destroy or substantially injure an industry, efficiently and economically operated, in the United States. Notice of the Commission's investigation was published in the Federal Register of June 11, 1980 (45 FR 39580).

On October 8, 1980, the complainant filed a motion (Motion 84–9) to designate the investigation "more complicated," within the meaning of section 337(b)(1) of the Tariff Act of 1930 (19 U.S.C. 1337(b)(1)) and Rule 210.15 of the Commission's *Rules of Practice and Procedure*. The motion was supported in a response from the Commission investigative attorney, filed October 17, 1980. The motion was opposed in a response from Macchine Suprema, filed October 21, 1980. On October 24, 1980, the presiding officer certified to the Commission the recommendation that Investigation No. 337–TA–84 be designated more complicated.

Discussion—

In determing whether an investigation is more complicated, the Commission must find that it "is of an involved nature owing to the subject matter, difficulty in obtaining information, or large number of parties involved." 19 CFR 210.15. In the present case, two parties were recently joined as respondents and joinder of a third (E.I. duPont de Nemours & Co., Inc.) is proposed. DuPont has admitted that it has caused to be imported machinery which allegedly infringes the subject patent. Since these allegations must be investigated and further discovery must taken place, there is clearly a present difficulty in obtaining information.

In addition, the recent joinder of the two respondents and the proposed joinder of duPont increases the number of parties to the investigastion. Since the record indicates that the interests of the various parties are not coincident, the respondents cannot be expected to consolidate their actions. Under these circumstances, the Commission believes that there is now a large number of parties in this investigation.

For these reasons, the Commission concludes that this investigation must be designated more complicated. The practical effect of this determination is that the deadline for making a final determination in this investigation will be extended from June 11, 1981, to December 11, 1981.

Copies of the Commission's action and order and all other non-confidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street NW., Washington, D.C. 20436, telephone 202–523–0161.

FOR FURTHER INFORMATION CONTACT: Jack Simmons, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202–523–0493.

Issued: November 17, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-36033 Filed 11-15-80; 8:45 am]

BILLING CODE 7020-02-M

[Investigation No. 377–TA–84]

Chlorofluorohydrocarbon Drycleaning Process, Machines and Components Therefor; Addition of a Party Respondent

AGENCY: U.S. International Trade Commission.

ACTION: Addition of party respondent: E. I. duPont de Nemours & Co., Inc., 1007 Market Street, Wilmington, Delaware 19898.

AUTHORITY: The authority for Commission disposition of the subject motion is contained in section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) and in 19 CFR 210.22.

SUPPLEMENTARY INFORMATION: Upon receipt of a complaint filed by Research Development Co., of Minneapolis, Minn., the U.S. International Trade Commission instituted an investigation on April 17, 1980, to determine whether there is a violation of section 337(a) of the Tariff Act of 1930 (19 U.S.C. 1337(a)) in the importation into the United States of chlorofluorohydrocarbon drycleaning machines, or in their sale, by reason of the alleged infringement of claims 1, 3, and 4 of U.S. Letters Patent 3,728,074, the effect or tendency of which is to destroy or substantially injure an industry, efficiently and economically operated, in the United States. Notice of the Commission's investigation was published in the Federal Register of June 11, 1980 (45 FR 39580).

On September 26, 1980, E. I. duPont de Nemours & Co., Inc. (hereinafter "duPont"), filed a motion to intervene (motion 84–8), pursuant to rule 210.6 of the Commission's *Rules of Practice and Procedure*, as a non-party intervenor.

On October 14, 1980, the Commission investigative attorney's response to motion 84–8 was redesignated motion 84–12 to amend the complaint and notice of investigation by addition of E. I. duPont de Nemours & Co., Inc. as a party respondent. On October 27, 1980, the motion was certified to the Commission by the presiding officer, who recommended that the motion be granted. Copies of the Commission's action and order and all other non-confidential documents filed in connection with this investigation are available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 701 E Street, NW., Washington, D.C. 20436, telephone 202–523–0161.

FOR FURTHER INFORMATION CONTACT: Jack Simmons, Esq., Office of the General Counsel, U.S. International Trade Commission, telephone 202–523–0493.

Issued: November 17, 1980.

By order of the Commission.

Kenneth R. Mason,

Secretary.

