Issued: October 4, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

[FR Doc. 2024–23402 Filed 10–9–24; 8:45 am]

**BILLING CODE 7020–02–P**

## INTERNATIONAL TRADE COMMISSION

### Notice of Receipt of Complaint; Solicitation of Comments Relating to the Public Interest

**AGENCY:** U.S. International Trade Commission.

**ACTION:** Notice.

**SUMMARY:** Notice is hereby given that the U.S. International Trade Commission has received a complaint entitled *Certain Crafting Machines and Components Thereof, DN 3774;* the Commission is soliciting comments on any public interest issues raised by the complaint or complainant's filing pursuant to the Commission's Rules of Practice and Procedure.

**FOR FURTHER INFORMATION CONTACT:** Lisa R. Barton, Secretary to the Commission, U.S. International Trade Commission, 500 E Street SW, Washington, DC 20436, telephone (202) 205–2000. The public version of the complaint can be accessed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* For help accessing EDIS, please email *EDIS3Help@usitc.gov.*

General information concerning the Commission may also be obtained by accessing its internet server at United States International Trade Commission (USITC) at *https://www.usitc.gov* . The public record for this investigation may be viewed on the Commission's Electronic Document Information System (EDIS) at *https://edis.usitc.gov.* Hearing-impaired persons are advised that information on this matter can be obtained by contacting the Commission's TDD terminal on (202) 205–1810.

**SUPPLEMENTARY INFORMATION:** The Commission has received a complaint and a submission pursuant to § 210.8(b) of the Commission's Rules of Practice and Procedure filed on behalf of Cricut, Inc. on October 4, 2024. The complaint alleges violations of section 337 of the Tariff Act of 1930 (19 U.S.C. 1337) in the importation into the United States, the sale for importation, and the sale within the United States after importation of certain crafting machines and components thereof. The complaint names as respondents: Hunan Sijiu Technology, Co. Ltd. of China; Hunan Sijiu Electronic Technology Co., Ltd. of China; Guangdong Rongtu Technology Co., Ltd. of China; LiPing Zhan of China; SainStore Technology Co., Ltd of China; Shanghai Sishun E-commerce Co., Ltd. of China; Shanghai Sishun Co., Ltd. of China; Bozhou Wanxingyu Technology Co. Ltd. of China; Bozhou Zhongdaxiang Technology Co., Ltd. of China; and Wuyi Bohai Electric Tools Co., Ltd. of China. The complainant requests that the Commission issue a limited exclusion order, a general exclusion order, cease and desist orders, and impose a bond upon respondents' alleged infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. 1337(j).

Proposed respondents, other interested parties, members of the public, and interested government agencies are invited to file comments on any public interest issues raised by the complaint or § 210.8(b) filing. Comments should address whether issuance of the relief specifically requested by the complainant in this investigation would affect the public health and welfare in the United States, competitive conditions in the United States economy, the production of like or directly competitive articles in the United States, or United States consumers.

In particular, the Commission is interested in comments that:

(i) explain how the articles potentially subject to the requested remedial orders are used in the United States;

(ii) identify any public health, safety, or welfare concerns in the United States relating to the requested remedial orders;

(iii) identify like or directly competitive articles that complainant, its licensees, or third parties make in the United States which could replace the subject articles if they were to be excluded;

(iv) indicate whether complainant, complainant's licensees, and/or third party suppliers have the capacity to replace the volume of articles potentially subject to the requested exclusion order and/or a cease and desist order within a commercially reasonable time; and

(v) explain how the requested remedial orders would impact United States consumers.

Written submissions on the public interest must be filed no later than by close of business, eight calendar days after the date of publication of this notice in the **Federal Register**. There will be further opportunities for comment on the public interest after the issuance of any final initial determination in this investigation. Any written submissions on other issues must also be filed by no later than the close of business, eight calendar days after publication of this notice in the **Federal Register**. Complainant may file replies to any written submissions no later than three calendar days after the date on which any initial submissions were due, notwithstanding § 201.14(a) of the Commission's Rules of Practice and Procedure. No other submissions will be accepted, unless requested by the Commission. Any submissions and replies filed in response to this Notice are limited to five (5) pages in length, inclusive of attachments.

