.*, 61 FR 60,727 (1996).

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in her by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration BO6085395, issued to Daniel Ortiz-Vargas, M.D., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for renewal of such registration be, and they hereby are, denied. This order is effective November 22, 2004.

Dated: October 5, 2004.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. 04-23710 Filed 10-21-04; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

Serge V. Verne, D.D.S. Revocation of Registration

On October 30, 2003, the Deputy Assistant Administrator, Office of Diversion Control, Drug Enforcement Administration (DEA), issued an Order to Show Cause to Serge V. Verne, D.D.S. (Dr. Verne) at his registered location in San Diego, California, with a second copy sent to a location in Rancho Santa Fe, California. Dr. Verne was notified of an opportunity to show cause as to why DEA should not revoke his DEA Certificate of Registration, BV2328830, under 21 U.S.C. 824(a), and deny any pending applications for renewal or modification of that registration. Specifically, the Order to Show Cause alleged that Dr. Verne was without state license to handle controlled substances in the State of California. The Order to Show Cause also notified Dr. Verne that should no request for a hearing be filed within 30 days, his hearing right would be deemed waived.

As alluded to above, copies of the Order to Show Cause were sent by certified mail to Dr. Verne at two separate locations. According to the investigative file, the copy sent to the San Diego location was returned to DEA unclaimed, however, the second show cause order sent to the Rancho Santa Fe location was accepted on Dr. Verne's behalf on November 19, 2003. DEA has not received a request for hearing or any other reply from Dr. Verne or anyone purporting to represent him in this matter.

Therefore, the Deputy Administrator, finding that (1) 30 days have passed since the receipt of the Order to Show Cause, and (2) no request for a hearing having been received, concludes that Dr. Verne is deemed to have waived his hearing right. After considering material from the investigative file in this matter, the Deputy Administrator now enters her final order without a hearing pursuant to 21 CFR 1301.43(d) and (e) and 1301.46.

The Deputy Administrator finds that Dr. Verne is currently registered with DEA as a practitioner authorized to handle controlled substances in Schedules II through V. According to information in the investigative file, effective May 8, 2003, the Dental Board of California (Dental Board) ordered the revocation of Dr. Verne's license to practice dentistry in that state. The Dental Board's action was based in part upon findings that Dr. Verne provided false and misleading information regarding his continuing education, and his use of fraud in the procurement of his dental license and general anesthesia permit. There is no evidence before the Deputy Administrator to rebut findings that Dr. Verne's California dental license has been revoked and has not been reinstated. Therefore, the Deputy Administrator finds that since Dr. Verne is not currently authorized to practice dentistry in California, it is reasonable to infer that he is not authorized to handle controlled substances in that state.

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 business. See 21 U.S.C. 802(21), 823(f) and 824(a)(3). This prerequisite has been consistently upheld. See *Richard J. Clement, M.D.*, 68 FR 12,103 (2003); *Dominick A. Ricci, M.D.*, 58 FR 51,104 (1993); *Bobby Watts, M.D.*, 53 FR 11,919 (1988).

Here, it is clear that Dr. Verne is not licensed to handle controlled substances in California, where he is registered with DEA. Therefore, he is not entitled to maintain that registration.

Accordingly, the Deputy Administrator of the Drug Enforcement Administration, pursuant to the authority vested in her by 21 U.S.C. 823 and 824 and 28 CFR 0.100(b) and 0.104, hereby orders that DEA Certificate of Registration, BV2328830, issued to Serge V. Verne, D.D.S., be, and it hereby is, revoked. The Deputy Administrator further orders that any pending applications for renewal or modification

of the aforementioned registration be, and hereby are, denied. This order is effective November 22, 2004.

Dated: October 5, 2004.

Michele M. Leonhart,

Deputy Administrator.

[FR Doc. 04-23716 Filed 10-21-04; 8:45 am]

BILLING CODE 4410-09-M

DEPARTMENT OF LABOR

Employment and Training Administration

Investigations Regarding Certifications of Eligibility To Apply For Worker Adjustment Assistance

Petitions have been filed with the Secretary of Labor under Section 221(a) of the Trade Act of 1974 ("the Act") and are identified in the Appendix to this notice. Upon receipt of these petitions, the Director of the Division of Trade Adjustment Assistance, Employment and Training Administration, has instituted investigations pursuant to Section 221(a) of the Act.

The purpose of each of the investigations is to determine whether the workers are eligible to apply for adjustment assistance under Title II, Chapter 2, of the Act. The investigations will further relate, as appropriate, to the determination of the date on which total or partial separations began or threatened to begin and the subdivision of the firm involved.