[FR Doc. 80-36034 Filed 11-25-80; 8:45 am]

BILLING CODE 7020-02-M

DEPARTMENT OF JUSTICE

Drug Enforcement Administration

[Docket No. 79–24]

Metro Substance Abatement Program, Inc.; Revocation of Registration

On December 18, 1979, the Administrator of the Drug Enforcement Administration [DEA] issued to Metro Substance Abatement Program, Inc. [Respondent], of Detroit, Michigan, an Order to Show Cause proposing to revoke the Respondent's DEA Certificates of Registration. Simultaneously, citing his preliminary finding of imminent danger to the public health and safety, the Administrator ordered that the Respondent's registrations be immediately suspended pending a final determination in these proceedings. The Order to Show Cause and the self-executing Immediate Suspension of Registration were served on the Respondent on December 20, 1979. The Respondent sought relief from the Immediate Suspension in the U.S. District Court for the Eastern District of Michigan. The Honorable Ralph M. Freeman, of that Court, issued a temporary restraining order on December 22, 1979. On January 4, 1980, after a hearing, Judge Freeman issued a preliminary injunction which enjoined the Administrator from suspending the Respondent's registrations pending a full hearing in these administrative proceedings.

The Respondent, on December 28, 1979, requested an administrative hearing on the issues raised by the Order to Show Cause. On January 4, 1980, Government counsel requested

that the hearing be held as soon as possible in light of the entry of the preliminary injunction in the U.S. District Court in Detroit. The Administrative Law Judge acceded to this request and, after conferring with counsel for both sides, set the hearing to begin in Detroit on January 24, 1980. Due to the hospitalization of the Administrative Law Judge, this hearing date was cancelled. The hearing was reset to commence on March 11, 1980 in Detroit. Due to various factors, the hearing could not be concluded in the two days set aside for it. Therefore, it was recessed on March 12 and reconvened on April 29, 1980, again in Detroit. The taking of testimony was completed the following day. The Honorable Francis L. Young, Administrative Law Judge, presided throughout these proceedings.

On October 1, 1980, Judge Young issued his opinion and recommended ruling, findings of fact, conclusions of law and decision in this matter. In compliance with 21 CFR § 1316.65(b), copies of the Administrative Law Judge's opinion were served on counsel for both sides. Counsel for the Respondent filed exceptions to Judge Young's findings and counsel for the Government filed a letter requesting that this matter be submitted for the Administrator's consideration as soon as the regulations permitted. On October 27, 1980, Judge Young transmitted the record of these proceedings to the Administrator. The record included, *inter alia,* the Administrative Law Judge's report or opinion; the transcript of the four days of hearing testimony; all of the exhibits which had been placed in the record; the proposed findings of fact and conclusions of law, or briefs, submitted by counsel for both sides; the Respondent's exceptions; and all other post-hearing correspondence.

The Administrator has considered this record in its entirety and, pursuant to 21 CFR § 1316.67, hereby issues his final order in this matter, based upon findings of fact and conclusions of law as hereinafter set forth.

The Administrator considers the issues in this matter to be the following, as set forth by the Administrative Law Judge in his opinion:

Whether the Respondent has failed to comply with the standards established by the Attorney General with respect to the security of stocks of narcotic drugs used in the Respondent's detoxification and maintenance treatment programs and with respect to the maintenance of records on such drugs. (See 21 U.S.C. 823(g); 21 CFR §§ 1301.72, 1301.73, 1301.74, 1304.28 and 1304.29)

Whether, therefore, there is a lawful or statutory basis for the revocation of the Respondent's DEA registrations pursuant to 21 U.S.C. 824(a), as amended by the Narcotic Addict Treatment Act of 1974 (P.L. 93-281; May 14, 1974).

Whether, if such lawful or statutory basis is found to exist, the Administrator, in the exercise of his discretion, should order the revocation of the Respondent's registrations.

Whether the Respondent has taken immediate and adequate corrective measures to provide and maintain adequate security for the dispensation and administration of narcotic controlled substances used in its detoxification program, so as to prevent further losses of methadone.

The Administrative Law Judge recommended 91 separate findings of fact, covering 24 pages of his opinion. These recommended findings were supported by evidence received in this case. They trace the Respondent's problems with security and recordkeeping from 1977 through 1979. They summarize the evidence clearly and fairly. Although some of Judge Young's recommended findings are repeated or paraphrased in this final order, the Administrator has adopted the recommended findings of fact and conclusions of law in their entirety.

The Respondent is registered under 21 U.S.C. 823(g) as a narcotic treatment program authorized to dispense narcotic drugs to addicted persons for detoxification and maintenance purposes. Its registration, PM0120294, also permits it to "compound" bulk quantities of methadone into individual dosage units and to distribute these dosage units to other treatment programs. The Respondent holds a second DEA registration, PM0154334, adjunctive to the first, which registration authorized the Respondent to operate as a researcher in order to use a Schedule I substance, 1-alpha-acetylmethadol (LAAM) in addition to methadone in its treatment program.