Persons filing written submissions must file the original document electronically on or before the deadlines stated above. Submissions should refer to the docket number (''Docket No. 3774'') in a prominent place on the cover page and/or the first page. (*See* Handbook for Electronic Filing Procedures, Electronic Filing Procedures [1]). Please note the Secretary's Office will accept only electronic filings during this time. Filings must be made through the Commission's Electronic Document Information System (EDIS, *https://edis.usitc.gov.*) No in-person paper-based filings or paper copies of any electronic filings will be accepted until further notice. Persons with questions regarding filing should contact the Secretary at *EDIS3Help@usitc.gov.*

Any person desiring to submit a document to the Commission in confidence must request confidential treatment. All such requests should be directed to the Secretary to the Commission and must include a full statement of the reasons why the Commission should grant such treatment. *See* 19 CFR 201.6. Documents for which confidential treatment by the Commission is properly sought will be treated accordingly. All information, including confidential business information and documents for which confidential treatment is properly sought, submitted to the Commission for purposes of this Investigation may be disclosed to and used: (i) by the Commission, its employees and Offices, and contract personnel (a) for developing or maintaining the records of this or a related proceeding, or (b) in internal investigations, audits, reviews, and evaluations relating to the programs, personnel, and operations of the Commission including under 5 U.S.C. appendix 3; or (ii) by U.S. Government employees and contract

[1] Handbook for Electronic Filing Procedures: *https://www.usitc.gov/documents/handbook_on_filing_procedures.pdf.*

personnel,[2] solely for cybersecurity purposes. All nonconfidential written submissions will be available for public inspection at the Office of the Secretary and on EDIS.[3]

This action is taken under the authority of section 337 of the Tariff Act of 1930, as amended (19 U.S.C. 1337), and of §§ 201.10 and 210.8(c) of the Commission's Rules of Practice and Procedure (19 CFR 201.10, 210.8(c)).

By order of the Commission.

Issued: October 7, 2024.

**Lisa Barton,**

*Secretary to the Commission.*

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## DEPARTMENT OF JUSTICE

### Drug Enforcement Administration

### Salman Akbar, M.D.; Decision and Order

On January 27, 2023, the Drug Enforcement Administration (DEA or Government) issued an Order to Show Cause (OSC) to Salman Akbar, M.D., of Richmond, Virginia (Applicant). Request for Final Agency Action (RFAA), Exhibit (RFAAX) 1, Attachment E, at 1, 4. The OSC proposed the denial of Applicant's application for a DEA Certificate of Registration (registration), Control No. W22109452C, alleging that Applicant has committed acts that would render his registration inconsistent with the public interest. *Id.* at 1, 2 (citing 21 U.S.C. 823(g)(1),[1] 824(a)(4) [2]).

The OSC notified Applicant of his right to file with DEA a written request for hearing, and that if he failed to file such a request, he would be deemed to have waived his right to a hearing and be in default. *Id.* at 2 (citing 21 CFR 1301.43). Here, Applicant filed a timely answer and request for hearing on February 28, 2023,[3] but ultimately withdrew his request for hearing on March 27, 2023. *See* RFAAX 1, Attachment F.[4] On March 27, 2023, Chief Administrative Law Judge John J. Mulrooney, II, (the Chief ALJ) issued a Termination Order that terminated the proceedings. 21 CFR 1301.43(c) provides that, ''[i]n the event . . . a person who has requested a hearing fails to plead . . . or otherwise defend, said party shall be deemed to be in default . . . .'' By voluntarily withdrawing his hearing request, Respondent ''fail[ed] to . . . otherwise defend.'' 21 CFR 1301.43(c). Accordingly, Respondent is ''deemed to be in default.'' *Id.;* Default Provisions for Hearing Proceedings Relating to the Revocation, Suspension, or Denial of a Registration, 87 FR 68036 (Nov. 14, 2022).[5] *See* RFAAX 1, Attachment G. ''A default, unless excused, shall be deemed to constitute a waiver of the registrant's/applicant's right to a hearing and an admission of the factual allegations of the [OSC].'' 21 CFR 1301.43(e).

Further, ''[i]n the event that a [registrant/applicant] . . . is deemed to be in default . . . DEA may then file a request for final agency action with the Administrator, along with a record to support its request. In such circumstances, the Administrator may enter a default final order pursuant to [21 CFR] § 1316.67.'' *Id.* § 1301.43(f)(1). Here, the Government has requested final agency action based on Applicant's default pursuant to 21 CFR 1301.43(c), (d), 1301.46. RFAA, at 1; *see also* 21 CFR 1316.67.