The petitioners or any other persons showing a substantial interest in the subject matter of the investigations may request a public hearing, provided such request is filed in writing with the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than November 1, 2004.

Interested persons are invited to submit written comments regarding the subject matter of the investigations to the Director, Division of Trade Adjustment Assistance, at the address shown below, not later than November 1, 2004.

The petitions filed in this case are available for inspection at the Office of the Director, Division of Trade Adjustment Assistance, Employment and Training Administration, U.S. Department of Labor, Room C-5311, 200 Constitution Avenue, NW., Washington, DC 20210.

Signed at Washington, DC this 15th day of October 2004.

Timothy Sullivan,

Director, Division of Trade Adjustment Assistance.

APPENDIX

[Petitions Instituted between 09/27/2004 and 10/08/2004]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
55,686	Electronic Data Systems (EDS) (NPW)	Coraopolis, PA	09/27/2004	09/27/2004
55,687	Lace Lastics Co., Inc. (Wkrs)	Oxford, NC	09/27/2004	09/24/2004
55,688	California Manufacturing Co. (Comp)	California, MO	09/27/2004	09/22/2004
55,689	Alpha Circuit Technology (State)	Rogers, MN	09/27/2004	09/27/2004
55,690	Tower Automotive (IUE)	Greenville, MI	09/27/2004	09/24/2004
55,691	Royal Home Fashions (Wkrs)	Henderson, NC	09/27/2004	09/24/2004
55,692	Falcon Garments (State)	Dallas, TX	09/27/2004	09/21/2004
55,693	Acuity Brands Lighting (Comp)	Cochran, GA	09/27/2004	09/20/2004
55,694	Donl, Inc. (Cmp)	Clayton, GA	09/27/2004	09/22/2004
55,695	Ridgefield Forest Products (Wkrs)	Albertville, WA	09/27/2004	09/27/2004
55,696	Ametek Aerospace and Power Ind. (IUE)	Wilmington, MA	09/27/2004	09/24/2004
55,697	MacDonald Tube Products (UAW)	Madison Hgts., MI	09/27/2004	09/14/2004
55,698	Ultra Wheel (State)	Bueno Park, CA	09/27/2004	09/23/2004
55,699	Gear Research (Comp)	Grand Rapids, MI	09/28/2004	09/27/2004
55,700	Emerson Tool Co. (IBB)	Menominee, MI	09/28/2004	09/22/2004
55,701	Strattec Security Corp. (Comp)	Milwaukee, WI	09/28/2004	09/23/2004
55,702	Onsite International (Comp)	El Paso, TX	09/28/2004	09/16/2004
55,703	Otsego Tool and Engineering (Wkrs)	Albertville, MN	09/28/2004	09/23/2004
55,704	Quantegy, Inc. (Comp)	Opelika, AL	09/28/2004	09/22/2004
55,705	Mid-South Waste (Wkrs)	New Albany, MS	09/29/2004	09/14/2004
55,706	Seco Warwick (IBEW)	Meadville, PA	09/29/2004	09/13/2004
55,707	Iris Apparel, Inc. (Comp)	Clarkrange, TN	09/29/2004	09/20/2004
55,708	Alcatel (State)	Plano, TX	09/29/2004	09/28/2004
55,709	Facilities Mgt & Maint. Services of Conway (A)	Conway, AR	09/30/2004	09/29/2004
55,710	Distinct Marketing Designs (Wkrs)	High Point, NC	09/30/2004	09/27/2004
55,711	San Francisco Sewing Association (Wkrs)	Daly City, CA	09/30/2004	09/29/2004
55,712	Universal Record Distributing Corp (NPW)	Philadelphia, PA	09/30/2004	09/22/2004
55,713	Techform (OR)	Milwaukie, OR	09/30/2004	09/27/2004
55,714	Interface Fabrics (Wkrs)	Elkin, NC	10/01/2004	10/01/2004
55,715	Merix Corp. (Comp)	Forest Grove, OR	10/01/2004	09/30/2004
55,716	Devivo Industries (CT)	Waterbury, CT	10/01/2004	09/30/2004
55,717	General Chemical (USWA)	Claymont, DE	10/01/2004	09/14/2004
55,718	Halstab (PACE)	Hammond, IN	10/01/2004	09/09/2004
55,719	Lanier Clothes, Div. of Oxford Ind. (Comp)	Greenville, GA	10/04/2004	10/01/2004
55,720	Boeing Aircraft Co. (The) (IAM)	Wichita, KS	10/04/2004	08/30/2004
55,721	NCH Sewing, Inc. (Wkrs)	San Francisco, CA	10/04/2004	09/20/2004
55,722	Andrew Corporation (Comp)	Orland Park, IL	10/04/2004	09/17/2004
55,723	Rising Tides (State)	Florence, MA	10/04/2004	09/15/2004
55,724	Ranbar Electrical Materials, Inc. (Wkrs)	Manor, PA	10/04/2004	09/22/2004
55,725	Tupperware U.S., Inc. (Wkrs)	Hemingway, SC	10/04/2004	09/28/2004
55,726	United States Can Co. (Wkrs)	Elgin, IL	10/04/2004	09/20/2004
55,727	Quality Printing Co., Inc. (Comp)	Neenah, WI	10/04/2004	09/28/2004
55,728	Medex, Inc. (Comp)	Dublin, OH	10/04/2004	09/28/2004
55,729	Jervis B. Webb Co. (Wkrs)	Mt. Vernon, OH	10/04/2004	09/22/2004
55,730	B and J Knits, Inc. (Comp)	Statesville, NC	10/04/2004	09/20/2004
55,731	General Chemical—DVW—N (USWA)	Claymont, DE	10/04/2004	09/14/2004
55,732	John Crane, Inc. (Comp)	McAllen, TX	10/04/2004	09/08/2004
55,733	Maidenform, Inc. (State)	Jacksonville, FL	10/04/2004	09/28/2004
55,734	OWT Industries, Inc. (Comp)	Pickens, SC	10/05/2004	10/04/2004
55,735	Invista S.A.R.L. (Comp)	Kinston, NC	10/05/2004	10/05/2004
55,736	Helmut Industries (State)	Linden, NJ	10/05/2004	10/05/2004
55,737	F.S. Childers and Sons Lumber Co., Inc. (Comp)	Taylorsville, NC	10/05/2004	10/04/2004
55,738	Eiser, Inc. (Comp)	Portland, OR	10/05/2004	09/13/2004
55,739	Zenith/LG Electronics (Wkrs)	Lincolnshire, IL	10/05/2004	09/13/2004
55,740	American Slate and Marble (Comp)	Hickory, NC	10/05/2004	09/28/2004
55,741	Smurfit-Stone Container Corp. (ULA)	Milford, CT	10/05/2004	10/05/2004
55,742	Rock-Tenn Co. (Wkrs)	Otsego, MI	10/06/2004	09/29/2004
55,743	Dawson Furniture Co. (Comp)	Webb City, MO	10/06/2004	10/04/2004
55,744	Hendry Telephone Products (Comp)	Goleta, CA	10/06/2004	10/05/2004
55,745	Interstate Brand (RWDSU)	Grand Rapids, MI	10/06/2004	09/23/2004
55,746	West Point Stevens (Comp)	Clemson, SC	10/07/2004	10/04/2004
55,747	Child Craft, Inc. (IBB)	Salem, IN	10/07/2004	09/19/2004
55,748	Liz Claiborne (UNITE)	N. Bergen, NJ	10/07/2004	10/05/2004
55,749	Troy, LLC (USWA)	Harrisville, WV	10/07/2004	10/01/2004
55,750	Pressman Toy (State)	New Brunswick, NJ	10/07/2004	10/06/2004
55,751	Seams, Inc. (Comp)	White Mills, PA	10/07/2004	10/06/2004
55,752	Grand Traverse Engineering, Inc. (State)	Williamsburg, MI	10/08/2004	09/29/2004
55,753	VF Imagewear (Comp)	Sparta, TN	10/08/2004	09/28/2004
55,754	Dan River, Inc. (Wkrs)	New York, NY	10/08/2004	09/29/2004
55,755	GE Capital IT Solutions (Wkrs)	Erlanger, KY	10/08/2004	09/18/2004