The Respondent has suffered a number of losses or suspected losses of methadone and there has been at least one instance in which the security of methadone was seriously compromised. There were at least eight such incidents during 1979. This is an unusually high number of such incidents by comparison with other narcotic treatment programs in the Detroit area.

While the Administrator views any loss or compromise of methadone as an extremely serious matter, some of the incidents which reflect upon the manner in which the Respondent handled its narcotic drugs ought to be recounted in this final order. On February 2, 1979, Mr. Andrew W. Petress, Jr., the Respondent's executive director, and Mr. Eural Johnson, the program's administrator, placed 272 dosage units of methadone, totalling 1,016.5 grams of methadone, into the trunk of a vehicle leased by the firm and assigned to Mr. Johnson. This was done preparatory to delivering the methadone to Care Clinic, a sattelite treatment program operated by the Respondent, located about 15 miles distant from the Metro facility. While Mr. Petress and Mr. Johnson were otherwise engaged inside the Metro clinic, the vehicle was repossessed by the leasing company. The methadone was subsequently turned over to the Detroit Police Department by the leasing company and was ultimately returned to the Respondent. Although this compromise was initially reported to DEA by telephone, the required written report was not submitted to the agency. Numerous loss, or suspected loss, incident reports were initiated by the Respondent's pharmacist, Mr. Lethel Dillard, and then not reported to DEA as required by 21 CFR § 1301.74(c). Such reports were not obtained by DEA until they were seized on December 20, 1979, in connection with the execution of the immediate suspension order. Among the papers so obtained was one in which Mr. Dillard's assistant noted that a liter bottle of methadone was missing. The note contains the following postscript: "P.S. I didn't say nothing to no-one."

The most severe loss of methadone from the Respondent's facility occurred on December 1, 1979, when a night-time burglary resulted in the loss of eight one-liter bottles of methadone. Again, although the Respondent reported the theft to the police department and to DEA, at least verbally or telephonically, the required written report was not submitted until February 21, 1980, well after the commencement of these proceedings.

During 1979, the Respondent has lost, had stolen, or could not account for, the equivalent of almost eleven and one-half one-liter bottles of methadone hydrochloride. The illicit demand for methadone is well documented. One Government witness in the hearing estimated that a single dosage unit bottle of methadone, one containing 20 to 25 milligrams of the drug, could be sold for $25.00; a bottle containing 60 to 80 milligrams would bring $40.00; and a one-liter bottle of undiluted methadone, such as the eight which were stolen from the Respondent's facility on December 1, 1979, would be worth at least $5,000.00, or whatever the traffic would bear.

By way of comparison, the Detroit Health Department's Division of Pharmacy, which serves as compounder for sixteen narcotic treatment programs, has lost but eight unit doses of

methadone, totalling approximately 200 milligrams, during the ten-year period from March 1970 through March 1980. During this period, the city's compounding facility provided daily methadone doses for between 2,000 and 3,600 patients. A smaller program, that of Detroit's Lafayette Clinic, which handles about 50 patients, as compared to the Respondent's 245, has never experienced a theft of methadone and has never had an instance in which the drug was missing or unaccounted for.

There are 51 narcotic treatment programs within the jurisdiction of DEA's Detroit District Office. During 1979, only two of these programs, other than the Respondent's, filed reports of theft or loss of methadone. Each of these programs reported one incident. In one of the cases, it was found that there was no actual loss of methadone. In the other, the loss totalled 290 milligrams of the drug.

A persistent problem encountered by narcotic treatment programs is the diversion of methadone by patients who "mouth" or "palm" the medication. To discourage this practice, the Detroit city programs employ security guards to prevent the patients from leaving without having first ingested the methadone. The Lafayette Clinic adds fruit juice to the medication and then fills the dosage bottles to the top, making it very difficult for the patient to hold the substance in his or her mouth without swallowing. The evidence in this hearing reveals that the Respondent took no effective measures to curb such diversion. Indeed, when the Respondent's clients were referred to the city program during the brief suspension of the Respondent's DEA registration, an unusually high number of such patients were caught trying to "mouth" or "palm" their medication.

In terms of the dosage strength of methadone dispensed, the Respondent's average daily dosage per patient was nearly double that of the average for all of the patients in the clinics served by the city's pharmacy division. Nevertheless, when the Respondent's clients were referred to the city treatment program, they were given the exact dosage of methadone which the Respondent's records indicated that they had been receiving. A few of these individuals "nodded" after receiving their medication, suggesting that they may have actually been receiving somewhat less methadone than the Respondent's records showed them to be taking.

