

UNITED STATES OF AMERICA  
BEFORE THE FOOD AND DRUG ADMINISTRATION  
DEPARTMENT OF HEALTH AND HUMAN SERVICES

\_\_\_\_\_) )  
In the Matter of: ) ) FDA DOCKET: 00N-1571  
) )  
) ) April 16, 2003  
) )  
Enrofloxacin for Poultry: Withdrawal ) )  
of Approval of Bayer Corporation's ) )  
New Animal Drug Application ) )  
(NADA) 140-828 (Baytril) ) )  
\_\_\_\_\_) )

**ORDER**

On April 15, the Center for Veterinary Medicine (CVM) filed a motion seeking reconsideration of the order of April 15, on the assumption that said order constituted an approval of the request by Respondent (Bayer) and the Animal Health Institute (AHI) to Cross-examine CVM's witnesses. Since the order of April 15 did not rule on any request for cross-examination, the motion will be treated as a motion in opposition to the request for cross-examination of CVM's witnesses.

Due to the limited amount of time remaining before the start of the oral phase of this proceeding, the time for any reply to CVM's opposition by Bayer and AHI will be shortened.

Accordingly, **IT IS ORDERED** that the time for replies to CVM's Opposition to the Request for Cross-examination will be due on or before April 21, 2003.

**IT IS FURTHER ORDERED** that any reply by Bayer and AHI may include additional information in support of their request for cross-examination

And **IT IS FURTHER ORDERED** that the due date for the submission of the proposed scheduling of witnesses for cross-examination is extended to April 23, 2003.

Dated this 16<sup>th</sup> day of April, 2003.

/s/ Daniel J. Davidson  
Daniel J. Davidson  
Administrative Law Judge

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