APPENDIX—Continued

[Petitions Instituted between 09/27/2004 and 10/08/2004]

TA-W	Subject firm (petitioners)	Location	Date of institution	Date of petition
55,756	Inmed Corp dba Trusch, Inc. (Comp)	Duluth, GA	10/08/2004	10/07/2004
55,757	Bernhardt Furniture Co. (Comp)	Lenoir, NC	10/08/2004	09/27/2004
55,758	Hooker Furniture Corp. (Comp)	Martinsville, VA	10/08/2004	10/01/2004
55,759	Monterey Carpets (State)	Santa Ana, CA	10/08/2004	09/13/2004
55,760	C and D Lumber (State)	Riddle, OR	10/08/2004	10/04/2004
55,761	Technicon Engineering, Inc. (Comp)	Macon, GA	10/08/2004	09/24/2004
55,762	Seton Company (State)	Newark, NJ	10/08/2004	10/07/2004
55,763	Contractor's Engineer, LLC (Comp)	Neodesha, KS	10/08/2004	09/10/2004
55,764	DeVlieg Bullard, II (Wkrs)	Rockford, IL	10/08/2004	09/18/2004
55,765	Ferrania USA, Inc. (Comp)	Weatherford, OK	10/08/2004	10/07/2004
55,766	Aerotek/Solelectron Tech. (State)	Charlotte, NC	10/08/2004	10/05/2004