A number of the Respondent's clients were receiving as much as 80 milligrams of methadone per day. The chief pharmacist for the city programs testified that she could recall only one patient who had ever received that much methadone. That patient was an elderly man who had been an addict since he was a young boy. Attempts had been made to reduce this patient's intake of methadone, but these had proved unsuccessful due to his advanced age.

The Detroit Police Department received numerous complaints of illicit drug activity outside of, and in the vicinity of, the Respondent's facility. People selling methadone and other drugs were arrested in the same area. While this activity could not be tied directly to the Respondent's clientele, such complaints and arrests rarely occurred near similar drug treatment programs in Detroit. Early this year, a DEA compliance investigator and her partner were about to enter the Respondent's building on official business when they were approached by an individual who asked whether they had any methadone to sell.

An in-depth regulatory compliance inspection of the Respondent's recordkeeping and physical security was conducted in 1977; both were found to be inadequate. As a result of that inspection, an informal hearing was held and subsequent to that, Mr. Petress executed an agreement in which he undertook to abide by the requirements of the Controlled Substances Act and the regulations thereunder. Mr. Petress agreed, in essence, to make, keep and maintain records which would provide for the strict accountability of the methadone dispensed by the clinic.

Subsequent to the issuance of the Order to Show Cause in the instant proceeding, another accountability audit was performed. Completion of the audit was complicated because relevant records were either missing or not located on the Respondent's premises and because the Respondent had not timely filed reports of its various losses of methadone. The audit of the Respondent's methadone compounding function, using only primary records actually on hand at the facility, revealed an accountability shortage of 412,060 milligrams, the equivalent of 41.2 liters of methadone. Using various secondary records, thus giving the Respondent the benefit of records which the investigators were not required to examine, and applying more lenient standards than are required by the regulations, the shortage was reduced to 218,300 milligrams or 21.8 liters of methadone. Serious overages and shortages were found in the other functions involving the dispensing of methadone and LAAM. The Respondent's records, which were supposed to be meticulously kept, were very poorly maintained despite Mr. Petress' earlier promise to maintain complete and accurate records as required by the law and the regulations.

In 1978, the United States House of Representatives, Select Committee on Narcotics Abuse and Control published a report titled *Methadone Diversion.* In this document, the Committee reported that it had found a high and most disturbing rate of methadone diversion from clinics into the black market. A number of identifiable deficiencies in methadone treatment programs made it relatively easy for methadone to be diverted. Several factors were so identified, including loose or careless evaluation; admission and treatment of patients; overly generous or heavy dosage dispensing of the drug; inadequate recordkeeping and physical security; unqualified staff or inadequate facilities; and operations beyond the capacity of the staff and facilities. A study of methadone deaths and diversion, done by the U.S. General Accounting Office (GAO), found that in poorly operated treatment programs, lack of control due to negligence or ignorance could result in methadone finding its way into the illicit traffic. Failure to adequately safeguard and account for methadone supplies facilitated employee theft and patient diversion of the drug.

The Respondent's narcotic addict treatment program has suffered an inordinate number of thefts and losses of methadone. It has not adequately accounted for its supplies of the drug. Its recordkeeping has been inadequate and slipshod. In some cases, according to its records, it dispensed overly generous dosages of methadone. In short, the Respondent's program has suffered from the very deficiencies which the Select Committee and the GAO found result in the diversion of methadone into illicit channels.

The Narcotic Addict Treatment Act of 1974 (P.L. 93-281) authorized DEA to register methadone treatment programs under the general umbrella of the Controlled Substances Act; to establish strict security and recordkeeping standards for such programs; and to revoke or suspend the registrations of such programs when it is found that they have failed to comply with these standards. Congress enacted the Narcotic Addict Treatment Act after it had found that the rapid and widespread use of methadone in these programs had brought with it a proportional increase in the diversion of methadone for illegal use and sale. The

DEA regulation and supervision of these programs is intended to prevent the loss and diversion of methadone.

DEA inspections of the Respondent's program have revealed serious deficiencies in security, recordkeeping and accountability. Methadone which could have been worth $110,000 on the illicit market was not accounted for. Judge Young found that the evidence received in this proceeding was, as a whole, indicative of a casual indifference to the subject of methadone security and to the important of keeping records so as to account for all supplies of the drug. He also found that the record did not provide a basis for reasonable assurance that the failures of the past will not be continued. He recommended that the Respondent's registrations should be revoked, effective immediately. The Administrator agrees.