## I. Findings of Fact

The Agency finds that, in light of Applicant's default, the factual allegations in the OSC are admitted. Applicant is deemed to have admitted that on March 2, 2020, DEA issued Applicant an Immediate Suspension Order and Order to Show Cause that suspended Applicant's previous DEA registration, Control No. BA5092856, and immediately rendered Applicant without authority to issue prescriptions for controlled substances. RFAAX 1, Attachment E, at 1–2; *see also* RFAAX 1, Attachment B. Further, on October 20, 2021, by Order of the then-Acting Administrator, Applicant's DEA registration, Control No. BA5092856, was revoked. RFAAX 1, Attachment E, at 2; *see also* RFAAX 1, Attachment C.

Nonetheless, Applicant is deemed to have admitted, and the Agency finds, that between on or about January 15, 2021, and on or about January 6, 2022, Applicant issued at least 17 prescriptions for controlled substances, including four prescriptions for oxycodone (a Schedule II controlled substance), two prescriptions for hydrocodone (a Schedule II controlled substance), five prescriptions for lorazepam (a Schedule IV controlled substance), two prescriptions for zolpidem (a Schedule IV controlled substance), one prescription for clonazepam (a Schedule IV controlled substance), two prescriptions for pregabalin (a Schedule V controlled substance), and one prescription for diazepam (a Schedule IV controlled substance). RFAAX 1, Attachment E, at 2; *see also* RFAAX 1, Attachment D. Applicant is deemed to have admitted, and the Agency finds, that each of these 17 prescriptions was issued without a DEA registration and outside the usual course of professional practice. *Id.*

## II. Discussion

### *A. The Five Public Interest Factors*

Pursuant to section 303(g)(1) of the CSA, ''[t]he Attorney General shall register practitioners . . . to dispense . . . controlled substances . . . if the applicant is authorized to dispense . . . controlled substances under the laws of the State in which he practices.'' 21 U.S.C. 823(g)(1). Section 303(g)(1) further provides that an application for a practitioner's registration may be denied upon a determination that ''the issuance of such registration . . . would be inconsistent with the public interest.'' *Id.* In making the public interest determination, the CSA requires consideration of the following factors:

(A) The recommendation of the appropriate State licensing board or professional disciplinary authority.

(B) The applicant's experience in dispensing, or conducting research with respect to controlled substances.

(C) The applicant's conviction record under Federal or State laws relating to the

[2] All contract personnel will sign appropriate nondisclosure agreements.

[3] Electronic Document Information System (EDIS): *https://edis.usitc.gov*

[1] Effective December 2, 2022, the Medical Marijuana and Cannabidiol Research Expansion Act, Pub. L. 117–215, 136 Stat. 2257 (2022) (Marijuana Research Amendments or MRA), amended the Controlled Substances Act (CSA) and other statutes. Relevant to this matter, the MRA redesignated 21 U.S.C. 823(f), cited in the OSC, as 21 U.S.C. 823(g)(1). Accordingly, this Decision cites to the current designation, 21 U.S.C. 823(g)(1), and to the MRA-amended CSA throughout.

[2] Prior Agency decisions have addressed whether it is appropriate to consider a provision of 21 U.S.C. 824(a) when determining whether to grant a practitioner registration application. For over forty-five years, Agency decisions have concluded that it is. *Robert Wayne Locklear, M.D.,* 86 FR 33738, 33744–45 (2021) (collecting cases); *see also Dinorah Drug Store, Inc.,* 61 FR 15972, 15973–74 (1996).

[3] Based on the Government's submissions in its RFAA dated July 3, 2023, the Agency finds that service of the OSC on Applicant was adequate. Specifically, the included Declaration of a DEA Diversion Investigator indicates that on January 30, 2023, Applicant was personally served with the OSC. RFAAX 1, at 2.

[4] Within the document where Applicant withdrew his request for hearing, Applicant's counsel indicated that Applicant would ''continue with the Corrective Action Plan route that was parallel to the litigation path, but unrelated to the hearing.'' *Id.* at 1.

[5] *See also* 21 CFR 1301.43(f)(3) (''A party held to be in default may move to set aside a default final order issued by the Administrator by filing a motion no later than 30 days from the day of issuance by the Administrator of a default final order. Any such motion shall be granted only upon a showing of good cause to excuse the default.'') Any motion to set aside a default and any response shall be filed and served by email to the other party and to Office of the Administrator, Drug Enforcement Administration at *dea.addo.attorneys@dea.gov.*