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DEPARTMENT OF LABOR

Employment Standards Administration; Wage and Hour Division

Minimum Wages for Federal and Federally Assisted Construction; General Wage Determination Decisions

General wage determination decisions of the Secretary of Labor are issued in accordance with applicable law and are based on the information obtained by the Department of Labor from its study of local wage conditions and data made available from other sources. They specify the basic hourly wage rates and fringe benefits which are determined to be prevailing for the described classes of laborers and mechanics employed on construction projects of a similar character and in the localities specified therein.

The determinations in these decisions of prevailing rates and fringe benefits have been made in accordance with 29 CFR Part 1, by authority of the Secretary of Labor pursuant to the provisions of the Davis-Bacon Act of March 3, 1931, as amended (46 Stat. 1494, as amended, 40 U.S.C. 276(a) and of other Federal statutes referred to in 29 CFR Part 1, Appendix, as well as such additional statutes as may from time to time be enacted containing provisions for the payment of wages determined to be prevailing by the Secretary of Labor in accordance with the Davis-Bacon Act. The prevailing rates and fringe benefits determined in these decisions shall, in accordance with the provisions of the foregoing statutes, constitute the minimum wages payable on Federal and federally assisted construction projects to laborers and mechanics of the specified classes engaged on contract

work of the character and in the localities described therein.

Good cause is hereby found for not utilizing notice and public comment procedure thereon prior to the issuance of these determinations as prescribed in 5 U.S.C. 553 and not providing for delay in the effective date as prescribed in that section, because the necessity to issue current construction industry wage determinations frequently and in large volume causes procedures to be impractical and contrary to the public interest.

General wage determination decisions, and modifications and superseded decisions thereto, contain no expiration dates and are effective from their date of notice in the **Federal Register**, or on the date written notice is received by the agency, whichever is earlier. These decisions are to be used in accordance with the provisions of 29 CFR Parts 1 and 5. Accordingly, the applicable decision, together with any modifications issued, must be made a part of every contract for performance of the described work within the geographic area indicated as required by an applicable Federal prevailing wage law and 29 CFR Part 5. The wage rates and fringe benefits, notice of which is published herein, and which are contained in the Government Printing Office (GPO) document entitled "General Wage Determinations Issued Under The Davis-Bacon And Related Acts," shall be the minimum paid by contractors and subcontractors to laborers and mechanics.

Any person, organization, or governmental agency having an interest in the rates determined as prevailing is encouraged to submit wage rate and fringe benefit information for consideration by the Department. Further information and self-explanatory forms for the purpose of submitting this data may be obtained by writing to the U.S. Department of Labor,

Employment Standards Administration, Wage and Hour Division, Division of Wage Determinations, 200 Constitution Avenue, NW., Room S-3014, Washington, DC 20210.

Modification to General Wage Determination Decisions

The number of the decisions listed to the Government Printing Office document entitled "General Wage Determinations Issued Under the Davis-Bacon and related Acts" being modified are listed by Volume and State. Dates of publication in the **Federal Register** are in parentheses following the decisions being modified.

Volume I

Connecticut

- CT030001 (Jun. 13, 2003)
- CT030003 (Jun. 13, 2003)
- CT030004 (Jun. 13, 2003)

Rhode Island

- RI030001 (Jun. 13, 2003)
- RI030002 (Jun. 13, 2003)

Volume II

Maryland

- MD030001 (Jun. 13, 2003)
- MD030010 (Jun. 13, 2003)
- MD030021 (Jun. 13, 2003)
- MD030035 (Jun. 13, 2003)
- MD030037 (Jun. 13, 2003)
- MD030040 (Jun. 13, 2003)
- MD030042 (Jun. 13, 2003)
- MD030046 (Jun. 13, 2003)
- MD030058 (Jun. 13, 2003)

Pennsylvania

- PA030004 (Jun. 13, 2003)
- PA030005 (Jun. 13, 2003)
- PA030007 (Jun. 13, 2003)
- PA030008 (Jun. 13, 2003)
- PA030010 (Jun. 13, 2003)
- PA030012 (Jun. 13, 2003)
- PA030013 (Jun. 13, 2003)
- PA030014 (Jun. 13, 2003)
- PA030015 (Jun. 13, 2003)
- PA030016 (Jun. 13, 2003)
- PA030017 (Jun. 13, 2003)
- PA030018 (Jun. 13, 2003)