After a thorough review of the record of this proceeding, the Administrator finds that the Respondent, Metro Substance Abatement Program, Inc., has failed to comply with the standards established pursuant to the Controlled Substances Act and the Narcotic Addict Treatment Act. The Respondent's casual indifference to its obligation to provide adequate security, to keep complete and accurate records, and to properly account for its supplies of narcotic drugs has resulted in the loss of methadone and, presumably, its diversion into illicit channels. There is, therefore, a lawful or statutory basis for the revocation of the Respondent's DEA registrations. Furthermore, on the basis of the record in this proceeding, the Administrator concludes, as did the Administrative Law Judge, that there is no reason to believe that the Respondent will act more responsibly in the future than it did in the past. The integrity of the controlled substances distribution system, particularly where highly abusable, dangerous, and much sought-after drugs such as methadone are concerned, is too important a consideration to be left to speculation. To hope that the Respondent will operate responsibly in the future, in light of its well-documented past performance, would be speculative at best. The Narcotic Addict Treatment Act provides for, and mandates a remedy for cases such as this one. The Respondent's registrations must be revoked. Having concluded that revocation is an appropriate remedy in this matter, and having determined that the Respondent cannot be entrusted to handle methadone and LAAM without an unacceptable risk of further loss, the revocation must be effective immediately.

Accordingly, pursuant to the authority vested in the Attorney General by Title 21, United States Code, Section 824(a), and redelegated to the Administrator of the Drug Enforcement Administration, the Administrator hereby orders that Certificates of Registration PM0120294 and PM0154334, previously issued to Metro Substance Abatement Program, Inc., be, and they hereby are, revoked, effective immediately.

Dated: November 24, 1980.

Peter B. Bensinger,

Administrator, Drug Enforcement Administration.

[FR Doc. 80-37070 Filed 11-25-80; 8:45 am]

BILLING CODE 4410-09-M

Federal Bureau of Investigation

Advisory Policy Board National Crime Information Center, Meeting

The Advisory Policy Board of the National Crime Information Center (NCIC) will meet on December 10 and December 11, 1980, from 9:00 a.m. until 5:00 p.m. in the Executive Hotel, San Diego, California.

The major topics to be discussed include:

(1) NCIC access by government regional dispatch centers.

(2) The proposed implementation of the Pilot Project of the Interstate Identification Index designed to decentralize storage of criminal history records.

(3) The presentation of proposals recommended by local and state users of the NCIC System to improve the effectiveness of the System and the quality of records within the System.

The meeting will be open to the public with approximately 30 seats available for seating on a first-come first-served basis. Any member of the public may file a written statement with the Advisory Policy Board before or after the meeting. Anyone wishing to address a session of the meeting should notify the Advisory Committee Management Officer, Mr. W. A. Bayse, FBI, at least twenty-four hours prior to the start of the session. The notification may be by mail, telegram, cable or hand-delivered note. It should contain the name, corporate designation, consumer affiliation or Government designation, along with a capsulized version of the statement and an outline of the material to be offered. A person will be allowed not more than 15 minutes to present a topic, except with the special approval of the Chairman of the Board.

Inquiries may be addressed to Mr. David F. Nemecek, Committee Management Liaison Officer, NCIC, Federal Bureau of Investigation, Washington, D.C. 20535, telephone number 202-324-2606.

Dated: November 21, 1980.

William H. Webster,

Director.

[FR Doc. 80-36907 Filed 11-25-80; 8:45 am]

BILLING CODE 4410-02-M

NATIONAL FOUNDATION ON THE ARTS AND HUMANITIES

Humanities Panel, Meetings

Correction

In FR Doc. 80-35633, appearing on page 75369, in the issue of Friday, November 14, 1980, make the following corrections:

1. In the second column, the date in 30th line now reading "Date: December 18, 1980" should read "Date: December 16, 1980".

2. In the third column, the phone number in the second line now reading "(202) 274-0367" should read "(202) 724-0367."

BILLING CODE 1505-01

Humanities Panel, Meetings

Correction

In FR Doc. 80-35878, appearing on page 76276, in the issue of Tuesday, November 18, 1980, make the following correction:

In the second cloumn, the 19th line should have read "Date: December 15, 1980".

BILLING CODE 1505-01-M

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

Media Arts Panel (In Residence/ Workshop); Meeting

Pursuant to Section 10(a)(2) of the Federal Advisory Committee Act (Pub. L. 92-463), as amended, notice is hereby given that a meeting of the Media Arts Panel (In Residence/Workshop) to the National Council on the Arts will be held on December 15-16, 1980, from 9:00 a.m.-5:30 p.m., in the 12th floor screening room, Columbia Plaza Office Complex, 2401 E Street, N.W., Washington, D.C.

This meeting is for the purpose of Panel review, discussion, evaluation, and recommendation on applications for financial assistance under the National Foundation on the Arts and the